

Chapter IV

Middle East

Throughout 1989, the United Nations continued its efforts for a peaceful settlement of the Middle East conflict. The Palestinian uprising in the West Bank and Gaza Strip—known in Arabic as *intifadah*—intensified, as did Israeli countermeasures. Military confrontation escalated in Lebanon, where the assassination of the newly elected President in November demonstrated the fragility of the reconciliation process.

The question of Palestine was reaffirmed from various sides as the core of the Arab-Israeli conflict and it was stressed 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 immediate, unconditional and total withdrawal of Israel from the occupied Palestinian territory and the other occupied Arab territories. The General Assembly reaffirmed that such a peace could not be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, and called for the convening of an international peace conference on the Middle East under UN auspices.

The Security Council met on several occasions to discuss the situation in the Middle East and in the territories occupied by Israel. In July and August, it adopted resolutions by which it expressed its regret over the continuing deportation by Israel of Palestinian civilians and called on Israel to ensure the safe and immediate return of those deported and to desist from deporting others. The Council also issued a number of statements on the situation in Lebanon, expressing grave concern at the deterioration of the situation there and urging all the parties immediately to end the confrontation and support all efforts to find a peaceful solution to the Lebanese crisis.

During the year, the Council twice extended, for periods of six months each, the mandates of the United Nations Interim Force in Lebanon (UNIFIL) and the United Nations Disengagement Observer Force (UNDOF). The United Nations Truce Supervision Organization continued to assist UNDOF and UNIFIL in their tasks.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People (Committee on Palestinian rights), which kept under review the Palestine question, reported continuing serious aggravation of the situation in the occupied territory. The Special Committee to Investigate Israeli Prac-

tices Affecting the Human Rights of the Population of the Occupied Territories (Committee on Israeli practices) reported that the situation in the occupied territories was marked by a dangerous level of violence and repression, which had constantly escalated since the start of the Palestinian uprising in 1987. Both Committees stressed the need for urgent measures to ensure the safety of the Palestinians and protect their rights.

Economic and social developments in the occupied Palestinian and other Arab territories were monitored by the Economic and Social Council, which adopted during the year resolutions on Israeli economic practices, assistance to the Palestinian people and the situation of Palestinian women.

Assistance to Palestinians was provided by various UN organizations. Notable among them was the United Nations Relief and Work Agency for Palestinian Refugees in the Near East (UNRWA) which continued to deliver education, health and relief services to more than 2.3 million Palestinian refugees in Jordan, Lebanon, the Syrian Arab Republic, the West Bank and the Gaza Strip. As the Palestinian uprising and its consequences produced sudden and unprecedented demands for additional assistance, UNRWA introduced its emergency programme, which included increased medical and relief services.

Middle East situation

The escalation of the Israeli-Palestinian conflict, as well as the military confrontation in Lebanon, underlined the urgency for an effective negotiated settlement. While the necessity to convene an international conference on the Middle East as a major political instrument in attaining a comprehensive, just and lasting solution of the conflict was widely supported by the international community, negotiations remained at a standstill and no consensus was found on the modalities of setting in motion such a conference (see below, under "Palestine question").

However, the search for a peaceful negotiated solution of the conflict continued throughout the year. The United States, Israel and Egypt launched their own initiatives. To promote a dialogue between the

parties, the United States established contact with them and in November presented a five-point proposal as a basis for such dialogue. Israel accepted the proposal, (1) while stressing that any discussion had to start with its own peace initiative of 14 May 1989.(2) Egypt put forward the idea of holding a dialogue in Cairo between an Israeli government delegation and a mandated Palestinian delegation, during which each party would be free to present its position on the settlement process and to discuss the question of elections and any other related matter.(3)

There were also proposals to consider placing the territories occupied by Israel under international supervision to ensure the protection and security of the inhabitants, pending a definitive solution and the establishment of total peace in the region, as suggested by, among others, the Committee on Palestinian rights.(14)

Reports of the Secretary-General. In accordance with a 1988 request of the General Assembly,(5) the Secretary-General submitted in November 1989 a comprehensive report(6) on the developments in the Middle East in all their aspects. The report addressed such issues as UN peace-keeping activities, the situation in the occupied territories, the Palestine refugee problem, the question of Palestine and the situation in the Middle East.

The Secretary-General stated that expectations for progress in the Middle East peace process were heightened by a number of dramatic political developments, notably the decision by the United States to begin a dialogue with the Palestine Liberation Organization (PLO) and other important proposals aimed primarily at launching a dialogue between Israelis and Palestinians. However, he expressed concern over the fact that valuable time was passing and the willingness to negotiate might be eroded by bitterness resulting from events on the ground. The intifadah, in contrast to the nuances of the diplomatic process, gave a direct and unequivocal message of rejection of the Israeli occupation and commitment to the exercise of legitimate Palestinian rights, including self-determination.

The Secretary-General reported that he had endeavoured to launch a process of consultations, initially with the permanent members of the Security Council, and remained in continuous contact with the parties to the conflict to discuss ways of advancing the peace process, including the prospects for an international peace conference on the Middle East.

He reiterated that he was troubled by some declarations that questioned the applicability of Security Council resolution 242(1967), since he believed that any deviation from it imperilled the prospects for a comprehensive settlement and that

the Council could make an important contribution to the process by renewing its commitment to that resolution as well as Council resolution 338(1973).(8)

By an October report with later addendum, (9) the Secretary-General submitted to the Assembly replies from four Member States to his request for information on steps taken to implement three 1988 Assembly resolutions on the Middle East situation. By those resolutions-dealing with general aspects of the Middle East situation, (5) Israeli policy in the Syrian Arab Golan occupied by Israel since 1967(10) and the transfer by some States of their diplomatic missions to Jerusalem (11)-the Assembly had called on States to adopt a number of measures concerning their relations with Israel and on the States concerned to abide by the relevant Assembly resolutions.

GENERAL ASSEMBLY ACTION

On 4 December 1989, the General Assembly adopted resolution 44/40 A by recorded vote.

The General Assembly,

Having disclosed the item entitled "The situation in the Middle East",

Reaffirming its resolutions 36/226 A and B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 F of 20 December 1982, 38/58 A to E of 13 December 1983, 38/180 A to D of 19 December 1983, 39/146 A to C of 14 December 1984, 40/168 A to C of 16 December 1985, 41/162 A to C of 4 December 1986, 42/209 A to D of 11 December 1987 and 43/54 A to C of 6 December 1988,

Recalling Security Council resolutions 425(1978) of 19 March 1978, 497(1981) of 17 December 1981, 508(1982) of 5 June 1982, 509(1982) of 6 June 1982, 511(1982) of 18 June 1982, 512(1982) of 19 June 1982, 513(1982) of 4 July 1982, 515(1982) of 29 July 1982, 516(1982) of 1 August 1982, 517(1982) of 4 August 1982, 518(1982) of 12 August 1982, 519(1982) of 17 August 1982, 520(1982) of 17 September 1982, 521(1982) of 19 September 1982 and 555(1984) of 12 October 1984 and other relevant resolutions,

Taking note of the reports of the Secretary-General of 27 October 1989, 16 November 1989 and 22 November 1989,

Reaffirming the need for continued collective support for the decisions adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, which were confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, reiterating its previous resolutions on the question of Palestine and its support for the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people, and considering that the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, in accordance with General Assembly resolution 38/58 C and other resolutions related to the question of Palestine, would contribute to the promotion of peace in the region,

Welcoming all efforts contributing towards the realization of the inalienable rights of the Palestinian people through the achievement of a comprehensive, just and lasting peace in the Middle East, in accordance with the United Nations resolutions relating to the question of Palestine and to the situation in the Middle East,

Welcoming the world-wide support extended to the just cause of the Palestinian people and the other Arab countries in their struggle against Israeli aggression and occupation in order to achieve a comprehensive, just and lasting peace in the Middle East and the full exercise by the Palestinian people of its inalienable national rights, as affirmed by previous resolutions of the General Assembly on the question of Palestine and on the situation in the Middle East,

Gravely concerned that the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories still remain under Israeli occupation, that the relevant resolutions of the United Nations have not been implemented and that the Palestinian people is still denied the restoration of its land and the exercise of its inalienable national rights in conformity with international law, as reaffirmed by resolutions of the United Nations,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming also all relevant United Nations resolutions which stipulate that the acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law and that Israel must withdraw unconditionally from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Reaffirming further the imperative necessity of establishing a comprehensive, just and lasting peace in the region, based on full respect for the Charter and the principles of international law,

Gravely concerned also at the continuing Israeli policies involving the escalation and expansion of the conflict in the region, which further violate the principles of international law and endanger international peace and security,

Stressing once again the great importance of the time factor in the endeavours to achieve an early comprehensive, just and lasting peace in the Middle East,

1. Reaffirms its conviction that the question of Palestine is the core of the conflict in the Middle East and that no comprehensive, just and lasting peace in the region will be achieved without the full exercise by the Palestinian people of its inalienable national rights and the immediate, unconditional and total withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

2. Reaffirms that a just and comprehensive settlement of the situation in the Middle East cannot be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization, the representative of the Palestinian people;

3. Declares once more that peace in the Middle East is indivisible and must be based on a comprehensive, just and lasting solution of the Middle East problem, under

the auspices of the United Nations and on the basis of its relevant resolutions, which ensures the complete and unconditional withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and which enables the Palestinian people, under the leadership of the Palestine Liberation Organization, to exercise its inalienable rights, including the right to return and the right to self-determination, national independence and the establishment of its independent sovereign State in Palestine, in accordance with the resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980, 36/120 A to F of 10 December 1981, 37/86 A to D of 10 December 1982, 37/86 E of 20 December 1982, 38/58 A to E of 13 December 1983, 39/49 A to D of 11 December 1984, 40/96 A to D of 12 December 1985, 41/43 A to D of 2 December 1986, 42/66 A to D of 2 December 1987, 43/54 A to C of 6 December 1988, and 43/175 A to C, 43/176 and 43/177 of 15 December 1988;

4. Considers the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference, held at Fez, Morocco, on 25 November 1981 and from 6 to 9 September 1982, which was confirmed by subsequent Arab summit conferences, including the Extraordinary Arab Summit Conference held at Casablanca, Morocco, from 23 to 26 May 1989, as well as relevant efforts and action to implement the Fez plan, 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 in the Middle East;

5. Condemns Israel's continued occupation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all the territories occupied since 1967;

6. Rejects all agreements and arrangements which violate the inalienable rights of the Palestinian people and contradict the principles of a just and comprehensive solution to the Middle East problem to ensure the establishment of a just peace in the area;

7. Deplores Israel's failure to comply with Security Council resolutions 476(1980) of 30 June 1980 and 478(1980) of 20 August 1980 and General Assembly resolutions 35/207 of 16 December 1980 and 36/226 A and B of 17 December 1981; determines 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 are null and void and demands that they be rescinded immediately; and calls upon all Member States, the specialized agencies and all other international organizations to abide by the present resolution and all other relevant resolutions and decisions;

8. Condemns Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside this territory, including expropriation, establishment of settlements, annexation and other terrorist, aggressive and repressive measures, which are in violation of the Charter and the principles of international law and the relevant international conventions;

9. Strongly condemns the imposition by Israel of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, its annexationist policies and practices, the establishment of settlements, the confiscation of lands, the diversion of water resources and the imposition of Israeli citizenship on Syrian nationals, and declares that all these measures are null and void and constitute a violation of the rules and principles of international law relative to belligerent occupation, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

10. Considers that the agreements on strategic co-operation between the United States of America and Israel, signed on 30 November 1981, and the continued supply of modern arms and matériel to Israel, augmented by substantial economic aid, including the Agreement on the Establishment of a Free Trade Area between the two Governments, have encouraged Israel to pursue its aggressive and expansionist policies and practices in the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, and have had adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and pose a threat to the security of the region;

11. Calls once more 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;

12. Strongly & condemns the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and Arab States and enables Israel to enhance its nuclear capabilities, thus subjecting the States of the region to nuclear blackmail;

13. Reaffirms its call for convening the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of the live permanent members of the Security Council and all parties to the conflict, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, on an equal footing, and that the Conference should be effective with full authority, in order to achieve a comprehensive and just solution based on the withdrawal of Israel from the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories, and the attainment of the inalienable rights of the Palestinian people in accordance with United Nations resolutions relevant to the question of Palestine and the situation in the Middle East;

14. Endorses the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members of the Council, to take the necessary action to convene the Conference;

15. Requests 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 forty-fifth session a comprehensive report covering the developments in the Middle East in all their aspects.

General Assembly resolution 44/40 A

4 December 1989 Meeting 73 109-18-31 (recorded vote)

12-nation drift (A/44/L.47 & Add.1); agenda item 37.

Sponsors: Afghanistan, Albania, Bahrain, Cuba, Djibouti, Indonesia, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan.

Meeting numbers. GA 44th session: plenary 64-66, 73.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Chad, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Dominica, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, United Kingdom, United States.

Abstaining: Antigua and Barbuda, Austria, Bahamas, Barbados, Central African Republic, Chile, Costa Rica, Dominican Republic, El Salvador, Equatorial Guinea, Fiji, Finland, Grenada, Honduras, Jamaica, Japan, Kenya, Liberia, Malawi, Malta, Panama, Papua New Guinea, Paraguay, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Spain, Sweden, Uruguay.

UN Truce Supervision Organization

In his November report on the Middle East,(6) the Secretary-General provided information on the activities of three UN peace-keeping operations in the region: two peace-keeping forces—UNDOF and UNIFIL—and one observer mission, the United Nations Truce Supervision Organization (UNTSO). Apart from assisting UNDOF and UNIFIL, UNTSO maintained two observer groups of its own in Beirut, Lebanon, and in Egypt. The Observer Group in Beirut, set up by the Security Council in 1982 following the occupation of West Beirut by Israeli troops,(12) stood at a reduced strength of 14 observers, some of whom were withdrawn temporarily during hostilities in 1989. The Observer Group in Egypt, established when the second United Nations Emergency Force was withdrawn in 1979,(13) had a total strength of 50 observers. In addition to liaison offices in Cairo and Ismailia, it maintained six observation posts in the Sinai.

On 15 November, the Secretary-General informed the President of the Security Council(14) that total UNTSO strength was at its authorized level of 298 officers, contributed by 10 countries. China and Switzerland had each recently offered five observers. The Council agreed with the proposed change in the composition of UNTSO. (15)

REFERENCES

- (1)A/44/721-S/2096. (2)A/44/282-S/20637. (3)A/44/796-S/20987. (4)A/44/35. (5)YUN 1988, p. 202, GA res. 43/54 A, 6 Dec. 1988. (6)A/44/737-S/20971. (7)YUN 1967, p. 257, SC res. 242(1967), 22 Nov. 1967. (8)YUN 1973, p. 213, SC

res. 338(1973), 22 Oct. 1973. (9)A/44/690 & Add.1. (10)YUN 1988, p. 246, GA res. 43/54 B, 6 Dec. 1988. (11)Ibid., p. 212, GA res. 43/54 C, 6 Dec. 1988. (12)YUN 1982, p. 475, SC res. 516(1982), 1 Aug. 1982. (13)YUN 1979, p. 318. (14)S/20977. (15)S/20978.

Palestine question

The question of Palestine remained at the core of an intensifying Arab-Israeli conflict which brought with it an escalating uprising against Israeli occupation in the West Bank, Gaza Strip and East Jerusalem. In April, at the request of the Chairman of the Arab Group at the United Nations, the Assembly resumed its consideration of the question and adopted a resolution condemning the latest action of members of the Israeli armed forces in the Palestinian town of Nahalin and requesting the Security Council to consider measures to provide international protection to the Palestinian civilians (see below, under "Territories occupied by Israel"). Under the same agenda item, the Assembly in October adopted a resolution on the intifadah. In December, following its consideration of the 1989 report of the Committee on Palestinian rights,⁽¹⁾ the Assembly adopted three resolutions addressing the Palestine question.

The International Day of Solidarity with the Palestinian People was observed on 29 November at United Nations Headquarters in New York and at the United Nations Offices at Geneva and Vienna.

GENERAL ASSEMBLY ACTION

On 20 April, the General Assembly adopted resolution 43/233 by recorded vote.

Question of Palestine

The General Assembly,

Having considered the item entitled "Question of Palestine",

Guided by the principles of the Charter of the United Nations and the provisions of the Universal Declaration of Human Rights,

Gravely concerned at and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Expressing its profound shock at the latest action of members of the Israeli armed forces on 13 April 1989, which resulted in the killing and wounding of Palestinian civilians in the town of Nahalin,

Having considered the statement of the Secretary-General on 13 April 1989 relative to that raid,

Aware that Israel, the occupying Power, has imposed limitations on Palestinian Muslims that restrict their participation in the life of their community and in the observance of their religious rites and obligations,

Taking into account the need to consider means for the impartial protection of the Palestinian civilian population under Israeli occupation,

Considering that the current policies and practices of Israel, the occupying Power, in the occupied Palestinian territory are bound to have grave consequences for the endeavours to achieve a comprehensive, just and lasting peace in the Middle East,

Reaffirming once again that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel, including Jerusalem,

1. Condemns those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territory, including the right of freedom of worship, and, in particular, the opening of fire by Israeli armed forces, which has resulted in the killing and wounding of defenceless Palestinian civilians, and specifically the latest action of members of the Israeli armed forces against the defenceless civilians in the Palestinian town of Nahalin;

2. Demands that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and that it desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. Requests the Security Council to consider with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

4. Stresses the urgent need to expedite the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations and in conformity with the provisions of General Assembly resolution 43/176 of 15 December 1988;

5. Requests the Secretary-General to submit periodic reports on developments in the occupied Palestinian territory.

General Assembly resolution 43/233

20 April 1989 Meeting 94 129-2-1 (recorded vote)

38-nation draft (A/43/L.55 & Add.1); agenda item 37.

Sponsors: Afghanistan, Algeria, Bahrain, Bangladesh, Democratic Yemen, Djibouti, Egypt, German Democratic Republic, India, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mongolia, Morocco, Oman, Qatar, Pakistan, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, Uganda, Ukrainian SSR, United Arab Emirates, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zambia.
Meeting numbers. GA 43rd session: plenary 92-94.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian SSR, Canada, Cape Verde, Chad, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian USSR, United Arab Emirates, United Kingdom, United Repub-

lic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Liberia.

Activities of the Committee on Palestinian rights. As mandated by the General Assembly in 1988,(2) the Committee on Palestinian rights, established in 1975,(3) continued to review the situation relating to the Palestine question in the light of new developments and to promote the exercise by the Palestinian people of its rights.

In November, the Committee submitted to the Assembly its annual report(1) with recommendations. The Committee acknowledged that the year under review had brought about events of momentous significance in the history of the struggle of the Palestinians to regain and exercise their rights. Their continuing uprising, the proclamation of the State of Palestine and the Palestinian peace initiative announced in December 1988 by Yasser Arafat had in the Committee's view created new conditions and opportunities for concerted international action aimed at achieving a comprehensive, just and lasting settlement. The growing deterioration of the situation in the occupied Palestinian territory was, according to the Committee, a matter of utmost concern that imposed a moral duty on the international community to bring about such a settlement expeditiously. The Committee considered it incumbent on the Security Council to take concrete and effective action to secure those goals. It believed that its 1976 recommendations,(4) endorsed by the Assembly,(5) provided a constructive programme for implementing Palestinian rights; it therefore called for urgent positive action on those recommendations by the Security Council and reaffirmed that the recognition, attainment and exercise of the rights of the Palestinians were indispensable conditions in the solution of the Palestine question. The Committee reasserted that the Israeli evacuation of the occupied territories was a *conditio sine qua non* for the exercise of those rights.

The Committee reaffirmed the international consensus that PLO was the sole and legitimate representative of the Palestinians, whose participation on an equal footing was indispensable in any efforts and deliberations aimed at achieving a comprehensive, just and lasting Middle East peace. It considered that the State of Palestine should be accorded its rightful place within the international community and the United Nations. It noted the widespread international support for the Palestinian peace initiative and deeply regretted that Israel so far had failed to respond positively to it and continued to refuse to acknowledge Palestinian national rights; it accordingly urged Israel to reverse its position and join the international consensus.

The Committee considered it imperative for the Security Council to take positive action towards

the convening of an international peace conference on the Middle East (see below), on the basis of a 1988 General Assembly resolution on the Palestine question,(6) which had the international community's overwhelming support. The Committee reaffirmed the principles for achieving a comprehensive peace contained in that resolution, namely: Israeli withdrawal from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories; guaranteeing arrangements for the security of all States in the region, including those mentioned in the 1947 resolution on the future Government of Palestine,(7) within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with a 1948 Assembly resolution(8) and subsequent relevant resolutions; dismantling the Israeli settlements in the occupied territories; and guaranteeing freedom of access to Holy Places, religious buildings and sites.

The Committee urged the Secretary-General to do everything in his power to ensure that active consultations were undertaken within the Security Council towards the convening of an international conference; the Committee itself intended to continue to intensify its efforts towards that objective and make it once again the focal point of its work programme in the coming year. Noting that the Secretary-General had reported that his attempts to pave the way to an effective negotiating process had so far proved inconclusive, the Committee recommended that the Assembly call once again on the Council, particularly its permanent members, to consider measures needed to convene such a conference, including the establishment of a preparatory committee, and to consider guarantees for security measures in accordance with the 1988 resolution.(6)

The Committee protested in the strongest terms the intensification of Israeli repression against Palestinians in the occupied territory, including children, particularly the liberal use of live ammunition, random beatings, raids and mass arrests, the increased use of administrative detention, deportations and collective punishment. It condemned the unchecked violence of Israeli settlers and the measures taken by the occupying Power to deprive the Palestinians of their right to education, as well as administrative, economic and other measures to control all aspects of Palestinian life and prevent the development of autonomous socio-economic structures. The Committee welcomed the action by Governments, non-governmental organizations (NGOs) and other bodies to denounce those measures and welcomed the partial opening of schools as a result of that international pressure. It called on all concerned to redouble their efforts to expose, protest and put

an end to those Israeli policies and practices which violated the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War (fourth Geneva Convention). Given the grave situation created by such policies and practices, the Committee called once again on the Security Council to consider urgently measures to provide international protection to the Palestinians in the occupied territory, including Jerusalem. It also called for international action to alleviate the sufferings of the Palestinians living under occupation, especially women and children.

The Committee reasserted that the United Nations had a historical duty and responsibility to render all assistance necessary to promote the autonomous economic development of the occupied territory in preparation for the attainment of independence; it accordingly reiterated its call on the UN system, as well as on Governments, intergovernmental organizations and NGOs, to sustain and increase their economic and social assistance, in close co-operation with PLO.

The Committee noted with satisfaction the increased awareness and mobilization of international public opinion in support of the attainment of Palestinian rights and UN recommendations for a comprehensive, just and lasting solution to the Palestine question. It believed that its regional seminars and meetings and symposia of NGOs, as well as the journalists' encounters and other informational activities it sponsored, had played a valuable role in that process; it would continue to strive for maximum effectiveness in carrying out that programme and to intensify its efforts in implementation of its mandate.

In order to promote international awareness of the Palestine question and create conditions favourable for implementation of its recommendations, the Committee and, under its guidance, the Division for Palestinian Rights continued to expand co-operation with NGOs. To that end, it held a regional symposium and seminar in Africa (Cairo, Egypt, 18-22 December 1988); a North American regional seminar (New York, 19-20 June); a North American regional NGO symposium (New York, 21-23 June 1989); a regional symposium in Europe (Vienna, 28-29 August); an international NGO meeting (Vienna, 30 August-1 September); and an Asian regional NGO symposium (Kuala Lumpur, Malaysia, 18-21 December). The conclusions, recommendations and declarations of the symposia and seminars were annexed to the Committee's report. The Committee was represented at a number of international conferences and meetings, including an international NGO symposium on the role of foreign assistance in meeting the economic and social development requirements of the Palestinian people (Vienna, 27 August).

GENERAL ASSEMBLY ACTION

Following consideration of the report of the Committee on Palestinian rights, the General Assembly adopted on 6 December resolutions on the question of Palestine. Resolution 44/41 A was adopted by recorded vote.

The General Assembly,

Recalling its resolutions 181(II) of 29 November 1947, 194(III) of 11 December 1948, 3236(XXIX) of 22 November 1974, 3375(XXX) and 3376(XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987 and 43/175 A of 15 December 1988,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. Endorses the recommendations of the Committee contained in paragraphs 110 to 118 of its report and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;

3. Requests 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 and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. Authorizes the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations, to make such adjustments in its approved programme of seminars and symposia and meetings for non-governmental organizations as it may consider necessary, and to report thereon to the General Assembly at its forty-fifth session and thereafter;

5. Also requests the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

6. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194(III), as well as other United Nations bodies associated with the question of Palestine, to continue to co-operate fully with the Committee and to make available to it, at its request, the relevant in-

formation and documentation which they have at their disposal;

7. Decides to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

8. Requests the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

General Assembly resolution 44/41 A

6 December 1989 Meeting 76 132-3-21 (recorded vote)

14-nation draft (A/44/L.43 & Add.1); agenda item 39.

Sponsors: Afghanistan, Bangladesh, Cuba, German Democratic Republic, Guyana, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Senegal, Ukrainian SSR, Yugoslavia.

Financial implications. 5th Committee, A/44/846; S-G, A/C.5/44/43.

Meeting numbers. GA 44th session: 5th Committee 53; plenary 23, 67-71, 73, 76.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua, New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Dominica, Israel, United States.

Abstaining: Australia, Austria, Belgium, Belize, Canada, Denmark, Equatorial Guinea, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom.

On the same date, the Assembly also adopted resolution 44/41 B by recorded vote.

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Taking note, in particular, of the relevant information contained in paragraphs 64 to 93 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 32/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987 and 43/175 B of 15 December 1988,

1. Takes note with appreciation of the action taken by the Secretary-General in compliance with General Assembly resolution 43/175 B;

2. Requests the Secretary-General to provide the Division for Palestinian Rights of the Secretariat with the necessary resources and to ensure that it continues to discharge the tasks detailed in paragraph 1 of General

Assembly resolution 34/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B and paragraph 2 of resolution 42/66 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

3. Also requests the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

4. Invites all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

5. Takes note with appreciation of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People.

General Assembly resolution 44/41 B

6 December 1989 Meeting 76 133-3-20 (recorded vote)

14-nation draft (A/44/6.44 & Add.1); agenda item 39.

Sponsors: Afghanistan, Bangladesh, Cuba, German Democratic Republic, Guyana, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Senegal, Ukrainian SSR, Yugoslavia.

Financial implications. 5th Committee, A/44/846; S-G, A/C.5/44/43.

Meeting numbers. GA 44th session: 5th Committee 53; plenary 23, 67-71, 73, 76.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Dominica, Israel, United States.

Abstaining: Australia, Austria, Belgium, Belize, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom.

Proposed peace conference under UN auspices

In accordance with a 1988 General Assembly request,(6) the Secretary General in 1989 continued his efforts with the parties concerned and, in consultation with the Security Council, to facilitate the convening of an international peace conference on the Middle East. In November, he submitted a progress report(9) setting out the results of the Security Council President's con-

sultations with Council members and statements of concerned parties, as well as his own observations.

The Council President stated that the Council members had noted with appreciation some positive steps and initiatives undertaken in the past year, but remained preoccupied with the continuing lack of progress in achieving peace and the increasingly serious situation in the occupied territories. They reaffirmed their support for an active peace process and invited the Secretary-General to pursue his efforts and consultations with respect to the convening of an international peace conference. Most Council members stressed that the conference should be organized on the basis of a 1988 Assembly resolution on the question of Palestine,(6) in which the Assembly called for convening the conference under UN auspices, with the participation of all parties, including PLO, on an equal footing. Several Council members said the Council should begin urgent consideration of the Middle East situation with a view to reaching early agreement, in particular on the establishment of a preparatory committee for the conference, while others indicated that the parties directly concerned must reach agreement on the exact form of the conference, which should not prejudice the outcome of negotiations. However, one member could not support the convening of a conference on the basis of the 1988 resolution, since in its view the formula it contained failed to address the centrality of direct negotiations among the parties and purported to determine in advance the outcome of issues which had to be resolved in the course of negotiations. That member considered that the time was not right to convene an international conference.

In statements of concerned parties, submitted in response to a note verbale of the Secretary-General of 21 September, Egypt and Jordan supported the conference's convening and presented suggestions for its terms of reference and other aspects pertaining to it. Israel objected to convening a conference and advocated direct negotiations, stating that PLO could not be considered a partner to peace negotiations. Lebanon agreed in principle to convening a conference, but did not support any linkage of the solution of its own problem with that of the Middle East issue. The Syrian Arab Republic emphasized the need to continue efforts for convening the conference based on UN resolutions, complete Israeli withdrawal from all occupied Arab territories and guarantee of the national rights of the Palestinians. PLO stressed that all peace endeavours had to be carried out under UN auspices and on the basis of the principles of the Charter and the 1988 Assembly resolution.

The Secretary-General concluded that sufficient agreement did not exist within the Council or

among parties to the conflict, to permit the convening of a peace conference. He was deeply concerned that the opportunities which had emerged in the previous 12 months might slip away, but said he would spare no efforts to carry out the responsibilities entrusted to him in that regard.

In its annual report,(1) the Committee on Palestinian rights reiterated its firm conviction that the proposed conference provided the only comprehensive, practical and overwhelmingly accepted framework for peace in the Middle East. It believed that continuation of the intifadah and the intensification of repressive measures by Israel had created a critical situation making it imperative to advance towards a settlement of the Palestine question. The Committee stressed the urgent need for the Council and the parties directly concerned to take positive action towards convening the conference.

GENERAL ASSEMBLY ACTION

On 6 December, the General Assembly adopted resolution 44/42 by recorded vote.

Question of Palestine

The General Assembly,

Having considered the report of the Secretary-General of 16 November 1989,

Having heard the statement made on 29 November 1989 by the chairman of the observer delegation of Palestine, Stressing that achieving a comprehensive settlement of the Middle East conflict, the core of which is the question of Palestine, will constitute a significant contribution to international peace and security,

Aware of the overwhelming support for the convening of the International Peace Conference on the Middle East,

Noting with appreciation the endeavours of the Secretary-General to achieve the convening of the Conference,

Preoccupied by the increasingly serious situation in the occupied Palestinian territory as a result of persistent policies and practices of Israel, the occupying Power, and by the continuing lack of progress in achieving peace in the Middle East,

Aware of the ongoing uprising (intifadah) of the Palestinian people since 9 December 1987, aimed at ending Israeli occupation of Palestinian territory occupied since 1967,

1. Reaffirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

2. Calls once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242(1967) of 22 November 1967 and 338(1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

3. Reaffirms the following principles for the achievement of comprehensive Deace:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181(II) of 29 November 1947, with secure and internationally recognized boundaries;

(c) Resolving the problem of the Palestine refugees in conformity with Central Assembly resolution 194(III) of 11 December 1948, and subsequent relevant resolutions;

(d) Dismantling the Israeli settlements in the territories occupied since 1967;

(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

5. Once again invites the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter.

General Assembly resolution 44/42

6 December 1989 Meeting 76 151-3-1 (recorded vote)

36-nation draft (A/44/L.51/Rev.1 & Add.1); agenda item 39.

Sponsors: Afghanistan, Bahrain, Bangladesh, Cuba, Cyprus, Democratic Yemen, Djibouti, Egypt, German Democratic Republic, Hungary, India, Indonesia, Iraq, Kuwait, Lebanon, Madagascar, Malaysia, Mali, Malta, Mauritania, Mongolia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Ukrainian SSR, United Arab Emirates, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: plenary 23, 67-71, 73, 76.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Dominica, Israel, United States.

Abstaining: Belize

Iran announced that it was not participating in the vote.

Speaking before the Assembly, the Observer for Palestine said that PLO accepted a preliminary

Palestinian-Israeli dialogue, provided that each party nominated the members of its own delegation without interference from any other side; that the agenda of the dialogue should be open; that the dialogue should be held under the auspices of the five permanent Security Council members; and that the dialogue should be a preparatory step towards convening the envisaged international conference.

Earlier, the Assembly, in resolution 43/233, stressed the urgent need to expedite the convening of an international conference under UN auspices and in conformity with its 1988 resolution on the question.(6)

Public information activities

In compliance with a 1988 General Assembly resolution,(10) the Department of Public Information (DPI) of the UN Secretariat continued in 1989, in full co-operation with the Committee on Palestinian rights, its special information programme on the Palestine question. DPI disseminated press releases, publications and audio-visual materials, and organized fact-finding missions and regional and national encounters for journalists. It provided press coverage of all UN meetings relevant to the question, as well as seminars and symposia held by the Committee, focusing increasingly on news items and information concerning the situation in the occupied territories and efforts to convene an international peace conference on the Middle East under UN auspices.

The UN Chronicle reported extensively on the consideration given to the Palestine question by the Assembly and the Security Council. During 1989, DPI issued in Arabic, English, French, German and Spanish two new booklets, on the work of the Committee on Palestinian rights and of the Committee on Israeli practices. DPI also produced a widely circulated poster on the proposed international peace conference.

The Department produced radio features on various aspects of the Palestine question. Extensive radio coverage was given to the North American regional seminar on the question, the Latin American regional journalists' encounter and the International Day of Solidarity with the Palestinian People.

Meetings of the Assembly and Security Council on the question received full television coverage, as did meetings and seminars of the Committee on Palestinian rights. Three editions of the weekly video programme entitled "UN in Action" were devoted to various aspects of the question. A total of 138 video news packages relating to the question were disseminated world wide.

In order to acquaint the media with the facts and developments pertaining to the question, DPI

organized a news mission of 13 high-level journalists to the Middle East. From 7 to 23 Ma!; they visited Tunis (Tunisia), Damascus (Syrian Arab Republic), Amman ('Jordan) and Cairo (Egypt). No reply was received to DPI's formal request for the mission to visit Israel and the West Bank. The Department also organized two regional encounters for journalists in Singapore (30 January-1 February) and Kingston, Jamaica (26-28 July). Three series of national expert encounters 'in the form of press conferences were held in London and Berlin (16-19 January); New Delhi (India), Bangkok (Thailand), Sydney and Canberra (Australia), Wellington (New Zealand) and Tokyo (Japan) (24 January-13 February); and Bogotá (Colombia), Quito (Ecuador) and Santiago (Chile) (19-24 July).

UN information centres throughout the world distributed publications on the topic, and organized exhibitions, meetings and other activities to observe the International Day of Solidarity with the Palestinian People on 29 November.

GENERAL ASSEMBLY ACTION

On 6 December, the General Assembly adopted resolution 44/41 C by recorded vote.

The General Assembly,
Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Taking note, in particular, of the information contained in paragraphs 94 to 109 of that report,

Recalling its resolutions 43/175 C, 43/176 and 43/177 of 15 December 1988,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. Takes note with appreciation of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 43/175 C;

2. Requests the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the biennium 1990-1991, with particular emphasis on public opinion in Europe and North America and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organs;

(b) To continue to issue and update publications on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Arab inhabitants of the occupied territories as reported by the relevant United Nations organs;

(c) To expand its audio-visual material on the question of Palestine, including the production of special series of radio programmes and television broadcasts;

(d) To organize fact-finding news missions to the area for journalists;

(e) To organize regional and national encounters for journalists.

General Assembly resolution 44/41 C

6 December 1989 Meeting 76 136-3-17 (recorded vote)

14-nation draft (A/44/L.45 & Add.1); agenda item 39.

Sponsors: Afghanistan, Bangladesh, Cuba, German Democratic Republic, Guyana, India, Indonesia, Madagascar, Malaysia, Mali, Pakistan, Senegal, Ukrainian SSR, Yugoslavia.

Financial implications. 5th Committee, A/44/846; S-G, A/C.5/44/43.

Meeting numbers. GA 44th session: 5th Committee 53; plenary 23, 67-71, 73, 76.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriyah, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Dominica, Israel, United States.

Abstaining: Australia, Belgium, Belize, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, United Kingdom.

Jerusalem

In October 1989, the Secretary-General reported(11) to the General Assembly on steps he had taken in response to a 1988 resolution(12) regarding the transfer by some States of their diplomatic missions to Jerusalem in violation of a 1980 Security Council resolution.(13) In May 1989, he had sent notes verbales to Member States, but received no replies specific to that question at the time of his report.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 44/40 C by recorded vote.

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987 and 43/54 C of 6 December 1988, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling Security Council resolution 478(1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 22 November 1989,

1. Determines that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478(1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/40 C

4 December 1989 Meeting 73 147-2-8 (recorded vote)

16-nation draft (A/44/L.49 & Add.1); agenda item 37.

Sponsors: Afghanistan, Algeria, Bahrain, Cuba, Djibouti, Egypt, Indonesia, Kuwait, Malaysia, Mali, Mauritania, Morocco, Oman, Pakistan, Syrian Arab Republic, Yugoslavia.

Meeting numbers. GA 44th session: plenary 64-66, 73.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Costa Rica, Israel.

Abstaining: Belize, Dominica, El Salvador, Equatorial Guinea, Honduras, Kenya, Malawi, United States.

Assistance to Palestinians

Under their respective mandates, various organizations of the UN system continued in 1989 to provide economic and social assistance to the Palestinian people. An overview of their activities was contained in an October report(14) submitted by the Secretary-General in response to a 1988 General Assembly resolution.(15) The Assembly, by that resolution, had requested the Secretary-General to entrust the United Nations Centre for Human Settlements (UNCHS) with supervising the

development of the programme of economic and social assistance to the Palestinians, in close cooperation with PLO. In June, UNCHS submitted an interim report(16) outlining steps taken in that regard. It had met with PLO representatives and selected experts to determine the scope of the programme and identified 30 projects. By October, it had received 26 project proposals, which were summarized in an appendix to the Secretary-General's report.

The United Nations Development Programme (UNDP), whose economic and social assistance was primarily for non-refugee Palestinian population in the occupied territory, was implementing in 1989 some 15 projects with a total budget of over \$15 million. Its assistance programme included manpower development, industrial development, improvement of water supply systems, sewage disposal and effluent recycling, strengthening of educational and health institutions, assistance to municipalities and establishment of a business development course. UNDP submitted to the Israeli authorities for approval projects to develop women's institutions and the poultry industry. Among contributors to the programme were Canada, Italy, Japan, Tunisia, the United States and the Arab Gulf Fund for United Nations Development Organizations.

In response to additional needs for assistance as a consequence of the intifadah, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) introduced a programme of extraordinary measures and an expanded programme of assistance to improve living conditions in the occupied territory, including additional medical supplies and equipment. UNRWA also continued to provide education, health and relief services to Palestine refugees in the West Bank and Gaza Strip, as well as in Jordan, Lebanon and the Syrian Arab Republic (see below, under "Palestine refugees").

The United Nations Conference on Trade and Development (UNCTAD) focused its Palestine-related activities on three main areas: monitoring and analysing policies and measures of the Israeli occupation authorities that affected the economy of the occupied Palestinian territory; investigating the impact of such policies on key economic sectors and examining feasible solutions; and developing a data base for the dissemination of information on the economy of the occupied territory. Within the framework of the latter, UNCTAD issued selected statistical tables on the economy of the occupied Palestinian territory (West Bank and Gaza Strip), and data-base extracts of economic issues and related Israeli practices in the occupied Palestinian territory (West Bank and Gaza Strip, 1987-1988), as well as an in-depth study analysing Palestinian external trade under Israeli occu-

pation and examining the potential for its development.

Assistance to Palestinian children and mothers was provided by the United Nations Children's Fund (UNICEF), concentrating on six areas: immunization, oral rehydration therapy, training of traditional birth attendants, establishment and operation of four child development centres, training of village health workers and kindergarten teacher training. In co-operation with the Palestinian Red Crescent Society, UNICEF was implementing water and sanitation projects in villages of the Hebron district. Through UNRWA, UNICEF also provided primary health care services for Palestinian refugees in the occupied territory.

Focusing its attention on assistance in the industrial and the livestock resource sectors, the Economic and Social Commission for Western Asia (ESCWA) in 1989 was preparing a survey of the industrial sector in the West Bank and Gaza Strip and produced two pre-feasibility studies: one for a dairy farm project and the other for an animal breeding station project, both in the West Bank.

The technical co-operation programme of the International Labour Organisation was organized around three main subjects: vocational training in general, entrepreneur training and trade union training. Projects dealing with activities for women in the field of co-operatives and activities to help the disabled were also set in motion.

Two projects aimed at enhancing training for the Palestinians and funded by the Near East Co-operative Programme were implemented by the Food and Agriculture Organization of the United Nations (FAO). Under the first, FAO organized three post-graduate training fellowships in agricultural economics and animal production. Under the second, it provided short-term consultancies and audio-visual equipment to assist the Al-Quds Open University in developing its curriculum and programmes relating to land and community development.

The United Nations Industrial Development Organization (UNIDO) completed a study on the establishment of a Palestinian industrial development bank, a feasibility study on a canning plant for citrus fruit and, in co-operation with Bir Zeit University, a study to identify industrial priority projects. In October, UNIDO organized in Vienna a seminar on prospects for the Palestinian industrial sector.

The United Nations Environment Programme (UNEP) in February, in co-operation with the World Health Organization (WHO), launched a training course on water supply, sanitation and health for environmental health officers working with the Palestinians. The UNEP Executive Director initiated consultations on the preparation of a report on the environmental situation in the oc-

cupied territories, requested by the UNEP Governing Council in May.(17)

The forty-second World Health Assembly, also in May, adopted two resolutions, regarding the request of Palestine for admission as a member of WHO and on the health conditions of the Arab population in the occupied Arab territories, including Palestine. A WHO mission visited the occupied territories in July to identify priority health needs with a view to providing intensified assistance to the Palestinians. In consultation with several parties concerned, WHO started preparing a two-year plan of action, with special emphasis on primary health care.

The United Nations Population Fund (UNFPA) supported activities of other UN organizations within the UNDP-financed educational programme. It funded fellowships for post-graduate studies in demography and related topics, and helped finance mother and child health research and training activities at WHO collaborating centres for primary health care research. It allocated funds to examine information on maternal and reproductive health and health care coverage for Palestine refugees, and to draft a plan for an expanded UNRWA mother and child health and feeding programme. It also funded several technical advisory missions by the ESCWA Regional Adviser in Demography and in Population Statistics to the Palestinian Central Bureau of Statistics.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July, the Economic and Social Council, on the recommendation of its Third (Programme and Co-ordination) Committee, adopted resolution 1989/96 by vote.

Assistance to the Palestinian people

The Economic and Social Council,
Recalling General Assembly resolution 43/178 of 20 December 1988,

Recalling also Economic and Social Council resolution 1988/54 of 26 July 1988,

Taking into account the intifadah of the Palestinian people in the occupied Palestinian territory against the Israeli occupation, including its economic and social policies and practices,

Affirming that the Palestinian people cannot develop their national economy as long as the Israeli occupation persists,

Gravely concerned at the serious repercussions, especially for Palestinian children, of Israeli practices, in particular the prolonged blanket closure in the West Bank of Palestinian institutions of learning, including kindergartens, schools operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and other schools,

Rejecting Israeli restrictions on external economic and social assistance to the Palestinian people in the occupied Palestinian territory,

Aware of the increasing need to provide economic and social assistance to the Palestinian people,

Noting with regret that a full report on the implementation of General Assembly resolution 43/178 has not been prepared,

1. Expresses its appreciation to the States, United Nations bodies and intergovernmental and non-governmental organizations that have provided assistance to the Palestinian people;
2. Requests the international community, the United Nations system and intergovernmental and non-governmental organizations to sustain and increase their assistance to the Palestinian people, in close co-operation with the Palestine Liberation Organization;
3. Requests the United Nations Children's Fund and other appropriate United Nations bodies to address the special needs of Palestinian children suffering from Israeli practices and their repercussions;
4. Calls for the immediate reopening of all Palestinian institutions of learning;
5. Also calls for the immediate lifting of Israeli restrictions and obstacles hindering the implementation of assistance projects by the United Nations Development Programme, other United Nations bodies and others providing economic and social assistance to the Palestinian people in the occupied Palestinian territory;
6. Further calls for the implementation of development projects in the occupied Palestinian territory, including the facilitation by all concerned of the establishment of the cement plant referred to in General Assembly resolution 39/223 of 18 December 1984;
7. Requests the Secretary-General to report in full on the implementation of General Assembly resolution 43/178 and the present resolution to the Assembly at its forty-fourth session.

Economic and Social Council resolution 1989/96

26 July 1989 Meeting 35 48-1

Approved by Third Committee (E/1989/130) by vote (41-1-1), 18 July (meeting 13); 18-nation draft (E/1989/C.3/L.3/Rev.1), orally revised; agenda item 10.

Sponsors: Algeria, Bangladesh, Byelorussian SSR, Cuba, Egypt, German Democratic Republic, Indonesia, Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Morocco, Niger, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, Zambia.

Speaking in explanation of vote, the United States said it firmly supported assistance to the Palestinians, but did not believe that UN organizations should channel funds destined for them through PLO.

GENERAL ASSEMBLY ACTION

On 22 December, the General Assembly, on the recommendation of the Second (Economic and Financial) Committee, adopted resolution 44/235 by recorded vote.

Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 43/178 of 20 December 1988, Taking note of Economic and Social Council resolution 1989/96 of 26 July 1989,

Taking into account the intifadah of the Palestinian people in the occupied Palestinian territory against the Israeli occupation, including Israeli economic and social policies and practices,

Rejecting Israeli restrictions on external economic and social assistance to the Palestinian people in the occupied Palestinian territory,

Aware of the increasing need to provide economic and social assistance to the Palestinian people,

Affirming that the Palestinian people cannot develop their national economy as long as the Israeli occupation persists,

1. Takes note of the report annexed to the note by the Secretary-General on assistance to the Palestinian People;
2. Expresses its appreciation to the States, United Nations bodies and intergovernmental and non-governmental organizations that have provided assistance to the Palestinian people;
3. Requests the international community, the organizations of the United Nations system and intergovernmental and non-governmental organizations to sustain and increase their assistance to the Palestinian people, in close co-operation with the Palestine Liberation Organization;
4. Calls for the treatment on a transit basis of Palestinian exports and imports passing through neighbouring ports and points of exit and entry;
5. Also calls for the granting of trade concessions and concrete preferential measures for Palestinian exports on the basis of Palestinian certificates of origin;
6. Further calls for the immediate lifting of Israeli restrictions and obstacles hindering the implementation of assistance projects by the United Nations Development Programme, other United Nations bodies and others providing economic and social assistance to the Palestinian people in the occupied Palestinian territory;
7. Reiterates its call for the implementation of development projects in the occupied Palestinian territory, including the projects mentioned in its resolution 39/223*, of 18 December 1984;
8. Requests the Secretary-General to report to the General Assembly at its forty-fifth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

General Assembly resolution 44/235

22 December 1989 Meeting 85 146-2-1 (recorded vote)

Approved by Second Committee (A/44/832/Add.1) by recorded vote (132-2-2). 21 November (meeting 411; 7-nation draft (A/C.2/44/L.25), orally revised; agenda item 12.

Sponsors: Algeria, Bahrain, Cuba, Egypt, Mali, Mauritania, Pakistan.

Meeting numbers. GA 44th session: 2nd Committee 15-17, 19, 20, 41; plenary 85.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo,

Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Canada.

REFERENCES

- (1)A/44/35. (2)YUN 1988, p. 209, GA res. 43/175 A, 15 Dec. 1988. (3)YUN 1975, p. 248, CA res. 3376(XXX), 10 Nov. 1975. (4)YUN 1976, p. 235. (5)*Ibid.*, p. 246, GA res. 31/20, 24 Nov. 1976. (6)YUN 1988, p. 206, GA res. 43/176, 15 Dec. 1988. (7)YUN 1947-48, p. 247, GA res. 181 A (II), 29 Nov. 1947. (8)YUN 1948-49, p. 174, GA res. 194(III), 11 Dec. 1948. (9)A/44/731-S/20968. (10)YUN 1988, p. 211, CA res. 43/175 C, 15 Dec. 1988. (11)A/44/690 & Add.1. (12)YUN 1988, p. 212, GA res. 43/54 C, 6 Dec. 1988. (13)YUN 1980, P. 426, SC res. 478(1980), 20 Aug. 1980. (14)A/44/637. (15)YUN 1988, p. 216, GA res. 43/178, 20 Dec. 1988. (16)E/1989/113. (17)A/44/25 (dec. 15/8).

Incidents and disputes involving Arab countries and Israel

Israel and Iraq

By decision 43/463 of 18 September 1989, the General Assembly decided to include in the draft agenda of its forty-fourth session the item on armed Israeli aggression against Iraqi nuclear installations. The item had been inscribed yearly on the Assembly's agenda since 1981,(1) following the bombing by Israel of a nuclear research centre near Baghdad. No action had been taken on the item by the time the Assembly was suspended in December 1989.

Lebanon

Military confrontation and violence in and around Beirut intensified during 1989, producing some devastating casualties. Security Council members, in a 7 November statement,(2) supported action by the Tripartite High Committee of the League of Arab States for the implementation of a settlement plan for the Lebanese crisis. Council members also welcomed the election of René Moawad as the President of the Lebanese Republic and ratification of the Taif Agreement by the Lebanese Parliament.

In a statement on 22 November,(3) they condemned the assassination of President Moawad, and called for the continued establishment of renovated institutions as part of the process of national reconciliation. In a 27 December statement(4), Council members welcomed the election of Elias Hrawi as the new President of Lebanon and supported his efforts in implementation of the Taif Agreement to deploy Lebanese government forces in order to restore central government authority over all Lebanese territory.

Following the announcement by a group in Lebanon that it had executed Lieutenant-Colonel Wil-

liam Richard Higgins, a United States national who had been serving with UNIFIL when abducted in February 1988,(5) the Secretary-General sent to Lebanon the Under-Secretary-General for Special Political Affairs. Unfortunately, he could not obtain definite proof of Colonel Higgins' fate. On 31 July 1989, in a Council statement,(6) members noted reports that Colonel Higgins may have been murdered and, if those reports were true, expressed outrage that such a cruel and criminal act should have been committed against an officer who served the United Nations on a peace-keeping mission. They condemned all acts of hostage-taking and abduction and demanded the safe release of all hostages and abducted persons wherever and by whomever they were being held.

The fate of Alec Collett, a British journalist kidnapped near the Beirut airport in March 1985(7) while on assignment for UNRWA, remained unresolved, no word having been received from his kidnapers since 1986.

Israel and Lebanon

During 1989, the situation between Israel and Lebanon remained tense. Israel Defence Forces (IDF) continued to control parts of southern Lebanon, which Israel declared its "security zone". The boundaries of the Israeli-controlled area were not clearly defined, but determined de facto by the forward positions of IDF and the so-called South Lebanon Army (SLA). IDF and SLA remained targets for attacks by Lebanese groups opposed to the occupation; in retaliation, they often used heavy artillery, tanks and helicopters.

UNIFIL reported a further strengthening of Israeli control over parts of southern Lebanon. The control was exercised through the military activities of IDF and SLA and through "civilian administration offices" that had been opened in a number of towns and villages. There had been also an increase in the number of IDF and SLA positions in the area.

Throughout the year, Lebanon addressed numerous communications to the Secretary-General accusing Israel of ongoing attacks against its territory, causing death and injury to civilians and destruction of property. Lebanon also complained about forcible expulsion of Lebanese from the "security zone", forcible conscription of men into SLA, confiscation of farmland and other acts.

The Security Council met on several occasions to consider developments in Lebanon and specific charges against Israeli actions there. On 31 March, the President of the Council, following consultations, made a statement(8) on behalf of the Council members, expressing their grave concern at the recent deterioration of the situation in Lebanon, which had left many victims among the civilian population and caused considerable material damage.

On 24 April, the Council President made another statement(9) in which the members of the Council once again expressed grave concern over the suffering caused to the civilian population by the worsening situation in Lebanon.

On 31 July, the Council President, in a statement,(10) said that Council members reaffirmed their profound concern over the safety and security of UNIFIL personnel, who were exposed to constant threats and danger.

On 15 August, the Secretary-General addressed a letter(10) to the Council President stating that the crisis which, in his opinion, had escalated to a level unprecedented in 14 years of conflict, posed a serious threat to international peace and security. He therefore requested the President to convene an urgent Council meeting. The Council did so immediately and adopted a statement,(11) by which Council members expressed deep concern over the further deterioration of the situation and profoundly deplored the intensification of shelling and bitter fighting in recent days.

On 20 September, the Council, following consultations among its members and consideration of Lebanon's accusation of new aggressive acts by the Israeli army, resumed its consideration of the situation in Lebanon. On behalf of the Council, the President made another statement(12) strongly urging respect for the appeal by the Tripartite High Committee for an immediate and comprehensive cease-fire.

UNIFIL

Established by the Security Council in 1978(13) following Israel's invasion of Lebanon in March of that year,(14) the United Nations Interim Force in Lebanon was entrusted with restoring international peace and security, confirming the withdrawal of Israeli forces from Lebanese territory and re-establishing the Lebanese Government's effective authority in the area. After a second Israeli invasion in June 1982,(15) the Council authorized the Force also to provide protection and humanitarian assistance to the local population.(16)

During 1989, at the request of Lebanon and on the recommendation of the Secretary-General, the Council twice extended the UNIFIL mandate, in January and July, each time for six months.

Composition

As of July 1989,(17) UNIFIL had a strength of 5,854 military personnel provided by nine countries: Fiji, Finland, France, Ghana, Ireland, Italy, Nepal, Norway and Sweden. By January 1990,(18) its total strength had slightly increased, to 5,876. The Commander of UNIFIL continued to be Lieutenant-General Lars-Eric Wahlgren of Sweden, who had assumed his responsibilities on 1 July 1988.(19) During 1989, UNIFIL was assisted

by 65 military observers of UNTSO, 64 of whom maintained five observation posts along the Lebanese side of the Israel-Lebanon armistice demarcation line and also operated four mobile teams in parts of the area of operation, including those under Israeli control. One military observer was attached to UNIFIL headquarters. The strength of the Lebanese army unit serving with UNIFIL during the year decreased from 200 to 128 personnel.

Developments in the UNIFIL area

Report of the Secretary-General (January). In a January 1989 report,(20) the Secretary-General informed the Security Council of developments in the UNIFIL area of operation between 26 July 1988 and 24 January 1989, as well as organizational and financial aspects of the Force.

During the reporting period, three members of the Force, an Irish, a Norwegian and a Swedish soldier, lost their lives in accidents. Seventeen soldiers suffered injuries, 5 as a result of hostile fire, 5 from mine explosions and the others in accidents. Since UNIFIL's establishment, 156 members of the Force had died, 60 from firing and mine or bomb explosions, 68 in accidents and 28 from other causes. Some 230 had been wounded by firing and mine or bomb explosions. On 24 January, one more Irish soldier was wounded when SLA fired towards the Irish position.

The situation in the UNIFIL area of operation remained essentially unchanged. UNIFIL still was not able to extend its area up to the Israel-Lebanon armistice demarcation line, as envisaged in Security Council resolution 425(1978),(13) while IDF and SLA continued to control the "security zone", maintaining 54 positions within the UNIFIL area.

Armed resistance groups continued operations against IDF and SLA using small arms, rocket-propelled grenades, rockets and mortars, as well as mines and roadside bombs. UNIFIL recorded a total of 114 such operations, including 10 of them in January 1989, which indicated a marked intensification of activities in some of the northern parts of the UNIFIL area, especially in the Finnish battalion sector.

IDF and SLA forces, whether in retaliation or unprovoked, often used heavy artillery, tank and mortar shelling and Israeli helicopter gunships. Fire from those forces was close to UNIFIL positions and vehicles, sometimes hitting them. Some 108 unprovoked firings were protested by UNIFIL to the Israeli authorities. Resistance groups also opened fire close to UNIFIL positions; however, warning shots by UNIFIL in most cases stopped that fire. There were some other incidents between UNIFIL and armed elements, mainly due to their passage through UNIFIL checkpoints being denied. A serious incident happened on 15 December 1988, near the village of Jumayjimah, where about

20 armed elements fired at and stopped an Irish armoured personnel carrier. The incident was quickly resolved through negotiations. In an apparently related incident on the following day, five armed elements fired at and overran an Irish battalion checkpoint near Tibnin and kidnapped three soldiers; however, with the assistance of the Amal Movement they were released the next day.

Protection and security of the civilian population continued to be an important part of UNIFIL activities. The Force detonated mines and roadside bombs, as well as unexploded remnants of war, in its area of operation. UNIFIL consistently protested to IDF about forced expulsion of Lebanese civilians from their homes by SLA and forced recruitment of local men to that army.

UNIFIL continued to provide humanitarian assistance, mainly in the medical and health areas and to welfare institutions, using funds provided by the troop-contributing Governments. A large number of civilians were treated at UNIFIL medical centres, including the UNIFIL hospital at Naqoura, where nearly 6,500 Lebanese patients were treated, 561 of them as in-patients.

In his observations, the Secretary-General noted that UNIFIL's ability to carry out the tasks which the Security Council had assigned to it in 1978 was still blocked. Israel continued to refuse to withdraw its forces from Lebanon, and its "security zone" had become a focus of attack, both by those aiming to attack Israel itself and by those with the aim of liberating Lebanese territory from foreign occupation. Attempts by armed elements to infiltrate Israel, which increased substantially during 1988, and retaliatory air and commando raids by Israel, often far to the north of the UNIFIL area of operation, meant that international peace and security were a long way from being restored. The failure to elect a new President of Lebanon and the subsequent existence of two rival Governments in Beirut had prevented UNIFIL from making any progress in helping ensure the return of the Lebanese Government's effective authority in southern Lebanon.

On 19 January 1989,⁽²¹⁾ the Secretary-General received a request from Lebanon for an extension of UNIFIL's mandate for a further six-month period. Meanwhile, he reported that Israel continued to take the position that its presence in Lebanon was a temporary arrangement necessary for ensuring the security of northern Israel as long as the Lebanese Government was not able to exercise effective authority and prevent its territory from being used to launch attacks against Israel. The Israeli authorities did not consider that UNIFIL, as a peace-keeping force, could assume that responsibility.

Given the negative developments he had reported and UNIFIL's continuing inability to carry

out its original mandate, the Secretary-General observed that it was understandable that doubts had been expressed as to whether the Force should maintain its current strength. He presented four points that, he said, the Security Council should take into account when considering Lebanon's request for a mandate extension: the Council's conviction that a solution to the problems of southern Lebanon lay in the full implementation of resolution 425(1978);⁽¹³⁾ the important role the Force played in controlling the level of violence in southern Lebanon; UNIFIL's humanitarian support to the population in the area of its operation; and UNIFIL's role as a symbol of the international community's commitment to the sovereignty, independence and territorial integrity of Lebanon.

The Secretary-General recommended that the Council renew UNIFIL's mandate for a further six months.

SECURITY COUNCIL ACTION (January)

The Security Council met on 30 January to consider the Secretary-General's report and, without debate, unanimously adopted resolution 630(1989).

The Security Council,

Recalling its resolutions 425(1978) and 426(1978) of 19 March 1978, 5011(1982) of 25 February 1982, 508(1982) of 5 June 1982, 509(1982) of 6 June 1982 and 520(1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 24 and 27 January 1989, and taking note of the observations expressed therein,

Taking note of the letter dated 19 January 1989 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 31 July 1989;

2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426(1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;

4. Reiterates that the Force should fully implement its mandate as defined in resolutions 425(1978), 426(1978) and all other relevant resolutions;

5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Security Council resolution 630(1989)

30 January 1989 Meeting 2843 Adopted unanimously

Draft prepared in consultations among Council members (S/20429).

Report of the Secretary-General (July). In a report(17) on UNIFIL activities and developments in the area of its operation, covering the period from 25 January to 21 July 1989, the Secretary-General informed the Security Council that the situation remained essentially unchanged, with IDF and SLA continuing to control the "security zone" in southern Lebanon. There had been a notable increase in the number of their positions, from 54 to 64.

UNIFIL recorded 98 operations by resistance groups against IDF and SLA targets with the use of small arms, rocket-propelled grenades, rockets and mortars. Whether in retaliation to those operations or unprovoked, IDF and SLA often used heavy artillery, tanks, mortars and helicopters. During the reporting period, UNIFIL registered 112 unprovoked firings close to its positions. In view of the seriousness of some of those incidents, in May the matter was taken up with the Israeli authorities at a senior level, which resulted in a marked decrease of such firings.

The Secretary-General reported several serious incidents, resulting in the death of three Irish soldiers and injury to a Fijian, an Irish and two Norwegian soldiers. During the period under review, eight UNIFIL members—five Irish, two Norwegians and one Swede—lost their lives from firing, mine or bomb explosions, accidents and natural causes. Fifteen others suffered in-juries.

UNIFIL continued to provide protection, security and assistance to the civilian population. Its troops removed in the area of operation mines, roadside bombs and remnants of war. The Secretary-General reported that Ireland had agreed to provide expert teams as part of the Irish contingent to search for, and dispose of, explosive ordnance in the Irish battalion sector. Those teams would also train personnel from the other UNIFIL battalions.

In conclusion, the Secretary-General regretted that, after another difficult mandate period, UNIFIL remained far from being able to implement its mandate of confirming Israeli withdrawal from Lebanese territory, restoring international peace and security, and assisting the Lebanese Government to return its effective authority in the area. UNIFIL had again been unable to make progress towards deployment to the international border, while Israel had strengthened its hold on the so-called "security zone" where positions occupied by its own forces and those of SLA had increased by 18.5 per cent during the reporting period.

However, the Secretary-General considered as positive achievements the significant role UNIFIL

played in controlling the level of violence in its area and in providing humanitarian assistance. He once again recommended extending the Force's mandate for a further six months, until 31 January 1990, in response to Lebanon's request of 13 July.(22)

SECURITY COUNCIL ACTION (July)

On 31 July 1989, again without debate, the Security Council, having considered the Secretary-General's report, unanimously adopted resolution 639(1989).

The Security Council,

Recalling its resolutions 425(1978) and 426(1978) of 19 March 1978, 501(1982) of 25 February 1982, 508(1982) of 5 June 1982, 509(1982) of 6 June 1982 and 520(1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 21 July 1989, and taking note of the observations expressed therein,

Taking note of the letter dated 13 July 1989 from the representative of Lebanon to the United Nations addressed to the Secretary-General,

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is, until 31 January 1990;

2. Reiterates its strong support for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426(1978), and calls upon all parties concerned to co-operate fully with the Force for the full implementation of its mandate;

4. Reiterates that the Force should fully implement its mandate as defined in resolutions 425(1978), 426(1978) and all other relevant resolutions;

5. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Security Council resolution 639(1989)

31 July 1989 Meeting 2873 Adopted unanimously

Draft prepared in consultations among Council members (S/20755).

Financing

The Secretary-General reported in December 1989(23) that, as at 30 September, contributions totalling \$1,324.4 million had been received for the operation of UNIFIL out of \$1,691.7 million apportioned among Member States for the periods from the inception of the Force on 19 March 1978 to 31 January 1990. Of the unpaid balance of \$367.3 million, only \$138.7 million could be considered collectible, leaving a shortfall of \$228.6 million, in-

cluding \$19.6 million transferred to a special account in accordance with a 1981 General Assembly resolution.(24) As a consequence, UNIFIL was unable to meet its obligations on a current basis, particularly to the troop-contributing countries, which had never been paid on a current and full basis in accordance with established rates. The UNIFIL Suspense Account, set up in 1979(25) to facilitate reimbursement to them for equipment and supplies, had so far not achieved its purpose. The troop-contributing countries had expressed to the Secretary-General their serious concern over that situation.

As at 30 September 1989, voluntary contributions totalling \$2.9 million had been received from Governments, of which \$1.6 million was contributed by Switzerland. A \$3 million contribution made by Japan in 1988 was utilized to defray expenses arising from the acquisition of logistic equipment and supplies that had not been previously budgeted for.

For the mandate periods from 1 February 1989 to 31 January 1990, \$142,842,000 gross (\$140,574,000 net) had been authorized for UNIFIL by the General Assembly.(26) The costs of UNIFIL for the 12-month period beginning 1 February 1990 were estimated at \$12,001,000 gross (\$11,806,000 net) per month, based on an average Force strength of 5,850 troops, for a total of \$144,012,000 gross (\$141,672,000 net). On a net basis, that was \$1,098,000 (0.8 per cent) more than the estimate for the previous 12 months.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended(27) that the Assembly approve the Secretary-General's estimate for UNIFIL for the one-year period beginning 1 February 1990.

GENERAL ASSEMBLY ACTION

On 21 December, on the recommendation of the Fifth (Administrative and Budgetary) Committee, the General Assembly adopted resolution 44/188 without vote.

Financing of the United Nations Interim Force in Lebanon

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Interim Force in Lebanon and the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 425(1978) of 19 March 1978, by which the Council established the United Nations Interim Force in Lebanon, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 639(1989) of 31 July 1989,

Recalling its resolution S-8/2 of 21 April 1978 on the financing of the United Nations Interim Force in Lebanon and its subsequent resolutions thereon, the latest of which was resolution 43/229 of 21 December 1988,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by Such operations, a different procedure from the one applied to meet expenditures of the regular budget of the United Nations is required,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council in the financing of such operations, as indicated in General Assembly resolution 1874(S-IV) of 27 June 1963 and other resolutions of the Assembly,

Having regard to the financial position of the Special Account for the United Nations Interim Force in Lebanon, as set forth in the report of the Secretary-General, and referring to paragraph 23 of the report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 34/9 E of 17 December 1979 and the subsequent resolutions in which it decided that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations should be suspended, the latest of which was resolution 43/229,

Mindful of the fact that it is essential to provide the United Nations Interim Force in Lebanon with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Noting with appreciation that voluntary contributions have been made to the United Nations Interim Force in Lebanon by certain Governments,

Concerned that the Secretary-General is continuing to face increasing difficulties in meeting the obligations of the United Nations Interim Force in Lebanon on a current basis, including reimbursement to current and former troop-contributing States, resulting from the withholding of contributions by certain Member States,

Concerned also that the surplus balances in the Special Account for the United Nations Interim Force in Lebanon have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Force,

Concerned further that the application of the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the United Nations Interim Force in Lebanon,

Mindful of the views expressed in the Fifth Committee on the requests of some Member States to change their placement in the existing groups "b", "c" and "d" of Member States, on the basis of the criteria set out in General Assembly resolution 3101(XXVIII) of 11 December 1973,

1. Decides to appropriate to the Special Account referred to in section I, paragraph 1, of General Assembly resolution S-8/2 an amount of 142,842,000 United States dollars gross (140,574,000 dollars net) authorized by the Assembly and apportioned in paragraph 5 of its resolution 43/229 for the operation of the United Nations Interim Force in Lebanon from 1 February 1989 to 31 January 1990, inclusive;

2. Authorizes the Secretary-General to enter into commitments for the operation of the United Nations Interim Force in Lebanon at a rate not to exceed 12,001,000 dollars gross (11,806,000 dollars net) per month for the twelve-month period beginning 1 February 1990, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 639(1989);

3. Decides, as an ad hoc arrangement, to apportion the amounts referred to in paragraph 2 of the present resolution among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, to be adjusted by the decision to be taken by the Assembly at its forty-fourth session on the composition of groups "a", "b", "c" and "d" of Member States and taking into account the scale of assessments for the years 1989, 1990 and 1991;

4. Decides also that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of 3,078,849 dollars, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered in the account referred to in the operative part of General Assembly resolution 34/9 E and held in suspense until a further decision is taken by the Assembly;

5. Requests the Secretary-General to take all necessary measures to ensure that the United Nations Interim Force in Lebanon shall be administered with a maximum of efficiency and economy;

6. Renews its invitation to Member States and other interested parties to make voluntary contributions to the United Nations Interim Force in Lebanon both in cash and in the form of services and supplies acceptable to the Secretary-General and also to make voluntary contributions in cash to the Suspense Account established in accordance with General Assembly resolution 34/9 D of 17 December 1979.

General Assembly resolution 44/188

21 December 1989 Meeting 84 Adopted without vote

Approved by Fifth Committee (A/44/888) without vote, 18 December (meeting 58); 18-nation draft (A/C.5/44/L.12); agenda item 133 (b).

Sponsors: Austria, Canada, Denmark, Fiji, Finland, France, Germany, Federal Republic of, Ghana, Iceland, Ireland, Italy, Lebanon, Nepal, Netherlands, New Zealand, Norway, Samoa, Sweden.

Israel and the Syrian Arab Republic

UNDOF

The United Nations Disengagement Observer Force, established by the Security Council in 1974(28) and headquartered in Damascus, continued to supervise the observance of the cease-fire in the Golan Heights, as called for by the Agreement on Disengagement between Israeli and Syrian Forces.(29) Its mandate was renewed in May and November 1989, each time for six months.

The issue of the human rights of the population in the occupied territories was continuously monitored by the Committee on Israeli practices and the Commission on Human Rights (see below and PART THREE, Chapter X).

Composition

As of November 1989, UNDOF had a strength of 1,327 military troops (reduced from 1,344 in May) from four countries—Austria, 531; Canada, 227; Finland, 410; and Poland, 159—including four Polish officers deployed to the United Nations Good Offices Mission in Afghanistan and Pakistan. Seven military observers were assigned to UNDOF from UNTSO. In addition, UNTSO observers assigned to the Israel-Syria Mixed Armistice Commission assisted UNDOF as needed.

Activities

Reports of the Secretary-General. Before the expiration of the mandate of UNDOF on 31 May and 30 November 1989, the Secretary-General reported to the Security Council on UNDOF activities during the periods from 18 November 1988 to 22 May 1989(30) and from 23 May to 21 November 1989.(31)

In accordance with its mandate(28) and in cooperation with the parties, UNDOF continued to supervise the cease-fire between Israel and the Syrian Arab Republic and monitor the area of separation to ensure that there were no military forces within it. It also conducted fortnightly inspections of armament and forces in the area of limitation. UNDOF carried out its duties from static positions and observation posts, which were manned 24 hours a day, and by foot and mobile patrols operating at irregular intervals on predetermined routes by day and night. In addition, temporary outposts were established and patrols were conducted from time to time to perform specific tasks.

The safety of Syrian shepherds grazing their flocks close to and west of the separation area continued to be of concern to UNDOF, and intensified patrolling of new mine-cleared paths helped to prevent incidents. Since mines continued to pose a threat to the Force and the population in the area of separation, UNDOF conducted mine-clearing operations there. During the two reporting periods, the Force cleared 71,930 and 43,790 square metres, respectively. UNDOF also assisted the International Committee of the Red Cross in its humanitarian activities.

The Secretary-General concluded that despite the current quiet in the Israel-Syria sector, the situation in 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. Therefore, he considered the presence of UNDOF in the area to be essential and recommended in his two reports, with the agreement of the Syrian Arab Republic and Israel, that the Security Council extend the mandate of the Force for a further six months, until 30 November 1989 and 31 May 1990, respectively.

SECURITY COUNCIL ACTION (May and November)

On 30 May 1989, without debate, the Security Council unanimously adopted resolution 633(1989).

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,
Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338(1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1989;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement Security Council resolution 338(1973).

Security Council resolution 633(1989)

30 May 1989 Meeting 2862 Adopted unanimously

Draft prepared in consultations among Council members (S/20656).

On 29 November, again without debate, the Council unanimously adopted resolution 645(1989).

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force,
Decides:

(a) To call upon the parties concerned to implement immediately Security Council resolution 338(1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1990;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338(1973).

Security Council resolution 645(1989)

29 November 1989 Meeting 2895 Adopted unanimously

Draft prepared in consultations among Council members (S/20996).

Following the adoption of each resolution, the President of the Council made the following statement:(32)

“As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force states, in paragraph 24: ‘Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.’ That statement of the Secretary-General reflects the view of the Security Council.”

Financing

In October 1989,(33) the Secretary-General reported that, as at 30 September 1989, assessments totalling \$879.2 million had been apportioned

among Member States for UNDOF since its inception on 31 May 1974(28) to 30 November 1989 and for the second United Nations Emergency Force, established in 1973(34) and liquidated in 1980.(35) Contributions received from 1973 to 1989 amounted to \$801 million. Of the unpaid assessed balance of \$78.2 million, only \$10 million could be considered collectible, leaving a shortfall of \$68.2 million, including \$36 million transferred to a special account in accordance with a 1981 General Assembly resolution.(24) Therefore, troop-contributing countries had not been reimbursed on time.

In 1988,(36) the Assembly had appropriated \$18,114,000 for UNDOF for the period from 1 December 1988 to 31 May 1989 and authorized the Secretary-General to enter into commitments for UNDOF at a rate not to exceed \$3,019,000 gross (\$2,963,000 net) per month for the period from 1 June to 30 November 1989, should the Security Council decide to continue UNDOF beyond 31 May 1989. The Secretary-General estimated the costs of the Force to be \$3,368,000 gross (\$3,283,000 net) per month from 1 December 1989.

In December,(27) ACABQ recommended approval of the Secretary-General’s cost estimate for the period from 1 December 1989 to 30 November 1990 not exceeding \$40,416,000 gross (\$39,396,000 net).

GENERAL ASSEMBLY ACTION

On 21 December, the General Assembly, on the recommendation of the Fifth Committee, adopted resolution 44/187 without vote.

Financing of the United Nations Disengagement Observer Force

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Disengagement Observer Force, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolution 350(1974) of 31 May 1974, by which the Council established the United Nations Disengagement Observer Force, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 645(1989) of 29 November 1989,

Recalling its resolution 3211 B (XXIX) of 29 November 1974 on the financing of the United Nations Emergency Force and the United Nations Disengagement Observer Force and its subsequent resolutions thereon, the latest of which was resolution 43/228 of 21 December 1988,

Reaffirming its previous decisions regarding the fact that, in order to meet the expenditures caused by such operations, a different procedure from the one applied to meet expenditures of the regular budget of the United Nations is required,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures,

Bearing in mind the special responsibilities of the States permanent members of the Security Council in the financing of such operations, as indicated in General Assembly/resolution 1874(S-IV) of 27 June 1963 and other resolutions of the Assembly,

Having regard to the financial position of the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force, as set forth in the report of the Secretary-General, and referring to paragraph 5 of the report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its resolution 33/13 E of 14 December 1978 and subsequent resolutions in which it decided that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations should be suspended, the latest of which was resolution 43/228,

Mindful of the fact that it is essential to provide the United Nations Disengagement Observer Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Forces on a current basis, particularly those due to the Governments of troop-contributing States,

Recognizing that, in consequence of the withholding of contributions by certain Member States, the surplus balances in the Special Account for the United Nations Emergency Force and the United Nations Disengagement Observer Force have, in effect, been drawn upon to the full extent to supplement the income received from contributions for meeting expenses of the Forces,

Concerned that the application of the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations would aggravate the already difficult financial situation of the Forces,

Mindful of the views expressed in the Fifth Committee on the requests of some Member States to change their placement in the existing groups "b", "c" and "d" of Member States, on the basis of the criteria set out in General Assembly resolution 3101(XXVIII) of 11 December 1973,

1. Decides to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of 18,114,000 United States dollars gross (17,778,000 dollars net) authorized and apportioned in paragraph 6 of Assembly resolution 43/228 for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1989, inclusive;

2. Decides also to appropriate to the Special Account an amount of 20,208,000 dollars for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1989 to 31 May 1990, inclusive;

3. Decides further, as an ad hoc arrangement, to apportion the amount of 20,208,000 dollars for the above-mentioned period among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, to be adjusted by the decision to be taken by the Assembly at its forty-fourth session on the composition

of groups "a", "b", "c" and "d" of Member States and taking into account the scale of assessments for the years 1989, 1990 and 1991;

4. Decides that there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the estimated income of 6,500 dollars other than staff assessment income approved for the period from 1 December 1989 to 31 May 1990, inclusive;

5. Decides also that, in accordance with the provisions of its resolution 973(X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 of the present resolution, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 503,500 dollars approved for the period from 1 December 1989 to 31 May 1990, inclusive;

6. Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed 3,368,000 dollars gross (3,283,000 dollars net) per month for the period from 1 June to 30 November 1990, inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 645(1989), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution;

7. Decides that the provisions of regulations 5.2 (b), 5.2 (d), 4.3 and 4.4 of the Financial Regulations of the United Nations shall be suspended in respect of the amount of 2,024,706 dollars, which otherwise would have to be surrendered pursuant to those provisions, this amount to be entered into the account referred to in the operative part of General Assembly resolution 33/13 E and held in suspense until a further decision is taken by the Assembly;

8. Stresses the need for voluntary contributions to the United Nations Disengagement Observer Force, both in cash and in the form of services and supplies acceptable to the Secretary-General;

9. Requests the Secretary-General to take all necessary action to ensure that the United Nations Disengagement Observer Force is administered with a maximum of efficiency and economy.

General Assembly resolution 44/187

21 December 1989 Meeting 84 Adopted without vote

Approved by Fifth Committee (A/44/887) without vote, 18 December (meeting 58); 13-nation draft (A/C.5/44/L.111; agenda item 133 (a)).

Sponsors: Australia, Austria, Canada, Denmark, Finland, Germany, Federal Republic of, Ghana, Ireland, Nepal, New Zealand, Norway, Poland, Sweden.

REFERENCES

- (¹) YUN 1981, p. 275. (²)S/20953. (³)S/20988. (⁴)S/21056. (⁵) YUN 1988, p. 225. (⁶)S/20758. (⁷) YUN 1985, p. 353. (⁸)S/20554. (⁹)S/20602. (¹⁰)S/20789. (¹¹)S/20790. (¹²)S/20855. (¹³) YUN 1978, p. 312, SC res. 425(1978), 19 Mar. 1978. (¹⁴) *Ib.*, p. 296. (¹⁵) YUN 1982, p. 428. (¹⁶) *Ibid.*, p. 450, SC res. 511(1982), 18 June 1982. (¹⁷) S/20742. (¹⁸) S/21102. (¹⁹) YUN 1988, p. 221. (²⁰) S/20416 & Add.1 & Add.1/Corr.1 & Add.2. (²¹) S/20410. (²²) S/20733. (²³) A/44/81. (²⁴) YUN 1981, p. 1299, GA res. 36/116 A, 10 Dec. 1981. (²⁵) YUN 1979, p. 352, GA res. 34/9 D, 17 Dec. 1979. (²⁶) YUN 1988, p. 224, GA res. 43/229, 21 Dec. 1988. (²⁷) A/44/867. (²⁸) YUN 1974, p. 205, SC res. 350(1974), 31 May 1974. (²⁹) *Ibid.*, p. 198. (³⁰) S/20651. (³¹) S/20976 & Corr.1. (³²) S/20659, S/20998. (³³) A/44/630. (³⁴) YUN 1973, p. 213, SC res. 340(1973), 25 Oct. 1973. (³⁵) YUN 1980, p. 361. (³⁶) YUN 1988, p. 227, GA res. 43/228, 21 Dec. 1988.

Territories occupied by Israel

The territories occupied by Israel as a result of armed conflicts in the Middle East comprised the West Bank of the Jordan River, including East Jerusalem, the Gaza Strip and the Golan Heights in the Syrian Arab Republic. The United Nations continued in 1989 to monitor the situation and take appropriate action on various aspects of it.

In April, the General Assembly, at the request of the Chairman of the Group of Arab States, resumed its consideration of the item on the question of Palestine, and subsequently condemned Israeli policies and practices which violated the human rights of the Palestinians in the occupied territory. In October, the Assembly, in adopting a resolution on the uprising (intifadah) of the Palestinians, condemned human rights violations in the occupied Palestinian territory, 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, beating, deportation, imposition of restrictive economic measures, demolition of houses and so forth.

After considering reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (Committee on Israeli practices), the Assembly adopted in December seven resolutions condemning various types of human rights violations in the territories.

In 1989, the Security Council discussed the situation in the occupied Arab territories at meetings held in February, June, July, August and November. In July, the Council adopted a resolution by which it deeply regretted the continuing deportation by Israel of Palestinian civilians and called on Israel to ensure the safe and immediate return of those deported. In August, the Council again deplored the continuing deportation of Palestinian civilians from the occupied territories.

The Committee on the Inalienable Rights of the Palestinian People (Committee on Palestinian rights) monitored the situation in the occupied territory on an ongoing basis, drawing the attention of the General Assembly and the Security Council to Israeli policies and practices there. In its annual report, the Committee protested the intensification of what it called Israeli repression of Palestinians.

The Committee on Israeli practices continued to collect from various sources, including oral testimony and written communications, information on developments in the occupied territories, reviewing that information and assessing the overall human rights situation. On that basis, the Committee concluded in October that the situation in the territories had been marked by a dan-

gerous level of violence and repression, which had constantly escalated since the beginning of the intifadah in December 1987.

The Economic and Social Council in May strongly condemned the continuation of Israel's "iron-fist" policy against Palestinian women and their families in the occupied territories. In July, it adopted a resolution on Israeli economic practices in the occupied Palestinian and other Arab territories.

The United Nations Conference on Trade and Development reported on economic issues and related Israeli practices in the West Bank and the Gaza Strip.

In February, the Commission on Human Rights adopted three resolutions related to the occupied territories. In one, it declared that the continued Israeli occupation of the Syrian Arab Golan and Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration there constituted an act of aggression and that the decision was null and void and without international legal validity or effect. In the two other resolutions, the Commission condemned Israeli policies and practices in the occupied territories.

Report of the Committee on Palestinian rights. In its annual report,⁽¹⁾ the Committee expressed alarm at the further aggravation of the situation in the occupied territory as a result of intensified Israeli efforts to suppress the Palestinian uprising, including the increasing resort to armed force and settler vigilantism. Use of force resulted in an extensive and unprecedented range of human rights violations. Thousands of Palestinians were the victims of beatings while in the hands of the Israeli army or security personnel, it was reported.

As of 15 September 1989, Palestinians shot to death by the Israeli forces or armed settlers numbered 537. Another 212 had died from beatings, suffocation from tear gas and other actions, the Committee stated. It was, it said, particularly alarmed that a high proportion of victims were children—at least 20 per cent of fatalities were children under the age of 16. That percentage had increased to 46 per cent during August.

The Committee also reported campaigns of mass arrests. As of September 1989, more than 40,000 Palestinians had been in prison at one time or another, only 18,000 of whom had actually been sentenced. Israeli authorities, after removing previously existing judicial safeguards for detainees, increasingly relied on the use of administrative detention without charges or trial. In August, the standard period of administrative detention was doubled from six months to a year. As of September, about 13,600 Palestinians, including children, were reported to be in detention.

Violations of the Palestinians' right to education intensified, with the complete closure of universities, long-term and repeated closure of schools, the use of schools as military outposts and the destruction of school property. It was estimated that some 400,000 primary and secondary school-children were in school for only about five months between the autumn of 1987 and June 1989.

The Committee also was concerned over the health situation in the occupied territory, which it said continued to deteriorate. Sanitary infrastructure, quantity and quality of medical services, and medical equipment and supplies were increasingly insufficient.

Concluding its assessment of the situation, the Committee reiterated its urgent appeal to the Security Council and the international community as a whole to take measures to ensure the safety and protection of the Palestinians, pending the withdrawal of Israeli forces and the achievement of a settlement. The Committee called on all concerned to sustain and increase their assistance to the Palestinians, in close co-operation with PLO.

Report of the Committee on Israeli practices. In October 1989, the Committee on Israeli practices, established by the General Assembly in 1968,(2) submitted its twenty-first report,(3) covering the period from 26 August 1988 to 25 August 1989; in July, a periodic report(4) covering the period from 26 August 1988 to 31 March 1989 had been provided. While the latter contained mostly factual information about developments affecting the human rights of the civilian population in the occupied territories, the main report also transmitted information on Committee activities and conclusions.

The Committee held a series of meetings in Geneva (3-6 January, 22-23 May, 21-25 August), Damascus (24-27 May), Amman (28 May-1 June) and Cairo (2-7 June) to examine information on developments in the occupied territories, as well as to consider communications addressed to it in connection with its mandate by Governments, organizations and individuals. The Committee worked in close co-operation with the Governments of Egypt, Jordan and the Syrian Arab Republic and with various Palestinian representatives. Israel, as in previous years, did not participate in its work.

The Committee concluded that Israel was continuing its policy of annexation towards the occupied territories, by establishing settlements, expropriating property, transferring Israeli citizens to the occupied territories and encouraging or compelling Palestinians to leave their homeland. There also had been a considerable increase in the number of deportations from the occupied territories, as well as detentions, the Committee stated.

As a consequence of the arrests of tens of thousands of Palestinians since the uprising began, the situation of detainees had further deteriorated, with their being subjected to various forms of ill-treatment, both physical and psychological, a lack of adequate sanitary and medical facilities, nutrition and clothing, and overcrowding of cells.

Freedom of association and freedom of the press were affected by closure of newspapers and detention of journalists. Freedom of education was seriously hampered by prolonged closure of educational institutions. Freedom of movement was affected by arbitrary orders and curfews.

The Committee, in view of the gravity of the situation in the territories, stressed that urgent measures had to be taken in order to ensure an effective protection of the basic rights and freedoms of the civilians. The Committee called again for the full application by Israel of the relevant provisions of the fourth Geneva Convention, the full co-operation of the Israeli authorities with the International Committee of the Red Cross (ICRC) to ensure access of ICRC representatives to detainees, and the full support by Member States of UNRWA activities in order to enable that Agency to improve general assistance to refugees.

Report of the Secretary-General. In pursuance of a 1988 General Assembly resolution,(5) the Secretary-General in May requested that Israel inform him of any steps taken or envisaged to implement relevant provisions of that resolution. In October, the Secretary-General reported(6) that, in a note verbale, Israel had categorically rejected all allegations contained in that resolution and in the 1988 report(7) of the Committee on Israeli practices.

GENERAL ASSEMBLY ACTION

On 8 December, following consideration of the report of the Committee on Israeli practices and acting on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/48 A by recorded vote.

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights, Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, including Jerusalem, as well as in the other occupied Arab territories, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies against the Palestinian people,

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1948, as well as of other relevant conventions and regulations,

Taking into account the need to consider measures for the impartial protection of the Palestinian people under the Israeli occupation,

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 13 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979, 35/122 C of 11 December 1980, 36/147 C of 16 December 1981, ES-9/1 of 5 February 1982, 37/88 C of 10 December 1982, 38/79 D of 15 December 1983, 39/95 D of 14 December 1984, 40/161 D of 16 December 1985, 41/63 D of 3 December 1986, 42/160 D of 8 December 1987, 43/21 of 3 November 1988, 43/58 A of 6 December 1988 and 44/2 of 6 October 1989,

Recalling also the relevant Security Council resolutions, in particular resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989 and 641(1989) of 30 August 1989,

Recalling further the relevant resolutions adopted by the Commission on Human Rights, in particular resolutions 1983/1 of 15 February 1983, 1984/1 of 20 February 1984, 1985/1 A and B and 1985/2 of 19 February 1985, 1986/1 A and B and 1986/2 of 20 February 1986, 1987/1, 1987/2 A and B and 1987/4 of 19 February 1987, 1988/1 A and B and 1988/2 of 15 February 1988 and 1988/3 of 22 February 1988, 1989/1 and 1989/2 of 17 February 1989 and 1989/19 of 6 March 1989, and by other United Nations organs concerned and the special-interest agencies,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which contain, inter alia, self-incriminating public statements made by officials of Israel, the occupying Power,

Having also considered the reports of the Secretary-General of 21 January 1988 and 20 October 1989,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

3. Demands that Israel allow the Special Committee access to those occupied territories;

4. Reaffirms the fact that occupation itself constitutes a grave violation of the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

5. Condemns the continued and persistent violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and other applicable international instruments, and condemns in particular those violations which the Convention designates as "grave breaches" thereof;

6. Declares once more that Israel's grave breaches of that Convention are war crimes and an affront to humanity;

7. Reaffirm, in accordance with the Convention, that the Israeli military occupation of the Palestinian territory, including Jerusalem, and other Arab territories is of a temporary nature, thus giving no right whatsoever

to the occupying Power over the territorial integrity of the occupied territories;

8. Strongly condemns the following Israeli policies and practices:

(a) Annexation of parts of the occupied Palestinian territory, including Jerusalem;

(b) Imposition of Israeli laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory;

(c) Illegal imposition and levy of taxes and dues;

(d) Establishment of new Israeli settlements and expansion of the existing settlements on private and public Palestinian and other Arab lands, and transfer of an alien population thereto;

(e) Eviction, deportation, expulsion, displacement and transfer of Palestinians and other Arabs of those occupied territories and denial of their right to return;

(f) Confiscation and expropriation of private and public Palestinian and other Arab property in those occupied territories and all other transactions for the acquisition of land by the Israeli authorities, institutions or nationals;

(g) Excavation and transformation of the landscape and the historical, cultural and religious sites, especially at Jerusalem;

(h) Pillaging of archaeological and cultural property;

(i) Destruction and demolition of Palestinian and other Arab houses;

(j) Collective punishment, mass arrests, administrative detention and ill-treatment of Palestinians and other Arabs;

(k) Torture of Palestinians and other Arabs;

(l) Interference with religious freedoms and practices, as well as family rights and customs;

(m) Interference with the system of education and with the social and economic and health development of the Palestinians and other Arabs in those occupied territories;

(n) Interference with the freedom of movement of individuals within the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

(o) Illegal exploitation of the natural wealth, resources and labour of those occupied territories;

9. Strongly condemns, in particular, the following Israeli policies and practices:

(a) Implementation of an "iron-fist" policy against the Palestinian people in the occupied Palestinian territory;

(b) Escalation of Israeli brutality since the beginning of the uprising (intifadah) 9 December 1987;

(c) Ill-treatment and torture of children and minors under detention and/or imprisonment;

(d) Closure of headquarters and offices of trade unions and social organizations and harassment, including expulsion of their leaders, as well as attacks on hospitals and their personnel;

(e) Interference with the freedom of the press, including censorship, detention or expulsion of journalists, closure and suspension of newspapers and magazines, as well as denial of access to international media;

(f) Killing and wounding of defenceless demonstrators;

(g) Breaking of bones and limbs of thousands of

(h) House and/or town arrests;

(i) Use of toxic gas, which has resulted, *inter alia*, in the killing of many Palestinians;

10. Condemns the Israeli repression against and closing of the educational institutions in the occupied Syrian Arab Golan, particularly the prohibition of Syrian textbooks and the Syrian educational system, the deprivation of Syrian students from pursuing their higher education in Syrian universities, the denial of the right to return to Syrian students receiving their higher education in the Syrian Arab Republic, the forcing of Hebrew on Syrian students, the imposition of courses that promote hatred, prejudice and religious intolerance, and the dismissal of teachers, all in clear violation of the Geneva Convention;

11. Strongly condemns the arming of Israeli settlers in those occupied territories to perpetrate and commit acts of violence against Palestinians and other Arabs, causing deaths and injuries;

12. Requests the Security Council to ensure Israel's respect for and compliance with all the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and to initiate measures to halt Israeli policies and practices in those territories;

13. Urges the Security Council to consider the current situation in the Palestinian territory occupied by Israel since 1967, taking into account the recommendations contained in the reports of the Secretary-General, and with a view to securing international protection for the defenceless Palestinian people until the withdrawal of Israel, the occupying Power, from the occupied Palestinian territory;

14. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or legal status of those occupied territories, or any part thereof, including Jerusalem, are null and void, and that Israel's policy of settling parts of its population and new immigrants in those occupied territories constitutes a flagrant violation of the Geneva Convention and of the relevant resolutions of the United Nations;

15. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 8, 9, 10 and 11 above;

16. Calls upon Israel, the occupying Power, to allow the reopening of the Roman Catholic Medical Facility Hospice in Jerusalem in order to continue to provide needed health and medical services to the Palestinians in the city;

17. Also calls upon Israel, the occupying Power, to take immediate steps for the return of all displaced Arab and Palestinian inhabitants to their homes or former places of residence in the territories occupied by Israel since 1967, in implementation of Security Council resolution 237(1967) of 14 June 1967;

18. Urges international organizations, including the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to continue to examine the educational and health conditions in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

19. Reiterates its call upon all States, in particular those States parties to the Geneva Convention, in accordance with article 1 of that Convention, and upon international organizations, including the specialized agencies, not to recognize any changes carried out by Israel, the occupying Power, in those occupied territories and to avoid actions, including those in the field of aid, which might be used by Israel in its pursuit of the policies of annexation and colonization or any of the other policies and practices referred to in the present resolution;

20. Requests the Special Committee, pending early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the peoples of those occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

21. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the present situation in the occupied Palestinian territory;

22. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

23. Condemns Israel's refusal to permit persons from the occupied Palestinian territory to appear as witnesses before the Special Committee and to participate in conferences and meetings held outside the occupied Palestinian territory;

24. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to those occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly and periodically the reports mentioned in paragraph 21 above to the States Members of the United Nations;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its forty-fifth session on the tasks entrusted to him in the present resolution;

25. Decides to change the name of the Special Committee to: "the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories";

26. Also decides to include in the provisional agenda of its forty-fifth session an item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

General Assembly resolution 44/48 A

8 December 1989 Meeting 78 107-2-41 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (93-2-31), 22 November (meeting 25); 13-nation draft (A/SPC/44/L.19 & Corr.1); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cape Verde, Chad, China, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Antigua and Barbuda, Australia, Austria, Bahamas, Barbados, Belgium, Cameroon, Canada, Central African Republic, Côte d'Ivoire, Denmark, Dominica, Equatorial Guinea, Fiji, Finland, France, Germany, Federal Republic of Greece, Grenada, Iceland, Ireland, Italy, Jamaica, Japan, Kenya, Luxembourg, Malawi, Malta, Netherlands, New Zealand, Norway, Portugal, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Spain, Sweden, Togo, United Kingdom, Uruguay, Zaire.

Paragraph 6 of the resolution was adopted by the Committee and the Assembly by recorded votes of 75 to 20, with 28 abstentions, and 81 to 21, with 43 abstentions, respectively.

The Palestinian uprising (intifadah)

During 1989, the Palestinian uprising (intifadah) in the occupied territory continued unabated. As the Secretary-General reported,(8) the message of the intifadah was direct and unequivocal, namely, that the Israeli occupation would continue to be rejected, and that the Palestinian people would remain committed to the exercise of their legitimate political rights, including self-determination.

The Committee on Palestinian rights reported(1) in November that it was alarmed by a further aggravation of the situation in the occupied Palestinian territory as a result of the intensification of efforts by Israel to suppress the intifadah. The Committee expressed the view that the continuation of the intifadah and the intensification of repressive measures by Israel had created a critical situation that made it imperative to advance towards a comprehensive, just and lasting settlement of the question of Palestine.

GENERAL ASSEMBLY ACTION

On 6 October, the General Assembly adopted resolution 44/2 by recorded vote.

The uprising (intifadah) of the Palestinian people

The General Assembly,

Aware of the uprising (intifadah) of the Palestinian people since 9 December 1987 against Israeli occupation, which has received significant attention and sympathy from world public opinion,

Deeply concerned at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel, the occupying Power, and of its persistent policies and practices against the Palestinian people,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories,

Expressing its profound shock at the continued measures by Israel, the occupying Power, including the killing and wounding of Palestinian civilians and the recent action of ransacking the houses of defenceless civilians in the Palestinian town of Beit Sahour,

Stressing the need to promote international protection to the Palestinian civilians in the occupied Palestinian territory,

Recognizing the need for increased support to, aid for and solidarity with the Palestinian people under Israeli occupation,

Having considered the recommendations contained in the report of the Secretary-General,

Recalling its relevant resolutions as well as the relevant Security Council resolutions,

1. Condemns those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detentions, and so forth;

2. Demands that Israel, the occupying Power, abide scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist immediately from those policies and practices which are in violation of the provisions of the Convention;

3. Culls upon all the High Contracting Parties to the Convention to ensure respect by Israel, the occupying Power, for the Convention in all circumstances, in conformity with their obligation under article 1 thereof;

4. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

5. Reaffirms that the occupation by Israel of the Palestinian territory since 1967, including Jerusalem, and of the other Arab territories in no way changes the legal status of those territories;

6. Requests the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide

international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem;

7. Invites Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

8. Requests the Secretary-General to examine the present situation in the Palestinian territory occupied since 1967, including Jerusalem, by all means available to him and to submit periodic reports thereon, the first such report as soon as possible.

General Assembly resolution 44/2

6 October 1989 Meeting 23 140-2-6 (recorded vote)

32-nation draft (A/44/L.2/Rev.1); agenda item 39.

Sponsors: Algeria, Bahrain, Bangladesh, Colombia, Cuba, Democratic Yemen, Djibouti, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Ukrainian SSR, United Arab Emirates, Yemen, Yugoslavia.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Antigua and Barbuda, El Salvador, Grenada, Saint Vincent and the Grenadines, Uruguay, Zaire.

*Later advised the Secretariat it had intended to vote in favour

SECURITY COUNCIL CONSIDERATION (February, June and November)

The Security Council convened throughout 1989 to consider the situation in the occupied territories. At the request(9) of the Chairman of the Group of Arab States, the Security Council met on 10, 13, 14 and 17 February.

Meeting numbers. SC 2845-2847, 2849, 2850.

The Palestine Observer's request(10) to participate in the meetings was approved by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom). The United States, which requested the vote, took the position that, under the Council's provisional rules of procedure, rule 39^a was the only legal basis on which the Council might grant a hearing to non-governmental entities. It also pointed out that observers did not have the right to speak in the Coun-

cil on their own request; a request must be made on the observer's behalf by a Member State. The United States concluded that it believed in listening to all points of view, but not if that required violating the rules.

On 17 February, after debate, the Council voted on a draft resolution (11) submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia. By the text, the Council would have strongly deplored the continuing disregard by Israel of the relevant decisions of the Council and would have called on it to abide by the relevant Council resolutions, as well as to comply with its obligations under the fourth Geneva Convention and to desist forthwith from its policies and practices that were in violation of the provisions of the Convention.

The vote was 14 to 1, as follows:

In favour: Algeria, Brazil, Canada, China, Colombia, Ethiopia, Finland, France, Malaysia, Nepal, Senegal, USSR, United Kingdom, Yugoslavia.

Against: United States.

The draft was not adopted owing to the negative vote of a permanent Council member.

At the request (12) of the Chairman of the Arab Group, the Council held further meetings on the situation in the occupied territories on 6, 7, 8 and 9 June.

Meeting numbers. SC 2863-2867.

Approval of the request by the Palestine Observer(13) to participate was by the same vote as in February, after the United States had restated its negative position on such participation (see above).

On 9 June, the Council voted on a draft resolution(14) put forward by the same seven States that had proposed the February text. By the text, the Council would have strongly deplored Israeli policies and practices which violated Palestinian human rights, as well as vigilante attacks against Palestinian towns and villages and desecration of the Holy Koran; called on Israel to comply with its obligation under the fourth Geneva Convention; demanded that Israel desist forthwith from deporting Palestinian civilians from the occupied territory and ensure the safe and immediate return of those already deported; and expressed great concern over the prolonged closure of schools in parts of the occupied territory and called for their reopening.

The vote was 14 to 1, following the same voting pattern as in February. The draft was rejected

^aRule 39 of the Council's provisional rules of procedure states: "The Security Council may invite members of the Secretariat or other persons, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

owing to the negative vote of a permanent member.

In a statement before the vote, the United States stressed that while the draft contained much with which it could agree, the text was unbalanced in making sweeping condemnations of Israeli policies and practices without reference to any of the serious acts of violence by the other side.

Speaking after the vote, the Permanent Observer of Palestine expressed regret that the Council had not succeeded in bringing to fruition the work that had been undertaken for months and years, but he believed that the debate would contribute to the cause of peace.

At the request⁽¹⁵⁾ of the Chairman of the Arab Group, the Council met again on 6 and 7 November to discuss the situation in the occupied territories.

Meeting numbers. SC 2887-2889.

The request for participation by the Palestine Observer⁽¹⁶⁾ was approved by the same vote as earlier, with the United States reiterating its negative position.

On 7 November, the Council voted on a revised draft resolution⁽¹⁷⁾ proposed by the seven States which had sponsored the two earlier drafts (see above). By the text, the Council would have expressed alarm at the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem; strongly deplored Israeli policies and practices violating the human rights of the Palestinian people, in particular the siege of towns, the ransacking of the homes of inhabitants, as had happened at Beit Sahur, and the confiscation of their property and valuables; reaffirmed once again the applicability of the fourth Geneva Convention and called once again on Israel to abide by it; demanded that Israel return confiscated property to its owners; and requested the Secretary-General to conduct on-site monitoring of the current situation and to submit periodic reports.

The vote was 14 to 1 (United States); the draft was rejected owing to the negative vote of a permanent member.

After the vote, the United States said that it was engaged in intensive efforts to help launch an Israeli-Palestinian dialogue; repeated recourse to the Security Council with one-sided draft resolutions did not contribute to that process or to a real reduction of confrontation in the occupied territories. The United States also did not agree with the request that the Secretary-General conduct on-site monitoring since that connoted a permanent, ongoing presence on the ground. However, it did support the Secretary-General's efforts and those of his representatives to visit the occupied territo-

ries in order to report periodically on the situation there.

Israel stated that the drastic increase in violence was PLO's direct response to the challenge posed by Israel's peace initiative. The violence was intended to intimidate the local population and ensure the complete domination of PLO terror. Israel rejected the charge that it violated international law by collecting taxes in Beit Sahur and said that the taxes levied in the territories were used solely to finance the provision of services to the Palestinian residents.

In a statement after the vote, the Palestine Observer said it was distressing that a concern expressed so overwhelmingly by the Council had been undermined by a permanent member. It was his understanding that the United States was tying the hands of the Secretary-General, preventing him from pursuing his endeavours. By opposing on-site monitoring, it was trying to cover up what Israel was doing. The position taken by the Palestinians, as expressed by the National Council, was a peace initiative supported by the entire international community in a 1988 General Assembly resolution.

Fourth Geneva Convention

In 1989, the General Assembly and the Commission on Human Rights (see PART THREE, Chapter X) again reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applied to the Palestinian and other Arab territories occupied by Israel. Continuing disregard of that main international instrument in humanitarian law that applied to the occupied territories was reported throughout the year by the Committee on Israeli practices.

Report of Committee on Israeli practices. In the opinion of the Committee,⁽³⁾ the provisions of the fourth Geneva Convention continued to be disregarded and violated. In violation of its obligation as a State party to the Convention, Israel, the Committee said, pursued a policy of annexation, which had led to establishing settlements, expropriating property, transferring Israeli citizens to the occupied territories and encouraging or compelling Palestinians to leave their homeland. Deportations from the occupied territories also violated article 49 of the Convention. In violation of article 76, detainees had continued to be held in prisons and detention centres.

The Committee once again stressed that urgent measures had to be taken in order to ensure an effective protection of the basic rights and freedoms of the civilians in the occupied territories and it again called for full application by Israel of the relevant Convention provisions.

Report of Secretary-General. In pursuance of a 1988 General Assembly resolution (18) the Secretary-General reported(19) in September 1989 that he had sent a note verbale to the Minister for Foreign Affairs of Israel and that, in its reply of 18 August, Israel had stated that, while reserving its position on the de jure applicability of the fourth Geneva Convention, due to the question of the political status of the areas, Israel's official position was to conform with the provisions of the Convention and implement them on a de facto basis in its administration in those areas. That was not an engagement in semantics, it said, but rather a fundamental principle which was the basis of the policy of the Government of Israel.

GENERAL ASSEMBLY ACTION

On 8 December 1989, the General Assembly, having considered the report of the Committee on Israeli practices and on the recommendation of the Special Political Committee, adopted resolution 44/48 B by recorded vote.

The General Assembly,

Recalling Security Council resolution 465(1980) of 1 March 1980, in which, inter alia, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling also its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982, 38/79 B of 15 December 1983, 39/95 B of 14 December 1984, 40/161 B of 16 December 1985, 41-63 B of 3 December 1986, 42/160 B of 8 December 1987 and 43/58 B of 6 December 1988,

Taking note of the reports of the Secretary-General of 21 January 1988 and 28 September 1989,

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Bearing in mind the provisions of the Geneva Convention,

Noting that Israel and the concerned Arab States whose territories have been occupied by Israel since June 1967 are parties to the Convention,

Taking into account that States parties to the Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. Condemns once again the failure of Israel, the occupying Power, to acknowledge the applicability of the Convention to the territories it has occupied since 1967, including Jerusalem;

3. Strongly demands that Israel acknowledge and comply with the provisions of the Convention in the Palestinian and other Arab territories it has occupied since 1967, including Jerusalem;

4. Urgently calls upon all States parties to the Convention to exert all efforts in order to ensure respect for and compliance with its provisions in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

5. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 B

8 December 1989 Meeting 78 149-1-2 (recorded vote)

Approved by Special Political Committee (A/44/816 by recorded vote (124-1-3) 22 November (meeting 25); 13-nation draft (A/SPC/44/L.20); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Cote d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, United States.

Paragraph 1 of the resolution was adopted by the Committee by a recorded vote of 124 to 1, with 2 abstentions, and by the Assembly by 146 to 1, with 1 abstention.

Deportation of Palestinians

The Committee on Israeli practices reported(3) a considerable increase in the number of deportations from the occupied territories, carried out in spite of a wave of protests by the international community, including unanimous resolutions by the Security Council, against such illegal practice. According to the Committee, many witnesses stressed the fact that the intended deportees had not been given the opportunity to see the allegations leading to their expulsion.

The Committee on Palestinian rights also reported(1) in November that deportations had increased; 60 Palestinians had been deported during the year.

Detailed reports of deportations were conveyed to the Secretary-General in letters from the Permanent Representative of Lebanon, the Permanent Observer of Palestine and the Chairman of the Committee on Palestinian rights and in reports of the Committee on Israeli practices. On 3 January, the Lebanese Government reaffirmed its complete rejection of illegal deportations across the international boundaries, since they were an encroachment on Lebanon's sovereignty and a flagrant breach of the inviolability of its borders and of its territorial integrity. During 1988, it reported, expulsions and deportations to Lebanon involved 48 Palestinians.(20)

Report of the Secretary-General. In a September report,(21) issued in response to a 1988 Assembly resolution,(22) the Secretary-General stated that on 18 August he had received a reply from the Foreign Minister of Israel to his note verbale of 30 May. Israel stated that its position on that resolution had been set out fully previously. The continuing threat which terrorist activity posed to Israel's security accounted for its measures to ensure the maintenance of public order as contemplated by international law. Expulsion orders against individuals had been issued in the most extreme cases and were subject first to the review of an advisory committee and afterwards to Israel's High Court of Justice, Israel said.

SECURITY COUNCIL ACTION (July and August)

At the request of the Arab Group,(23) the Security Council convened on 6 July to consider deportations of Palestinians from the occupied territories.

The Palestine Observer's request(24) to participate was approved by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom). The United States reiterated its views concerning the request (see above, under "The Palestinian uprising (intifadah)").

Speaking before the Council, Israel said that while facing continuous and escalating violence, owing to deliberate PLO incitement intended to undermine Israel's peace initiative, it had acted with utmost restraint within the confines of local and international law. It had chosen not to use the death penalty expressly contemplated by the fourth Geneva Convention, but had preferred to exercise less severe measures in conformity with article 63 of the Hague regulations, which permitted the expulsion of individuals who posed an immediate and grave threat to security and public order.

The United States expressed opposition to the practice of deportations as a violation of article 49

of the fourth Geneva Convention and agreed with the call on Israel to desist from further deportations (see resolution below). However, the United States did not believe that raising the issue in the Council at the current time, in the form in which it was being presented, would help reduce tension or restore calm.

The Council adopted resolution 636 (1989).

The Security Council,

Reaffirming its resolutions 607(1988) of 5 January 1988 and 608(1988) of 14 January 1988,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported eight Palestinian civilians on 29 June 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular articles 47 and 49 thereof,

1. Deeply regrets the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. Calls upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. Reaffirm that the Geneva Convention relative to the Protection of Civilian Persons in time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. Decides to keep the situation under review.

Security Council resolution 636(1989)

6 July 1989 Meeting 2870 14-0-1

7-nation draft (S/20710).

Sponsors: Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal, Yugoslavia.

Vote in Council as follows:

In favour: Algeria, Brazil, Canada, China, Colombia, Ethiopia, Finland, France, Malaysia, Nepal, Senegal, USSR, United Kingdom, Yugoslavia.

Against: None.

Abstaining: United States.

At the request(25) of the Chairman of the Arab Group, the Security Council again took up the question of deportations on 30 August.

The Palestine Observer's request(26) to participate was approved by the same vote as in July and the United States again made a statement concerning the request (see above).

Israel stated that the drastic increase in violence in recent months was intended to intimidate the local population and ensure PLO domination. It regarded expulsions as the most severe measure, which was taken only after careful consideration and upon the conclusion that all other means had failed in curbing the violence and preventing grave risks to public safety.

The United States reiterated its position, opposing the deportations in principle, but did not believe that resort to the Council would help address the underlying problems of finding peace or facilitate negotiations between the parties.

The Council adopted resolution 641(1989).

The Security Council,

Reaffirming its resolutions 607(1988) of 5 January 1988, 608 (1988) of 14 January 1988 and 636(1989) of 6 July 1989,

Having been apprised that Israel, the occupying Power, has once again, in defiance of those resolutions, deported five Palestinian civilians on 27 August 1989,

Expressing grave concern over the situation in the occupied Palestinian territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular articles 47 and 49 thereof,

1. Deplores the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. Calls upon Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. Decides to keep the situation under review.

Security Council resolution 641(1989)

30 August 1989 Meeting 2883 14-0-1

7-nation draft (S/20820).

Sponsors: Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal, Yugoslavia. Vote in Council es follows:

In favour: Algeria, Brazil, Canada, China, Colombia, Ethiopia, Finland, France, Malaysia, Nepal, Senegal, USSR, United Kingdom, Yugoslavia. Against: None.

Abstaining: United States.

GENERAL ASSEMBLY ACTION

On 8 December, the General Assembly, on the recommendation of the Special Political Committee, adopted resolution 44/48 E by recorded vote.

The General Assembly,

Recalling Security Council resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989 and 641(1989) of 30 August 1989,

Taking note of the reports of the Secretary-General of 21 January 1988 and 28 September 1989,

Alarmed by the continuing deportation of Palestinians from the occupied Palestinian territory by the Israeli authorities,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in particular article 1 and the first paragraph of article 49, which read as follows:

“Article 1

“The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.”

“Article 49

“Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive ...”,

Reaffirming the applicability of the Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council and resolutions of the General Assembly;

2. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli authorities in deporting Palestinians and that it facilitate their immediate return;

3. Calls upon Israel, the occupying Power, to cease forthwith the deportation of Palestinians and 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;

4. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 E

8 December 1989 Meeting 78 150-1-2 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (125-1-1), 22 November (meeting 25); 13-nation draft (A/SPC/44/L.23); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly es follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Leo People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, United States.

Palestinian detainees

The Committee on Israeli practices reported(3) in October that the administration of justice in the occupied territories had deteriorated considerably. The “quick justice” had continued to characterize court procedures, provoking many protests from lawyers and human rights activists. The situation of detainees, as a consequence of the arrests of many Palestinians since the outbreak of the uprising, had also further deteriorated. The great increase in the number of detainees led the Israeli authorities to convert governmental buildings and even schools into temporary detention

centres and use army detention centres for civilians. Detainees were denied humane prison conditions and endured serious physical and psychological hardship.

The Committee heard several witnesses who presented extensive accounts of conditions in detention. Most testimonies denounced the various forms of ill-treatment, such as torture and violence, intimidation, solitary confinement, overcrowding of cells, lack of sanitary facilities, inadequate nutrition, and the denial of the right to receive visits and of access to lawyers. Very harsh conditions were endured by prisoners in the Ansar 3 (Ketziot) detention camp in the Negev desert inside Israel, where detainees were reported to have been shot. Conditions of detention often gave rise to hunger strikes, which sometimes led to the death of hunger strikers seeking to ameliorate their treatment.

Report of the Secretary-General. In compliance with a 1988 General Assembly resolution,(27) the Secretary-General reported(28) in September 1989 that, in reply to his note verbale to the Minister for Foreign Affairs of Israel, he received on 18 August a response in which Israel rejected the resolution in question. It also stated that, in view of the resolution's unconcealed bias, it must be noted that detention and imprisonment in Judea, Samaria and Gaza were legal measures taken against terrorism and violence. It was Israel's duty under international law to maintain public order and security in those areas, a duty carried out with the utmost regard for the protection of human rights in keeping with the provisions of the Geneva Conventions. Israel stated that due process of law was guaranteed also by allowing detainees and prisoners to petition Israel's High Court of Justice. Representatives of ICRC were authorized regularly to visit prisons and detention centres where they could interview in complete privacy any prisoner or detainee.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/48 D by recorded vote.

The General Assembly,
Recalling Security Council resolution 605(1987) of 22 December 1987,

Recalling also its resolutions 38/79 A of 15 December 1983, 39/95 A of 14 December 1984, 40/161 A of 16 December 1985, 41/63 A of 3 December 1986, 42/160 A of 8 December 1987, 43/21 of 3 November 1988, 43/58 D of 6 December 1988 and 44/2 of 6 October 1989,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Taking note also of the reports of the Secretary-General of 21 January 1988, 28 September 1989 and 20 October 1989,

1. Deplores the arbitrary detention or imprisonment by Israel of thousands of Palestinians as a result of their resistance against occupation in order to attain self-determination;

2. Calls upon Israel, the occupying Power, to release all Palestinians and other Arabs arbitrarily detained or imprisoned;

3. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 D

8 December 1989 Meeting 78 145-2-2 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (124-2-1), 22 November (meeting 25); 13-nation draft (A/SPC/44/L.22); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica, Kenya.

Israeli settlements

The Committee on Israeli practices reported in July(4) and October(3) that Israel had continued in 1989 to annex Palestinian territory and establish settlements. In March, Jewish residents of the West Bank established a new settlement 8 kilometres north-west of Ramallah. In April, an inauguration ceremony was held for the new settlement of Tzufim, east of Kalkilya. Two new settlements were established in May-Tzoref, in the Etzion bloc, and Ofarim, south of Beit-Arye, in the Binyamin district. The Israeli Central Bureau of Statistics reported on 7 August that some 6,000 people had settled in the territories over the past year.

According to the Committee, acts of violence and aggression by Israeli settlers against the Palestinian population had increased during the year, in both scope and gravity. Ha'aretz and the Jerusalem Post reported on 31 May that a group of 30 settlers had raided on 29 May the village of Kifl

Harith, where they reportedly carried out a methodical and prolonged rampage, involving arson and vandalism, and shot a 13-year-old girl. The same newspapers reported on 18 April that settlers created vigilante intervention forces.

The Committee also reported cases of settlers' retaliatory actions against the Arab population. On 9 February, following the death of a settler, a group of Jewish settlers raided the village of Haris. On 22 May, hundreds of settlers from Maaleh Adumim carried out a retaliation action in nearby Eizariya after a settler family's car was stoned and its four passengers injured. The settlers set fire to a truck and overturned two others, smashed windows of cars and homes and fired in the air.

The Committee on Palestinian rights in November (1) condemned the unchecked violence of settlers. It also stressed that there had been a dramatic increase in the number of house demolitions in 1989. At least 236 Palestinian homes were destroyed for "security" reasons between December 1987 and August 1989, while another 675 buildings were destroyed on the pretext that they had been built illegally.

Report of the Secretary-General. In September, the Secretary-General reported(29) that, in accordance with a 1988 General Assembly resolution,(30) he had sent a note verbale to Israel requesting information on steps it had taken or envisaged taking in implementation of the relevant provisions of that resolution. On 18 August, Israel stated that its position had been set out previously.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/48 C by recorded vote.

The General Assembly,

Recalling Security Council resolution 465(1980) of 1 March 1980,

Recalling also its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978, 34/90 C of 12 December 1979, 35/122 B of 11 December 1980, 36/147 B of 16 December 1981, 37/88 B of 10 December 1982, 38/79 C of 15 December 1983, 39/95 C of 14 December 1984, 40/161 C of 16 December 1985, 41/63 C of 3 December 1986, 42/160 C of 8 December 1987 and 43/58 C of 6 December 1988,

Expressing anxiety and concern at the present serious situation in the Palestinian and other occupied Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by Israel, the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Taking note of the reports of the Secretary-General of 21 January 1988 and 28 September 1989,

Confirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 Au-

gust 1949, is applicable to all Palestinian and other Arab territories occupied by Israel since June 1967, including Jerusalem,

1. Determines that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

2. Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;

3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action that would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories occupied since 1967, including Jerusalem;

5. Urgently calls upon all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

6. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 C

8 December 1989 Meeting 78 146-1-3 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (123-1-3), 22 November (meeting 25); 13-nation draft (A/SPC/44/L.21); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Dominica, Kenya, United States.

Golan Heights

Report of the Committee on Israeli practices. The October 1989 report(3) of the Committee on Israeli practices contained information on the situation in the occupied Syrian Golan, submitted by the Ministry of Foreign Affairs of the Syrian Arab Republic. Israel was accused of imposing its laws, administration, religion and collective economic punishment by closing the market for apple production, a main source of local income.

On the basis of some newspaper reports, the Committee cited several cases of arrests of Arabs for participating in demonstrations, distributing anti-Israel leaflets and burning an Israeli flag. In May, Israeli police were said to have used rubber bullets and tear-gas to disperse hundreds of demonstrators in Mas'ada. Over 40 villagers were detained.

Report of the Secretary-General. In response to a 1988 resolution of the General Assembly(31) calling on Member States not to recognize Israel's imposition of its laws, jurisdiction and administration on the occupied Syrian Arab Golan, the Secretary-General reported(32) in October that five States had expressed support for the provisions of that resolution. Israel's position remained as first expressed in 1981,(33) namely, that it could not be expected to maintain indefinitely a military administration merely to accommodate the Syrian Arab Republic's interest in persistent conflict and that its legislation did not diminish the local population's rights.

GENERAL ASSEMBLY ACTION

On 4 December, the General Assembly adopted resolution 44/40 B by recorded vote.

The General Assembly,

Having discussed the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 22 November 1989,

Recalling Security Council resolution 497(1981) of 17 December 1981,

Reaffirming its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/123 A of 16 December 1982, 38/180 A of 19 December 1983, 39/146 B of 14 December 1984, 40/168 B of 16 December 1985, 41/162 B of 4 December 1986, 42/209 C of 11 December 1987 and 43/54 B of 6 December 1988,

Recalling its resolution 3314(XXIX) of 14 December 1974, in which it defined an act of aggression, *inter alia*, as "the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof" and provided that "no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression",

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories,

Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations,

Noting also that Israel has refused, in violation of Article 25 of the Charter, to accept and carry out the numerous relevant decisions of the Security Council, in particular resolution 497(1981), thus failing to carry out its obligations under the Charter,

1. Strongly condemns Israel for its failure to comply with Security Council resolution 497(1981) and General Assembly resolutions 36/226 B, ES-9/1, 37/123 A, 38/180 A, 39/146 B, 40/168 B, 41/162 B, 42/209 C and 43/54 B;

2. Declares once more that Israel's continued occupation of the Syrian Arab Golan and its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan constitute an act of aggression under the provisions of Article 39 of the Charter of the United Nations and General Assembly resolution 3314(XXIX);

3. Declares once more that Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan is illegal and therefore null and void and has no validity whatsoever;

4. Declares all Israeli policies and practices of, or aimed at, annexation of the Palestinian territory occupied since 1967, including Jerusalem, and of the other occupied Arab territories to be illegal and in violation of international law and of the relevant United Nations resolutions;

5. Determines once more that all actions taken by Israel to give effect to its decision relating to the occupied Syrian Arab Golan are illegal and invalid and shall not be recognized;

6. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention IV of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under these instruments in all circumstances;

7. Determines once more that the continued occupation of the Syrian Arab Golan since 1967 and its annexation by Israel on 14 December 1981, following Israel's decision to impose its laws, jurisdiction and administration on that territory, constitute a continuing threat to international peace and security;

8. Strongly deplores the negative vote by a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497(1981) unanimously adopted by the Council;

9. Further deplores any political, economic, financial, military and technological support to Israel that encourages it to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories;

10. Firmly emphasizes once more its demand that Israel, the occupying Power, rescind forthwith its illegal decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which resulted in the effective annexation of that territory;

11. Reaffirms once more the overriding necessity of the total and unconditional withdrawal by Israel from the Palestinian territory occupied since 1967, including Jerusalem, and the other occupied Arab territories, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

12. Determines once more that Israel's record, policies and actions confirm that it is not a peace-loving Member State, that it has persistently violated the principles contained in the Charter and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273(III) of 11 May 1949;

13. Calls once more upon all Member States to apply the following measures:

(a) To refrain from supplying Israel with any weapons and related equipment and to suspend any military assistance that Israel receives from them;

(b) To refrain from acquiring any weapons or military equipment from Israel;

(c) To suspend economic, financial and technological assistance to and co-operation with Israel;

To sever diplomatic, trade and cultural relations with Israel;

14. Reiterates its call to all Member States to cease forthwith, individually and collectively, all dealings with Israel in order totally to isolate it in all fields;

15. Urges non-member States to act in accordance with the provisions of the present resolution;

16. Calls upon the specialized agencies and other international organizations to conform their relations with Israel to the terms of the present resolution;

17. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/40 B

4 December 1989 Meeting 73 84-22-49 (recorded vote)

14-nation draft (A/44/L.48 & Add.1); agenda item 37.

Sponsors: Afghanistan, Albania, Algeria, Bahrain, Cuba, Djibouti, Indonesia, Kuwait, Malaysia, Mauritania, Morocco, Oman, Pakistan, Syrian Arab Republic.

Meeting numbers. GA 44th session: plenary 64-66, 73.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Byelorussian SSR, Cameroon, Cape Verde, Chad, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nicaragua, Niger, Nigeria, Oman, Pakistan, Poland, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Vanuatu, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Dominican Republic, France, Germany, Federal Republic of Iceland, Ireland, Israel, Italy, Japan, Kenya, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom, United States.

Abstaining: Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belize, Bolivia, Brazil, Burundi, Central African Republic, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, Egypt, El Sal-

vador, Equatorial Guinea, Ethiopia, Fiji, Grenada, Haiti, Honduras, Hungary, Jamaica, Liberia, Malawi, Malta, Myanmar, Nepal, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Singapore, Solomon Islands, Spain, Suriname, Thailand, Togo, Trinidad and Tobago, Uruguay, Venezuela, Zaire.

On 8 December, on the recommendation of the Special Political Committee, the Assembly adopted resolution 44/48 F by recorded vote.

The General Assembly,

Deeply concerned that the Arab territories occupied since 1967 have been under continued Israeli military occupation,

Recalling Security Council resolution 497(1981) of 17 December 1981,

Recalling also its resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988 and 44/2 of 6 October 1989,

Having considered the report of the Secretary-General of 20 October 1989,

Recalling its previous resolutions, in particular resolutions 3414(XXX) of 5 December 1975, 31/61 of 9 December 1976, 32/20 of 25 November 1977, 33/28 and 33/29 of 7 December 1978, 34/70 of 6 December 1979 and 35/122 E of 11 December 1980, in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories and to withdraw from all those territories,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Arab Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations and that all territories thus occupied by Israel must be returned,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497(1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and void and constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Strongly condemns Israel for its attempts to impose forcibly Israeli citizenship and Israeli identity cards on

the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

5. Calls once again upon Member States not to recognise any of the legislative or administrative measures and actions referred to above;

6. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 F

8 December 1989 Meeting 78 148-1-4 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (122-1-4), 22 November (meeting 251; 13-nation draft (A/SPC/44/L.24); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Costa Rica, Dominica, Kenya, United States.

Measures regarding educational institutions

Report of the Committee on Palestinian rights. In its November report,(1) the Committee on Palestinian rights expressed concern over the intensification during the second year of the uprising of violations of the Palestinians' right to education. According to the Committee, measures taken by Israel included the complete closure of universities and long-term and repeated closure of schools, prohibition of home study and compensation classes in alternative locations, the use of schools as military outposts, destruction of school property, and military raids on schools and alternative classes.

Arrests, deportations and administrative detention were used against faculty, administrators and students. The Committee noted with great concern the assessment by educators that the imposition of those measures penalized current and future generations of Palestinians and would create serious dysfunctions in the educational system which would be extremely difficult to compensate

at a later stage. The Committee also welcomed the partial opening of schools as a result of international pressure.

Report of the Committee on Israeli practices. The Committee on Israeli practices also reported on freedom of education for Palestinians in the occupied territories. In its October report,(3) it concluded that freedom of education had been seriously hampered by the prolonged closure of educational institutions, including all universities, schools and even kindergartens. The efforts by the Palestinians to provide children with some kind of "popular teaching" in order to compensate for the lack of public education were also jeopardized by the Israeli authorities.

According to a number of testimonies obtained by the Committee, teachers and students experienced various forms of harassment, including detention, raiding of schools, deportation or expulsion.

The Committee reported that on 12 July the Israeli Defence Minister and the army Chief of Staff had ordered the beginning of preparations to reopen schools in the West Bank, which had been closed since the beginning of the uprising. On 22 July, some 183,000 elementary school pupils and 10,700 pre-matriculation class students returned to school, while universities and several colleges remained closed. In August, after a six-month closure, some 69,000 junior high school pupils returned to classes at 324 schools in the West Bank.

Report of the Secretary-General. In September, the Secretary-General informed the General Assembly(34) that no reply had been received from Israel to his 30 May request for information on steps it had taken or envisaged taking in implementation of a 1988 Assembly demand(35) that it rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain from hindering the effective operation of universities, schools and other educational institutions.

However, in a letter of 17 July(36) to the Secretary-General, Israel stated that since 1967 it had contributed to the development of the educational system of the occupied territories. The number of pupils, teachers and classrooms had more than doubled. Many new institutes of learning were established with the assistance of the Israeli authorities, including live universities. However, since December 1987, the schools had frequently been exploited as centres for organizing and launching violent activity. Israel said it had had no choice, therefore, but to close the schools in Judea and Samaria, while in the Gaza District, where the schools had not succumbed to the violence, they remained open. Israel also informed about its decision to gradually reopen schools in Judea and Samaria.

GENERAL ASSEMBLY ACTION

On 8 December 1989, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/48 G by recorded vote.

The General Assembly,

Bearing in mind the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Deeply concerned at the continued and intensified harassment by Israel, the occupying Power, against educational institutions in the occupied Palestinian territory,

Recalling Security Council resolution 605(1987) of 22 December 1987,

Recalling also its resolutions 38/79 G of 15 December 1983, 39/95 G of 14 December 1984, 40/161 G of 16 December 1985, 41/63 G of 3 December 1986, 42/160 G of 8 December 1987, 43/21 of 3 November 1988, 43/58 G of 6 December 1988 and 44/2 of 6 October 1989,

Taking note of the reports of the Secretary-General of 21 January 1988 and 28 September 1989,

Taking note also of the relevant decisions adopted by the Executive Board of the United Nations Educational, Scientific and Cultural Organization concerning the educational and cultural situation in the occupied Palestinian territory,

1. Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Condemns Israeli policies and practices against Palestinian students and faculties in schools, universities and other educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. Also condemns the systematic Israeli campaign of repression against and closing of universities, schools and other educational and vocational institutions in the occupied Palestinian territory, in large numbers and for prolonged periods, restricting and impeding the academic activities of Palestinian universities by subjecting the selection of courses, textbooks and educational programmes, the admission of students and the appointment of faculty members to the control and supervision of the military occupation authorities, in flagrant contravention of the Geneva Convention;

4. Demands that Israel, the occupying Power, comply with the provisions of that Convention, rescind all actions and measures against all educational institutions, ensure the freedom of those institutions and refrain forthwith from hindering the effective operation of the universities, schools and other educational institutions;

5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/48 G

8 December 1989 Meeting 78 150-2-1 (recorded vote)

Approved by Special Political Committee (A/44/816) by recorded vote (125-2-1), 22 November (meeting 251); 13-nation draft (A/SPC/44/L.25); agenda item 77.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Zambia.

Meeting numbers. GA 44th session: SPC 22-25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica.

Economic and social conditions of Palestinians

According to a report of the UNCTAD secretariat,⁽³⁷⁾ the first two decades of Israeli occupation of the Palestinian territory had been characterized by drastic changes in the structure and performance of the Palestinian economy. There had been a decline in the share of agriculture, industrial stagnation, chronic trade and payments deficits, growing unemployment and massive labour migration, and financial disarray and insecurity. Since the beginning of the uprising in 1987, the Palestinians had activated a new and independent economic policy aimed at boosting self-reliance in agricultural and industrial production, investment and marketing, restructuring the domestic productive base and disengaging from dependence on the Israeli economy.

In response, the Israeli authorities introduced some measures in order to contain Palestinian initiatives. They included demolition of houses, expropriation of land and increase in Israeli settlements, uprooting of orchards, destruction of crops, bans on fishing off the Gaza coast, restriction on the movement of Palestinian workers, and increased administrative control over Palestinian domestic trade and exports. All those measures had increased the already severe pressure on the Palestinian economy. As a result, Palestinian economic performance in 1989 maintained its downward trend.

Per capita gross national product in the occupied territory was estimated at no more than \$1,300, or 25 per cent below the level in 1987. At the same time, the cost-of-living index rose by over 20 per cent. There appeared alarming signs of growing poverty in remote areas.

The international response to the growing crisis in the Palestinian economy considerably supported the population in the occupied territory. Contributions from some Arab States and regional organizations for emergency relief, provision of transit facilities and direct access to regional markets helped to ease the crisis. The United Nations and a number of its specialized agencies had intensified their assistance to the Palestinian people.

In accordance with a 1987 General Assembly resolution,(38) the Secretary-General entrusted the United Nations Centre for Human Settlements (Habitat) with the preparation of an in-depth study on future infrastructure needs of the Palestinians in the occupied territory. In October 1989, Habitat submitted its first study(39) focusing on transport infrastructure. It was stated that the transportation sector in the West Bank and the Gaza Strip, like other economic sectors, was unable to develop to a level that would have enabled it to provide effective transport services for those regions. At the same time, Israel had developed a transportation network aimed at enhancing Jewish settlement activities by providing relatively higher quality roads to link settlements with each other and with the metropolitan Israeli road network. That situation hindered the evolution of a national Palestinian transportation system, the report stated.

Report of the Committee on Palestinian rights. In its November report,(1) the Committee on Palestinian rights condemned administrative, economic and other measures taken by Israel to control all aspects of Palestinian life and to prevent the development of autonomous socio-economic structures. The Committee stressed that Israeli policies had resulted in a lack of basic sanitary infrastructure and health services and led to a substantial deterioration in the standard of living of the Palestinians in general.

GENERAL ASSEMBLY ACTION

On 19 December, the General Assembly, on the recommendation of the Second Committee, adopted resolution 44/174 by recorded vote.

Living conditions of the Palestinian people in the occupied Palestinian territory

The General Assembly,

Recalling the Vancouver Declaration on Human Settlements, 1976, and the relevant recommendations for national action adopted by Habitat: United Nations Conference on Human Settlements,

Recalling also its resolution 42/190 of 11 December 1987,

Taking into account the intifadah of the Palestinian people against the Israeli occupation, including its economic and social policies and practices,

Gravely alarmed by the continuation of the Israeli settlement policies in the Palestinian territory occupied by Israel since 1967, including Jerusalem, which have been declared null and void and a major obstacle to peace,

Taking into account the need of the secretariat of the United Nations Conference on Trade and Development for extra funds to prepare the comprehensive study on the economy of the occupied Palestinian territory requested by the Trade and Development Board in its resolution 239(XXIII) of 9 October 1981,

1. Takes note of the study annexed to the note by the Secretary-General concerning the infrastructure needs of the Palestinian people;

2. Culls for the immediate cessation of the Israeli practices against the Palestinian people, particularly in the economic and social fields;

3. Expresses its alarm at the deterioration, as a result of the Israeli occupation, in the living conditions of the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967;

4. Affirms that the Israeli occupation is contradictory to the basic requirements for the social and economic development of the Palestinian people in the occupied Palestinian territory;

5. Rejects the Israeli plans and actions intended to change the demographic composition of the occupied Palestinian territory, in particular the increase and expansion of the Israeli settlements;

6. Requests the Secretary-General to make available to the secretariat of the United Nations Conference on Trade and Development from the United Nations regular budget the extra funds needed to prepare the comprehensive study on the economy of the occupied Palestinian territory;

7. Also requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

General Assembly resolution 44/174

19 December 1989 Meeting 83 146-2-8 (recorded vote)

Approved by Second Committee (A/44/746/Add.9) by recorded vote (127-2-7). 21 November (meeting 41); B-nation draft (A/C.2/44/L.24/Rev.2), orally revised; agenda item 82 (h).

Sponsors: Algeria, Bahrain, Cuba, Egypt, Malaysia, Mali, Mauritania, Pakistan, Financial implications. 5th Committee, A/44/831; S-G; A/C.2/44/L.35/Rev.1, A/C.5/44/39.

Meeting numbers. GA 44th session: 2nd Committee 10-13, 29, 30, 35,41; 5th Committee 50; plenary 83.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Canada, Dominica, El Salvador, Equatorial Guinea, Germany, Federal Republic of, Grenada, Netherlands, United Kingdom,

Finance and trade

In response to a 1988 Economic and Social Council resolution, (40) the Secretary-General submitted a survey by the Economic and Social Commission for Western Asia on the Israeli financial and trade practices in the occupied Syrian Arab Golan, (41) which was subject to the same discriminatory financial policy and practices as the occupied Palestinian territory. After the occupation, the only local bank was forced to close and Syrian currency was replaced by that of Israel. Existing Israeli banks, which did not offer a full range of services, mostly facilitated trade between the inhabitants of the occupied Syrian Arab Golan, Israel and the occupied Palestinian territory. Their credit policies hampered the emergence of a strong local production base. The informal monetary sector in Syrian villages was much less developed than in the occupied Palestinian territory. There was no access to external funding sources and, in contrast to the occupied Palestinian territory, no foreign agencies or NGOs were operating there.

The survey stressed that internal trade had flourished as a result of a marked rise in per capita income and a conversion to a market-oriented economy. External trade, especially export of agricultural products (mostly apples) to Israel, was under strict Israeli control. Since the occupation, there had been no trade relations between the Syrian Arab Republic and the occupied Syrian Arab Golan.

Report of the Secretary-General. In accordance with a 1988 Economic and Social Council resolution, (40) requesting the Secretary-General to speed up preparation of a report on the trade practices of the Israeli authorities in the occupied Palestinian territories, the Secretary-General submitted in May 1989(42) the main findings and recommendations of an UNCTAD in-depth study on the external trade of the territories, carried out in 1988.(43) The study examined the role of trade and services in promoting Palestinian economic development; the performance of the external trade sector; major factors affecting the external trade of the territories, including policies, practices and structural limitations; the potentials for expansion and diversification of external trade in the territories; and requisite policies and measures for the long-term development of the Palestinian external trade sector.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 26 July 1989, the Economic and Social Council adopted resolution 1989/86 by roll-call vote.

Israeli economic practices in the occupied Palestinian and other Arab territories

The Economic and Social Council,

Recalling General Assembly decision 40/432 of 17 December 1985, in which the Assembly requested the Secretary-General to prepare a report on the financial

and trade practices of the Israeli occupation authorities in the occupied Palestinian and other Arab territories,

Recalling also Economic and Social Council resolution 1988/65 of 28 July 1988 and General Assembly decision 43/430 of 20 December 1988,

Having considered the reports of the Secretary-General on Israeli trade practices in the occupied Palestinian territories and on Israeli financial and trade practices in the occupied Syrian Arab Golan,

Taking into account the fact that land and water are basic national resources in the occupied Palestinian and other Arab territories,

1. Takes note with concern of the reports of the Secretary-General on Israeli trade practices in the occupied Palestinian territories and on Israeli financial and trade practices in the occupied Syrian Arab Golan, prepared in pursuance of General Assembly decisions 40/432 and 43/430 and Economic and Social Council resolution 1988/65;

2. Requests the Secretary-General to prepare a comprehensive report on Israeli land and water policies and practices in the occupied Palestinian and other Arab territories and to submit the report to the General Assembly at its forty-fifth session, through the Economic and Social Council.

Economic and Social Council resolution 1989/86

26 July 1989 Meeting 35 48-1 (roll-call vote)

25-nation draft (E/1989/L.38/Rev.1); agenda item 5

Sponsors: Algeria, Bahrain, Bangladesh, Bulgaria, Cuba, Czechoslovakia, Democratic Yemen, Egypt, German Democratic Republic, Iran, Jordan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Morocco, Nicaragua, Oman, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, Ukrainian SSR, United Arab Emirates, Yemen.

Meeting numbers. ESC 32, 33, 35.

Roll-call vote in Council as follows:

In favour: Bolivia, Brazil, Bulgaria, Cameroon, Canada, China, Colombia, Cuba, Czechoslovakia, Denmark, France, Germany, Federal Republic of Ghana, Greece, Guinea, India, Indonesia, Iran, Iraq, Ireland, Italy, Japan, Jordan, Kenya, Libyan Arab Jamahiriya, Netherlands, New Zealand, Nicaragua, Niger, Norway, Poland, Portugal, Rwanda, Saudi Arabia, Somalia, Sri Lanka, Sudan, Thailand, Trinidad and Tobago, Tunisia, Ukrainian SSR, USSR, United Kingdom, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.

Against: United States.

Palestinian women

In response to a 1988 Economic and Social Council resolution, (44) the Secretary-General submitted in February 1989 to the Commission on the Status of Women a report on the situation of Palestinian women.(45) Following consideration of the report, the Council on 24 May adopted resolution 1989/34 condemning the continuation of the "iron-fist" policy practised by Israel against Palestinian women and their families in the occupied territories and requesting the Commission to monitor implementation of the Nairobi Forward-looking Strategies for the Advancement of Women(46) concerning assistance to Palestinian women and children inside and outside the occupied territories. The Council reaffirmed that Palestinian women, as an integral part of a nation whose people were prevented from exercising their basic human and political rights, could not fully

participate in the attainment of the objectives of equality, development and peace without the realization of their inalienable rights to return to their homes, to self-determination and to establish an independent State. The Secretary-General was requested to send a mission composed of experts on the status of women to investigate the condition of Palestinian women and children, in the light of the drastic deteriorating situation in the territories.

REFERENCES

(1)A/44/35. (2)YUN 1968, p. 556, GA res. 2443(XXIII), 19 Dec. 1968. (3)A/44/599. (4)A/44/352. (5)YUN 1988, p. 232, GA res. 43/58 A, 6 Dec. 1988. (6)A/44/640. (7)YUN 1988, p. 231. (8)A/44/737-S/20971. (9)S/20454. (10)S/20456. (11)S/20463 (12)S/20662. (13)S/20669. (14)S/20677. (15)S/20942. (16)S/20949. (17)S/20945/Rev.1. (18)YUN 1988, p. 240, GA res. 43/58 B, 6 Dec. 1988. (19)A/44/565. (20)A/44/62-S/20361. (21)A/44/565. (22)YUN 1988, p. 243, GA res. 43/58 E, 6 Dec. 1988. (23)S/20709. (24)S/20711. (25)S/20817. (26)S/20823. (27)YUN 1988, p. 244, GA res. 43/58 D, 6 Dec. 1988. (28)A/44/564. (29)A/44/563. (30)YUN 1988, p. 245, CA res. 43/58 C, 6 Dec. 1988. (31)Ibid., p. 247, GA res. 43/58 F, 6 Dec. 1988. (32)A/44/643. (33)YUN 1981, p. 312. (34)A/44/566. (35)YUN 1988, p. 248, GA res. 43/58 G, 6 Dec. 1988. (36)A/44/397-S/20734. (37)TD/B/1266 & Corr.1. (38)YUN 1987, p. 321, GA res. 42/190, 11 Dec. 1987. (39)A/44/534. (40)YUN 1988, p. 250, ESC res. 1988/65, 28 July 1988. (41)A/44/338-E/1989/118. (42)A/44277-E/1989/82. (43)YUN 1988, p. 250. (44)YUN 1988, p. 634, ESC res. 1988/25, 26 May 1988. (45)E/CN.6/1989/4 & Corr.1. (46)YUN 1985, p. 937.

Palestine refugees

The year 1989 marked the fortieth anniversary of the establishment of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA),⁽¹⁾ anniversary which the UNRWA Commissioner-General said provided a stark reminder to the international community of the failure to resolve one of the most unsettling political and humanitarian issues.⁽²⁾

More than 2.3 million refugees were registered with UNRWA as at 30 June 1989 in five areas of the Middle East: in and outside camps in the Israeli-occupied West Bank (398,391) and Gaza Strip (469,385); Jordan (899,811); Lebanon (294,272); and the Syrian Arab Republic (272,778). Overall, about a third of the total were in 61 camps. An estimated further 52,000 persons, not registered refugees, also lived in camps, about 37,000 being people displaced as a result of the 1967 hostilities.

In 1989, the General Assembly addressed the work of UNRWA and the situation of Palestine refugees in 11 resolutions, dealing with: assistance to Palestine refugees (44/47 A) and displaced persons (44/47 C); the Working Group on the Financing of UNRWA (44/47 B); scholarships for higher education and vocational training (44/47 D); a proposed University of Jerusalem "Al-Quds" for Palestine refugees (44/47 J); Palestine refugees in Palestinian territory

occupied by Israel since 1967 (44/47 E); resumption of the ration distribution to Palestine refugees (44/47 F); refugee protection (44/47 I); revenues from refugee properties (44/47 H); return of population and refugees displaced since 1967 (44/47 G); and protection of Palestinian students and educational institutions and safeguarding UNRWA facilities in the occupied territories (44/47 K).

Work of UNRWA

As at 30 June 1989,⁽²⁾ Palestine refugees numbering 2,334,637 were registered with UNRWA in its live areas of operation. The Agency was providing educational, health and relief services, as well as undertaking emergency measures in response to the intifadah and continuing upheavals in Lebanon, where major clashes had erupted again beginning in February 1989. The UNRWA Commissioner-General reported on the A Agency's work-from 1 July 1988 to 30 June 1989,⁽²⁾ and from 1 July 1989 to 30 June 1990.⁽³⁾ He stated that with the continuing Palestinian uprising in the occupied territories, while contacts and co-operation at the higher official levels remained normal, there was heightened tension on the ground. Agency premises were violated and used as observation posts and interrogation or detention centres. There was deliberate large-scale destruction of Agency property and increased interference with the freedom of movement of staff. Local staff were arrested and detained without charge and many complained of maltreatment by the authorities, while physical harassment, and even detention, of international staff during the performance of official duties increased. In Lebanon, it was remarkable that services to Palestine refugees had continued in spite of the chaotic situation and dangers involved.

UNRWA's educational programme included nine grades of general education, vocational and technical training, in-service teacher training and some higher education for Palestine refugees. The curricula followed those prescribed in the respective host countries. During the 1988/89 academic year, 351,100 refugee children were enrolled through six years of elementary education and three years of secondary education in 628 elementary and preparatory schools. However, 90 of 98 schools in the West Bank, with a pupil population of more than 39,000, had been closed by Israeli military order, disrupting and shortening the school year, until permitted to reopen in July. Pupils witnessed scenes of violence, a pervasive presence of security forces, intrusion of soldiers into school compounds and classrooms, involving at times the firing of ammunition, rubber bullets and tear-gas, and detention of students and teachers.

During the 1988/89 academic year, UNRWA provided places for 4,100 vocational trainees and

850 teacher trainees in eight training centres, but those places were reduced to 3,160 and 300, respectively, owing to the closure of the three centres in the West Bank by order of Israeli authorities. Total expenditure for education in 1989 was \$108.8 million.

The UNRWA health programme was community-based, with 100 centres providing sanitation services, curative and preventive medical services and maternal and child health services. Events in the occupied territories created a high demand for emergency and casualty care, reflected in health programme expenditures of \$45.7 million, as against \$38.4 million in 1988.

Under the relief services programme, the major goal was assistance to destitute refugee families. The special hardship case programme, providing food, blankets, clothing and shelter, in 1989 serviced 146,800 beneficiaries from more than 33,000 families. Special hardship cases comprised families with no males between the ages of 18 and 55 in the household, or with one medically incapable of earning a living. The cost in 1989 of the relief services programme was \$23.1 million.

Lebanon. UNRWA work was affected by widespread and serious hostilities in east and west Beirut, beginning in February 1989, and by parallel random violence, kidnapping and strikes throughout the country. There was consequent displacement of several thousand Palestinians and the killing of at least 40 registered refugees during 1989. Nevertheless, refugee camps were not generally physically affected. However, in April, shelling of west Beirut caused heavy damage to offices and vehicles at the Agency's central warehouse compound, and essential field staff and operations were moved from Beirut to Saida. Given the prevailing circumstances, UNRWA continued to extend emergency assistance, as well as most of its regular programmes, including education, to the entire Palestinian community, not merely to registered refugees, and to participate actively with other United Nations agencies in providing assistance to the Lebanese population in general.

West Bank and Gaza Strip. The intifadah and the Israeli response thereto continued to affect virtually all UNRWA operations. Between 1 July 1988 and 30 June 1989, 107 Palestinian refugees were killed in Gaza and 196 in the West Bank. It was reported that since the beginning of the intifadah more than 30,000 Palestinians had sought medical attention for injuries, and that the Agency's health services were stretched to the limit. Individuals were arrested or detained without charge or trial in substantial numbers, it was reported, and there had been indiscriminate beatings and curfews severely affecting the mobility of people and their capacity to work. While schools had reopened in July 1989, selective closure orders, as well as strikes,

continued severely to disrupt school life. Palestinians in the occupied territories continued to be a major concern of the Agency. Schools were again closed in November 1989 on the West Bank.

Jordan and the Syrian Arab Republic. The deterioration of the Jordanian and Syrian economies caused difficulties for refugees, with the price of basic commodities rising. At the same time, economic trenchment in the Persian Gulf States meant fewer opportunities for employment. Palestinians returned in increasing numbers to their families, with resulting loss of income. Growing demands on UNRWA health and welfare services were related to those economic hardships. In early December, demonstrations to support the intifadah took place in some refugee camps in Jordan.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 A by recorded vote.

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 43/57 A of 6 December 1988 and all its previous resolutions on the question, including resolution 194(III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

1. Notes with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194(III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513(VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. Reiterates its request that the headquarters of the Agency should be relocated to its former site within its area of operations as soon as practicable;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194(III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1990;

5. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

6. Notes with profound concern that, despite the commendable and successful efforts of the Commissioner-

General to collect additional contributions, this increased level of income to the Agency is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

8. Decides to extend the mandate of the Agency until 30 June 1993, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194(III).

General Assembly resolution 44/47 A

8 December 1989 Meeting 78 134-0-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (130-0-2), 22 November (meeting 25); draft by United States (A/SPC/44/L.5 & Corr.1); agenda item 76.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominica,* Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Israel.

*Later advised the Secretariat it had intended to abstain

UNRWA financing

Agency income for its General Fund and ongoing activities amounted to \$210.9 million in 1989.(3) To maintain regular programmes at planned levels, UNRWA spent \$201.8 million. That fully expended its net income, after reallocating \$7.7 million to partially fund emergency-related programmes in Lebanon and the occupied territory, and \$1.4 million to project funds, mainly for urgent school construction in Jordan. Thus, the UNRWA working capital reserve-\$28.9 million-was not increased in 1989.

According to financial report and statements for the year ended 31 December 1989,(4) the UNRWA 1989 expenditures amounted to \$265 million, of which \$222.2 million was for the General Fund. Project funds were \$20.4 million for ongoing activities and \$5.9 million for capital and special projects, leaving \$228.1 million for the regular budget.

Extraordinary emergency expenditures included the Lebanon Emergency Fund of \$10.9 million. The Extraordinary Measures in the Occupied Territories Fund had a budget of \$23.5 million, used to alleviate the hardship of the Palestine refugees owing to civil unrest. Another fund-the Expanded Programme of Assistance-was used to improve the infrastructure in terms of better housing and new or expanded sewage systems, and to provide UNRWA with better facilities to run its education, health and relief programmes in the territories. Some \$2.5 million was expended on that programme in 1989.

On 19 December, the General Assembly, by resolution 44/183, accepted the financial report and audited financial statements of UNRWA for the year ended 31 December 1988,(5) together with the report of the Board of Auditors, and requested the Commissioner-General to report in 1990 on steps taken to implement the Board's recommendations.

Working Group on UNRWA financing

In a report(6) on its meetings of 11 September and 10 October 1989, the Working Group on the Financing of UNRWA stated that, at the beginning of 1989, it had been apparent that the fall in the value of one of the major local currencies would significantly reduce the dollar cost of budgeted expenditure. The Commissioner-General therefore had taken the decision to reduce the 1989 budget by \$6 million, from \$233 million to \$227 million. The salaries of the area staff, however, had to be increased in several fields of operation to compensate the staff for the loss of purchasing power, thereby reducing the dollar value of exchange-rate savings.

Although it appeared that UNRWA would be able to meet its expenses for the remainder of 1989, there was cause for serious concern for 1990-an increase of 5 per cent in budgeted expenditure for the regular programme was anticipated. That figure had been used for planning purposes and in discussions with donors as the minimum increase in contributions needed to meet Agency requirements for its regular programme in 1990. In addition, funding would be required to maintain emergency-related programmes in Lebanon, the West Bank and the Gaza Strip. At the end of 1989, the balances remaining in those funds could be quite small and, at the most, would last only a month or so. If the programmes were to be maintained at 1989 levels, contributions of between \$25 million and \$30 million would be required over and above the increased contributions that would be needed to finance the regular programme.

The Working Group was pleased to note that UNRWA had received sufficient funding to deliver the essential parts of its regular and emergency-

related programmes in 1988 and expected to do so again in 1989. It expressed its appreciation to donors, especially to those which had increased their contributions, for making those results possible. It noted, however, that in both years the construction budget had been underfunded and that much-needed construction work would therefore have to be postponed again.

The Working Group shared the Commissioner-General's concern about the financial outlook for 1990. In that connection, it noted that the favourable financial outcome in 1988, as well as the satisfactory projection for 1989, was attributable not so much to increased contributions as to reductions in costs owing to favourable movements in exchange rates against the dollar. As the Working Group had pointed out earlier, exchange-rate fluctuations could easily reverse their current trends and unfavourably affect the Agency's finances. It was therefore necessary to continue to stimulate higher contributions not only from traditional donors, but perhaps more importantly from new ones. The Working Group commended the Agency for its efforts in those directions and the Commissioner-General for his efforts, including a rigorous schedule of personal fund-raising visits, to attract an increased level of contributions. It noted that the Commissioner-General continued to envisage an annual growth of 5 per cent in expenditures in order to maintain the regular programme at its current level.

The Working Group was particularly concerned about future funding for the emergency-related programmes, which were in operation in three of its five fields.

GENERAL ASSEMBLY ACTION

On 8 December 1989, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 B without vote.

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East
The General Assembly,

Recalling its resolutions 2656(XXV) of 7 December 1970, 2728(XXV) of 15 December 1970, 2791(XXVI) of 6 December 1971, 2964(XXVII) of 13 December 1972, 3090(XXVIII) of 7 December 1973, 3330(XXIX) of 17 December 1974, 3419 D (XXX) of 8 December 1975, 31/15 C of 23 November 1976, 32/90 D of 13 December 1977, 33/112 D of 18 December 1978, 34/52 D of 23 November 1979, 35/13 D of 3 November 1980, 36/145 E of 16 December 1981, 37/120 A of 16 December 1982, 38/83 B of 15 December 1983, 39/99 B of 14 December 1984, 40/165 B of 16 December 1985, 41/69 B of 3 December 1986, 42/69 B of 2 December 1987 and 43/57 B of 6 December 1988,

Recalling also its decision 36/462 of 16 March 1982, whereby it took note of the special report of the Working Group on the Financing of the United Nations Re-

lief and Works Agency for Palestine Refugees in the Near East and adopted the recommendations contained therein,

Having considered the report of the Working Group,

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

Deeply concerned at the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

General Assembly resolution 44/47 B

8 December 1989 Meeting 78 Adopted without vote

Approved by Special Political Committee (A/44/815) without vote, 22 November (meeting 25); 16-nation draft (A/SPC/44/L.9) agenda item 76.

Sponsors: Austria, Bangladesh, Canada, Denmark, Germany, Federal Republic of India, Indonesia, Liberia, Malaysia, Netherlands, New Zealand, Pakistan, Philippines, Spain, Sweden, Yugoslavia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Protection of Palestinian students and UNRWA staff and premises

During the 1988/89 reporting period, there was a substantial increase in the number of staff arrested and detained without charge or trial in the occupied territory as compared with previous years. Israeli occupation authorities also deported a staff member from the Gaza Strip. In Lebanon, however, the total number of staff kidnapped or detained decreased.

Since UNRWA remained unable to obtain adequate, timely information on the reasons for the arrests and detentions, it was unable to ascertain whether the staff members' official functions had been involved or whether their rights and duties flowing from the Charter, the 1946 Convention on the Privileges and Immunities of the United Nations(7) and UNRWA Staff Regulations and Rules had been duly respected.

The treatment of staff in detention continued to be cause for concern, with many staff members complaining of beatings and other forms of brutality. The Commissioner-General said that in addition Agency staff, including international staff,

had been subjected to physical abuse and, at times, undisciplined behaviour by Israeli soldiers in the West Bank and Gaza Strip. Difficulties continued regarding movement of staff into and out of the West Bank and Gaza Strip, with entry permits sometimes refused. Only a small proportion of staff were issued curfew permits. As a result Agency operations were impeded.

According to the Commissioner-General, between September 1988 and June 1989 two students were killed inside Agency schools, 376 were injured by live rounds and rubber bullets and 76 were detained, while outside the schools 11 were killed, 3,655 injured and 657 detained.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 K by recorded vote.

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory
The General Assembly,

Recalling Security Council resolution 605(1987) of 22 December 1987,

Recalling its resolutions 43/21 of 3 November 1988, 43/57 I of 6 December 1988 and 44/2 of 6 October 1989,

Taking note of the report of the Secretary-General of 21 January 1988, submitted in accordance with Security Council resolution 605(1987),

Having considered the statement of the Secretary-General of 19 October 1989 on the incidents in which Israeli soldiers broke into the premises of installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

Taking note, in particular, of paragraph 104 of that report, in which it is stated that, in the occupied Gaza Strip "between September 1988 and June 1989, two students were killed inside Agency schools, 376 were injured by live rounds and rubber bullets and 76 were detained. Outside the schools, 11 were killed, 3,655 injured and 657 detained",

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

2. Also condemns, in particular, Israeli policies and practices against Palestinian students and faculties in educational institutions in the occupied Palestinian territory, especially the opening of fire on defenceless students, causing many casualties;

3. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the Agency, and the repeated disruption of medical services;

4. Culls upon Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

5. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/47 K

8 December 1989 Meeting 78 146-2-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (127-2-1).

22 November (meeting 25); 13-nation draft (A/SPC/44/L.17); agenda item 76. Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, Indonesia, Madagascar, Malaysia, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica.

Compensation claims

In 1989, UNRWA reported that no progress had been made with regard to claims against the Governments of: Israel (for loss of and damage to UNRWA property during the 1967 hostilities, Israel's invasion of Lebanon in 1982 and its military action before then); Jordan (arising from the 1967 hostilities and the disturbances in 1970 and 1971); and the Syrian Arab Republic (relating mainly to the levy of certain taxes from which UNRWA believed it was exempt under existing agreements). Those claims had been reported in 1986.(8)

In resolution 44/47 I, the General Assembly called anew on Israel to compensate UNRWA for damage to its property and facilities resulting from Israel's invasion of Lebanon, without prejudice to Israel's responsibility for all damages resulting from that invasion.

Israel had informed UNRWA in July 1988(9) that, because of temporary budgetary constraints,

it was withholding payment of clearance, warehousing and transport charges payable to the Agency under the 1967 provisional agreement concerning assistance to Palestine refugees. Israel had not reverted to payments in 1989, which stood at more than \$3 million.(3)

Other aspects

Humanitarian assistance to displaced and other persons

During 1989, in addition to providing relief in the form of basic food commodities, blankets, clothing, shelter repair and cash grants, UNRWA continued to provide a small measure of humanitarian assistance to persons who had been displaced as a result of the June 1967 and subsequent hostilities, but who were not registered with UNRWA as refugees.

The Agency remained concerned about the future of the Palestine refugees who had been stranded at Canada Camp on the Egyptian side of the international border, at Rafah, when Israel withdrew from the Sinai in April 1982. Under an agreement between Israel and Egypt, they were to return to the Gaza Strip where they would be reunited with their families. In August 1989, a group of 20 families were accommodated at Rafah, Gaza, and UNRWA was assisting them with rations for a six-month initial period. The agreement between the Israeli and Egyptian authorities for the other families, who numbered over 800, was that they should return to the Tel el-Sultan housing project in a phased transfer. The compensation provided by the Egyptian Government to each family for the housing they would leave behind was, however, a fraction of the cost of a simple house of sufficient size to accommodate the household, and few families were able to accumulate savings with which to supplement the compensation. By the end of 1989, only a small number of heads of family had begun to build their new homes, which had to be completed before families were permitted to return. Consequently, plans were postponed under which UNDP was to have constructed a centre in Tel el-Sultan to provide shops and workshops for the returnees to rent. Meanwhile, UNRWA continued to provide food rations to some 4,000 refugees in Canada Camp who were mostly unemployed- and living in poverty.

GENERAL ASSEMBLY ACTION

On 8 December, the General Assembly, on the recommendation of the Special Political Committee, adopted resolution 44/47 C without vote.

Assistance to persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 43/57 C of 6 December 1988 and all its previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

Concerned about the continued human suffering resulting from the hostilities in the Middle East,

1. Reaffirms its resolution 43/57 C and all its previous resolutions on the question;

2. Endorses, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

3. Strongly appeals to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

General Assembly resolution 44/47 C

8 December 1989 Meeting 78 Adopted without vote

Approved by Special Political Committee (A/44/815) without vote, 22 November (meeting 251: 20-nation draft (a/SPC/44/L.8); agenda item 76.

Sponsors: Austria, Belgium, Canada, Denmark, Finland, Germany, Federal Republic of, Greece, India, Indonesia, Ireland, Italy, Japan, Malaysia, Mali, Netherlands, Norway, Pakistan, Philippines, Sri Lanka, Sweden.

Meeting numbers. GA 44th session: SPC 5-8, 25: plenary 78.

Repatriation of refugees

In September 1989, the Secretary-General reported(10) on compliance with the General Assembly's 1988 call(11) on Israel to take immediate steps for the return of all displaced persons to their homes or former places of residence in the territories occupied by Israel since 1967, and to desist from measures obstructing their return. By a note verbale of 28 June, Israel stated that its position had been detailed fully in successive replies to the Secretary-General in previous years, most recently in 1988.(12) It continued to make every effort to review individual cases of resettlement, based on their merits, and, as a result, some 75,600 persons had returned to the administered territories.

UNRWA had not been involved in arrangements for the return of either refugees or displaced persons who were not registered. Agency information was based on requests made by returning registered refugees who wanted a transfer of their benefit entitlements and correction of their records; thus it would not necessarily be aware of the return of any registered refugees who had not requested services. As far as was known to UNRWA, between 1 July 1988 and 30 June 1989, 172 registered refugees had returned to the West Bank and 21 to the Gaza Strip. The number of displaced registered refugees who were known to UNRWA to have returned to the occupied territories since June 1967 was about 11,500. Those records, however, might be incomplete, it was reported.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 G by recorded vote.

Return of population and refugees
displaced since 1967

The General Assembly,

Recalling Security Council resolution 237/(1967) of 14 June 1967,

Recalling also its resolutions 2252(ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980, 35/13 E of 3 November 1980, 36/146 B of 16 December 1981, 37/120 G of 16 December 1982, 38/83 G of 15 December 1983, 39/99 G of 14 December 1984, 40/165 G of 16 December 1985, 41/69 G of 3 December 1986, 42/69 G of 2 December 1987 and 43/57 G of 6 December 1988,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989, and the report of the Secretary-General,

1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. Calls once more upon Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-fifth session, on Israel's compliance with paragraph 4 above.

General Assembly resolution 44/47 G

8 December 1989 Meeting 78 126-2-19 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (108-2-22), 22 November (meeting 25); 15-nation draft (A/SPC/44/L.13); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers, GA 44th session: SPC 5-8, 25; plenary 78,

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Dominica, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom.

Food aid

The Secretary-General reported(13) in September 1989, pursuant to a 1988 General Assembly resolution,(14) that UNRWA had continued to distribute rations to the most needy sector of the refugee population, known as special hardship cases; those cases numbered 137,963 in December 1988. In Lebanon, a one-time emergency distribution of food was made in 1988 to some 220,000 refugees and, in the West Bank, approximately 680,000 food packages were distributed. Food commodities were also distributed on three occasions to refugee families through some 90,000 schoolchildren in the Gaza Strip. Food would continue to be distributed, as long as the emergency need remained and supplies were available. However, owing to continuing financial constraints and lack of donations, it had not been possible to resume the general ration distribution to all refugees.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 F by recorded vote.

Resumption of the ration distribution
to Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 F of 16 December 1981, 37/120 F of 16 December 1982, 38/83 F of 15 December 1983, 39/99 F of 14 December 1984, 40/165 F of 16 December 1985, 41/69 F of 3 December 1986, 42/69 F of 2 December 1987, 43/57 F of 6 December 1988 and all its previous resolutions on the question, including resolution 302(IV) of 8 December 1949,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989, and the report of the Secretary-General,

Deeply concerned at the interruption by the Agency, owing to financial difficulties, of the general ration distribution to Palestine refugees in all fields,

1. Regrets that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F 42/69 F and 43/57 F have not been implemented;

2. Calls once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to 10 Palestine refugees in all fields, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions;

3. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields;

4. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/47 F

8 December 1989 Meeting 78 121-20-3 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (108-20-4), 22 November (meeting 25); 14-nation draft (A/SPC/44/L.12); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, Indonesia, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominica,* Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-&*, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Australia, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom, United States.

Abstaining: Austria, Greece, Spain.

*Later advised the Secretariat it had intended to abstain.

Education and training services

Schools and teacher training

The UNWRA education programme continued to provide nine grades of general education, vocational and technical training, pre-service and in-service teacher training and scholarships for higher education for Palestine refugees. The programme operated with technical assistance from the United

Nations Educational, Scientific and Cultural Organization (UNESCO).

In 1989, expenditures for the education programme amounted to \$108.8 million: \$32.8 million in Jordan; \$30.7 million in the Gaza Strip; \$17.5 million in the Syrian Arab Republic; \$16.6 million in the West Bank; \$8.8 million in Lebanon; and \$2.4 million at UNRWA headquarters in Vienna.

As at 15 October, 357,706 pupils, some 6,570 more than the previous year, were enrolled in UNRWA schools, as follows: 133,808 in Jordan; 95,597, Gaza Strip; 55,546, Syrian Arab Republic; 39,456, West Bank; and 33,299, Lebanon. In addition, 115,300 refugee pupils attended government and private schools.

During the 1988/89 academic year, UNRWA provided places for 4,108 vocational trainees and 850 teacher trainees at eight centres.

Proposed University of Jerusalem "Al-Quds"

In August, the Secretary-General submitted a report,(15) as requested by the General Assembly in 1988,(16) on the establishment of a university for Palestine refugees in Jerusalem. The proposed "Al-Quds" University, first considered by the Assembly in 1980,(17) had since been the subject of annual reports by the Secretary-General with regard to measures taken towards its establishment, including a functional feasibility study. The Secretary-General was assisted by the Rector of the United Nations University, who provided a highly qualified expert.

On 15 May 1989, the Secretary-General requested Israel to facilitate the expert's visit. On 6 July, Israel replied that its position remained unchanged; it had consistently voted against the resolution calling for the establishment of the University, whose sponsors, it said, sought to exploit higher education in order to politicize issues totally extraneous to genuine academic pursuits. Therefore, Israel was unable to assist in taking the matter further.

The Secretary-General reported that, in view of Israel's position, the feasibility study could not be completed as planned.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 J by recorded vote.

University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986,

42/69 K of 2 December 1987 and 43/57 J of 6 December 1988,

Having considered the report of the Secretary-General,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University Jerusalem "Al-Quds", in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to co-operate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the progress made in the implementation of the present resolution.

General Assembly resolution 44/47 J

8 December 1989 Meeting 78 147-2-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (130-2), 22 November (meeting 25); 16-nation draft (A/SPC/44/L.16); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica.

Scholarships

The Secretary-General reported in September(18) on responses to the General Assembly's 1988 appeal(19) for augmentation of special allocations for scholarships and grants to Palestine refugees, for which UNRWA acted as recipient and trustee.

The 1989 activities of responding States and institutions included 25 scholarships awarded by the Federal Republic of Germany to Palestine refugee graduates of UNRWA vocational training centres, and provision by Japan of 15 fellowships to UNRWA vocational training instructors. UNESCO, IMO, FAO, UPU and WHO provided fellowships and scholarships within their areas of competence.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 D by recorded vote.

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212(III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987 and 43/57 D of 6 December 1988,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

1 Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolutions 41/9 D, 42/69 D and 43/57 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution.

General Assembly resolution 44/47 D

8 December 1989 Meeting 78 141-0-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (131-0-1), 22 November (meeting 25); 15-nation draft (A/SPC/44/L.10); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, Indonesia, Jordan, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominica,* Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United States, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: Israel.

*Later advised the Secretariat it had intended to abstain.

Property rights

Report of Secretary-General. In August, the Secretary-General reported(20) on responses to his request for information on steps taken to implement the 1988 General Assembly resolution(21) concerning revenues derived from Palestine refugee properties.

In its 28 June reply, Israel reiterated its position, as set out previously in statements to the Special Political Committee and in a 1988 report of the Secretary-General,(22) that there was no legal basis for taking the steps proposed, as property rights within the borders of a sovereign State were subjected exclusively to the domestic laws of that State. The right of States to regulate and dispose of property within their territory and the income derived from that property was a generally accepted principle, Israel stated. Significantly, the resolution's sponsors had made no suggestion regarding confiscated property in Arab countries of some 800,000 Jewish refugees as a result of the 1948 war, estimated to be worth billions of dollars. Israel stressed that there could be no difference in law, justice or equity between the claims of Arab and of Jewish property owners.

No reply had been received from any other Member State regarding implementation of the resolution, the Secretary-General reported.

Report of Conciliation Commission. The United Nations Conciliation Commission for Palestine, in its report(23) covering the period from 1 September 1988 to 31 August 1989, stated that events that had occurred in the area since the preceding reporting period had further complicated an already very complex situation. As far as the Commission was concerned, the circumstances that had limited its possibilities of action remained essentially unchanged. Nevertheless, it continued to hope that the situation would improve towards the achievement of a comprehensive, just and lasting peace in the Middle East, thus enabling it to carry forward its work in accordance with its mandate as defined by the Assembly in 1948.(24)

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 H by recorded vote.

Revenues derived from Palestine refugee properties
The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980, 36/146 C of 16 December 1981, 37/120 H of 16 December 1982, 38/83 H of 15 December 1983, 39/99 H of 14 December 1984, 40/165 H of 16 December 1985, 41/69 H of 3 December 1986, 42/69 H of 2 December 1987, 43/57 H of 6 December 1988 and all its previous resolutions on the question, including resolution 194(III) of 11 December 1948,

Taking note of the report of the Secretary-General,

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1988 to 31 August 1989,

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

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

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

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

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection

and administration of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel which would assist the Secretary-General in the implementation of the present resolution;

4. Deplores Israel's refusal to co-operate with the Secretary-General in the implementation of the resolutions on the question;

5. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of the present resolution,

General Assembly resolution 44/47 H

8 December 1989 Meeting 78 125-2-21 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (107-2-23), 22 November (meeting 25); 15-nation draft (A/SPC/44/L.14); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ehtiopia, Fiji, German Democratic Republic, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania; Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Dominica, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Italy, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom.

Refugee protection

The Secretary-General reported⁽²⁵⁾ in September on implementation of a 1988 Assembly resolution⁽²⁶⁾ holding Israel responsible for the security of the 'Palestine refugees in the occupied territories and calling on it to compensate UNRWA for the damage to its property and facilities resulting from Israel's 1982 invasion of Lebanon.

The report reproduced Israel's reply of 28 June 1989 to the Secretary-General's request for information on any steps taken or envisaged to comply with the resolution. Israel stated it had fully set forth its position on the subject in statements to the Special Political Committee and in a 1988

report of the Secretary-General.⁽²⁷⁾ The adoption of the resolution, Israel maintained, was hypocritical, anachronistic and out of place. Despite its withdrawal from Lebanon in 1985, Israel was still being blamed for the "suffering" of Palestinians in Lebanon and, not surprisingly, for Arab persecution of Palestinian refugees. In recent years, thousands of Palestinians had been killed and wounded in Lebanese refugee camps in vicious lighting totally unconnected with Israel; likewise, Palestinian refugee camps in Jordan and the Syrian Arab Republic were the scene of considerable human misery. The selective and distorted presentation of the Palestinian refugees' situation in Arab countries, Israel said, clearly illustrated the resolution's double standards and its disregard for the refugees' general welfare. Israel emphasized that, in keeping with international law, it alone was competent to ensure full protection to all the inhabitants of Judea, Samara and the Gaza District.

The Secretary-General cited the UNRWA Commissioner-General's report for the period 1 July 1988 to 30 June 1989,⁽²⁾ stating that efforts had continued to ensure that everything feasible was being done to contribute to the refugees' safety and security. There had been no progress on UNRWA's claim against the Government of Israel regarding damage to its property and facilities resulting from the 1982 invasion of Lebanon.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 I by recorded vote.

Protection of Palestine refugees

The General Assembly,

Recalling Security Council resolutions 508(1982) of 5 June 1982, 509(1982) of 6 June 1982, 520(1982) of 17 September 1982 and 523(1982) of 18 October 1982,

Also recalling in particular, recent Security Council resolutions 605(1987) of 22 December 1987, 607(1988) of 5 January 1988, 608(1988) of 14 January 1988, 636(1989) of 6 July 1989 and 641(1989) of 30 August 1989,

Further recalling its resolutions ES-7/5 of 26 June 1982, ES-7/6 and ES-7/8 of 19 August 1982, ES-7/9 of 24 September 1982, 37/120 J of 16 December 1982, 38/83 I of 15 December 1983, 39/99 I of 14 December 1984, 40/165 I of 16 December 1985, 41/69 I of 3 December 1986, 42/69 I of 2 December 1987, 43/21 of 3 November 1988 and 43/57 I of 6 December 1988,

Taking note of the report of the Secretary-General of 21 January 1988, submitted in accordance with Security Council resolution 605(1987),

Having considered the report of the Secretary-General,

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989,

Gravely concerned and alarmed by the deteriorating situation in the Palestinian territory occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Referring to the humanitarian principles of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to the obligations arising from the regulations annexed to the Hague Convention IV of 1907,

Deeply concerned at the marked deterioration in the security situation experienced by the Palestine refugees as stated by the Commissioner-General in his report,

Deeply distressed at the suffering of the Palestinian and Lebanese population which has resulted from continuing Israeli acts of aggression against Lebanon and other hostile acts,

Deeply distressed also at the continuing tragic, difficult and uncertain situation of the civilian population in and around the Palestinian refugee camps in Lebanon,

Reaffirming its support for the sovereignty, unity and territorial integrity of Lebanon, within its internationally recognized boundaries,

1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, 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 1 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;

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 his 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 provide housing to the Palestine refugees whose houses were demolished or razed;

7. 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;

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

General Assembly resolution 44/47 I

8 December 1989 Meeting 78 146-2-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (130-2), 22 November (meeting 25); 14-nation draft (A/SPC/44/L.15 & Corr.1), orally revised; agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, Indonesia, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia,

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica.

Removal and resettlement of refugees

The Secretary-General reported(28) in October that, in response to his request for information on steps taken to implement a 1988 General Assembly resolution(29) calling on Israel to refrain from resettling Palestine refugees in the occupied territories and from destroying their shelters, Israel replied on 28 June 1989 that its position had been set out in annual statements to the Special Political Committee and in a 1988 report of the Secretary-General.(30) It called the resolution unbalanced and distorted, intentionally ignoring improved living conditions in the Gaza District since 1967. There had been, Israel said, a considerable increase of pupils attending school, a significant drop in illiteracy, extensive development of medical care, and improvement of environmental services, including water supply, sewerage and refuse disposal. Community development projects initiated by Israel had enabled 15,000 families—about 120,000 persons—to leave the refugee camps voluntarily and relocate to nearby residential areas. Israel was determined to pursue the humanitarian task of improving refugee living conditions and welcomed all international assistance to that end.

The Secretary-General, basing his comments on reports from the Commissioner-General, said that in the Gaza Strip, as well as the West Bank, refugee shelters had been demolished and sealed on punitive grounds by the Israeli authorities. With regard to families affected by demolitions as far

back as 1971, including those categorized as living in hardship conditions, repeated assurances had been made that they would be housed. The Israeli authorities had assured UNRWA that a solution had been developed and would be implemented as soon as possible.

UNRWA objected also to the Israeli practice of requiring refugee families to demolish their shelters as a pre-condition for moving to new housing, because of practical complications in the case of extended families who shared the same shelter where only one family wished to move, and because of overcrowded conditions and an urgent need for accommodation for refugee families.

The Secretary-General regretted not being able to comply with the Assembly's requests⁽²⁹⁾ to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they were recipients of Agency rations and services. For almost 40 years, all registered refugee families had had Agency registration cards, but they were not identification cards as such. The Commissioner-General did not have the means to issue such cards. He would review the situation regarding possible appropriate documentation for individual family members.

According to available information, Israeli authorities had to date allocated approximately 3,914 plots of land in the Gaza Strip for housing projects. A total of 2,605 plots had been built on by 3,714 refugee families, comprising 22,946 persons. Buildings on 236 plots were under construction, 936 plots were vacant and 137 had been built on by non-refugee families. In addition, 3,034 families, consisting of 18,823 persons, had moved into 2,666 completed housing units, consisting of 5,893 rooms.

GENERAL ASSEMBLY ACTION

On 8 December, on the recommendation of the Special Political Committee, the General Assembly adopted resolution 44/47 E by recorded vote.

Palestine refugees in the Palestinian territory occupied by Israel since 1967

The General Assembly,

Recalling Security Council resolution 237(1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979, 35/13 F of 3 November 1980, 36/146 A of 16 December 1981, 37/120 E and I of 16 December 1982, 38/83 E and J of 15 December 1983, 39/99 E and J of 14 December 1984, 40/165 E and J of 16 December 1985, 41/69 E and J of 3 December 1986,

42/69 E and J of 2 December 1987 and 43/57 E of 6 December 1988,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1988 to 30 June 1989 and the report of the Secretary-General,

Recalling the provisions of paragraph 11 of its resolution 194(III) of 11 December 1948, and considering that measures to resettle Palestine refugees in the Palestinian territory occupied by Israel since 1967 away from their homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General that the Israeli occupying authorities, in contravention of Israel's obligation under international law, persist in their policy of demolishing shelters occupied by refugee families,

1. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

3. Requests the Secretary-General, in co-operation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

4. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-fifth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above.

General Assembly resolution 44/47 E

8 December 1989 Meeting 78 140-2-1 (recorded vote)

Approved by Special Political Committee (A/44/815) by recorded vote (130-2), 22 November (meeting 25); 15-nation draft (A/SPC/44/L.11); agenda item 76.

Sponsors: Afghanistan, Bangladesh, Brunei Darussalam, Burkina Faso, Comoros, Cuba, India, Indonesia, Madagascar, Malaysia, Mali, Nicaragua, Pakistan, Yugoslavia, Zambia.

Meeting numbers. GA 44th session: SPC 5-8, 25; plenary 78.

Recorded vote in Assembly as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian SSR, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sri

Lanka, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States.

Abstaining: Dominica.

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(1)YUN 1948-49, p 211, GA res. 302(IV), 8 Dec. 1949. (2)A/44/13 & Corr.1 & Add. 1. (3)A/45/13 & Add.1. (4)A/45/5/Add.3. (5)YUN 1988, p. 255. (6)A/44/641. (7)YUN 1946-47, p. 100, GA res. 22 A (I), annex, 13 Feb. 1946. (8)YUN 1986, p. 342.

(9)YUN 1988, p. 257. (10)A/44/507. (11)YUN 1988, p. 258, GA res. 43/57 G, 6 Dec. 1988. (12)Ibid., p. 258. (13)A/44/506. (14)YUN 1988, p. 259, GA res. 43/57 F, 6 Dec. 1988. (15)A/44/474. (16)YUN 1988, p. 260, GA res. 43/57 J, 6 Dec. 1988. (17)YUN 1980, p. 443, GA res. 35/13 B, 3 Nov. 1980. (18)A/44/505. (19)YUN 1988, p. 261, GA res. 43/57 D, 6 Dec. 1988. (20)A/44/431. (21)YUN 1988, p. 262, GA res. 43/57 H, 6 Dec. 1988. (22)Ibid., p. 261. (23)A/44/497. (24)YUN 1948-49, p. 174, GA res. 194(III), 11 Dec. 1948. (25)A/44/508. (26)YUN 1988, p. 263. GA res. 43/57 I, 6 Dec. 1988. (27)Ibid., p. 263. (28)A/44/608.(29)YUN 1988, p. 265, GA res. 43/57 E, 43/57 E, 6 Dec. 1988. (30)Ibid., p. 265.