

Chapter XII

Questions relating to the Middle East

In 1980, the situation in the Middle East continued to occupy the attention of the Security Council, the General Assembly and several other United Nations bodies.

In southern Lebanon along the border with Israel, where the United Nations Interim Force in Lebanon (UNIFIL) was stationed, the cease-fire was broken a number of times. Lebanon submitted a series of complaints of attacks by Israeli forces against civilian targets. Israel, on the other hand, repeatedly charged that armed elements of the Palestine Liberation Organization (PLO) had attempted to cross into Israel through UNIFIL lines. On 18 April, through a statement by its President, the Security Council condemned attacks on UNIFIL and the murder of two of its soldiers by the de facto forces in southern Lebanon operating outside the Government's control. By a resolution of 24 April, it con-

demned Israel's military intervention in Lebanon and requested action to restore Lebanon's sovereignty over all its territory. The Council extended UNIFIL'S mandate twice-first until 19 December and then for another six months, until 19 June 1981.

The situation in the Israel-Syria sector remained quiet, with no serious incidents. Twice during the year, the Council extended for six months the mandate of the United Nations Disengagement Observer Force, stationed in the Golan Heights. The second extension was until 31 May 1981.

The General Assembly in 1980 appropriated a total of \$156,743,240 for the two United Nations peace-keeping forces in the Middle East, and approved higher reimbursement rates to troop-contributing States.

The question of Palestine was the subject of

an emergency special session in July, at which the Assembly reiterated its call for complete Israeli withdrawal from all the territories occupied since 1967, including Jerusalem, and reaffirmed the inalienable rights of the Palestinian people to self-determination and establishment of an independent State. The Security Council was asked to adopt effective measures under the sanctions provisions of the Charter of the United Nations. These demands were repeated in an Assembly resolution adopted in December at the regular session. By another resolution of 15 December, the Assembly rejected all separate treaties that violated Palestinian rights and contradicted the principle of just and comprehensive solutions to the Middle East problem.

In its 1980 report, the Committee on the Exercise of the Inalienable Rights of the Palestinian People reaffirmed its 1976 recommendations designed to enable the Palestinian people to exercise its rights. Included in the Committee's recommendations was a call for Israeli withdrawal from the occupied territories according to a timetable to be fixed by the Security Council and the implementation of the right of the Palestinian people to self-determination and national independence.

In a resolution on the situation in the Middle East, adopted on 16 December, the Assembly reaffirmed its conviction that the question of Palestine was at the core of the Middle East conflict and that no comprehensive and lasting peace would be achieved without the full exercise by the Palestinian people of its inalienable rights, and without the equal participation of the parties, including PLO.

The situation in the territories occupied by Israel continued to occupy the attention of United Nations bodies. On 30 July, Israel passed a "basic law" declaring Jerusalem to be its capital, despite a Security Council resolution of 30 June reaffirming the non-validity of Israeli measures to alter the city's status. The Council censured on 20 August Israel's action on Jerusalem and decided not to recognize it. The Assembly took similar action by a resolution of 15 December.

On 5 December, the Assembly called for continued economic and social aid by United Nations agencies and organs to Palestinians, to be given in co-operation and consultation with local Palestinian organizations and the parties.

On 1 March, the Council determined that Israel's policy of settling parts of its population in the occupied territories constituted a serious obstruction to peace in the Middle East. At the same time, and again on 5 June, it called on States not to provide Israel with assistance to be used specifically in connexion with such settle-

ments. The Assembly adopted a similar resolution in December.

The three-member Security Council Commission on Israeli settlements in the occupied territories reported in November 1980 that Israel's systematic settlements policy had brought drastic adverse changes to the daily life of the remaining Arab population, as well as to the geographical and demographic nature of the territories.

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, in its report to the Assembly, stated that Israel's annexation and settlements policy continued unabated, while acts of violence by the Israeli settlers and the military authorities against the Arab population had increased significantly.

The expulsion of the Mayors of Hebron (Al-Khalil) and Halhoul and of the Islamic Judge of Hebron was another subject of United Nations resolutions. Both the Council, on 8 and 20 May and 19 December, and the Assembly, also in December, called on Israel to rescind the illegal measures taken in expelling the three Palestinian leaders and to facilitate their immediate return.

The Assembly, on 11 December, adopted six resolutions on the Special Committee's report. It condemned Israeli policies and practices such as evacuation, deportation, expulsion and displacement of the Arab inhabitants, demolition of houses, mass arrests, and the illegal exploitation of the natural resources of the occupied territories. The Assembly determined that the Israeli measures and actions to change the status, geographical nature and demographic composition of those territories had no legal validity and called again on Israel to desist from those actions. The Assembly further determined that all Israeli legislative and administrative measures that purported to alter the character and legal status of the Golan Heights were null and void and constituted a flagrant violation of international law and the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, and called on Israel to desist from enacting such legislation. It called again on Israel to comply with that Convention and urged all States parties to it to exert all efforts to ensure respect for and compliance with its provisions in the occupied territories, including Jerusalem. The Assembly also condemned Israeli policies and practices against Palestinian students and the systematic repression of universities in the occupied territories, and demanded that Israel ensure the freedom of those institutions.

On 5 December, the Assembly condemned Israeli policy resulting in the deterioration of the

living conditions of Palestinians and called on all States to co-operate with the United Nations and local Palestinian authorities to alleviate those conditions. It also reaffirmed the right of the Arab States and peoples subjected to Israeli occupation to permanent sovereignty over their natural resources and economic activities.

In 1980, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) maintained its education, health and relief programmes for Palestine refugees in Jordan, Lebanon, the Syrian Arab Republic and the Israeli-occupied territories of the West Bank and the Gaza Strip. To overcome a deficit of more than \$56 million at the beginning of the year, the basic food ration was kept at the reduced 1978 level, and a number of capital improvements were deferred.

On 3 November, the Assembly adopted six resolutions on UNRWA. It renewed the Agency's mandate for another three years, until 30 June 1984, and urged Governments to contribute regularly and generously to meet the Agency's

needs. It appealed for funds for education and training, including refugee scholarships. It endorsed continued UNRWA humanitarian assistance to other displaced persons in the area. It reaffirmed the rights of all displaced inhabitants to return to their homes or former places of residence, and called on Israel to stop removing and resettling Palestine refugees in the Gaza Strip and destroying their shelters. It also requested its Working Group on the Financing of UNRWA to continue its efforts for another year.

By a resolution of 5 December, the Assembly requested the Secretary-General to continue to help Lebanon implement its reconstruction and development plans, with assistance from United Nations specialized agencies. For its programme in the south, Lebanon designated the United Nations Children's Fund as executing agency for water-supply projects and the repair and construction of schools and hospitals.

Details of these and other related actions on Middle East questions are given in the following pages.

Situation in the Middle East: status of the cease-fire

Israel-Syria sector: United Nations Disengagement Observer Force

Communications

On 21 February 1980, the Syrian Arab Republic transmitted to the President of the Security Council a letter of the same date from its Deputy Prime Minister and Minister for Foreign Affairs, addressed to the Secretary-General, rejecting charges made by the Prime Minister of Israel to the effect that the Syrian Arab Republic was planning to launch a military action against Israel, and accusing Israel of preparing acts of aggression against his country.

In a letter of 7 March to the Council President, Israel replied that it was not contemplating an attack on the Syrian Arab Republic or any other country.

By a note verbale of 27 October, the Syrian Arab Republic transmitted to the Secretary-General a letter from its Deputy Prime Minister and Foreign Minister, stating that the Israeli Knesset intended to discuss a bill for the annexation of the Syrian Golan Heights and re-emphasizing the need to put an end to Israel's aggressive and expansionist practices.

The first action was taken on 30 May, when the mandate due to expire on 31 May was extended to 30 November. Then, on 26 November, the Council further extended the mandate to 31 May 1981. The Council acted after receiving reports on UNDOF by the Secretary-General covering the periods from 24 November 1979 to 23 May 1980 and from 24 May to 20 November 1980. In both cases, he recommended extension of the Force for six months.

On each occasion, the Council adopted a resolution prepared in the course of consultations among its members. The texts were adopted, without debate, by 14 votes to 0, with one member (China) not participating in the vote.

By resolutions 470(1980) and 481(1980), the Council: renewed UNDOF's mandate for another six months; called on the parties to implement its resolution 338(1973), by which it had called for determined efforts to achieve a just and durable peace settlement;¹ and requested the Secretary-General to report again in six months.

At both meetings, the President then made virtually identical statements:

In connexion with the adoption of the resolution on the renewal of the mandate of the United Nations Disengagement Observer Force, I have

Decisions of the Security

Council (May and November)

During 1980, the Security Council twice approved six-month extensions of the mandate of the United Nations Disengagement Observer Force (UNDOF).

¹See Y.U.N., 1973, p. 213, resolution 338(1973) of 22 October 1973.

been authorized to make the following complementary statement on behalf of the Security Council regarding the resolution just adopted:

"As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force states in paragraph 26 [paragraph 27 of the second report]: '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.' This statement of the Secretary-General reflects the view of the Security Council."

In his reports of 23 May and 20 November, the Secretary-General gave an account of the Force's continued supervision of the observance of the cease-fire between Israel and the Syrian Arab Republic. He said that, with the co-

operation of the parties, UNDOF had continued to perform its functions effectively, though restrictions on its freedom of movement still existed. The situation in the sector had remained quiet, with no serious incidents during the period under review.

As at 24 November, the strength of the Force was 1,296, with contingents drawn from Austria (529), Canada (225), Finland (389) and Poland (135), and including 18 observers from the United Nations Truce Supervision Organization in Palestine (UNTSO). There had been one casualty during the reporting period; on 15 September, an Austrian soldier was seriously injured in a mine accident. Throughout 1980, the Force Commander continued to be Major-General Guenther G. Greindl of Austria, and from 1 February the Chief of Staff of UNTSO was Major-General Erkki Raine Kaira of Finland (seep. 358).

Documentary references and texts of resolutions

Communications

S/13612 (A/35/112). Letter of 21 February from Syrian Arab Republic (transmitting letter of same date from Deputy Prime Minister and Minister for Foreign Affairs).

S/13834. Letter of 7 March from Israel.

S/14234 (A/35/563). Report of Secretary-General, Chapter II A.

S/14239 (A/35/571). Note verbale of 27 October from Syrian Arab Republic (transmitting letter from Deputy Prime Minister and Minister for Foreign Affairs).

Decisions of the Security

Council (May and November)

Security Council. meeting 2224.

S/13957. Report of Secretary-General on UNDOF for period 24 November 1979 to 23 May 1980.

S/13967. Draft resolution.

S/13970. Note by President of Security Council containing complementary statement made at meeting 2224, 30 May.

Resolution 470(1980). as proposed in S/13967, adopted by Council on 30 May 1980. meeting 2224, by 14 votes to 0 (China did not participate in voting).

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);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1980;

(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).

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 10.

Security Council, meeting 2256.

S/14263. Report of Secretary-General on UNDOF for period 24 May to 20 November 1980.

S/14269. Draft resolution.

S/14271. Note by President of Security Council containing complementary statement made at meeting 2256, 26 November.

Resolution 481(1980), as proposed in S/14269, adopted by Council on 26 November 1980. meeting 2256, by 14 votes to 0 (China did not participate in voting).

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);

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1981;

(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).

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 14 and 15.

Other documents

A/35/2. Report of Security Council, 16 June 1979-15 June 1980, Chapter 1 E (paras. 289-295).

A/36/2. Report of Security Council, 16 June 1980-15 June 1981, Chapter 1 C (paras. 123-128).

Situation in the Israel-Lebanon sector

Communications (February-24 April)

The President of the Security Council and the Secretary-General received a number of com-

plaints during the first four months of 1980 concerning incidents in the Israel-Lebanon sector, in which the United Nations Interim Force in

Lebanon (UNIFIL) was deployed to assist the Lebanese Government in re-establishing its authority in the area.

By a letter of 8 February to the Secretary-General, Israel charged that terrorists from Lebanese territory had attacked civilians in Israel. Pursued by a patrol of the Israel Defence Forces, they had escaped, in all likelihood the letter said, into the area controlled by UNIFIL.

In a letter of 7 April to the President of the Council, Israel charged that terrorists of the Palestine Liberation Organization (PLO) based in Lebanon had penetrated into Israel from the UNIFIL area of operation and seized two nursery buildings, killing an infant, a civilian and an Israeli soldier, and wounding other small children and soldiers.

In letters dated 21 and 25 March, Lebanon charged Israeli forces with continued shelling of Lebanese villages, many of them within the UNIFIL area of operation, which had caused extensive damage to property and left several persons wounded. Three soldiers of the Netherlands contingent of UNIFIL had been injured. Lebanon reserved its right to call for an urgent meeting of the Security Council should the situation further deteriorate.

In letters dated 14 and 15 April, Israel submitted a series of charges regarding the activities of PLO terrorists against southern Lebanon since the establishment of UNIFIL and against targets in Israel since the withdrawal of Israel Defence Forces units from Lebanon in June 1978.

By a letter of 18 April, the representative of the United Arab Emirates, in his capacity as Chairman of the Arab group of States at the United Nations, charged that members of an Israeli special force had raided the Sarafand area in southern Lebanon at dawn that day, killing 22 civilians and causing considerable destruction of property, and called for immediate action by the Security Council.

On 21 April, Ireland transmitted to the Secretary-General a Government statement of 20 April in connexion with the killing of three soldiers—two of which had been murdered on 18 April—from the Irish contingent of UNIFIL by irregular de facto forces of Major Saad Haddad, asking for specific measures to ensure the effective functioning of the Force and the safety of its personnel.

In a letter of 24 April to the Secretary-General, Italy set out a statement of 22 April by the nine member States of the European Community expressing profound revulsion at the recent killing of UNIFIL soldiers and reaffirming their support for the independence, sovereignty and territorial integrity of Lebanon and for UNIFIL's operations.

Consideration by the Security Council (13-24 April)

The Security Council met from 13 to 24 April to consider a letter of 10 April from Lebanon and a special report of the Secretary-General on UNIFIL.

By its letter, Lebanon charged Israel with continuing acts of aggression against southern Lebanon and with direct confrontation with UNIFIL, and requested a meeting of the Council.

In his special report dated 11 April, the Secretary-General informed the Council of the escalation of tension in and adjacent to the UNIFIL area of operation, where serious incidents had occurred, including violent harassment by the de facto forces of long-established observation posts manned by observers of the United Nations Truce Supervision Organization in Palestine (UNTSO). Since 6 April, the de facto forces had sought forcibly to establish a permanent armed presence in the area of deployment of the Irish battalion. During the night of 6/7 April, Palestinian armed elements had attacked the Israeli Kibbutz Misgav Am. Starting on 8 April, Israeli tanks, armoured vehicles and personnel had moved into southern Lebanon, including the UNIFIL area of deployment.

In three addenda to his special report issued on 16 and 18 April, the Secretary-General provided the Council with further information on the continuing acts of harassment of UNIFIL by the de facto forces, which had resulted in the murder of two Irish soldiers.

Fiji, Ireland, Israel, Italy, Jordan, Lebanon, the Netherlands, Nigeria, Saudi Arabia and the Syrian Arab Republic were invited, at their request, to participate in the Council's debate without the right to vote.

By a letter of 13 April to the Council President, Tunisia requested that PLO be invited to participate in the discussion. The President observed that the proposal was not made pursuant to rule 37² or rule 39³ of the Council's provisional rules of procedure. He added that the invitation, if approved, would confer on PLO the same rights as those conferred on a Member State when invited to participate pursuant to rule 37.

² Rule 37 of the Council's provisional rules of procedure reads: "Any Member of the United Nations which is not a member of the Security Council may be invited, as the result of a decision of the Security Council, to participate, without vote, in the discussion of any question brought before the Security Council when the Security Council considers that the interests of that Member are specially affected, or when a Member brings a matter to the attention of the Security Council in accordance with Article 35 (1) of the Charter." For text of Article 35, paragraph 1, of the Charter of the United Nations, see APPENDIX II.

³ Rule 39 of the Council's provisional rules of procedure reads: "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."

At the request of the United States, the Council took a vote on the Tunisian proposal, which was adopted by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom). The United States reiterated that it was inappropriate for the Council to couch such an invitation to PLO in terms that some might interpret as conferring rights of participation as if it were a Member State.

At requests by Tunisia of 13 and 22 April, invitations under rule 39 were extended, without objection, to the Permanent Observer of the League of Arab States to the United Nations and to the Personal Representative of the Secretary-General of the League, respectively.

At the Council's meeting of 13 April, the Secretary-General made a statement concerning the latest developments in the UNIFIL area of operation, saying in particular that artillery and mortar fire by the de facto forces had caused severe damage to UNIFIL headquarters and property and the At-Tiri area and that two soldiers had suffered injuries as a result. He reported that four members of the Irish contingent had been captured by the de facto forces. At a meeting with Israeli and de facto forces, UNIFIL had agreed to withdraw its reserve from At-Tiri as soon as all de facto forces had left the village. The Secretary-General expressed his concern at the deteriorating situation and asked for Council assistance in dealing with the harassment of UNIFIL by the de facto forces.

On 14 April, the Secretary-General told the Council that Israel had informed him that it had withdrawn all its troops from southern Lebanon. However, he said, UNIFIL had been unable to confirm the extent of the withdrawal, as its freedom of movement in the enclave was still severely restricted.

The representative of Lebanon informed the Council that the Commander-in-Chief of the Lebanese Army had offered to the UNIFIL Commander that the Lebanese detachment in the UNIFIL area of operation be moved to At-Tiri in order to share in the responsibilities of peace-keeping. That, he said, was a major development in enabling Lebanon to recover its sovereignty. He voiced doubts that the Israeli withdrawal was real and total and called for measures to put an end to a situation in which Lebanon's international boundaries remained at Israel's mercy. An end must also be put to the existence of the de facto forces which had become nothing more than an accessory of Israel's occupation.

Lebanon requested from the Council a resolution which would provide for the immediate cessation of hostilities against UNIFIL and its unhindered deployment, the immediate and unconditional withdrawal of Israeli army units from southern

Lebanon, the dismantling and disarming of its surrogate de facto forces, and the reactivation of the 1949 General Armistice Agreement.

France condemned the attacks by the de facto forces against UNIFIL and deplored Israel's intervention as an inadmissible infringement of Lebanon's territorial integrity and sovereignty, as well as a violation of the Charter of the United Nations and United Nations resolutions on UNIFIL. It emphasized the importance of enabling the Force to enjoy complete freedom of movement in its zone of operations.

Israel stated that its Government deeply deplored the tension in the south of Lebanon and fully supported the national sovereignty, territorial integrity and unity of Lebanon within its internationally recognized boundaries. However, the presence of PLO and Syrian forces in Lebanon had reduced Lebanese sovereignty to shambles. The high hopes placed in UNIFIL had not been fulfilled, mainly because of the infiltration of PLO terrorists into the areas under its control.

According to information in the possession of the Israeli Government, PLO and its associates had established themselves in large numbers in about 40 locations within UNIFIL's area of operation where they carried out various activities, including frequent attempts to infiltrate into Israel. Under those circumstances, Israel said, its Government had the right and duty to take all the measures necessary to protect its citizens. Such inherent right of self-defence was recognized under Article 51 of the Charter.⁴

The USSR said Israel had carried out a mass invasion into Lebanese territory, thus flouting again international law and violating the numerous Council resolutions whose purpose was to preserve Lebanon's sovereignty and territorial integrity. With the help of its agents in Lebanon, namely the anti-Government forces of Major Haddad, Israel had made it impossible for United Nations troops to establish control over the Lebanese areas that bordered Israel. In the view of the USSR, Israel's aggressive and provocative actions were part and parcel of the expansionist policy of its ruling circles for which military adventures had long been used as a means to realize far-reaching plans for annexation. By stepping up military tension, Israel was endeavouring to distract international attention from the ongoing negotiations regarding so-called administrative autonomy for Palestinians, the purpose of which was to facilitate Israel's consolidation of its annexation of the Arab lands occupied in 1967. The conclusion of the Camp David accords in September 1978 and the signing in March 1979 of a separate Egyptian-Israeli

⁴ For text of Article 51 of the Charter, see APPENDIX II.

treaty had given Israel free rein to pursue its increasingly aggressive and expansionist policy against Lebanon and the Palestinian refugees located in its territory. That policy could not have been pursued had Israel not enjoyed virtually unlimited support from its protectors. The United States not only provided Israel with the most sophisticated form of weaponry, but also prevented the Security Council from taking any decision that would condemn Israel's armed provocations and provide for adoption of effective measures to put an end to them.

Turning to the overall situation in the Middle East, the USSR stated that a comprehensive and just settlement was feasible only if due account was taken of the legitimate rights of all parties concerned, including the Arab people of Palestine. For that, it added, there was only one genuine basis, namely, the restoration to the Arabs of all the territories seized in 1967, the granting to the Palestinian Arabs of the right of self-determination, including the right to create their own State, and the granting to all States in the area of an independent and secure existence. Any attempts to solve the problem on the basis of separate transactions would only increase the tension in the area and further Israel's aggressiveness. The USSR believed it essential that the Security Council adopt a resolution which contained unambiguous wording that would not only call for respect for Lebanon's territorial integrity, sovereignty and political independence but would provide for forthright measures against the Israeli aggressor.

The representative of Norway said that the incursion of the Israeli forces into southern Lebanon was a clear defiance of Council decisions and a violation of Lebanon's sovereignty and territorial integrity. Norway condemned the attack on Kibbutz Misgav Am. However, that appalling act could not justify an armed incursion into southern Lebanon. Israel, in the view of the Norwegian representative, carried a heavy responsibility in the tense situation created by the *de facto* forces, since their activity could not be sustained without Israel's moral, financial and logistic support. He urged Israel to co-operate fully to compel the *de facto* forces to cease their harassment of UNIFIL and to refrain from such flagrant breaches of international law and code of conduct as had been witnessed recently.

The representative of the German Democratic Republic said the recent aggressive actions of the Israeli military and the Haddad gang could be viewed as one more link in the chain of the Israeli policy aimed against a comprehensive, just and lasting solution of the Middle East conflict. Instead of compelling Israel to observe international rules; its protectors had chosen the course

of separate deals which were being used by the aggressors for further adventures. In the view of his country, the Middle East crisis could be resolved only on the basis of the withdrawal of all Israeli troops from the Arab territories occupied in 1967, implementation of the inalienable rights of the Palestinian people, in particular its right to its own independent State, and assurance of the security of all States of the region.

The representative of Zambia stated that Israel should be condemned in the strongest terms for its acts of aggression against Lebanon and the wanton and savage destruction and attacks against UNIFIL. The Council, he said, must act to ensure full respect for its decisions regarding the situation in Lebanon, which, in his view, could not be divorced from the general problem of the Middle East.

In Jamaica's view, the events of the past week had shown that both the Israel Defence Forces and Haddad's rebel forces, supportive of each other, had undertaken their defiant actions in the knowledge that UNIFIL's mandate ensured that its response would be limited. While Jamaica continued to regard UNIFIL's presence as vital to the prevention of all-out war in the area, it believed the Council should show determination to prevent the continued abuse and harassment of its peace-keeping troops and flagrant violations of the United Nations Charter by Israel.

The United Kingdom shared the deep concern expressed by the Secretary-General and many others about the escalation of violence in southern Lebanon. It condemned the murderous attacks on UNIFIL by Major Haddad's forces as well as the Israeli incursion into Lebanon. It also condemned the attack on Kibbutz Misgav Am, but did not regard it as a justification for the subsequent incursion of Israel into Lebanon. The United Kingdom urged all concerned to co-operate with UNIFIL and avoid any action which might obstruct the full implementation of Security Council resolution 425 (1978),⁵ calling, *inter alia*, for respect for the territorial integrity, sovereignty and political independence of Lebanon.

Bangladesh and the Philippines called for a complete end to the wanton violations of UNIFIL's role as a peace-keeping force; otherwise the prestige and authority of the Organization would be seriously eroded. In Bangladesh's view, pressure must be applied, particularly by those countries best placed for that purpose, to make Israel fulfil its obligations and comply with its commitment to co-operate with UNIFIL.

Portugal called for the full re-establishment of the sovereignty of the Lebanese Government over all its territory and expressed support for

⁵ See Y.U.N., 1978, p. 312, resolution 425(1978) of 19 March 1978.

any measures aimed at enhancing UNIFIL's capacity to implement its mandate fully.

In the course of the debate, the Council heard other statements by non-member States, as well as the representatives of PLO and the League of Arab States.

Jordan called on the Council to put an end to Israel's aggression and ensure the total withdrawal of all its armed forces from Lebanon. Otherwise, it said, the whole Middle East would find itself in the throes of a conflict that could pose a most serious threat to international peace.

The representative of Ireland said he had been instructed to address the Council in view of his Government's great concern regarding recent events involving UNIFIL, particularly in the area where the Irish contingent was stationed. It was essential that the difficulties placed in the way of the Force in its efforts to carry out its mandate be removed. If the full co-operation of the parties was not forthcoming, the most serious questions as to the value of the Force would arise.

The Netherlands also expressed great concern about the consistent obstruction of UNIFIL in the implementation of its mandate. It emphasized the urgent need for the extension of UNIFIL's complete control to the internationally recognized boundary of Lebanese territory, which it considered instrumental to controlling movements of armed elements and a prerequisite for the fulfilment of UNIFIL's mandate. It associated itself with the Secretary-General's call for restraint and wished to impress on Israel the absolute necessity of calling a halt to the actions of Haddad's forces. The Netherlands also believed it important that UNTSO become operational again in the internationally recognized demarcation line between Israel and Lebanon.

Italy expressed the belief that Israel must be made to realize that the independence, sovereignty and territorial integrity of Lebanon were essential conditions for stability in the whole region and that it was in its own interest to ensure those conditions by showing greater co-operation in the implementation of Council resolution 425(1978) establishing UNIFIL, with particular regard to the deployment of UNIFIL in all its area of operations. In Italy's view, the escalation of violence in the Middle East pointed out once again the urgent need for a just and comprehensive settlement to be negotiated among all the parties concerned, including PLO.

Nigeria had offered its contribution to UNIFIL with the clear understanding that the Force would enjoy the acceptance, if not the approval, of all the parties to the Lebanese tragedy. The hostility shown to UNIFIL was an exceptionally troubling development which threatened one of

the major purposes of the United Nations-peace-keeping. Nigeria condemned the harassment, torture and violence to which UNIFIL personnel were daily exposed at the hands of Major Haddad's illegal forces and deplored the fact that Israel aided and abetted those activities.

The Syrian Arab Republic stated that the Israeli actions in Lebanon, whether directly or through the so-called de facto forces, were a challenge to the Security Council, and that it was high time for its members to assume their responsibility in the matter. Peace in the area could prevail only when the Palestinians were allowed to establish their own State in their homeland.

The representative of PLO, quoting from the diaries of Moshe Sharett, a former Prime Minister of Israel, said that current Israeli activities in Lebanon were part of Zionist plans dating back to 1919 aimed at including southern Lebanon in the Jewish homeland promised under the Balfour Declaration. Turning to the latest attacks against UNIFIL, he urged the Council to condemn in the strongest possible terms the Israeli violations of the General Armistice Agreement and the territorial integrity of Lebanon and to impose sanctions on Israel.

The representative of the League of Arab States said that Israel sought to achieve final strategic military hegemony in Lebanon and prepare the ground for gaining control over the waters of the Litani River. By challenging Lebanon's authority and preventing it from deploying its forces in the south, Israel sought to keep Lebanon in a state of manageable turmoil favourable to its designs. Nothing but the imposition of economic, political and military sanctions would deter Israel from further defiance of United Nations authority.

On 18 April, the Security Council received news that two members of the Irish contingent of UNIFIL had been murdered by the de facto forces. After consultations among Council members, the President made the following statement:

I am authorized by the Security Council to make the following statement, on behalf of its members, pending action on the resolution which the Security Council is considering on the overall situation in Lebanon and on the acts of hostility against Lebanon, the United Nations Interim Force in Lebanon and the United Nations Truce Supervision Organization.

The members of the Security Council are shocked and outraged at the report that the Council has received on the attacks on the Force and the cold-blooded murder of peace-keeping soldiers by the de facto forces.

This unprecedented, barbaric act against a peace-keeping force is a direct challenge to and defiance

of the authority of the Security Council and to the mission of the United Nations in maintaining international peace and security.

The Security Council strongly condemns all those who share in the responsibility for this outrageous act. The Council reaffirms its intention to take such determined action as the situation calls for to enable the Force to take immediate and total control of its entire area of operation up to the internationally recognized boundaries.

The Council extends its deep-felt condolences to the Government of Ireland and the families of the victims.

The Council also commends the valiant action of the commanders and soldiers of the Force, and the courage of the United Nations observers under the most adverse circumstances.

Following that statement, members of the Council expressed shock at the murder of men serving the United Nations in the cause of peace. They called on Israel to discontinue its support to the de facto forces and to co-operate in disbanding them.

Resuming its consideration of the item on its agenda, the Council heard statements by Fiji, Saudi Arabia, Tunisia, the President, speaking as the representative of Mexico, and a representative of the League of Arab States.

Fiji reaffirmed that its soldiers would continue to serve in southern Lebanon, even though its contingent had recorded the highest number of casualties in the history of UNIFIL. Saudi Arabia considered that Israel's encouragement of the de facto forces was a calculated attempt to undermine the Council's authority. Tunisia felt there was little hope of a lasting solution to Lebanon's difficulties if the Council confined itself to the provisional measures it had implemented over the past three years; implementation of a comprehensive Middle East settlement had not been successful because the peace proposed was not based on affirmation of the rights of the Palestinian people.

Speaking as the representative of Mexico, the Council President said the response of the contributing countries and the steps taken by the Secretary-General to facilitate compliance with the Force's mandate deserved unanimous support. But the time had come for the Council to take more far-reaching action; it had to ensure that all the parties concerned would co-operate towards placing UNIFIL in a position of being able to carry out its task, and to make perfectly clear that it was legitimate for UNIFIL to use force against any attempt to prevent it from carrying out its functions. The Council was clearly confronted with a matter of principle. All special interests and matters of temporary convenience had to be put aside.

The Personal Representative of the Secretary-

General of the League of Arab States underscored the unanimous support of the Arab States for the just cause of Lebanon and said that what they expected of the United Nations was not merely that the Israeli army end its murderous raids but also that Israel obey Security Council resolutions and cease all direct or indirect military action.

On 24 April, the Council, by 12 votes to 0, with 3 abstentions (German Democratic Republic, USSR, United States), adopted resolution 467(1980) prepared in the course of consultations. Another proposal, sponsored by Tunisia, had been circulated on 18 April but was later withdrawn.

By resolution 467(1980), the Council reaffirmed its determination to implement its previous decisions in the totality of the area of UNIFIL operations, up to the internationally recognized boundaries. It condemned all actions contrary to these decisions and, in particular, strongly deplored: any violation of Lebanese sovereignty and territorial integrity; Israel's military intervention in Lebanon; all acts of violence in violation of the General Armistice Agreement between Israel and Lebanon; provision of military assistance to the so-called de facto forces; all acts of interference with UNTSO; all acts of hostility against UNIFIL and in or through its area of operation; all obstructions of UNIFIL's ability to confirm the complete withdrawal of Israeli forces from Lebanon, to supervise the cessation of hostilities, to ensure the peaceful character of the area of operation, to control movement and to take measures deemed necessary to ensure the effective restoration of Lebanon's sovereignty; and acts that had led to loss of life and physical injuries among UNIFIL and UNTSO personnel, their harassment and abuse, the disruption of communication, and the destruction of property and material.

The Council condemned the deliberate shelling of UNIFIL headquarters and called attention to the provisions in UNIFIL's mandate that would allow it to use its right to self-defence. The Council requested the Secretary-General to convene a meeting, at an appropriate level, of the Israel-Lebanon Mixed Armistice Commission (ILMAC) to agree on precise recommendations and to reactivate the General Armistice Agreement, conducive to the restoration of Lebanon's sovereignty over all its territory up to the internationally recognized boundaries. Finally, it called on all parties concerned and all those capable of lending any assistance to co-operate with the Secretary-General in enabling UNIFIL to fulfil its mandate.

Among the differences between the Tunisian proposal and the text adopted were the follow-

ing: the Tunisian text "strongly" condemned the actions condemned in the adopted text, and the latter text incorporated the call for a meeting of ^{ILMAC}.

A number of Council members made statements in explanation of vote. China said that the situation in southern Lebanon had been brought about entirely by Israel's armed incursions into Lebanon and provocations of incidents and conflicts by the Israeli-backed Lebanese secessionist forces. It considered the resolution on the whole conducive to support for the Lebanese and Arab peoples in opposing Israel's aggression and to the defence of Lebanon's independence, sovereignty and territorial integrity. It therefore supported it, despite its deficiencies. As to references to ^{UNIFIL}, China's position had been made clear when the Security Council established that body in 1978.⁶

The German Democratic Republic declared that the resolution did not contain effective measures to prevent further acts of aggression by Israel. In the view of certain misgivings regarding ^{UNIFIL}'s mandate, which it had repeatedly mentioned, it abstained in the vote.

The representative of the United States announced that he would abstain because the resolution did not deal with the problems in a balanced and comprehensive way. He would have preferred a resolution which concentrated on constructive proposals rather than on condemnation. He indicated that the policy of the United States had been guided by three principles: that all parties must respect Lebanon's territorial integrity; that the authority of the Government of Lebanon must be restored up to the international border; and that a cease-fire should be respected in all quarters, including all attacks against Israel from Lebanese territory.

The USSR noted that the resolution contained a condemnation of Israel's armed intervention in Lebanon, as well as of the support provided by the Haddad separatist forces to Israel. The USSR considered that that condemnation should have been more clear-cut and the resolution should have included effective measures which would have made possible a complete cessation of all acts of Israeli aggression against Lebanon, both direct and indirect. The USSR abstained in the vote in accordance with its position of principle on ^{UNIFIL}, including the Council's administration of ^{UNIFIL}, the selection of national contingents and the method of financing.

Several other speakers were heard following the vote. Israel stated that both the deliberations of the Council and the adopted resolution had again been marked by a striking lack of balance and a selective conscience. The common denominator of this selectivity, it said, was an unwillingness even to criticize ^{PLO}. The attack against civilian targets in Israel had been ignored-the Misgav Am outrage was not even mentioned in the resolution-as had the wider dimensions of developments in southern Lebanon.

The representative of Jordan said the resolution had been so critically watered down that it was unlikely to be heeded. He found it strange that the incident of Misgav Am in Israel should have been an excuse for an attack on the territorial integrity of Lebanon, when no evidence had been produced that any infiltration had occurred across the Lebanese border.

Lebanon asked the Council to view the adopted text as a future-oriented resolution. With ^{UNIFIL}, Lebanon wished to transform southern Lebanon into an area of peace and security and not into an arena for future wars. Lebanon asked that it not be held accountable for what it had not done.

The ^{PLO} representative said he left it to the Council to decide whether there was any proof that the people who had carried out the attack on Misgav Am were infiltrators. He added that the United States, which had expressed shock at what happened in that incident, should have expressed a similar feeling at the wholesale murder of Palestinians and Lebanese.

Communications (28 April-16 June)

On 28 April, the Secretary-General informed the President of the Security Council that it was his intention to replace the Norwegian medical unit, which was soon to be withdrawn from ^{UNIFIL}, by a Swedish one, subject to the usual consultations, if and when the Council decided to extend the mandate of ^{UNIFIL}. On 29 April, the President replied that the Council members had agreed with the Secretary-General's proposal. China had dissociated itself from the matter.

By a letter dated 2 May, Fiji, Ireland and Senegal transmitted to the Secretary-General, on behalf of the 11 countries contributing troops to ^{UNIFIL}, a communique of that date following their meeting at Dublin, Ireland, to discuss the difficulties experienced by ^{UNIFIL} in carrying out its mandate. The communique expressed the conviction of the 11 States that the basic requirement to permit the Force to operate effectively was that it take immediate and total control of its entire area of operations.

By letters dated 8, 17 and 27 May to the Council President, Lebanon submitted a series of complaints of attacks by Israeli forces against civilian targets in Lebanon which had left several people killed.

On 16 and 19 May, by letters to the Secretary-

⁶ Ibid., and resolution 426(1978) of 19 March 1978.

General, Israel charged that armed PLO elements had attempted to cross into Israel through UNIFIL lines and that rockets had been fired from Lebanese territory at civilian targets in northern Israel on 18 May. By a letter dated 16 June to the Council President, Israel charged that on that day three PLO members had attempted to penetrate Israel's territory from the sea. In the exchange of fire, they had been killed by an Israeli navy patrol.

In a letter of the same day to the Secretary-General, Italy transmitted a declaration on the situation in Lebanon, issued at Venice on 13 June by the heads of State and Government and the Ministers for Foreign Affairs of the European Community, meeting as the European Council. The Community members reiterated their total solidarity with Lebanon and appealed to all the countries and parties concerned to put an end to all acts liable to affect Lebanon's independence, sovereignty and territorial integrity as well as the authority of its Government. They stressed that it was essential for all the parties concerned to allow UNIFIL to implement its mandate fully, including control of the territory up to the internationally recognized boundaries.

Consideration by the Security Council (17 June)

Report of the Secretary-General

On 12 June 1980, the Secretary-General submitted a report to the Security Council on the functioning and activities of UNIFIL for the period from 11 December 1979 to 12 June 1980 in which he noted that, in spite of strenuous efforts at all levels, including those of the Council itself, the fifth mandate of UNIFIL had come to an end without significant progress having been achieved in implementing the objectives set forth when it was established. Not only had UNIFIL been denied the co-operation required but it had even been actively opposed or attacked in trying to perform its duties.

The Secretary-General emphasized that in the period under review the most serious problems had been with the de facto forces (Christian and associated militias). They had not only prevented a further deployment of UNIFIL in the enclave but had also maintained four positions previously established in the UNIFIL area and had attempted to establish additional encroachments. Those attempts, firmly resisted by UNIFIL, had led to serious confrontations resulting in the death of UNIFIL soldiers. The de facto forces had subjected UNIFIL headquarters at Naqoura to heavy bombardment and had restricted UNIFIL freedom of movement to the enclave.

The Secretary-General indicated that the relationship of the de facto forces to the Israeli forces

and their dependency on the latter was well known. The intercession of the Israeli authorities had been sought to curb the activities of the de facto forces and to restrain hostile acts against UNIFIL or the civilian population in the UNIFIL area. However, the Israeli authorities had continued their support of the de facto forces, citing reasons of national security, and for the same reasons Israeli forces had made incursions into Lebanese territory and had maintained a number of positions in the enclave.

The Secretary-General pointed out that UNIFIL had continued to be subjected to attempts by armed elements (mainly PLO and the Lebanese National Movement) to infiltrate personnel and weapons into its area of operation which inevitably created tensions and difficulties and sometimes confrontations. The Force had made every effort to prevent such infiltration.

The Secretary-General reported that the inability of UNIFIL to control its area of operations up to the international frontier, and the internal situation in Lebanon itself, had, for the time being, limited the ability of the Lebanese Government significantly to increase its military and civilian presence in the south.

In conclusion, the Secretary-General underlined his conviction that UNIFIL was performing an indispensable service to peace, not only in Lebanon but in the Middle East as a whole. In his view, if the functioning of UNIFIL were to be seriously eroded or if the Force were to be withdrawn, a resumption and widening of hostilities would be faced very rapidly, not only in southern Lebanon but far beyond its borders. For those reasons, he recommended that UNIFIL's mandate be extended for another six months.

Deliberations of the Security Council

The Security Council met on 17 June to consider the Secretary-General's report. It invited the representatives of Ireland, Israel, Lebanon and the Netherlands, at their request, to participate in the discussion without the right to vote.

A draft resolution drawn up in the course of consultations was adopted, as resolution 474(1980), by 12 votes to 0, with 2 abstentions (German Democratic Republic, USSR) and with China not participating in the vote.

By that resolution, the Council renewed UNIFIL's mandate for six months, until 19 December, and reiterated its commitment to the full implementation of the mandate throughout the entire area of operation up to the internationally recognized boundaries, according to the terms of reference and guidelines as stated and confirmed in Council resolutions. It fully endorsed the conclusions and recommendations in the Secretary-General's report. It strongly condemned all

actions contrary to the mandate and, in particular, continued acts of violence that prevented UNIFIL's fulfilment of it, took note of the steps taken by the Secretary-General to convene a meeting of ILMAC, and urged the parties concerned to extend their full co-operation in accordance with the relevant Council decisions.

The Council noted the efforts deployed by Member States, particularly troop-contributing States, in support of UNIFIL and urged all those in a position to do so to continue to use their influence with those concerned so that the Force could discharge its responsibilities. Finally, it reaffirmed its determination to examine practical ways to implement fully resolution 425(1978).⁷

In a statement following adoption of the resolution, the Secretary-General reaffirmed his conviction that, despite all the difficulties, UNIFIL was performing an indispensable service to peace, not only in Lebanon but with regard to the Middle East as a whole. He expressed his appreciation to the Government of Lebanon for its co-operation with UNIFIL and gratitude to the troop-contributing countries for their unswerving support. He indicated that, in accordance with the Council's wishes, he would pursue his contacts with the parties concerned, with a view to reactivating the 1949 General Armistice Agreement and ILMAC at the earliest possible date.

The representative of Lebanon said that a further renewal of the mandate should not be an inducement to accept the status quo as an irreversible fait accompli. Israel, he stated, must understand that it should withdraw totally and unconditionally from Lebanon, that it must at once stop all its direct and indirect activities within Lebanon's international borders, and that it must enable UNIFIL to operate effectively and with full military credibility in southern Lebanon. His Government viewed the reactivation of the General Armistice Agreement as a major step towards the achievement of a just and comprehensive settlement in the Middle East.

Israel maintained that there would be no real change for the better until all the alien elements had been removed from Lebanon so that Lebanese independence, sovereignty and unity could be restored.

France reaffirmed the value it attached to the attainment of the objectives set for the Force by the Council, namely, to confirm the withdrawal of Israeli forces, to restore international peace and security, and to help the Lebanese Government ensure the restoration of its authority.

The representative of the United States said that UNIFIL continued to make an indispensable contribution to peace. As a buffer between bitter enemies, it had worked to prevent infiltration attempts and to resist harassment and encroach-

ment on its area of operation. His Government was pleased to support the resolution, as it condemned acts of violence which had prevented UNIFIL from implementing its mandate in full. The United States stood ready to co-operate with the Secretary-General in convening a meeting of ILMAC.

The German Democratic Republic stated that the main reasons for the situation in southern Lebanon were Israel's aggressive policies, its refusal to respect Lebanon's sovereignty and its desire to prevent a comprehensive political solution of the Middle East conflict. The German Democratic Republic had abstained in the vote because its reservations regarding the definition of UNIFIL's mandate, its composition and financing remained valid.

The representative of the USSR said that, thanks to unswerving support by the United States, Israel had managed to conclude a separate agreement at Camp David and had signed a treaty with Egypt, thus freeing itself to embark on a more aggressive and expansionist policy against Lebanon and the indigenous population in the occupied Arab territories. He noted with regret that the resolution just adopted did not contain a clear-cut condemnation of Israel for its armed provocation against Lebanon or for its support of the separatist Haddad forces. The USSR had abstained in the vote on the basis of its policy of principle in respect of UNIFIL, the mandate given to it, the principles governing the selection of national contingents and the method of financing the Force.

Ireland said that the principal, though by no means the only, source of efforts to frustrate and attack UNIFIL continued to be the de facto forces which, as the Secretary-General had pointed out, were dependent on Israel. In the preceding weeks there had not been an end to military assistance to those forces. The freedom of movement necessary for UNIFIL to carry out its duties effectively continued to be denied. This denial was clearly intolerable. Ireland insisted that, if a peace-keeping force was to operate, it must be given the conditions to do so effectively.

The Netherlands held the view that UNIFIL performed an essential peace-keeping task and that its withdrawal would create a grave risk. However, some basic requirements, including the safety of UNIFIL personnel, had to be fulfilled. It repeated the call of the 11 troop-contributing countries on all parties to co-operate fully with the Force; this meant that all attacks, harassment and infiltrations had to cease and full freedom of movement be granted up to the internationally recognized boundaries.

⁷ See footnote 5.

The Council President, speaking as the representative of Norway, said it was important for the continued functioning of UNIFIL that further progress be made towards the full implementation of its mandate. The Force performed an indispensable service to peace, not only in Lebanon but in the whole Middle East. Therefore, Norway had voted in favour of the extension of its mandate and was ready to continue to participate in UNIFIL.

Communications and reports (26 June-16 December)

In letters of 26 June, 1 July and 6, 15 and 19 August, the representative of Lebanon submitted charges concerning a series of acts of aggression by Israeli forces inside and outside the UNIFIL area of operation. He charged that the Israeli army had developed a pattern nearing occupation and annexation of territory by constructing and establishing fixed military installations, levying taxes by intimidation of the local population, appropriating and annexing land under duress, establishing military training camps, and installing prefabricated houses for Israeli soldiers.

In a special report of 21 August, the Secretary-General informed the Security Council of recent developments within and adjacent to the UNIFIL area of operation which had led to a dangerous escalation of tension. Shelling and bombarding by the Israel Defence Forces and the de facto forces between 18 and 21 August had resulted in at least 25 people killed, as well as very heavy destruction of houses and property. The Secretary-General stated that, at the time of writing his report, the situation was quiet but tense, and all possible efforts were being made to restore and maintain the cease-fire and prevent a further escalation of the conflict.

On 22 August, by a letter to the President of the Security Council, Lebanon reported on casualties and property damage caused by Israeli acts of aggression carried out on 20 and 21 August north of UNIFIL'S area of operation.

On 2 September, Tunisia transmitted to the Secretary-General a letter dated 28 August from the Deputy Permanent Observer of PLO protesting Israeli military moves in Lebanon, which he charged had placed the region in an extremely delicate situation.

In letters of 19 and 22 September, 3, 13, 18, 24 and 28 October and 3 December, the representative of Lebanon charged that Israel had launched a series of air, land and sea attacks which had caused many casualties, extensive property damage and a massive displacement of population. He also charged that the Israeli army had moved the international border north-

ward and that it had constructed patrol roads on Lebanese territory. Lebanon considered it imperative that a meeting of ILMAC be called to discuss the situation.

In letters of 7 and 14 November and 16 December, Israel charged that on 6 November rockets had been fired from Lebanese territory at civilian targets, and that on the nights of 12/13 November and 14 December armed PLO groups had attempted to cross into Israel through UNIFIL lines.

By a letter dated 4 December, Luxembourg conveyed a statement of 2 December by the members of the European Community expressing concern about the situation in Lebanon and the position of UNIFIL, and calling again for respect for the integrity of Lebanon's international frontiers and the security of its population.

As requested by the General Assembly on 6 December 1979,⁸ the Secretary-General, on 24 October 1980, submitted a report covering, in all aspects, the developments in the Middle East. With regard to Lebanon, he observed that, despite intense, persistent efforts, UNIFIL had not been able to make significant progress in overcoming the problems created by Israel's handing over control of the border area to Lebanese de facto forces.

As UNIFIL'S mandate was due to expire on 19 December, the Secretary-General on 12 December submitted a report on the activities of the Force for the period from 13 June to 11 December. Describing the situation in southern Lebanon, he indicated that, despite strenuous efforts at all levels during the period under review, UNIFIL had been prevented from making further progress towards implementing fully the objectives of Security Council resolution 425(1978).

He stressed that UNIFIL could successfully fulfil its mandate only with the full co-operation of all the parties concerned and that the situation in southern Lebanon could not be insulated from the developments in the region. The search for a comprehensive, just and lasting settlement in the Middle East continued to be frustrated and inevitably had a negative effect on the circumstances in which UNIFIL had to function. The Secretary-General pointed out that during the period under review the activities of armed elements, the de facto forces and the Israel Defence Forces in and near the UNIFIL area of operation had continued and, in some cases, intensified, and he gave an account of the main incidents that had taken place. The Israeli forces had established encroachments along the international border, increased their presence within the enclave, repeatedly violated Lebanese airspace and

⁸See Y.U.N., 1979, p. 375, resolution 34/70.

territorial waters and, on many occasions, had launched attacks against targets outside the UNIFIL area.

The Secretary-General stated that, despite the impediments it had had to face, the Force had continued its endeavour to consolidate its positions. Measures had been taken to improve the security of UNIFIL headquarters at Naqoura and to reinforce its defence capability. With the co-operation of the Lebanese Government, efforts had been made to increase the Lebanese presence, both civilian and military, in the UNIFIL area of operation.

The Secretary-General reported that the Chief of Staff of UNTSO had continued his efforts towards the reactivation of ILMAC and that a meeting had been convened under his chairmanship at UNIFIL headquarters on 1 December. While the two parties had continued to disagree on the validity of the General Armistice Agreement and the meeting had fallen short of the objective set by the Security Council, efforts were being made to convene another meeting.

The Secretary-General recommended that the mandate of UNIFIL be extended for another six months. He indicated that the Lebanese Government had agreed to the extension and stated that a determined effort must be made by all sides to make possible the consolidation of the UNIFIL area, in particular through removal of the five positions established there by the de facto forces and the two established by armed elements.

On 15 December, the representative of Lebanon submitted comments and recommendations in connexion with the Secretary-General's report and the forthcoming Security Council meeting to examine the renewal of the Force's mandate. He urged that the renewal be accompanied by articulation of the deterrent capability of the Force, reconsideration of the methods of defining its area of operation, acceleration of the reactivation of ILMAC and the unconditional observance of the 1949 General Armistice Agreement.

Consideration by the
Security Council (17 December)

The Security Council met on 17 December to consider the Secretary-General's report and invited the representatives of Israel and Lebanon, at their request, to participate in the discussion without the right to vote.

Resolution 483(1980) drawn up in the course of consultations, was adopted by 12 votes to 0, with 2 abstentions (German Democratic Republic, USSR). China did not participate in the vote.

By that resolution, the Council: renewed UNIFIL'S mandate for six months, until 19 June 1981; reiterated its commitment to the full implementation of that mandate throughout UNIFIL'S

entire area of operation up to the internationally recognized borders, and the terms of reference of the Force; expressed its support for the Lebanese Government in its efforts to strengthen its authority in UNIFIL'S zone of operation; commended the Secretary-General for his efforts to reactivate ILMAC; requested him to take the necessary measures to intensify discussions among the parties concerned, so that UNIFIL might complete its mandate, and to report periodically on the results of his efforts; and reaffirmed its determination, in the event of continuing obstruction of UNIFIL'S mandate, to examine practical ways to secure the full implementation of resolution 425(1978).

Following the resolution's adoption, the Secretary-General indicated that he would make every effort to ensure its implementation, but cautioned that in order to achieve real progress the full co-operation of all parties concerned was needed.

The representative of Lebanon expressed the hope that the resolution would be a new beginning. His Government's position remained as stated before, namely: that peace in Lebanon should not have to wait for the settlement of everyone else's problems; that UNIFIL must become sufficiently credible to deter hostile acts against it and to implement fully its mandate; and that a systematic political and diplomatic action, including the reactivation of ILMAC, must be developed.

Israel reaffirmed its position of principle with regard to Lebanon- that it continued to support Lebanese independence, sovereignty, territorial integrity and unity, that it wanted peace in and with Lebanon and that it had no territorial claims on that country. It agreed that the restoration of peace in Lebanon must not be made contingent on the attainment of an overall solution of the Arab-Israeli conflict. As to the Israel-Lebanon Armistice Agreement, it was Israel's view that Lebanon, by its declarations and actions in 1967, had brought the Agreement to an end. Consequently ILMAC, established under that Agreement, had also ceased to exist.

The representatives of the USSR and the German Democratic Republic considered the resolution adopted as weak, since it contained no condemnation of the aggressive actions of Israel and the Haddad separatists acting on its orders. The Council should have unambiguously required Israel to respect the sovereignty and territorial integrity of Lebanon. Both the USSR and the German Democratic Republic confirmed their positions of principle regarding the control of the Force by the Council, its composition and financing.

France said that, in joining in the decision to

renew UNIFIL'S mandate, it wished to emphasize the importance it attached to the mission of the Force in Lebanon. At the same time, it stressed that the objectives originally established for UNIFIL continued to be fundamental.

Tunisia believed that, by renewing the Force's mandate, the Council had taken an important step towards a comprehensive, just and lasting settlement of the Middle East problem, which could not be divorced from the situation in southern Lebanon.

Norway, announcing that it was ready to continue its participation in UNIFIL, expressed the hope that practical ways and means could be found to implement fully UNIFIL'S mandate up to the international borders.

The Council President, speaking as the representative of the United States, said that the meeting convened by the Chief of Staff of UNTSO on 1 December was an important step towards implementing Council resolution 425(1978). His Government, however, had noted with regret the Secretary-General's observations of a definite hardening of position towards UNIFIL by certain Palestinian groups, of increasing harassment of the Force by the de facto forces and that the border encroachments by the Israeli forces appeared to be designed to create a new defensive line forward of the Armistice demarcation line.

Further communications

By a letter of 19 December to the President of the Security Council, Lebanon charged that Israel

had launched a major operation by air, land and sea against villages and towns inside the internationally recognized Lebanese boundaries and inside and beyond the UNIFIL area of operation.

Israel, in letters of 23 and 30 December to the Secretary-General, charged that Syrian forces had subjected a Lebanese town near the Israeli northern border and its civilian population to indiscriminate shelling, inflicting scores of casualties, and that PLO elements based in Lebanon had attempted to cross the border into Israel.

On 15 December, the Secretary-General informed the Council President of his intention to appoint the current Chief of Staff of UNTSO, Major-General Erkki Raine Kaira of Finland, as Commander of the United Nations Disengagement Observer Force to replace Major-General Guenther G. Greindl of Austria. Major-General Emmanuel Alexander Erskine of Ghana, current Commander of UNIFIL, would be reassigned to his former post as Chief of Staff of UNTSO with the additional function of representing the Secretary-General for matters relating to United Nations peace-keeping operations in the Middle East. He would be replaced as Commander of UNIFIL by Major-General William Callaghan, Adjutant-General of the Irish Defence Forces.

On 19 December, the Council President replied that the Council members, at consultations on 17 December, had agreed with the proposals. China had dissociated itself from the matter since it had not participated in the voting on the relevant resolutions.

Documentary references and texts of resolutions

Communications (February-24 April)

- S/13785 (A/35/90). Letter of 8 February from Israel.
- S/13852 (A/35/139), S/13858 (A/35/153). Letters of 21 and 25 March from Lebanon.
- S/13876 (A/35/171 (9 April)). Letter of 7 April from Israel.
- S/13885. Letter of 10 April from Lebanon.
- S/13892. Letter of 14 April from Israel. (Annex: PLO deployment in southern Lebanon.)
- S/13895. Letter of 15 April from Israel (transmitting detailed information on PLO activity launched from Lebanon against Israel since withdrawal on 13 June 1978 of Israel Defence Force units from Lebanon through 7 April 1980).
- S/13899. Letter of 18 April from United Arab Emirates.
- S/13901. Letter of 21 April from Ireland (transmitting statement of 20 April).
- S/13907. Letter of 24 April from Italy.

Consideration by the Security Council (13-24 April)

Security Council, meetings 2212-2218.

- S/13885. Letter of 10 April from Lebanon.
- S/13888 and Corr.1 and Add.I-3. Special report of Secretary-General on UNIFIL.
- S/13889, S/13890. Letters of 13 April from Tunisia (requests to extend invitations to address Council).
- S/13897 and Rev.1. Tunisia: draft resolution and revision.

S/13900. Note by President of Security Council (containing statement read at meeting 2217, 18 April).

S/13903. Letter of 22 April from Tunisia (request to extend invitation to address Council).

S/13905. Draft resolution prepared in course of consultations.

Resolution 467(1980). as proposed in S/13905, adopted by Council on 24 April 1980, meeting 2218. by 12 votes to 0, with 3 abstentions (German Democratic Republic, USSR, United States).

The Security Council,
Acting in response to the request of the Government of Lebanon,

Having studied the special report of the Secretary-General on the United Nations Interim Force in Lebanon of 11 April 1980 and the subsequent statements, reports and addenda.

Having expressed itself through the statement of the President of the Security Council of 18 April 1980.

Recalling its resolutions 425(1978), 426(1978), 427(1978), 434(1978), 444(1979), 450(1979) and 459(1979).

Recalling the terms of reference and general guidelines of the Force, as stated in the report of the Secretary-General of 19 March 1978 confirmed by resolution 426(1978). and particularly:

- (a) That the Force "must be able to function as an integrated and efficient military unit."
- (b) That the Force "must enjoy the freedom of movement

and communication and other facilities that are necessary for the performance of its tasks,"

(c) That the Force "will not use force except in self-defence,"

(d) That "self-defence would include resistance to attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council,"

1. Reaffirms its determination to implement the above-mentioned resolutions, particularly resolutions 425(1978), 426(1978) and 459(1979), in the totality of the area of operation assigned to the United Nations Interim Force in Lebanon, up to the internationally recognized boundaries;

2. Condemns all actions contrary to the provisions of the above-mentioned resolutions and, in particular, strongly deplores:

(a) Any violation of Lebanese sovereignty and territorial integrity;

(b) The military intervention of Israel in Lebanon;

(c) All acts of violence in violation of the General Armistice Agreement between Israel and Lebanon;

(d) Provision of military assistance to the so-called *de facto* forces;

(e) All acts of interference with the United Nations Truce Supervision Organization;

(f) All acts of hostility against the Force and in or through its area of operation as inconsistent with Security Council resolutions;

(g) All obstructions of the ability of the Force to confirm the complete withdrawal of Israeli forces from Lebanon, to supervise the cessation of hostilities, to ensure the peaceful character of the area of operation, to control movement and to take measures deemed necessary to ensure the effective restoration of the sovereignty of Lebanon;

(h) Acts that have led to loss of life and physical injuries among the personnel of the Force and of the United Nations Truce Supervision Organization, their harassment and abuse, the disruption of communication, as well as the destruction of property and material;

3. Condemns the deliberate shelling of the headquarters of the Force and more particularly the field hospital, which enjoys special protection under international law;

4. Commends the efforts undertaken by the Secretary-General and by the interested Governments to bring about the cessation of hostilities and to enable the Force to carry out its mandate effectively without interference;

5. Commends the Force for its great restraint in carrying out its duties in very adverse circumstances;

6. Calls attention to the provisions in the mandate that would allow the Force to use its right to self-defence;

7. Calls attention to the terms of reference of the Force which provide that it will use its best efforts to prevent the recurrence of fighting and to ensure that its area of operation will not be utilized for hostile activities of any kind;

8. Requests the Secretary-General to convene a meeting, at an appropriate level, of the Israel-Lebanon Mixed Armistice Commission to agree on precise recommendations and further to reactivate the General Armistice Agreement conducive to the restoration of the sovereignty of Lebanon over all its territory up to the internationally recognized boundaries;

9. Calls upon all parties concerned and all those capable of lending any assistance to co-operate with the Secretary-General in enabling the Force to fulfil its mandate;

10. Recognizes the urgent need to explore all ways and means of securing the full implementation of resolution 425(1978), including enhancing the capacity of the Force to fulfil its mandate in all its parts;

11. Requests the Secretary-General to report as soon as possible on the progress of these initiatives and the cessation of hostilities.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 6 and 7.

Communications (28 April- 16 June)

S/13916. Letter of 28 April from Secretary-General to President of Security Council.

S/13917. Letter of 29 April from President of Security Council to Secretary-General.

S/13921. Letter of 2 May from Fiji, Ireland and Senegal (transmitting agreed communique issued by troop-contributing States of UNIFIL (Fiji, France, Ghana, Ireland, Italy, Nepal, Netherlands, Nigeria, Norway, Senegal, Sweden) following their meeting in Dublin, 2 May).

S/13931, S/13946. Letters of 8 and 17 May from Lebanon.

S/13947 (A/35/235), S/13952 (A/35/240). Letters of 16 and 19 May from Israel.

S/13962 (A/35/271). Letter of 27 May from Lebanon.

S/13999 (cf. A/35/293 (19 June)). Letter of 16 June from Israel.

S/14002. Letter of 16 June from Italy (containing declaration on situation in Lebanon issued at Venice on 13 June by heads of State and Government and Ministers for Foreign Affairs of European Community, meeting as European Council).

Consideration by the Security Council (17 June)

Security Council, meeting 2232.

S/13994. Report of Secretary-General on UNIFIL for period 11 December 1979 to 12 June 1980.

S/14001. Draft resolution prepared in course of consultations.

Resolution 474(1980), as proposed in S/14001, adopted by Council on 17 June 1980, meeting 2232, by 12 votes to 0, with 2 abstentions (German Democratic Republic and USSR) (China did not participate in voting).

The Security Council,

Recalling its resolutions 425(1978), 426(1978), 427(1978), 434(1978), 444(1979), 450(1979), 459(1979) and 487(1980), as well as the statement by the President of the Security Council of 18 April 1980.

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 June 1980,

Acting in response to the request of the Government of Lebanon and noting with concern the questions raised in its letters addressed to the Security Council on 8 May, 17 May and 27 May 1980.

Convinced that the present situation has serious consequences for peace and security in the Middle East,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

Commending the performance of the Force, yet expressing its concern about the continued existence of obstacles to the full deployment of the Force and its freedom of movement, the threats to its security and the safety of its headquarters,

1. Decides to renew the mandate of the United Nations Interim Force in Lebanon for a period of six months, that is, until 19 December 1980, and reiterates its commitment to the full implementation of the mandate of the Force throughout its entire area of operation up to the internationally recognized boundaries, according to the terms of reference and guidelines as stated and confirmed in the appropriate Security Council resolutions;

2. Takes note of the report of the Secretary-General on the United Nations Interim Force in Lebanon and fully endorses the conclusions and recommendations expressed therein;

3. Strongly condemns all actions contrary to the provisions of the mandate and, in particular, continued acts of violence that prevent the fulfilment of this mandate by the Force;

4. Takes note of the steps already taken by the Secretary-General to convene a meeting of the Israel-Lebanon Mixed Armistice Commission and urges the parties concerned to

extend to him their full co-operation in accordance with the relevant Security Council decisions and resolutions, including resolution 467(1980);

5. Takes note of the efforts deployed by Member States, and more particularly the troop-contributing countries, in support of the Force and urges all those which are in a position to do so to continue to use their influence with those concerned so that the Force can discharge its responsibilities fully and unhampered;

6. Reaffirms its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means to secure the full implementation of resolution 425(1978);

7. Decides to remain seized of the question,

S/INF/36. Resolutions and decisions of Security Council, 1980. Decision, p. 11.

Communications and reports (26 June- 16 December)

S/14023. Letter of 26 June from Lebanon. (Annex: Sample list of recent Israeli actions in violation of Security Council resolution on southern Lebanon.)

S/14041 (A/35/317). Letter of 1 July from Lebanon. (Annex: Recent Israeli acts of aggression in southern Lebanon.)

S/14095, S/14108, S/14114. Letters of 6, 15 and 19 August from Lebanon.

S/14118. Special report of Secretary-General on UNIFIL.

S/14120. Letter of 22 August from Lebanon. (Annex: Recent Israeli acts of aggression in southern Lebanon.)

S/14146. Letter of 2 September from Tunisia (transmitting letter of 28 August from PLO).

S/14180 (A/35/471), S/14187 (A/35/477). Letters of 19 and 22 September from Lebanon.

S/14208 (A/35/510), S/14218 (A/35/534), S/14223 (A/35/552), S/14232. Letters of 3, 13, 18 and 24 October from Lebanon.

S/14234 (A/35/563). Report of Secretary-General, Chapter IIBandC.

S/14238. Letter of 28 October from Lebanon.

S/14247 (A/35/610), S/14257 (A/35/630). Letters of 7 and 14 November from Israel.

S/14282 (A/35/682). Letter of 3 December from Lebanon.

S/14286. Letter of 4 December from Luxembourg (containing statement issued at Luxembourg on 2 December by heads of State and Government and Ministers for Foreign Affairs of 9 members of European Community, meeting as European Council).

S/14295. Report of Secretary-General on UNIFIL for period 13 June to 11 December).

S/14296. Letter of 15 December from Lebanon.

S/14297 (A/35/783). Letter of 16 December from Israel.

Consideration by the Security Council (17 December)

Security Council, meeting 2258.

S/14298. Draft resolution prepared in course of consultations.

Resolution 483(1980). as proposed in S/14298, adopted by Council on 17 December 1980, meeting 2258, by 12 votes to 0, with 2 abstentions (German Democratic Republic and USSR) (China did not participate in voting).

Financing of United Nations peace-keeping forces in the Middle East

The General Assembly in 1980 appropriated a total of \$156,743,240 for the two United Nations peace-keeping forces in the Middle East. This

The Security Council,

Recalling its resolutions 425(1978), 426(1978), 427(1978), 434(1978), 444(1979), 450(1979), 459(1979), 467(1980) and 474(1980),

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 12 December 1980.

Noting the letter dated 15 December 1980 from the Permanent Representative of Lebanon to the Secretary-General,

Convinced that the present situation has serious consequences for peace and security in the Middle East,

Reaffirming its call for the strict respect for the territorial integrity, unity, sovereignty and political independence of Lebanon within its internationally recognized boundaries,

1. Takes note of the report of the Secretary-General on the United Nations Interim Force in Lebanon;

2. Decides to renew the mandate of the Force for a period of six months, that is, until 19 June 1981, and reiterates its commitment to the full implementation of the mandate of the Force throughout its entire area of operation up to the internationally recognized boundaries, according to the terms of reference and guidelines as stated and confirmed in the appropriate Security Council resolutions;

3. Commends the performance of the Force and reiterates its terms of reference as set out in the report of the Secretary-General of 19 March 1978 and approved by resolution 426 (1978), in particular that the Force must be enabled to function as an efficient military unit, that it must enjoy freedom of movement and communication and other facilities necessary for the performance of its tasks and that it must continue to be able to discharge its duties according to the above-mentioned terms of reference, including the right of self-defence;

4. Expresses its support for the Lebanese Government in its efforts to strengthen its authority, both at the civilian and at the military level, in the zone of operation of the Force;

5. Commends the Secretary-General for his efforts to reactivate the Israel-Lebanon Mixed Armistice Commission, takes note of the preparatory meeting that was held on Monday, 1 December 1980, and calls on all parties to continue such efforts as are necessary for the total and unconditional implementation of the General Armistice Agreement;

6. Requests the Secretary-General to take the necessary measures to intensify discussions among all the parties concerned, so that the Force may complete its mandate, and to report periodically on the results of his efforts to the Security Council;

7. Reaffirms its determination, in the event of continuing obstruction of the mandate of the Force, to examine practical ways and means to secure the full implementation of resolution 425(1978).

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 15.

Further communications

S/14307. Letter of 19 December from Lebanon.

S/14308. Letter of 15 December from Secretary-General to President of Security Council.

S/14309. Letter of 19 December from President of Security Council to Secretary-General.

S/14316 (A/36/57), S/14322 (A/36/62). Letters of 23 and 30 December from Israel.

Other documents

A/35/2. Report of Security Council, 16 June 1979-15 June 1980, Chapter 1 C (paras. 224-271).

A/36/2. Report of Security Council, 16 June 1980-15 June 1981, Chapter 1 A (paras. 5-39).

total consisted of \$27,537,248 for the United Nations Disengagement Observer Force (UNDOF) in the Israel-Syria sector for the period 1 June

1980 to 31 May 1981 and \$129,205,992 for the United Nations Interim Force in Lebanon (UNIFIL) from 19 December 1979 to 18 December 1980. The dates corresponded to the varying mandates of the Forces as established by the Security Council (see preceding subchapters). The Assembly also provided for financial authority to meet the expenses of UNDOF and UNIFIL for specified periods beyond these dates in the event the Council decided to continue them beyond the expiry of the six-month mandates in effect when the Assembly acted.

In each case, the Assembly apportioned the expenses for the Forces among all Member States in accordance with the special scale used for this purpose since the establishment of the United Nations Emergency Force (UNEF) in 1973.⁹ The mandate of UNEF had lapsed in 1979 and was not renewed by the Security Council.¹⁰

According to this arrangement, the permanent members of the Council were assessed more than they would have been under the scale of assessments for the United Nations regular budget, while most developing countries were assessed 80 per cent less and the least developed countries 90 per cent less than under the regular scale. In authorizing this arrangement, the Assembly said in the preambles of its appropriation resolutions that it was taking into account the fact that the economically more developed countries were in a position to make relatively larger contributions and that the economically less developed countries had a relatively limited capacity to contribute towards peace-keeping operations involving heavy expenditures. In respect of the two Forces, the Assembly decided that Saint Lucia, admitted to the United Nations in 1979, would be placed in the category of least developed States for assessment purposes.

The Assembly invited voluntary contributions for UNDOF and UNIFIL, both in cash and in services and supplies, and requested the Secretary-General to ensure that the Forces were conducted with a maximum of efficiency and economy.

The Assembly acted on the basis of appropriation requests submitted in reports of the Secretary-General and of recommendations by the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

Financing of the United Nations Disengagement Observer Force

The General Assembly made appropriations for UNDOF spanning the two six-month extensions of the Force's mandate approved by the Security Council in 1980 (1 June to 30 November 1980 and 1 December 1980 to 31 May 1981). For the year ending 30 November 1980, appropriations were at the monthly rate of \$2,096,333 gross (\$2,077,000 net of staff assessment). This

rate rose to \$2,493,208 gross (\$2,466,958 net) in the financial year beginning 1 December.

By resolution 35/45 A, appropriations were made in the amounts of \$12,577,998 gross (\$12,462,000 net) for the six months from 1 June to 30 November 1980 and \$14,959,250 for the period from 1 December 1980 to 31 May 1981. Also by this resolution, the Assembly authorized the Secretary-General to enter into financial commitments for UNDOF for the period from 1 June to 30 November 1981 should the Security Council continue the Force beyond the existing mandate. It limited such commitments to the monthly rate of expenditure approved for the six months beginning 1 December 1980, namely \$2,493,208 gross (\$2,466,958 net).

The resolution also contained provisions relating to the apportionment of expenses among Member States and other matters (summarized in the introduction to this subchapter).

The Assembly adopted resolution 35/45 A on 1 December 1980 by a recorded vote of 93 to 5, with 15 abstentions, following its approval in the Fifth (Administrative and Budgetary) Committee on 28 November, by a recorded vote, requested by the USSR, of 85 to 4, with 12 abstentions. In adopting this resolution, the Assembly accepted the recommendation of ACABQ to reduce by \$948,500 the annual expenditures for UNDOF, as estimated by the Secretary-General. The sum approved included an amount of \$4,324,000 for new standard rates of pay and allowances for troops.

In his report of 3 November, the Secretary-General gave cost estimates for the period from 1 December 1980 to 30 November 1981 totalling \$26,543,000. He recommended that, from 1 December onwards, new standard rates for pay and allowances of troops be established at \$950 per man-month for all ranks plus \$280 per man-month for a limited number of specialists, which would amount to an additional \$360,333 per month and increase the monthly cost figures to \$2,572,250 gross (\$2,546,000 net). As to the status of contributions, the Secretary-General reported a shortfall of approximately \$800,000 for the period from 25 October 1979 to 30 November 1980 owing to non-payment by certain Member States. As at 30 September 1980, he had received \$19.4 million; the balance due for this period amounted to \$7.6 million, of which \$800,000 comprised amounts apportioned among Member States which had stated they did not intend to pay. For the period 25 October 1973 to 24 October 1979, the balance due from Member States in respect of UNDOF and UNEF was \$67.8 million, of which only \$13.3 million could

⁹See Y.U.N., 1973, p. 222, resolution 3101(XXVIII) of 11 December 1973.

¹⁰See Y.U.N., 1979, p. 317.

be considered collectable. No voluntary contributions had been made in response to the Assembly's 1979 appeal for voluntary contributions to UNDOF both in cash and in the form of services and supplies."

The shortfall of previous periods of UNDOF together with UNEF was estimated at \$54.5 million. This situation placed a heavy burden on the troop contributors, as payments to them had not been made in time and they had not been reimbursed fully in accordance with agreed rates.

Introducing the text of what became resolution 35/45 A, Canada, on behalf of 12 sponsors (Argentina, Australia, Austria, Canada, Colombia, Denmark, Finland, Ghana, Ireland, Norway, Panama, Sweden), explained that the formula for the financing of UNDOF was essentially the same as that approved by the Assembly in 1978¹² and 1979.¹³ That formula was based on a procedure separate from that applied to meet expenditures under the regular budget. It was characterized by the creation of a special category of States which contributed to the financing of the peace-keeping forces, account being taken of the special responsibilities of the permanent members of the Security Council and of the need for the economically more developed countries to provide a larger share of contributions. The sponsors of the resolution were fully aware of the fact that the measures currently being proposed for the third consecutive year had originally been measures of an exceptional and provisional character, to be applied pending a permanent solution.

Canada, Japan and the United States expressed deep concern about the status of contributions to the United Nations peace-keeping forces. Canada stated that the withholding of contributions had for several years hindered the effective functioning of United Nations peace-keeping operations and had contributed to the cumulative deficit. The sponsors firmly believed that such operations were the physical embodiment of the Organization's *raison d'être* and that it was essential and urgent to find a solution to the crucial problem of the withholding of contributions.

Norway, speaking on behalf of the Nordic countries, stressed the fundamental role of United Nations peace-keeping operations in maintaining international peace and security and implementing the principles of the Charter of the United Nations. In Norway's view, all Member States had an obligation to share equitably in financing those operations. Norway considered it of vital importance that a solution to the financial problems be found and that the troop contributors be assured that they would be reimbursed.

Albania, Iraq and the Syrian Arab Republic restated positions previously expressed with respect to the financing of UNDOF and said they would vote against the resolution and not accept any consequential financial obligation. The Syrian Arab Republic asked whether some Member States were not violating the Charter when they refused to compel the aggressor to withdraw, thus themselves becoming the origin of all the expenditure which they later had to meet. Iraq felt unable to endorse the existence of UNDOF since it held that the aggressor alone should bear the responsibility for its aggression.

China, reaffirming the position it had previously taken with respect to UNDOF financing, announced that it would neither take part in the vote nor accept any consequential financial obligation.

Democratic Yemen, which abstained in the voting, and Viet Nam, which announced that it would not vote, also said they would accept no such obligation. The Congo stated that it would abstain, as economic difficulties prevented it from responding favourably to the call of the United Nations. The Libyan Arab Jamahiriya explained that in accordance with its position of principle it would not take part in the vote.

The USSR said it abstained in the vote as it could not approve the excessive amount to be spent for the Force.

The Assembly took another action aimed at making additional funds available to UNDOF by adopting resolution 35/45 B on 1 December by a recorded vote of 91 to 14, with 8 abstentions. The Fifth Committee had approved the text on 28 November by a recorded vote, requested by the USSR, of 82 to 13, with 5 abstentions.

By this resolution, the Assembly suspended certain provisions of the Financial Regulations of the United Nations so as to enable the United Nations to retain the unspent portion of 1979 appropriations for UNDOF, amounting to \$6,825,999 as at 31 December 1979, which otherwise would have had to be surrendered as a credit against subsequent assessments of Member States. By the preamble to this resolution, the Assembly recognized that, in consequence of the withholding of contributions by certain Member States, the surplus balance in the UNEF/UNDOF account had been fully drawn upon to supplement the income received from contributions for meeting the expenses of those Forces. Applying the rules in this case, it added, would aggravate the already difficult financial situation.

¹¹ Ibid., p. 348, section IV of resolution 34/7 C of 3 December 1979.

¹² See Y.U.N., 1978, p. 321, resolution 33/13 D of 8 December 1978.

¹³ See Y.U.N., 1979, p. 347, resolution 34/7 C of 3 December 1979.

The Assembly also decided that this amount was to be entered in the account which it had created in 1978 when it had taken a similar action for the first time.¹⁴ The new amount was to be held in suspense pending a further decision.

Resolution 35/45 B was sponsored by Argentina, Australia, Austria, Canada, Colombia, Denmark, Finland, Ghana, Ireland, Norway, Panama and Sweden.

The Advisory Committee, noting in its report on UNDOF financing that this "surplus" balance had been fully drawn upon to meet the expenses of the Force, said the \$6,825,999 should be regarded as no more than a theoretical surplus.

On a recommendation of the Fifth Committee, the Assembly on 1 December also adopted, without vote, decision 35/416. The Assembly thereby decided that the special financial period of UNDOF should be from 25 October 1979 to 30 November 1980 and that any future periods should run from 1 December for 12 months. The Fifth Committee approved the decision without objection on 28 November. It acted on a suggestion by its Chairman following a proposal submitted by the Secretary-General.

Financing of the United Nations Interim Force in Lebanon

The General Assembly, by resolution 35/115 A of 10 December 1980, appropriated funds covering the two extensions of the UNIFIL mandate approved by the Security Council for 1980—from 19 December 1979 to 18 June 1980 and from 19 June to 18 December 1980. For each six-month mandate, appropriations totalled \$64,602,996 gross (\$64,059,996 net of staff assessment).

By this resolution, the Assembly authorized the Secretary-General to enter into financial commitments for UNIFIL should the Council continue the Force beyond the existing mandate. This authorization covered the period from 19 December 1980 to 18 December 1981, at a monthly expenditure rate not to exceed \$12,180,500 gross (\$12,060,166 net). (The Council, on 17 December 1980, renewed the Force's mandate until 19 June 1981; see preceding subchapter.)

The Assembly reiterated its invitation to Member States to make voluntary contributions. It also approved provisions relating to the apportionment of expenses among all Member States according to the special scale for peace-keeping operations, and the inclusion of Saint Lucia among the States assessed at the lowest rate (see the introduction to this subchapter).

Resolution 35/115 A was sponsored in the Fifth Committee by Australia, Canada, Denmark, Fiji, Finland, Ghana, Ireland, Italy, Lebanon, Nepal, the Netherlands, Nigeria, Norway,

Panama, Senegal and Sweden, as the first part of a two-part draft resolution. The other part—resolution 35/115 B—concerning suspension of certain provisions of the United Nations Financial Regulations in respect of the "surplus" balance of \$2,173,113, to be entered in a special UNIFIL account, was similar to resolution 35/45 B on UNDOF, already adopted by the Assembly (see preceding section).

The Fifth Committee approved the two parts together on 6 December by a recorded vote, taken at the request of the USSR, of 80 to 13, with 3 abstentions. The Assembly adopted resolution 35/115 A by a recorded vote of 89 to 12, with 1 abstention. It adopted resolution 35/115 B on 10 December by a recorded vote of 88 to 12, with 2 abstentions.

The authorization for the year beginning 19 December 1980 amounted to \$3.9 million less than the \$66,847,000 which the Secretary-General had estimated for the six months to 18 June 1981, based on an average Force strength of 6,000 troops. The \$3.9 million reduction was recommended by ACABQ, which did not apply it to any particular item of expenditure but considered that strict attention to economy and efficiency should result in savings. The Advisory Committee noted that estimates of miscellaneous income had not been provided in the Secretary-General's report, and recommended that future estimates for the Force take this element into account.

As to the status of contributions, the Secretary-General reported that the shortfall attributed to Member States that had stated they did not intend to pay for UNIFIL had risen from \$52.4 million in 1979 to \$84.1 million as at 30 September 1980, out of the \$345.8 million in assessments of Member States from the inception of the Force on 19 March 1978 to 18 December 1980. The shortfall posed a serious financial management problem. Payments due to the troop-contributing countries had never been made on time and were falling further behind. Troop contributors, which had not been currently and fully reimbursed in accordance with agreed rates, had conveyed their serious concern over the heavy burden this placed on their Governments.

In response to a resolution of 17 December 1979, by which the Assembly had established a Suspense Account to be funded through voluntary cash contributions to supplement the regular Special Account for UNIFIL¹⁵ voluntary contributions totalling only \$1,200 had been received. So far, the Secretary-General noted, the Suspense Account had not achieved its purpose of alleviating the financial burden on the troop contributors.

¹⁴ See Y.U.N., 1978, p. 323, resolution 33/13 E of 14 December 1978.

¹⁵ See Y.U.N., 1979, p. 352, resolution 34/9 D.

The Advisory Committee was informed by representatives of the Secretary-General that the audited accounts for the biennium 1978-1979 indicated for the UNIFIL Special Account a "surplus" balance of \$2,173,113 as at 31 December 1979. This balance represented excess of income over expenditure and consisted of unencumbered balance of appropriations plus interest and miscellaneous credits. The income included assessed contributions, irrespective of whether they could be collected or not. As certain Member States had withheld their contributions, the surplus balance had been drawn upon in full to supplement the income received for meeting the expenses of the Force. The balance of \$2,173,113, therefore, could be considered no more than a theoretical surplus.

Ireland, in introducing the draft resolutions on behalf of the sponsors, said it had always valued the peace-keeping role of the United Nations, and for that reason had contributed troops to almost every peace-keeping operation since 1958. The withholding of contributions, in its view, not only contravened the obligation imposed by the United Nations Charter, but transferred the financial burden to the States contributing troops, in particular the developing States. It could also undermine the principle of equitable geographical distribution in the peace-keeping forces. As less developed countries had a relatively limited capacity to contribute towards peace-keeping operations, the permanent members of the Security Council had a special responsibility.

During discussion in the Fifth Committee, Lebanon stated that the attitude of Member States withholding contributions was a matter of grave concern. Lebanon had suffered in particular from a special kind of violence which arose from the way in which the United Nations had handled the problem of Palestine since the adoption in 1947 of an Assembly resolution on the partition of Palestine.¹⁶ The Member States which had participated in the vote on that resolution, and to which the current tragedy in Lebanon could largely be ascribed, bore a heavy responsibility. For that reason, their support of UNIFIL was certainly a step in the right direction. Pursuant to the Security Council's decision of 19 March 1978,¹⁷ the function of UNIFIL was also to assist the Government of Lebanon in ensuring the return of its effective authority. Therefore, the political aspect could not be separated from the financial aspect. Lebanon feared that refusal to participate in the financing of UNIFIL might imply an erosion of moral and political support for the Force, with serious consequences for Lebanon and for peace in the Middle East.

The United States made a special appeal to Member States withholding their assessed contributions to reconsider their positions, and called upon those which were in arrears to pay their contributions expeditiously. In its view, non-payment might not only threaten the participation of troop-contributing States which could not afford the financial sacrifice involved in providing troops without adequate reimbursement, but was also incompatible with Charter principles.

The USSR stated that, in accordance with its position of principle that all expenses connected with the elimination of consequences of the Israeli aggression should be borne by the aggressor, it would vote against the draft resolutions and also in future would not participate in the financing of UNIFIL. Similar positions were reiterated by Afghanistan, Albania, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Iraq, Mongolia, Poland and the Syrian Arab Republic. Algeria, Benin, China and the Libyan Arab Jamahiriya declared that, for reasons of principle, they would not participate in the voting.

Israel said that peace-keeping operations could not be a substitute for the peaceful settlement of disputes. All Member States were duty-bound to pay their assessed share of the costs of peace-keeping operations whether or not they agreed with them. It added that it was unfortunate that some Members continued to use the Fifth Committee as a forum for unwarranted political attacks on Israel.

Review of reimbursement rates to troop contributors

By resolution 35/44, adopted on 1 December 1980 by a recorded vote of 89 to 13, with 10 abstentions, the General Assembly decided to establish new standard rates of reimbursement to the Governments of troop-contributing States of \$950 per man-month for all ranks, plus \$280 per man-month for a limited number of specialists, with effect from 1 December in the case of UNDOF and from 19 December in the case of UNIFIL, should the Security Council extend their mandates.

The Fifth Committee had, on 28 November, by a recorded vote of 79 to 13, with 8 abstentions, approved the text of this resolution, which was sponsored by 22 States (see DOCUMENTARY REFERENCES below).

As requested by the Assembly in 1979,¹⁸ the Secretary-General, on 11 November 1980, sub-

¹⁶ See Y.U.N., 1947-48, p. 247, resolution 181 A (II) of 29 November 1947.

¹⁷ See Y.U.N., 1978, p. 312, resolution 425 (1978).

¹⁸ See Y.U.N., 1979, p. 354, resolution 34/166 of 17 December 1979.

mitted a report reviewing the existing rates of reimbursement to troop-contributing States, with a view to ensuring equitable rates. The Secretary-General recalled that in 1974 the Assembly had established standard rates for UNEF and UNDOF.¹⁹ These were revised in 1977,²⁰ and in 1978 were applied to UNIFIL.²¹

In 1980, four States contributed troops to UNDOF, while 11 contributed to UNIFIL. The troop contributors had pointed out that they were absorbing on the average 60 per cent-some over 70 per cent-of the cost of their contingents. The average cost in 1980 ranged between \$1,201 and \$3,341 per man-month. Inflation had averaged 25 per cent in 11 of the troop-contributing countries and currency fluctuations had resulted in a decrease in the United States dollar value (the currency in which the reimbursement rates were set). The troop contributors had stated that there was a demonstrable requirement for a substantial increase in the standard rates.

In view of this situation, the Secretary-General suggested new reimbursement rates at \$950 per man-month, plus \$280 per man-month for specialists. The new rate would cover up to 81 per cent of the cost of the troop contributor reporting the lowest expenditure, 31 per cent of the highest and 49 per cent of the average of the troop contributors. Based on an average strength of 1,275 men for UNDOF and 6,000 for UNIFIL, the additional cost would be, respectively, \$4,324,000 and \$20,272,000 on an annual basis. In its report of 22 November, ACABQ endorsed the Secretary-General's recommendations.

Ireland, which introduced the draft resolution in the Fifth Committee, stated that countries contributing troops to the peace-keeping forces, in a desire to contribute to the achievement of the purposes and principles of the Charter, should receive fair and reasonable compensation;

the standard rates established three years earlier did not meet that purpose. Norway, speaking on behalf of the Nordic countries, said that States contributing troops would inevitably have to absorb progressively higher proportions of their costs, due to inflation. Developments in that field should be closely monitored in order to ensure timely adjustment of reimbursement rates.

The United States considered the increases proposed by the Secretary-General, \$270 and \$80 per man-month, in excess of the figures which in its view would be appropriate at the time, namely \$250 and \$64. Panama said in explanation of vote that it supported the resolution as it regarded peace-keeping as one of the principal functions of the United Nations; the new rates should apply for all United Nations peace-keeping forces, both present and future.

Poland stated that its decision to vote for the resolution should in no way be regarded as changing its position on the United Nations peace-keeping forces in the Middle East. The USSR voted against the resolution, regarding the sums requested as excessive; it could not approve a further increase in reimbursement rates that were already unjustifiably high. The Congo said that because of its economic crisis it would abstain. Democratic Yemen, which abstained in the voting, and Viet Nam, which did not vote, reiterated that they would accept no consequential financial obligation. For reasons of principle, Benin and the Libyan Arab Jamahiriya said they would not take part in the vote, and Iraq announced that it would vote against.

¹⁹See Y.U.N., 1974, p. 216, resolution 3211 B (XXIX) of 29 November 1974.

²⁰See Y.U.N., 1977, p. 281, decision 32/416 of 2 December 1977.

²¹See Y.U.N., 1978, p. 324, section I of resolution S-8/2 of 21 April 1978.

Documentary references, voting details and texts of resolutions

Financing of the United Nations Disengagement Observer Force

General Assembly- 35th session
Fifth Committee, meetings 36-39.
Plenary meeting 76.

A/35/585 and Corr.I-3. Report of Secretary-General.
A/35/653. Report of ACABQ, Chapter I.

A/C.5/35/L.23. Argentina, Australia, Austria, Canada, Colombia, Denmark, Finland, Ghana, Ireland, Norway, Panama, Sweden: draft resolution, as completed by Fifth Committee Secretary, approved by Committee on 28 November, meeting 39, as follows:

part A, by recorded vote of 85 to 4, with 12 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Burma,

Burundi, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Haiti, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Malawi, Malaysia, Mali, Mauritania, Mexico, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Cameroon, United States, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Albania, Iraq, Syrian Arab Republic, Yemen

Abstaining: Afghanistan, Algeria, Bulgaria, Byelorussian SSR, Congo, Czechoslovakia, Democratic Yemen, German Democratic Republic, Hungary, Mongolia, Ukrainian SSR, USSR;

parts A and B together, without vote.

A/35/667 and Corr.1. Report of Fifth Committee (part I). draft resolution II A.

Resolution 35/45 A, as recommended by Fifth Committee, A/35/667 and Corr.1, adopted by Assembly on 1 December 1980, meeting 76, by recorded vote of 93 to 5, with 15 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Comoros, Denmark, Egypt, Ethiopia, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Iceland, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kuwait, Lebanon, Lesotho, Luxembourg, Madagascar, Malaysia, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia, Zimbabwe

Against: Albania, Angola.^a Grenada, Iraq, Syrian Arab Republic

Abstaining: Algeria, Bulgaria, Byelorussian SSR, Congo, Cuba, Czechoslovakia, German Democratic Republic, Guinea-Bissau, Hungary, Malawi,^b Maldives, Mongolia, Ukrainian SSR, USSR, Yemen.

^a Subsequently advised the Secretariat that it had intended to abstain.

^b Subsequently advised the Secretariat that it had intended to vote in favour.

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 resolutions 350(1974) of 31 May 1974, 363(1974) of 29 November 1974, 369(1975) of 26 May 1975, 361(1975) of 30 November 1975, 390(1976) of 28 May 1976, 396(1976) of 30 November 1976, 406(1977) of 26 May 1977, 420(1977) of 30 November 1977, 429(1978) of 31 May 1978, 441(1978) of 30 November 1978, 449(1979) of 30 May 1979, 456(1979) of 30 November 1979, 470(1980) of 30 May 1980 and 481(1980) of 26 November 1980,

Recalling its resolutions 3101(XXVIII) of 11 December 1973, 3211 B (XXIX) of 29 November 1974, 3374 C (XXX) of 2 December 1975, 31/5 D of 22 December 1976, 32/4 C of 2 December 1977, 33/13 D of 8 December 1978, 34/7 C of 3 December 1979 and 35/44 of 1 December 1980,

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

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,

I

Decides to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of \$12,577,996 gross (\$12,462,000 net) authorized and apportioned by section III of Assembly resolution 34/7 C for the operation of the United Nations Disengagement Observer Force for the period from 1 June to 30 November 1980 inclusive;

II

1. Decides to appropriate to the Special Account an amount of \$14,959,250 for the operation of the United Nations Disengagement Observer Force for the period from 1 December 1980 to 31 May 1981 inclusive;

2. Decides further, as an ad hoc arrangement, without prejudice to the positions of principle that may be taken by Member States in any consideration by the General Assembly of arrangements for the financing of peace-keeping operations:

(a) To apportion an amount of \$8,722,739 for the above-mentioned six-month period among the Member States referred to in paragraph 2 (a) of General Assembly resolution 3101 (XXVIII) in the proportions determined by the scale of assessments for the years 1980, 1981 and 1962;

(b) To apportion an amount of \$5,875,993 for the above-mentioned six-month period among the Member States referred to in paragraph 2 (b) of resolution 3101 (XXVIII) and section II, paragraph 2 (b), of resolution 3374 C (XXX), in the proportions determined by the scale of assessments for the years 1980, 1981 and 1962;

(c) To apportion an amount of \$354,534 for the above-mentioned six-month period among the Member States referred to in paragraph 2 (c) of resolution 3101 (XXVIII), section II, paragraph 2 (c), of resolution 3374 C (XXX) and section V, paragraph 1, of resolution 33/13 D, in the proportions determined by the scale of assessments for the years 1980, 1981 and 1962;

(d) To apportion an amount of \$5,984 for the above-mentioned six-month period among the Member States referred to in paragraph 2 (d) of resolution 3101 (XXVIII), section V, paragraph 1, of resolution 3374 C (XXX), section V, paragraph 1, of resolution 31/5 D, section V, paragraph 1, of resolution 32/4 C, section V, paragraph 1, of resolution 33/13 D and section V, paragraph 1, of resolution 34/7 C, in the proportions determined by the scale of assessments for the years 1980, 1981 and 1962;

3. Decides 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 2 of the present section, their respective share in the Tax Equalization Fund of the estimated staff assessment income of \$157,500 approved for the period from 1 December 1980 to 31 May 1981 inclusive;

III

Authorizes the Secretary-General to enter into commitments for the United Nations Disengagement Observer Force at a rate not to exceed \$2,493,206 gross (\$2,466,958 net) per month for the period from 1 June to 30 November 1981 inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 481(1980), the said amount to be apportioned among Member States in accordance with the scheme set out in the present resolution:

IV

1. 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;

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

V

1. Decides that Saint Lucia shall be included in the group of Member States mentioned in paragraph 2 (d) of General Assembly resolution 3101 (XXVIII) and that its contributions to the United Nations Disengagement Observer Force shall be calculated in accordance with the provisions of paragraphs 3 and 4 of Assembly resolution 35/11 A of 3 November 1980;

2. Decides further that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the United Nations Disengagement Observer Force until 30 November 1980 of the Member State referred to in paragraph 1 of the present section shall be treated as miscellaneous income to be set off against the appropriations apportioned in section II above.

A/C.5/35/L.23. Argentina, Australia, Austria, Canada, Colombia, Denmark, Finland, Ghana, Ireland, Norway, Panama, Sweden: draft resolution, as completed by Fifth Committee Secretary, approved by Committee on 28 November, meeting 39, as follows:

part 8, by recorded vote of 82 to 13, with 5 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Burma, Burundi, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guyana, Haiti, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Malawi, Malaysia, Mali, Mauritania, Mexico, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Cameroon, United States, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Afghanistan, Albania, Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Iraq, Mongolia, Syrian Arab Republic, Ukrainian SSR, USSR, Yemen

Abstaining: Algeria, Congo, Democratic Yemen, Guinea, Romania;

parts A and B together, without vote.

A/35/667 and Corr.1. Report of Fifth Committee (part I), draft resolution II B.

Resolution 35/45 B, as recommended by Fifth Committee, A/35/667 and Corr.1, adopted by Assembly on 1 December 1980, meeting 76, by recorded vote of 91 to 14, with 8 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Comoros, Denmark, Egypt, Ethiopia, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Iceland, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kuwait, Lebanon, Lesotho, Luxembourg, Madagascar, Malaysia, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and

Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia, Zimbabwe

Against: Albania, Angola, Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, German Democratic Republic, Grenada, Hungary, Iraq, Mongolia, Syrian Arab Republic, Ukrainian SSR, USSR

Abstaining: Algeria, Congo, Guinea, Guinea-Bissau, Malawi,^a Maldives, Romania, Yemen.

^a Subsequently advised the Secretariat that it had intended to vote in favour.

The General 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,

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 is continuing to face growing difficulties in meeting the obligations of the Forces on a current basis, particularly those due to the Governments of troop-contributing States,

Recalling its resolutions 33/13 E of 14 December 1978 and 34/7 D of 17 December 1979,

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,

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 \$6,825,999, 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 33/13 E and held in suspense until a further decision is taken by the Assembly.

A/35/585 and Corr.1-3. Report of Secretary-General, Chapter VI (para. 13 (c)).

A/35/585 and Corr.1-3, Chapter V. Proposal by Secretary-General, approved, following suggestion by Fifth Committee Chairman, without objection by Committee on 28 November, meeting 39.

A/35/667 and Corr.1. Report of Fifth Committee (part I), draft decision.

Decision 35/416, as recommended by Fifth Committee, A/35/667 and Corr.1, adopted without vote by Assembly.

At its 76th plenary meeting, on 1 December 1980, the General Assembly, on the recommendation of the Fifth Committee, decided that the special financial period of the United Nations Disengagement Observer Force should be from 25 October 1979 to 30 November 1980 inclusive and, thereafter, in line with the mandate periods of the Force thus far, should be for twelve-month periods beginning on 1 December of one year and ending on 30 November of the next, should its mandate be extended by the Security Council.

Financing of the United Nations Interim Force in Lebanon

General Assembly- 35th session
Fifth Committee, meetings 46-48.
Plenary meeting 89.

A/35/613 and Corr.1. Report of Secretary-General.

A/35/668. Report of ACABQ.

A/C.5/35/L.29. Australia, Canada, Denmark, Fiji, Finland, Ghana, Ireland, Italy, Lebanon, Nepal, Netherlands, Nigeria, Norway, Panama, Senegal, Sweden: draft resolution, approved (parts A and B together) by Fifth Committee on 6 December, meeting 48, by recorded vote of 80 to 13, with 3 abstentions, as follows:

In favour: Argentina, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bolivia, Brazil, Burundi, Canada, Central African Republic, Chad, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guyana, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Madagascar, Malawi, Malaysia, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia

Against: Afghanistan, Albania, Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Iraq, Mongolia, Poland, Syrian Arab Republic, Ukrainian SSR, USSR

Abstaining: Congo, Guinea, Yemen.

A/35/667/Add.1. Report of Fifth Committee (part II), draft resolution A.

Resolution 35/115 A, as recommended by Fifth Committee, A/35/667/Add.1, adopted by Assembly on 10 December 1980, meeting 89, by recorded vote of 89 to 12, with 1 abstention, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Afghanistan, Albania, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Grenada, Hungary, Mongolia, Poland, Syrian Arab Republic, Ukrainian SSR, USSR

Abstaining: Congo.

The General Assembly,
Having considered the report of the Secretary-General on the financing of the United Nations Interim Force in Lebanon,

as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

Bearing in mind Security Council resolutions 425(1978) and 426(1978) of 19 March 1978, 427(1978) of 3 May 1978, 434(1978) of 18 September 1978, 444(1979) of 19 January 1979, 450(1979) of 14 June 1979, 459(1979) of 19 December 1979 and 474(1980) of 17 June 1980,

Recalling its resolutions S-8/2 of 21 April 1978, 33/14 of 3 November 1978, 34/9 B of 17 December 1979 and 35/44 of 1 December 1980,

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 peace-keeping operations decided upon in accordance with the Charter of the United Nations,

I

Decides to appropriate to the Special Account referred to in section I, paragraph 1, of General Assembly resolution S-8/2 an amount of \$64,602,996 gross (\$64,059,996 net), being the amount authorized and apportioned under the provisions of section III of Assembly resolution 34/9 B for the operation of the United Nations Interim Force in Lebanon from 19 December 1979 to 18 June 1980 inclusive;

II

Decides to appropriate to the Special Account referred to in section I, paragraph 1, of General Assembly resolution S-8/2 an amount of \$64,602,996 gross (\$64,059,996 net), being the amount authorized and apportioned under the provisions of section III of Assembly resolution 34/9 B for the operation of the United Nations Interim Force in Lebanon from 19 June to 18 December 1980 inclusive;

III

Authorizes the Secretary-General to enter into commitments for the United Nations Interim Force in Lebanon at a rate not to exceed \$12,180,500 gross (\$12,060,166 net) per month for the period from 19 December 1980 to 18 December 1981 inclusive, should the Security Council decide to continue the Force beyond the period of six months authorized under its resolution 474(1980) of 17 June 1980, the said amount to be apportioned among Member States in accordance with the scheme set out in Assembly resolution 33/14 and the provisions of section V, paragraph 1, of resolution 34/9 B, in the proportions determined by the scale of assessments for the years 1980, 1981 and 1982;

IV

1. *Renews its invitation* to Member States 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;

2. *Invites* Member States to make voluntary contributions in cash to the Suspense Account established in accordance with its resolution 34/9 D of 17 December 1979;

V

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

VI

1. *Decides* that Saint Lucia shall be included in the group of Member States mentioned in section I, paragraph 2 (d). of

General Assembly resolution S-8/2 and that its contributions to the United Nations Interim Force in Lebanon shall be calculated in accordance with the provisions of paragraphs 3 and 4 of Assembly resolution 35/11 A of 3 November 1980;

2. Decides further that, in accordance with regulation 5.2 (c) of the Financial Regulations of the United Nations, the contributions to the United Nations Interim Force in Lebanon until 18 December 1980 of the Member State referred to in paragraph 1 of the present section shall be treated as miscellaneous income to be set off against the apportionments authorized in section III above.

A/35/687/Add.1. Report of Fifth Committee (part II), draft resolution B.

Resolution 35/115 B, as recommended by Fifth Committee, A/35/667/Add.1, adopted by Assembly on 10 December 1980, meeting 89, by recorded vote of 88 to 12, with 2 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mauritius, Mexico, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Afghanistan, Albania, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Grenada, Hungary, Mongolia, Poland, Syrian Arab Republic, Ukrainian SSR, USSR

Abstaining: Congo, Romania.

The General 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 7 of the report of the Advisory Committee on Administrative and Budgetary Questions,

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,

Concerned that the Secretary-General is continuing to face growing difficulties in meeting the obligations of the United Nations Interim Force in Lebanon on a current basis, particularly those due to the Governments of troop-contributing States,

Recalling its resolution 34/9 E of 17 December 1979,

Recognizing that, in consequence of the withholding of contributions by certain Member States, 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 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.

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 \$2,173,113.

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 end held in suspense until a further decision is taken by the Assembly.

Review of reimbursement rates to troop contributors

General Assembly- 35th session
Fifth Committee, meetings 36-39.
Plenary meeting 76.

A/35/653. Report of ACABQ, Chapter II.

A/C.5/35/38. Report of Secretary-General.

A/C.5/35/L.22. Argentina, Australia, Austria, Canada, Denmark, Egypt, Fiji, Finland, France, Ghana, Indonesia, Ireland, Italy, Lebanon, Nepal, Netherlands, Nigeria, Norway, Peru, Senegal, Sweden, Uganda: draft resolution, approved by Fifth Committee on 28 November, meeting 39, by recorded vote of 79 to 13, with 8 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Brazil, Burma, Burundi, Canada, Central African Republic, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guyana, Haiti, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Kuwait, Lebanon, Malawi, Malaysia, Mali, Mauritania, Mexico, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Rwanda, Senegal, Singapore, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Cameroon, United States, Venezuela, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Afghanistan, Albania, Bulgaria, Byelorussian SSR, Czechoslovakia, German Democratic Republic, Hungary, Iraq, Mongolia, Syrian Arab Republic, Ukrainian SSR, USSR, Yemen

Abstaining: Algeria, Congo, Democratic Yemen, Guinea, Romania, Saudi Arabia, Suriname, Tunisia.

A/35/667 end Corr.1. Report of Fifth Committee (part I), draft resolution I.

Resolution 35/44, as recommended by Fifth Committee, A/35/667 end Corr.1, adopted by Assembly on 1 December 1980, meeting 76, by recorded vote of 89 to 13, with 10 abstentions, as follows:

In favour: Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Comoros, Denmark, Egypt, Ethiopia, Fiji, Finland, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Guinea, Iceland, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kuwait, Lebanon, Lesotho, Luxembourg, Malaysia, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Turkey, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia, Zimbabwe

Against: Albania, Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, German Democratic Republic, Grenada, Hungary, Iraq, Mongolia, Syrian Arab Republic, Ukrainian SSR, USSR

Abstaining: Algeria, Congo, Guinea-Bissau, Madagascar, Malawi,^a Maldives, Romania, Sao Tome and Principe, Tunisia, Yemen.

^a Subsequently advised the Secretariat that it had intended to vote in favour.

The General Assembly,

Having considered the report of the Secretary-General on the review of the rates of reimbursement to the Governments of troop-contributing States, submitted pursuant to General Assembly resolution 34/166 of 17 December 1979, as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,

Recalling its decision of 29 November 1974, taken at its twenty-ninth session, by which it established, as from 25 October 1973, standard rates of reimbursement to the Governments of troop-contributing States for pay and allowances of their troops serving in the United Nations Emergency Force and the United Nations Disengagement Observer Force, and its decision 32/416 of 2 December 1977, by which it revised those rates of reimbursement as from 25 October 1977,

Recalling also its resolution S-8/2 of 21 April 1978, by which it applied the same standard rates of reimbursement in effect for the United Nations Emergency Force and the United Nations Disengagement Observer Force to those Govern-

ments of States contributing troops to the United Nations Interim Force in Lebanon,

Recognizing that inflation and escalating troop costs have adversely affected in real terms the existing standard rates of reimbursement,

Mindful of the need for ensuring an equitable rate of reimbursement to the Governments of troop-contributing States,

Decides to establish new standard rates of reimbursement to the Governments of troop-contributing States of \$950 per man per month for all ranks plus \$280 per man per month for a limited number of specialists (up to 25 per cent of logistics contingents and up to 10 per cent of other contingents), with effect from 1 December 1980 in the case of the United Nations Disengagement Observer Force and from 19 December 1980 in the case of the United Nations Interim Force in Lebanon, should the Security Council decide to extend their mandates.

Other documents

ST/ADM/SER.B/248. Status of contributions as at 30 June 1980, Annexes IV-VI.

ST/ADM/SER.B/249. Assessment of Member States' contributions for financing of UNDOF from 1 June 1980 to 31 May 1981, inclusive.

ST/ADM/SER.8/251 and Corr.1. Assessment of Member States' contributions for financing of UNIFIL from 19 June 1980 to 18 June 1981, inclusive.

Search for a peaceful settlement

Situation in the Middle East

Communications

Throughout 1980, the Secretary-General and the President of the Security Council received communications concerning the situation in the Middle East.

In letters dated 25 January, 5 and 11 February, 24 June, 11 and 25 August, 27 October and 28 November, Israel submitted complaints of acts of terrorism by the Palestine Liberation Organization (PLO), in which bombs and explosive devices had been placed or detonated in public places such as beaches, markets and bus stations, killing a number of civilians and wounding many others, among them women and children.

By a letter of 9 June, Israel charged that PLO terrorists had attempted on 7 June to enter Israel from Jordan, 12 miles south of the Dead Sea. In two letters, dated 16 and 19 June, Israel charged that on 16 June a rubber dinghy had entered Israel's coastal waters from the north and was intercepted some three miles south of its border with Lebanon. In an exchange of fire, the three PLO terrorists aboard, dispatched to carry out acts of terror in Israel, had been killed by a navy patrol.

Israel further charged, in a letter dated 29 July, that on 27 July in Antwerp, Belgium, one child had been killed and 17 other people wounded when grenades were hurled at a group of 40 Jewish children, and that the Popular Front for the Liberation of Palestine had taken

responsibility for the attack. By a letter of 7 October, Israel charged that PLO claimed credit for a variety of incidents in Israel, ranging from industrial accidents to gas explosions in private homes. On 5 October, a home-made bomb had exploded during a domestic quarrel in Givatayim near Tel Aviv, killing three persons and wounding six others. The PLO's reaction to these incidents illustrated its eagerness to be associated with any calamity in Israel, the Israeli letter said.

By two letters, dated 2 and 8 April, Israel transmitted a photocopy of an article of 11 February from the publication *El Mundo* in Caracas, Venezuela, in which Yassir Arafat, Chairman of PLO, was alleged to have stated that the destruction of Israel was the goal of PLO's struggle. On 18 April, Tunisia transmitted a letter of 16 April from the Permanent Observer of PLO advising that Mr. Arafat had instructed him to inform the President of the Security Council that he had never given such an interview.

On 21 November, Israel transmitted excerpts from an article in *The New York Times Magazine* of 2 November, in which it was alleged that PLO served as a tool in international terrorism, supported by the USSR.

On 4 and 6 June, the Israeli representative transmitted excerpts from what he described as the political programme and resolutions adopted at the Fourth Congress of the al-Fatah organization, held at Damascus, Syrian Arab Republic,

at the end of May, and charged that they called for the destruction of Israel. On 14 August, he transmitted a photocopy, in the original Arabic, of the programme and resolutions.

By a letter of 5 May, Italy transmitted a declaration issued in Luxembourg on 28 April by the heads of State and Government and the Ministers for Foreign Affairs of the nine member States of the European Community, meeting as the European Council, dealing in part with the situation in the Middle East. The Community reiterated the view that only a comprehensive, just and lasting settlement could bring true peace to the Middle East.

On 16 June, Italy transmitted a declaration issued at Venice on 13 June by the European Council regarding the situation in the Middle East. The European Community members stated that the time had come to promote the recognition and implementation of the two principles universally accepted by the international community, namely, the right to existence and to security of all States in the region, including Israel, and justice for all the peoples, which implied recognition of the legitimate rights of the Palestinian people. As to Jerusalem, the nine countries stressed that they would not accept any unilateral initiative designed to change its status and that any agreement should guarantee freedom of access for everyone to the Holy Places. They also stressed the need for Israel to put an end to the territorial occupation which it had maintained since 1967, as it had done for part of Sinai, and expressed their conviction that the Israeli settlements constituted a serious obstacle to the peace process and were illegal under international law.

By a letter of 4 December, Luxembourg transmitted a statement issued at a meeting of the European Council in Luxembourg on 2 December. The statement confirmed that the principles of the Venice declaration incorporated the essential elements for a comprehensive, just and lasting settlement to be negotiated by the parties concerned. Consideration of those elements had resulted in the drafting of a report on the principal problems relating to a comprehensive settlement. The Council noted that various formulas aiming at giving substance to some of the Venice principles were possible. With a view to a more thorough exploration of those formulas and in the desire to encourage a climate more favourable to negotiations, the Council had laid down an action programme which included the establishment of new contacts with the parties concerned.

Report of the Secretary-General (24 October)

On 24 October 1980, the Secretary-General submitted to the General Assembly and the

Security Council a report on the situation in the Middle East, as called for by the Assembly on 6 December 1979.²² The Secretary-General gave an account of United Nations efforts to deal with various aspects of the situation, namely, the status of the cease-fire, the situation in the occupied territories, the Palestine refugee problem, Palestinian rights and the search for a peaceful settlement.

The Secretary-General reiterated his view that the main aspects of the Middle East problem were interdependent and could not be separated. A continuous and determined effort had therefore to be made to achieve a comprehensive settlement through negotiations involving all the parties concerned, including PLO. Any future solution of the problem, he added, would have to be based on: the right of all States in the area to live in peace within secure and recognized boundaries, free from threats or acts of force; the inalienable rights of the Palestinians, including their right to self-determination; and withdrawal from occupied territories. In that context, the question of Jerusalem was of primary importance and could not be solved through any unilateral decision. The Secretary-General continued to believe that the United Nations could do much to facilitate a settlement and hoped that it would play an increasingly important role in that vital endeavour.

Consideration by the General Assembly

The General Assembly discussed the situation in the Middle East at five plenary meetings held between 8 and 16 December. It heard the views of more than 50 Member States and, on 16 December, adopted resolution 35/207, by which it condemned the Israeli occupation, renewed its call for Israeli withdrawal and reaffirmed the inalienable national rights of the Palestinian people.

The debate reflected wide agreement that the current situation in the Middle East continued to pose a serious threat to world peace and stability. Almost all speakers considered the question of Palestine the central issue. In their opinion, the current unjust situation would continue to be fraught with potentially explosive elements of mistrust, tension and conflict, so long as there was no solution to the Palestine question.

Many Members reiterated the views that: Israel must withdraw from the territories it had occupied since 1967, including Jerusalem; the national rights of the Palestinian people, including their right to establish their own State, must be implemented; and the main aspects of the Middle East crisis were interdependent and

²² See Y.U.N., 1979, p. 375, resolution 34/70.

could not be separated, and hence the settlement of the crisis should be comprehensive and negotiations should be held with equal participation of all the parties, including PLO as the sole legitimate representative of the Palestinian people.

A number of representatives emphasized, at the same time, the right of all States in the area to an independent existence within secure and recognized boundaries. It was generally considered that a just and durable solution had to be found under the auspices of the United Nations, which had already established the necessary framework within the context of its resolutions.

Opening the debate, Israel said the discussion should not focus exclusively on one part of the region. The situation in the Middle East included other trouble spots such as the war in the Persian Gulf, the situation in Afghanistan and the armed stand-off between the Syrian Arab Republic and Jordan. Those situations and other factors, for instance the quantity of arms imported by many Arab countries and the nuclear development in Iraq and the Libyan Arab Jamahiriya, held grave implications for international peace and deserved the Assembly's urgent attention.

Jordan stated that the question of Palestine and the situation in the Middle East were inextricably intertwined. Jordan's position was based on decisions and resolutions adopted at recent Arab summit conferences. At the Eleventh Arab Summit Conference, held at Amman, Jordan, from 25 to 27 November, the Arab leaders had reiterated their total support for the struggle of the Palestinian people and their commitment to the liberation of Arab Jerusalem. In their view, Security Council resolution 242(1967) of 22 November 1967²³ was incompatible with Arab rights and did not constitute a sound basis for resolving the Middle East crisis, in particular the question of Palestine. Having reiterated their rejection of the Camp David accords, the Arab leaders had expressed their determination to confront and defeat those accords and to remove their consequences.

Luxembourg, on behalf of the nine member States of the European Community, reiterated the fundamental principles governing any global peace settlement in the Middle East, as set out in the declaration on the Middle East situation issued by the nine States at Venice on 13 June: the right to existence and to security of all States in the area and justice for all the peoples, which implied recognition of the legitimate rights of the Palestinian people. A comprehensive settlement to the Middle East problem must be based on Security Council resolutions 242(1967) and 338(1973).²⁴ Further, a solution must be found to the Palestinian problem, which was not simply a

refugee problem; the Palestinian people must be enabled to exercise the right to self-determination. The two principles must be the basis of negotiation leading to a settlement which presupposed the participation of all parties concerned, including PLO. As to the Camp David agreements, the nine States felt that they had not had the expected results in promoting a comprehensive settlement. One of the fundamental conditions of such a settlement was the ending of the Israeli occupation. The Community members were opposed to the settlement policies of the Israeli Government. Those policies and measures to change the demographic composition of the occupied territories, either by establishing settlements or enlarging existing ones, were illegal under international law. They were also opposed to Israel's initiatives to change the status of Jerusalem and expressed concern that legislation affecting the character and status of the Golan Heights was about to be considered by the Israeli parliament. Regarding recent events in Lebanon, the nine States had, by their 2 December statement, reaffirmed that Lebanon's unity, independence, sovereignty and territorial integrity remained an essential element of security and stability in the Middle East.

The USSR said the situation in the Middle East remained unsettled because of Israel's expansionist policy and its refusal to withdraw from all the Arab territories occupied in 1967. Israel could not have pursued such a policy without the support of the United States, which chose Israel as a channel for its own interests. The USSR had firmly and consistently favoured a political settlement on the basis of the relevant Council and Assembly decisions. A comprehensive settlement should embrace all the parties involved, including PLO, the sole legal representative of the Palestinian people. A Middle East settlement should recognize three interrelated elements ensuring: (1) the complete withdrawal of Israeli troops from all occupied Arab territories, including the eastern part of Jerusalem; (2) the right of the Arab people of Palestine to self-determination and to the establishment of their own independent State; and (3) the right of all States in the area involved in the conflict to an independent existence and security, with the necessary international guarantees. This approach determined the USSR attitude towards separate deals, like the Egyptian-Israeli treaty. The Camp David agreements had nothing in common with the establishment of a genuine and durable peace in the Middle East; they ran counter to the national interests of the peoples of

²³ See Y.U.N., 1967, p. 257, resolution 242(1967).

²⁴ See Y.U.N., 1973, p. 213, resolution 338(1973) of 22 October 1973.

that region. A just solution to the Palestinian problem, the USSR believed, could be achieved only in the context of an overall Middle East settlement based on the relevant decisions of the United Nations. The USSR supported the Security Council's censure of Israel's annexation of the eastern sector of Jerusalem (see p. 404) and affirmed that all actions taken by Israel to change the status of Jerusalem were invalid.

The representative of the Syrian Arab Republic said the purpose of Israel's policy of establishing settlements was ultimately the annexation of the occupied territories. His Government had alerted the international community to the dangerous implications of Israel's plan to consider a law declaring the annexation of the Golan Heights. The Syrian Arab Republic believed that the Security Council must take decisive action without delay to force Israel to implement the various resolutions of the Assembly which had defined the foundation of a just and lasting peace in the Middle East.

Egypt reiterated its view that any solution of the Middle East problem must be based on the right of all the States in the area to live in peace and security, on the right of the Palestinian people to self-determination without outside interference and on Israel's withdrawal from, above all, the Arab city of Jerusalem. Egypt accepted Council resolution 242(1967) which laid down a general framework for a settlement of the problem of the Middle East. In the Camp David agreements and the peace treaty with Israel, which were based on the principles of the United Nations Charter and on the provisions of Council resolutions 242(1967) and 338(1973), Egypt had, for the first time, managed to get from Israel a clear and binding commitment to allow the Palestinian people to exercise their legitimate rights. Until then, Israel had never recognized the existence of those people. Egypt was working patiently and hard for the restoration of their rights.

A number of States, including Algeria, Bulgaria, Democratic Yemen, the German Democratic Republic, Hungary and Pakistan, were critical of the Camp David accords as an appropriate framework for the solution of the Palestinian question. In Hungary's opinion, those accords were futile, since their ultimate aim was not the establishment of peace, but rather the creation of a new military alliance. The autonomy offered to the Palestinians within those agreements did not apply to the territory in which they lived, but only to the inhabitants, and therefore served only the rapid annexation of the occupied territories.

The German Democratic Republic said the at-

tempts to bring about a one-sided settlement, outside the framework of the United Nations and in violation of the Charter and United Nations decisions, were directed against the interests of the Arab people. The real intention behind the so-called autonomy talks was to perpetuate the Israeli occupation.

Algeria stated that the parties to the Camp David agreements were not qualified to settle a problem primarily of concern to the Palestinian people and its sole legitimate representative, PLO. The basic premise of those agreements represented a flagrant violation of the fundamental principles concerning the right to self-determination and independence and to the inadmissibility of the acquisition of territory by force.

The Lebanese representative expressed the view that the beginning of the solution to the Middle East question should be in Palestine itself. Meanwhile, he added, no people, including the people of Lebanon, could be allowed to continue to suffer for ever because it was convenient to use one country or another as a dumping pit for marginal wars and the products of war. Commenting on the United Nations peace-keeping operation, he said Lebanon considered resorting to the international community the surest way of attaining peace and security, provided that the Organization could restrain those who challenged its resolutions.

Almost all speakers emphasized that peace and stability in Lebanon were essential to the attainment of peace throughout the Middle East. A number of them, Japan, Portugal and Senegal for instance, deplored Israel's repeated attacks against southern Lebanon and demanded that they be halted.

Many countries, including Austria, Botswana, Brazil, Finland, India, Portugal, Romania, the United Republic of Cameroon and Zambia, expressed opposition to Israel's policies in the occupied territories.

Brazil voiced the views of many States when it said the problems and difficulties impeding the establishment of a global and peaceful settlement had been made even more serious by a number of Israeli initiatives. First, the consolidation of the settlement policy on the West Bank had changed the demographic and physical character of the area, in violation of Security Council resolutions and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. Second, Brazil continued, Israel's annexation of East Jerusalem and its unilateral declaration of Jerusalem as the Israeli capital did not offer encouragement for the solution of problems. Third, the reported intention to annex the Golan Heights, illegally occupied since 1967, would be an act of defiance

that would undermine the creation of an atmosphere of goodwill and conciliation. Fourth, Israel's repressive measures against West Bank Palestinians, such as the detention and deportation of the Mayors of Hebron and Halhul, could hardly be regarded as positive harbingers of Israel's willingness to coexist peacefully with its Palestinian neighbours. Finally, the military attacks against Lebanon must cease and its sovereignty and territorial integrity be safeguarded.

Indonesia noted that not long ago Israel had been saying that it had no territorial designs and that all it wanted was peace. Currently, however, it was claiming the occupied West Bank as historically its own. It had become unmistakably clear that Israel was aiming at the gradual annexation of the occupied territories through demographic, religious, economic and other means. Under those circumstances, Indonesia said, it was time for the Security Council to initiate measures in accordance with the provisions of Chapter VII of the Charter.²⁵ A similar suggestion was made by the Byelorussian SSR, Cuba, Saudi Arabia and the Sudan.

The PLO representative declared that his organization was a liberation movement carrying out a legitimate struggle based on the principles of the United Nations and the Universal Declaration of Human Rights.²⁶ Its armed struggle was a practical and humane contribution to the fight against Zionist terrorism. As to the Camp David agreements, PLO considered that partial solutions had merely complicated the crisis and rendered the situation even more explosive. Israeli aggression against the Palestinian people and against Lebanon had intensified. The autonomy plot that had come out of those agreements was nothing but a new way of imposing slavery on the Palestinian people and of maintaining Israeli occupation in the Palestinian homeland. Resolution 242(1967) was not a valid basis for a solution to the Middle East problem, whose very core was the problem of Palestine; PLO could not recognize a resolution which disregarded the inalienable rights of the Palestinian people.

Following the debate, the Assembly, on 16 December, voted on a draft resolution sponsored by Cuba, the German Democratic Republic, India, Indonesia, Mali, Pakistan, Viet Nam and Yugoslavia. Operative paragraph 8, calling for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries, was voted on separately and was approved by a recorded vote of 144 to 0. The text as a whole was adopted as resolution 35/207 by a recorded vote of 101 to 13, with 30 abstentions.

By other operative provisions of the resolution,

the Assembly condemned Israel's continued occupation of Palestinian and other Arab territories, renewed its call for Israel's immediate, unconditional and total withdrawal and reaffirmed its conviction that the question of Palestine was at the core of the Middle East conflict and that no comprehensive, just and lasting peace would be achieved without the full exercise by the Palestinian people of its inalienable national rights. It reaffirmed further that a just and comprehensive settlement could not be achieved without the participation on an equal footing of the parties to the conflict, including PLO. It declared that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under United Nations auspices, which ensured complete and unconditional withdrawal from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, and enabled the Palestinian people to exercise its inalienable rights to self-determination, national independence and establishment of its independent State in Palestine under the leadership of PLO.

The Assembly rejected all partial agreements and separate treaties which violated the recognized rights of the Palestinian people, and further reaffirmed its strong rejection of Israel's decision to annex Jerusalem, alter its physical character, demographic composition, institutional structure and status. The Assembly strongly condemned Israel's aggression against Lebanon and the Palestinian people as well as its practices in the occupied Palestinian and other Arab territories, particularly the Golan Heights, including annexation, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures.

In explanation of its vote against the resolution, the United States said that in its view the text was irrelevant to the search for a comprehensive peace as well as to a resolution of the Palestinian problem in all its aspects, for which Camp David had provided the most realistic and practical framework. A comprehensive settlement between Israel and its neighbours could only be negotiated in accordance with the principles of Security Council resolution 242(1967), the only agreed basis for peace. The United States rejected the approach which sought to undermine that resolution by ignoring one of its central provisions. It was unrealistic to expect Israel's withdrawal from the occupied territories without endorsing its right to live in peace within secure and recognized boundaries.

Reservations on paragraph 5 (rejecting partial

²⁵ For text of Chapter VII of the Charter, see APPENDIX II.

²⁶ See Y.U.N., 1948-49, p. 535, resolution 217 A (III) of 10 December 1948.

agreements and separate treaties violating the rights of the Palestinian people) were voiced by the Bahamas, Costa Rica, Jamaica, Spain and Togo. They did not reject the Camp David agreements, although they recognized their inadequacy with regard to the rights of the Palestinian people, the implementation of which represented a basic requirement for a just and lasting peace in the Middle East.

Reservations on paragraph 4 (citing, *inter alia*, the right of the Palestinians to establish an independent State in Palestine) were expressed by Costa Rica, Spain and Thailand which maintained that the result of the exercise of the right to self-determination by the Palestinian people should not be prejudged. Thailand also had reservations on the wording of paragraph 7 which condemned Israel's aggression against Lebanon and its practices in the occupied territories.

Ecuador explained that it had abstained because it did not agree with the wording of the resolution, though it agreed with some of its principles. Peru had felt obliged to abstain as the resolution did not provide a solution to the

Middle East problem within the framework of the fundamental Security Council resolutions 242(1967) and 338(1973).

The Libyan Arab Jamahiriya declared that its vote in favour did not signify that it acknowledged resolutions 242(1967) and 338(1973). Trinidad and Tobago stated that it had voted in favour despite the fact that the resolution contained elements with which it did not fully agree.

In connexion with the situation in Jerusalem, Pakistan addressed on 7 October a letter to the President of the General Assembly, conveying the reservation of 39 member States of the Organization of the Islamic Conference on the credentials of the delegation of Israel to the Assembly's 1980 regular session, and stating that it represented a Government that had violated international law and United Nations resolutions by declaring the Holy City of Jerusalem its capital. On 12 October, Israel replied that Pakistan's letter was an attempt to abuse the credentials procedure in order to introduce matters completely extraneous to it.

Documentary references, voting details and text of resolution

Communications

A/35/516. Letter of 7 October from Israel.

S/13767 (A/35/78), S/13781 (A/35/86), S/13789 (A/35/95). Letters of 25 January and 5 and 11 February from Israel.

S/13872 (cf. A/35/170 (8 April)). Letter of 2 April from Israel (transmitting article from 11 February issue of *El Mundo* (Caracas, Venezuela)).

S/13898. Letter of 18 April from Tunisia (transmitting letter of 16 April from PLO).

S/13925. Letter of 5 May from Italy (transmitting declaration, in part on situation in Middle East, issued at Luxembourg on 28 April by heads of State and Government and Ministers for Foreign Affairs of 9 members of European Community, meeting as European Council).

S/13985 (A/35/282). Letter of 4 June from Israel (transmitting excerpts from political programme and resolutions adopted by 4th Congress of al-Fatah, Damascus, Syrian Arab Republic, end of May).

S/13990 (A/35/284). Letter of 9 June from Israel.

S/13999 (cf. A/35/293 (19 June)). Letter of 16 June from Israel.

S/14009 (A/35/299). Letter of 16 June from Italy transmitting declaration on situation in Middle East, published at Venice on 13 June by heads of State and Government and Ministers for Foreign Affairs of 9 members of European Community, meeting as European Council).

S/14016 (A/35/302). Letter of 24 June from Israel.

S/14081 (A/35/357), S/14101 (A/35/387), S/14107 (A/35/395). Letters of 29 July and 11 and 14 August from Israel.

S/14125 (A/35/412), S/14237 (A/35/568). Letters of 25 August and 27 October from Israel.

S/14267 (A/35/654). Letter of 21 November from Israel. (Annex: Excerpts from article by Robert Moss in *The New York Times Magazine* of 2 November.)

S/14278 (A/35/669). Letter of 28 November from Israel.

S/14285 (A/35/712). Letter of 4 December from Luxembourg (transmitting statement issued at Luxembourg on 2 December by heads of State and Government and Ministers for

Foreign Affairs of 9 members of European Community, meeting as European Council).

Report of the Secretary-General (24 October)

S/14234 (A/35/563). Report of Secretary-General. (Chapter VI: Search for peaceful settlement.)

Consideration by the General Assembly

General Assembly- 35th session

Plenary meetings 86-89, 98.

A/35/2. Report of Security Council, 16 June 1979-15 June 1980, Chapter 1 F.

A/35/78 (S/13767), A/35/86 (S/13781), A/35/95 (S/13789). Letters of 25 January and 5 and 11 February from Israel.

A/35/170 (cf. S/13872 (2 April)). Letter of 8 April from Israel (transmitting article from 11 February issue of *El Mundo* (Caracas, Venezuela)).

A/35/282 (S/13985). Letter of 6 June from Israel (transmitting excerpts from political programme and resolutions adopted by 4th Congress of al-Fatah, Damascus, Syrian Arab Republic, end of May).

A/35/284 (S/13990). Letter of 9 June from Israel.

A/35/293 (cf. S/13999 (16 June)). Letter of 19 June from Israel.

A/35/299 (S/14009). Letter of 16 June from Italy (transmitting declaration on situation in Middle East, published at Venice on 13 June by heads of State and Government and Ministers for Foreign Affairs of 9 members of European Community, meeting as European Council).

A/35/302 (S/14016). Letter of 24 June from Israel.

A/35/357 (S/14081), A/35/387 (S/14101), A/35/395 (S/14107). Letters of 29 July and 11 and 14 August from Israel.

A/35/412 (S/14125). Letter of 25 August from Israel.

A/35/515. Credentials of representatives to 35th session of General Assembly. Letter of 7 October from Pakistan to President of General Assembly.

A/35/535. Letter of 12 October from Israel to President of General Assembly.
 A/35/563 (S/14234). Report of Secretary-General. (Chapter VI: Search for peaceful settlement.)
 A/35/568 (S/14237). Letter of 27 October from Israel.
 A/35/654 (S/14267). Letter of 21 November from Israel. (Annex: Excerpts from article by Robert Moss in The New York Times Magazine of 2 November.)
 A/35/669 (S/14278). Letter of 28 November from Israel.
 A/35/712 (S/14285). Letter of 4 December from Luxembourg (transmitting statement issued at Luxembourg on 2 December by heads of State and Government and Ministers for Foreign Affairs of 9 members of European Community, meeting as European Council).
 A/35/L.49 and Add.1 Cuba, German Democratic Republic, Indonesia, Mali, Pakistan, Viet Nam, Yugoslavia: draft resolution.

Resolution 35/207. as proposed by 8 powers, A/35/L.49 and Add.1, adopted by Assembly on 16 December 1980, meeting 98, by recorded vote of 101 to 13, with 30 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Belgium, Canada, Denmark, Germany, Federal Republic of, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Norway, United Kingdom, United States
 Abstaining: Argentina, Austria, Bolivia, Burma, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Guatemala, Haiti, Honduras, Ireland, Italy, Japan, Liberia, Malawi, Panama, Papua New Guinea, Peru, Portugal, Samoa, Suriname, Swaziland, Sweden, Venezuela.

The General Assembly,

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

Taking into account the support extended to the just causes 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 relating to the question of Palestine and the situation in the Middle East,

Deeply concerned that the Arab and Palestinian territories occupied since June 1967, including Jerusalem, still remain under illegal 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 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 from all the occupied Palestinian and other Arab territories, including Jerusalem,

Reaffirming further the 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,

1. Condemns Israel's continued occupation of Palestinian and other 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 renews its call for the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. Reaffirms its conviction that the question of Palestine is at 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;

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

4. Declares once more that peace in the Middle East is indivisible and that a just and lasting settlement of the Middle East problem must be based on a comprehensive solution, under the auspices of the United Nations, which ensures complete and unconditional withdrawal from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, and enables the Palestinian people to exercise its inalienable rights, including the right of return, and the right to self-determination, national independence and the establishment of its independent State in Palestine under the leadership of the Palestine Liberation Organization, in accordance with resolutions of the United Nations relating to the question of Palestine, in particular General Assembly resolutions ES-7/2 of 29 July 1980 and 35/169 A of 15 December 1980;

5. Rejects all partial agreements and separate treaties which violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem to ensure the establishment of a just peace in the area;

6. Further reaffirms its strong rejection of Israel's decision to annex Jerusalem, declare it as its "capital" and alter its physical character, demographic composition, institutional structure and status, considers all these measures and their consequences null and void, requests that they should be rescinded immediately and calls upon all Member States, specialized agencies and other international organisations to abide by the present resolution and all other relevant resolutions, including General Assembly resolution 35/169 E of 15 December 1980;

7. Strongly condemns Israel's aggression against Lebanon and the Palestinian people as well as its practices in the occupied Palestinian and other Arab territories, particularly the Syrian Golan Heights, including annexation, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures which are in violation of the Charter and the principles of international law;

8. Calls for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

9. 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 thirty-sixth session a report covering the developments in the Middle East in all their aspects.

Other documents

A/36/2. Report of Security Council, 16 June 1980-15 June 1981, Chapter 1 E.

Question of Palestine

Communications

Numerous communications were addressed during 1980 to the Secretary-General and the President of the Security Council on different aspects of the question of Palestine.

By a letter of 11 February to the Secretary-General, Pakistan transmitted the resolutions and final communiqué of an extraordinary session of the Islamic Conference of Foreign Ministers (Islamabad, 27-29 January). On the question of Palestine and Jerusalem, the Conference had condemned Israeli aggression and the Egyptian policy of establishing relations with Israel as a threat to the security and independence of the Arab and Moslem countries. It called on all Islamic States to boycott Egypt and to reaffirm their solidarity with the Palestine Liberation Organization (PLO), and invited them to reaffirm concretely their solidarity with the Arab States for the liberation of Al-Quds (Jerusalem) and all other occupied territories.

By a letter of 28 April to the Secretary-General, the Libyan Arab Jamahiriya conveyed the Declaration of the Fourth Summit Conference of the Steadfastness and Confrontation National Front (Tripoli, 12-15 April). The Conference reaffirmed the continued confrontation with Israel, resistance against the Camp David policy and support of PLO as representative of the Palestinian people.

Other communications also transmitted documents that addressed the question of Palestine.

Iraq on 2 May transmitted a letter of 2 April from, and the final statement of, the Second International Conference in Solidarity with the Peasants and People of Palestine (Baghdad, 30 March-2 April).

Jordan on 8 August forwarded the final documents of the Islamic Conference of Foreign Ministers at its second extraordinary session (Amman, 11 and 12 July), devoted to the Palestinian question, at which the Ministers reaffirmed their position on Palestinian rights, Jerusalem, the Camp David accords and the Egyptian-Israeli peace treaty.

On 20 August, Pakistan transmitted to the Secretary-General the resolutions and final communiqué adopted at the Eleventh Islamic Conference of Foreign Ministers (Islamabad, 17-22 May). The Ministers had considered many aspects of the Palestine question.

By a letter of 29 September to the Secretary-General, Morocco transmitted the final communiqué of a special session of the Islamic Conference of Foreign Ministers on the question of Jerusalem (Fez, 18-20 September). The Confer-

ence affirmed that its members would assist PLO against Israel and support the Palestinian people within and outside their occupied homeland.

On 14 October, Cuba transmitted the communiqué of an extraordinary meeting (New York, 2 and 3 October) of the Ministers for Foreign Affairs and heads of delegations of the non-aligned countries to the General Assembly at its thirty-fifth (1980) session. The meeting had expressed satisfaction that a resolution on the question of Palestine had been adopted by an overwhelming majority at the Assembly's seventh emergency special session in July (see p. 385).

By a letter of 27 October, the German Democratic Republic transmitted to the Secretary-General the resolutions adopted on 24 September by the Sixty-seventh Inter-Parliamentary Conference (Berlin, 14-25 September). The Conference condemned Israel's aggressive policy and its initiative to change the status of Jerusalem, and reaffirmed that a just and lasting solution must be based on: the right of the Palestinians to self-determination, national independence and sovereignty and the establishment of their own State; the right of PLO to participate on an equal footing in any efforts concerning the Palestinian question and the Middle East problem; and the right of the Palestinians to repatriation and the recovery of their land and property.

By a letter dated 4 December, Jordan conveyed to the Secretary-General the Final Declaration of the Eleventh Arab Summit Conference (Amman, 25-27 November), which emphasized that the liberation of Arab Jerusalem was a national obligation and reaffirmed support for PLO.

Israel, in letters to the Secretary-General dated 27 June, 31 October and 17 November, objected to material published by the United Nations Secretariat and prepared under the aegis of the Special Unit on Palestinian Rights. Israel considered these to be pseudo-scientific publications which gave a completely misleading version of the history of the Arab-Israeli conflict and/or were filled with factual errors and tendentious material.

Consideration by the Security Council
(31 March-9 April, 29 and 30 April)

The Security Council held seven meetings between 31 March and 30 April to consider the question of the inalienable rights of the Palestinian people. On its agenda were two letters to the Council President. The first, dated 6 March, from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the

Palestinian People, referred to a 1979 General Assembly resolution,²⁷ whereby the Assembly had urged the Council to take a decision as soon as possible on the Committee's 1976 recommendations,²⁸ endorsed by the Assembly, and had requested the Committee to make the suggestions it deemed appropriate should the Council fail to act by 31 March 1980. The Acting Chairman said the Committee was convinced that concrete action by the Council to implement the Committee's recommendations would lead to tangible progress towards a solution of the Palestinian question. Action by the Council should not be delayed further in the face of the increased intransigence by Israel in establishing and strengthening its settlements in illegally occupied Arab territories.

The second letter, dated 24 March, was from the Chairman of the Committee, who wrote that developments in occupied Palestinian and other Arab territories, including Jerusalem, constituted continuing violation by Israel of the inalienable rights of the Palestinian people and that the 31 March date envisaged by the Assembly was imminent. He therefore requested that the Council be convened urgently.

When the Council convened, the following Member States were invited, at their request, to participate in the discussion without the right to vote: Algeria, Bahrain, Bulgaria, Cuba, Democratic Yemen, Egypt, Guyana, Hungary, India, Iraq, Israel, Jordan, Lebanon, Madagascar, Morocco, Qatar, Saudi Arabia, Somalia, Syrian Arab Republic, Ukrainian SSR, United Arab Emirates, Viet Nam, Yemen, Yugoslavia.

Invitations under rule 39 of the Council's provisional rules of procedure²⁹ were extended, at their request, to the Chairman and the Rapporteur of the Committee. The Permanent Observer of the League of Arab States to the United Nations was also invited to participate under rule 39, as requested by Tunisia in a letter of 31 March.

The President drew attention to a letter of 27 March from Tunisia requesting that PLO be invited to participate in the Council's deliberations, in accordance with past practice. He added that the proposal was not made pursuant to rule 37³⁰ or rule 39 of the provisional rules of procedure, but that, if approved, the invitation would confer on PLO the same rights as those conferred on a Member State when invited to participate pursuant to rule 37.

The representative of the United States requested that the proposed invitation be put to a vote, stating that he had no objection to the participation of PLO, provided it was under rule 39. The proposal was approved by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

Opening the debate, the Chairman of the Committee said the Committee's report had been before the Council since 1976. All of its recommendations were based on United Nations resolutions. On two occasions, the Council had dealt with the matter without taking any decision because a Council member had requested that a decision be deferred in view of ongoing negotiations on the Middle East problem. On both occasions, the Committee, wishing to demonstrate its goodwill and its desire to promote the restoration of peace in the region, had agreed to a suspension of the debate. Unfortunately, the Committee's patience had not been rewarded. It appeared that those who had been requesting the deferment were in fact trying to prevent the Council from acting. The General Assembly had on several occasions deplored the Council's immobility in connexion with the question of Palestine. Assembly resolutions, as well as recent developments in the occupied Arab territories, showed that it was necessary and urgent for the Council to take a speedy decision on the Assembly's recommendations.

It was heartening to note that authoritative voices had been heard recently, particularly that of the President of France, in favour of the recognition of the inalienable right of the Palestinian people to self-determination, as well as its right to have its legitimate representative participate in any negotiation to determine its future. Some other European countries had also taken that position. One permanent member, however, was still using the excuse of not wishing to damage negotiations going on outside the United Nations on the problem of the Middle East, the Chairman said.

A beginning to the solution of the Middle East conflict could be accomplished by adopting a resolution which would recognize the legitimate national rights of the Palestinian people, as defined by the Assembly. Such a decision would not signify the denial of Israel's rights. The Committee had always felt that what was essentially at stake in the Middle East was the recognition of the rights of the Palestinian people. Israel not only enjoyed its national rights but continually misused them by illegally occupying Arab territories.

Israel said the Committee had been set up for the purpose of bypassing Security Council resolution 242(1967).³¹ Therefore, it was not surprising that its recommendations accorded fully with PLO's aims. Nineteen of the 23 members of

²⁷ See Y.U.N., 1979, p. 377, resolution 34/65 A of 29 November 1979.

²⁸ See Y.U.N., 1976, p. 235.

²⁹ See footnote 3.

³⁰ See footnote 2.

³¹ See Y.U.N., 1967, p. 257, resolution 242(1967) of 22 November 1967.

the Committee did not have diplomatic relations with Israel and some of them did not recognize Israel's right to exist. The incontrovertible facts were that two States, Jordan and Israel, had been established on the territory which was the Palestine Mandate between the First and Second World Wars, and the Palestinians had long ago achieved self-determination in Jordan. The vast majority of Jordanian citizens were Palestinians, who constituted Jordan's administrative, intellectual and economic elite. The refusal of most Arab States to recognize Israel's right to exist was the core and cause of the Arab-Israeli conflict. Given the long record of Arab hostility and aggression, it was inevitable that before the final boundaries between Israel and Jordan were delineated, there must be a transitional period, which would in itself constitute a confidence-building measure. That was the concept embodied in the Camp David framework with regard to the future of Judaea, Samaria and the Gaza District and of the Palestinians residing in those areas.

Tunisia stated that it was time for Israel to understand that peace and security could not be brought about through the impairment of the rights of others to existence and liberty, or on any other basis than that of respect for the elementary principles of morality and international law. Force and oppression led nowhere; four wars had not reduced the people of Palestine to silence. More than ever before, they were determined to recover their rights and sovereignty. The Council had the ability to define and put into effect the terms of a peace based on justice and law and to put an end to uncertainty, which constituted the plight of the Palestinian people as well as that of all the peoples of the region.

The USSR charged that Israel was deliberately sabotaging the implementation of the resolutions relevant to a just settlement of the problem of Palestine. Along with Israel, those who had been encouraging that country's expansionist policy bore a heavy responsibility for undermining the efforts leading to a just solution. The Egyptian-Israeli treaty could only be viewed as a means of legitimizing Israel's presence on land seized by force of arms. As to the so-called administrative autonomy, it only aimed at consolidating Israel's domination over the occupied Palestinian lands, at preventing the self-determination of the Palestinian people and at excluding PLO from participation in a solution to the Palestinian problem. Israel would never have dared to disregard the demands of the Security Council had it not received all forms of assistance, in particular from the United States. By blocking the exercise of the inalienable rights of the Arab people of Palestine, the United States

had been impeding a just Middle East settlement and the establishment of a lasting peace. The Council must do its duty and support the inalienable rights of those people.

China said that, since the beginning of the year, Israeli authorities had stepped up their pursuit of policies of aggression, expansion and annexation. By their statements and acts, they had made it clear that their reactionary stand on perpetuating their occupation of Arab territories and negating the legitimate rights of the Palestinian people had not changed. China strongly condemned Israel for those policies and resolutely supported the Palestinian people in their just struggle to regain their national rights, including the rights to return to their homeland, to self-determination and to establish their own State.

Bangladesh and the German Democratic Republic reviewed the principles on which a solution to the Middle East problem must be based and reaffirmed support of the recommendations of the Palestinian Rights Committee.

Zambia stated that any serious initiative to solve the Middle East question would not succeed unless it realized the right of the Palestinian people to self-determination. Also, it was imperative that PLO be both recognized and enabled to participate in that solution on an equal footing with other parties. Israel would meaningfully contribute to peace and justice in the Middle East by accepting the reality of the existence of PLO.

Jamaica thought there had been a failure to recognize, through positive action by the Council, the political rights of the Palestinian people. It was therefore necessary, in order to give impetus to the efforts towards a comprehensive solution to the Middle East problems, to remedy the deficiencies of past pronouncements and open the way to a principled and realistic approach. The Council had a serious responsibility and a duty in this matter.

The Niger said that Assembly resolutions must be followed up vigorously in the Council and translated into a courageous resolution in which the rights of the Palestinian people were finally recognized, proclaimed and protected. The Niger supported the recommendations of the Palestinian Rights Committee and called for talks, on the basis of those recommendations, between Israel and PLO, which more than 110 countries had recognized as the authentic representative of the Palestinian people.

The President, speaking as the representative of Mexico, said the international community had reached certain irreversible conclusions, namely that: there could be no just and lasting peace in the Middle East without a recognition

of the right of every nation in the area to an independent existence; the self-determination of the Palestinian people entailed the full exercise of its national rights; Israel must withdraw from the territories occupied by force since 1967; and PLO was the legitimate representative of the Palestinian people. Mexico believed the Council was dealing with fundamental principles on which the existence of a nation as well as the maintenance of peace depended.

The Council also heard statements by the representatives of Algeria, Bahrain, Cuba, Democratic Yemen, Egypt, Guyana, Hungary, India, Iraq, Jordan, Morocco, Qatar, Saudi Arabia, Somalia, the Syrian Arab Republic, the Ukrainian SSR, the United Arab Emirates, Viet Nam, Yemen and Yugoslavia. In addition, it heard the representatives of PLO and the League of Arab States.

These speakers supported the recommendations of the Palestinian Rights Committee. India expressed hope that the Council would act on them in order to bring peace and justice to the region. Jordan said that, in the event the Council could not reach unanimity, the international community was determined to call for an emergency special session of the General Assembly. What they saw as Israel's scorn for the decisions of the United Nations, as most recently exemplified in its action concerning Jerusalem, was pointed out by many. Morocco said Israel must have the courage to set aside its expansionist, annexationist designs; Israel's alleged desire for peace could not be reconciled with its practices that violated the inalienable rights of the Palestinian people.

Step-by-step and partial approaches, in the opinion of Guyana, Hungary, and others, had done nothing to advance the cause of Middle East peace; instead they had allowed the occupying power to consolidate its hold on the occupied territories.

Egypt, referring to criticism by a number of speakers of the Camp David accords and of the Egypt-Israel peace treaty, categorically rejected allusions calling in question its commitment to the Palestinian cause. Those accords, it stated, constituted a first step and not the final settlement.

The PLO representative said the Camp David accords had been conceived in such a way as to ignore the rights of the Palestinian people. The Council was called on to take a decision on recommendations of the Palestinian Rights Committee regarding that people's rights to self-determination, national independence and sovereignty, which had been endorsed on several occasions in the General Assembly by an overwhelming majority. At its 1979 session, the As-

sembly had declared that the Camp David accords and other agreements had no validity in so far as they purported to determine the future of the Palestinian people and territories occupied by Israel since 1967. Statements to that effect had also been made by conferences of the non-aligned countries and the Organization of African Unity. The President of France on 3 March 1980, he continued, had expressed his conviction that the question of Palestine was not a refugee problem but that of a people which should be enabled to exercise its right to self-determination. Such developments as well as other constructive positions on the part of a number of European leaders were appreciated by PLO. It was noteworthy that the United States had recognized that there would be no comprehensive peace in the Middle East until the Palestinian problem, in all its aspects, was resolved. While the world was moving in the right direction for peace, Israel was nullifying even the so-called autonomy in the occupied territories through practices and policies there. The Council was legally committed to restoring the rights of the Palestinian people.

On 28 April, Tunisia submitted a draft resolution whereby the Council would affirm: that the Palestinian people should be enabled to exercise its inalienable national right to self-determination, including the right to establish an independent State in Palestine; the right of Palestinian refugees to return to their homes and live in peace with their neighbours; and the right of those choosing not to return to receive equitable compensation for their property. The Council would also: reaffirm that Israel should withdraw from all Arab territories occupied since June 1967, including Jerusalem; decide that appropriate arrangements should be established to guarantee the sovereignty, territorial integrity and political independence of all States in the area, including the sovereign independent State of Palestine, and the right to live in peace within secure and recognized boundaries; decide that these provisions should be taken fully into account in all international efforts and conferences organized within the United Nations framework for the establishment of a just, lasting and comprehensive peace in the Middle East; and request the Secretary-General to take all the necessary steps, as soon as possible, for the implementation of the resolution and to report on the progress achieved. The Council would also decide to convene within six months to consider the Secretary-General's report and pursue its implementation responsibilities.

On 30 April the Council voted on the draft resolution, which received 10 votes in favour to 1 against (United States), with 4 abstentions

(France, Norway, Portugal, United Kingdom), and was not adopted owing to the negative vote of a permanent member.

The Council heard statements by a number of members in connexion with the vote.

The Philippines said that just as Council resolutions 242(1967) and 338(1973)³² recognized Israel's right to a secure existence as a State, so must be recognized the same right of the Palestinian people. Palestinian refugees wishing to return to their homes and live in peace with their neighbours should be able to do so and those choosing not to return should receive just compensation.

Portugal noted with regret that there remained too many different views about the best way for the Council to approach the question before it, a way that would make possible a broad consensus in support of the Palestinian cause. It considered that no all-encompassing search for peace in the Middle East could be undertaken without first taking into consideration the legitimate national and political rights of the Palestinian people.

Norway said it supported Council resolutions 242(1967) and 338(1973) as a basis for a just and lasting Middle East peace. It had given full support to the Camp David agreements as an important first step towards a comprehensive settlement. On the other hand, progress seemed to have been rather modest in the talks on autonomy for the West Bank and Gaza. Whatever their outcome, the Palestinian issue would remain the key issue which had to be solved to achieve a comprehensive settlement. The question of Palestinian participation in future negotiations raised the question of the role of PLO. No other organization, group or individual could claim to be more representative of the Palestinian people. It was difficult to envisage real progress without PLO's participation. As to the draft resolution, Norway believed it would have been advisable to await a larger measure of agreement before taking a decision. In addition, it considered the text to be unbalanced and to prejudge the outcome of future negotiations.

The United States said the Palestinian dimension was one of the crucial issues to be resolved in the context of a comprehensive settlement. Accordingly, the Camp David accords called for the solution of the Palestinian problem in all its aspects. Intensive negotiations were going on to provide for the security of Israel and to fulfil the commitment in the Camp David framework to establish full autonomy for the people of the West Bank and Gaza during a transitional period, pending further negotiations to resolve the final status of those territories. If successful, negotiations would provide the Palestinians living in those areas with a real opportunity to

manage their own lives for the first time in history. On an issue of such importance, the Council should not be distracted by approaches that offered no prospect for practical progress. Nor should the Council adopt an approach which did not endorse resolutions 242(1967) and 338(1973).

The United Kingdom said its decision to abstain in the vote was taken solely because of the timing of the resolution; its substance was not considered. That should not be taken as a sign that the United Kingdom was not interested in the active search for a peaceful and just settlement in the Middle East, did not accept that the right of the Palestinians to determine their own future lay at the heart of the problem, or did not believe that Israel had a right to exist within secure boundaries. On the contrary, the question had been discussed at a 28 April meeting in Luxembourg of the heads of State and Government and the Ministers for Foreign Affairs of the European Community, when the Ministers were directed to submit a report on the Middle East problem to the next session of the European Council, to be held at Venice, Italy, in June (see p. 371).

The representative of France recalled that on several occasions his country had emphasized the need for a settlement of the Palestinian problem if peace and security were to be established in the Middle East. On 8 March, the President of France had stated that the right of each State in the region to live in peace within secure, recognized and guaranteed borders must be confirmed, and that France understood in that connexion the legitimate concerns of Israel. He had further stated that Israel must recognize that its occupation of Arab territories prevented it from establishing peaceful relations with its neighbours. Also, the true nature of the Palestine problem must be recognized, the problem of a people aspiring to exist. That people must be able to take a decision on their own destiny and to possess a homeland. The President of France had said that the implementation of those conditions for peace required the co-operation of all the parties concerned. As that did not currently exist, the French representative said, a postponement seemed the best course. France had been unstinting in its efforts to have that view conceded and to spare the Council a deadlock. Everything possible must be done to establish conditions that would enable the Council to take up again, under favourable conditions, the question of the inalienable rights of the Palestinian people. The European Community had in mind the

³²See Y.U.N., 1973, p. 213, resolution 338(1973) of 22 October 1973.

search for a common position leading to a new initiative when the necessary conditions had been met.

Seventh emergency special session of the General Assembly

On 1 July, Senegal requested the Secretary-General to convene an emergency special session of the General Assembly to discuss the question of Palestine, as the Security Council had again failed to take a decision on the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Senegal stated that the Committee, over which it presided, had been authorized by the Assembly to make appropriate recommendations in the event the Council failed to act. The Committee had consequently decided to request the emergency special session to discuss an agenda item entitled "Question of Palestine." The Secretary-General transmitted the letter to Member States requesting them to inform him whether they concurred with the request.

By a letter of 20 July, Israel replied that the holding of such an emergency special session would be illegal as the two essential prerequisites laid down by resolution 377 A (V) entitled "Uniting for Peace"³³ had not been met. Those prerequisites were: deliberations by the Security Council on a matter where there appeared to be a threat to peace, breach of peace, or act of aggression; and a veto by a permanent Council member after such deliberations. In view of this, any resolution adopted at the session would be equally illegal.

On 21 July, the Secretary-General informed Member States that the majority of Members had concurred in Senegal's request.

On the same date, Israel informed the President of the General Assembly that it would not take part on 22 July in the proceedings of the emergency special session since it coincided with the Jewish fast of Tisha b'Av. Also on 21 July, Sri Lanka transmitted a message from its President restating his and his people's view that the question of Palestine was the core of the Middle East problem.

By a letter dated 22 July, Cuba transmitted the part of the Final Declaration of the Sixth Conference of Heads of State or Government of Non-Aligned Countries held in 1979 which related to the situation in the Middle East and the question of Palestine.

On 25 July, Egypt conveyed a letter of 12 September 1979 from its Minister for Foreign Affairs to Fidel Castro in his capacity as President of the Sixth Conference, in connexion with certain insertions in the Final Declaration. In this letter, Egypt rejected the distortion of its foreign

policy which was depicted as a violation of non-aligned principles.

By a letter of 23 July, Algeria requested that the Permanent Observer of the League of Arab States be given the opportunity to address the Assembly at its emergency special session.

General Assembly discussion

The General Assembly at its seventh emergency special session considered the question of Palestine between 22 and 29 July 1980. Opening the debate, the President of the session stated that the problem of Palestine was an issue universally accepted as the core of the Middle East conflict. The objective of the session should be to put an end to the suffering of the Palestinian people by striving for a solution which would enable them to exercise their legitimate right to self-determination, including the right to an independent State. It should be the aim of the session to strive for the scrupulous application of the principle of the non-admissibility of the occupation of territory by force and consequently for Israel's total withdrawal, and to work for the creation of conditions which would guarantee independence to all States of the area.

The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People deplored the United States veto on 30 April in the Security Council during the debate on the rights of the Palestinian people. The non-aligned countries had decided at their meeting in Havana, Cuba, in 1979 to request an emergency special session, should the Council fail to act because of a lack of unanimity among its permanent members, he said. The Committee considered that the convening of the emergency session was useful and timely. The Chairman believed that, without a solution to the Palestinian question, there would be no solution to the Middle East problem. In this context, he added, resolution 242(1967)³⁴ was inappropriate; if supplemented, it should include the right to self-determination, national independence and the creation of a sovereign State in Palestine, and the right of the refugees to return to their countries, as recognized by the Assembly.

With regard to the Camp David accords, he stated that the validity of agreements purporting to solve the problem of Palestine required that they be within the framework of the Charter of the United Nations and United Nations resolutions, on the basis of the full attainment and exercise of the inalienable rights of the Palestinian people. He strongly condemned Israel's occupation of Arab and Palestinian territories and the

³³ See Y.U.N., 1950, p. 193, resolution 377 A (V) of 3 November 1950.

³⁴ See footnote 31.

establishment of settlements. Recourse to coercive measures under the Charter, he said, would become inevitable if Israel refused to follow the decision the emergency special session would take.

The Rapporteur of the Committee recalled the considerations that had prompted the Committee's recommendations, including: the fundamental rights of the Palestinian people; the right to existence and the legitimate security interests of all States in the region; the acceptance of all decisions taken by the United Nations on this question; and an enhanced potential role of the Organization in promoting a negotiated solution.

The PLO observer rejected the Camp David accords and the separate peace treaty between Egypt and Israel as a conspiracy against justice and peace. In his view, the emergency special session represented a last chance, before an explosion, to enable the Palestinian people to achieve their right to return, to self-determination, independence and sovereignty and to the establishment of their own State. The Palestinian people could not attain those rights through the Security Council as a result of self-interested imperialistic alliances.

The Secretary-General of the Organization of the Islamic Conference expressed the opinion that the basis for a solution to the Palestine question already existed in the partition plan of 1947 which recognized the existence of an independent Palestinian State,³⁵ in successive decisions by the Security Council and the General Assembly, in the will of the Palestinian people to establish an independent State on the land of their ancestors and, finally, in support for the Palestinian people and the recognition of PLO as their sole legitimate representative. The least that was expected by the Islamic people, he said, was an attitude that could dissuade Israel by using the sanctions set forth in Chapter VII of the Charter,³⁶ including the suspension of its membership in the United Nations if it continued to ignore the relevant decisions and refused to evacuate the Arab territories occupied after the 1967 war.

During the debate, most Members, including Guyana, India, Indonesia, Morocco and Seychelles, variously made the points that a comprehensive solution to the Middle East problem entailed: the exercise by the Palestinian people of their inalienable national rights, including their right to establish an independent State in their own homeland and their right to return to their homes; Israel's total and unconditional withdrawal from all occupied territories, including Jerusalem; and the guaranteed right of all States in the region to live within secure borders. Essential for a peaceful solution, they thought, was not only the recognition of PLO as the sole lawful rep-

resentative of the Palestinian people, but also its equal participation in any peace negotiations. They urged the Assembly to examine the recommendations of the Committee on Palestinian Rights with a view to adopting and implementing them.

Pakistan said the Assembly must firmly demand that Israel withdraw from all the occupied Palestinian and other Arab territories, including Jerusalem, and it must establish an appropriate machinery to give effect to this demand and place the Palestinian people, led by PLO, in possession of the evacuated territories, including Jerusalem.

Kuwait, Qatar and the Sudan were among those which contended that the Camp David accords were directed against the Palestinian people and the interests of the Arab States.

Israel reiterated its opinion that the emergency special session was both illegal and preposterous since the prerequisites laid down by resolution 377 A (V)³⁷ had not been met. Therefore, any resolution adopted would be equally illegal. The Arab refusal to recognize Israel's right to exist had always been and remained the core and cause of the Arab-Israeli conflict. Because of the Arab refusal to make peace with Israel, it had not been possible in three decades to conduct serious negotiations about the conflict in all its aspects. The elements for a comprehensive solution had only come together at Camp David. The Camp David framework was based on Council resolution 242(1967), which remained the only agreed basis for peace negotiations in the Middle East. Only when the Arabs sat down and negotiated with Israel, on the basis of recognition and mutual respect, would a comprehensive solution to the Arab-Israeli conflict in all its aspects be achieved.

Austria recalled the many efforts to find a solution to the Middle East problem within as well as outside the United Nations. All had failed. Austria did not wish to belittle the Camp David accords, but the further steps for a comprehensive, just and lasting peace had not been forthcoming. In Austria's view, any lasting solution needed the following elements: first, the recognition of all States in the area to exist within safe and secure boundaries and of the national rights of the Palestinian people; second, the right of the Palestinians to choose those who should negotiate on their behalf; and third, withdrawal of Israel from the territories occupied in 1967.

For Sweden, a just solution to the Palestine

³⁵ See Y.U.N., 1947-48, p. 247, resolution 181 A (II) of 29 November 1947.

³⁶ For text of Chapter VII of the Charter, see APPENDIX II.

³⁷ See footnote 33.

question was the prerequisite for lasting peace. Any settlement must contemplate Israel's right to exist within secure borders, as well as recognize the Palestinians' national rights and include an agreement on the status of Jerusalem.

Bulgaria, the German Democratic Republic, Poland, the USSR and other Eastern European countries stated that the crux of the Middle East problem was the question of restoring the full rights of the Palestinian people, including their right to return and their right to national independence and sovereignty in Palestine, in accordance with the United Nations Charter. The Palestine Liberation Organization, as their sole legitimate representative, had won general, international recognition and, further, was recognized as one of the principal parties to a Middle East settlement.

These countries denounced the Israeli settlement policy as well as the situation in East Jerusalem. In their opinion, the Camp David accords could not serve any useful purpose since PLO had not participated in those deliberations. The basis for a Middle East settlement, they said, could be no other than the unconditional withdrawal of Israel from all occupied territories, including East Jerusalem, the implementation of the inalienable rights of the Palestinian people, including the establishment of an independent State, and the ensurance of the right of all States in the region to a secure and independent existence and development.

The Assembly, they said, should adopt such decisions as would stress the necessity of immediate implementation of the inalienable rights of the Palestinian people and should demonstrate its determination to apply to Israel the strictest coercive measures provided for under Chapter VII of the Charter should Israel continue to refuse to implement relevant United Nations decisions.

Luxembourg, on behalf of the European Community members, reaffirmed the principles of the declaration they had made at Venice on 13 June (see p. 371). In their view, the right of all States in the region, including Israel, to existence and security, and justice for all peoples, which implied recognition of the legitimate rights of the Palestinian people, were essential to a comprehensive settlement. They were convinced that occupation of territory by force should cease and that the Israeli settlements on occupied Arab territories were a serious obstacle to peace. Any change in the status of Jerusalem could not be accepted by the Community's members, which believed that a climate of confidence had to be created and that PLO must be involved in negotiations for a just solution. Those members had always supported resolution 242(1967)

even though it was not adequate with regard to the Palestinian people. None the less, the basic principles of that resolution continued to be fundamental for any settlement.

China expressed the hope that the members of the European Community would work together with the third world countries and continue to make a positive contribution to promoting a Middle East settlement. It emphasized the right of all countries in the area to independence and existence and the right of free access to the Holy Places in Jerusalem.

The United States considered that the negotiations at Camp David were more than a start. There was a long way to go before a just and lasting peace was assured, but the United States believed a major step had been taken. What better alternative did those who opposed it suggest? The proposals circulated at the emergency special session (see following subsection) were one-sided and did not offer a realistic alternative. They were not founded on resolution 242(1967), the only agreed basis for a settlement in the Middle East. Further, they made no attempt to understand Israel's concern for its security. The United States reiterated that it was not satisfied with partial solutions; all aspects of the conflict must be resolved and the Palestinian people must be able to participate through negotiations in the determination of their future.

Lebanon stated that the Palestinian problem had the same context as the Lebanese problem and that peace in Palestine depended on peace in Lebanon and on Lebanese independence and sovereignty. There could be no peace in the Middle East at Lebanon's expense and as long as the Palestinian revolution pursued its quest for a land and a State.

For Egypt, the Camp David accords represented a means to an end and not an end in themselves. Egypt's endeavour could create a climate conducive to Palestinian self-determination. Egypt rejected all Israeli measures adopted in implementation of its colonial settlement policy and held Arab rights in Jerusalem to be incontestable. It had adopted an approach based on the following principles: the settlement had to be peaceful and comprehensive; it had to be based on the principles of justice and international law; it had to reflect the provisions of the United Nations Charter and to conform to United Nations resolutions, in particular Security Council resolution 242(1967); and it should not overlook recent diplomatic efforts.

Egypt's approval of the solution to the Palestine question was based on the following principles: Israel should withdraw to pre-June 1967 lines, including withdrawal from East Jerusalem and the Gaza Strip; its withdrawal should be

complete, including military forces, the dismantling of Israeli settlements and removal of settlers; the security of the Palestinian people and of the people of Israel should be on an equal footing; and the Palestinian people should be enabled to exercise its inalienable and fundamental right to self-determination, without external interference, including the right to establish an independent State on the West Bank and Gaza.

Decisions of the General Assembly

On 29 July, the Assembly, by a roll-call vote requested by Iraq of 112 to 7, with 24 abstentions, adopted resolution ES-7/2 on the question of Palestine. The text was sponsored by 52 Members (see DOCUMENTARY REFERENCES below).

The Assembly, by the preamble to this resolution, stated its conviction that the failure to solve the question of Palestine posed a grave threat to international peace and security, and noted with regret and concern that the Security Council had failed to take a decision, as a result of the negative vote of the United States, on the recommendations of the Committee on Palestinian Rights.

By the operative part, the Assembly reaffirmed: that a comprehensive, just and lasting peace in the Middle East could not be established without the withdrawal of Israel from all the occupied territories, including Jerusalem, and without a just solution to the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people; the inalienable right of the Palestinians to return to their homes and property in Palestine; their right to self-determination and to establish their own independent sovereign State; the right of PLO to participate on an equal footing in all efforts, deliberations and conferences on the question of Palestine and the situation in the Middle East; and the fundamental principle of the inadmissibility of the acquisition of territory by force. It called on Israel to start withdrawing from the occupied territories before 15 November.

The Assembly demanded that Israel comply fully with Security Council resolution 465(1980) of 1 March, which determined that all measures taken by Israel to change the character and status of the occupied territories had no legal validity (see p. 409), and with all United Nations resolutions relevant to the historic character of Jerusalem.

The Assembly expressed its opposition to the resettlement of the Palestinians outside their homeland and requested the Secretary-General to take the necessary measures to implement the recommendations of the Committee on Palestinian Rights, as a basis for the solution to the question of Palestine. The Assembly then requested the Security Council, in the event of non-

compliance by Israel, to adopt effective measures under Chapter VII of the United Nations Charter.

Also on 29 July, a resolution on the work of the Committee on Palestinian Rights was adopted by a recorded vote of 112 to 5, with 26 abstentions. By this resolution—ES-7/3—which was sponsored by Afghanistan, Bangladesh, Cape Verde, Cuba, Guyana, Iraq, Jamaica, Nicaragua, Qatar, the Sudan, the United Arab Emirates, Viet Nam, Yugoslavia and Zambia, the Assembly expressed great appreciation for the studies on the various aspects of the question of Palestine published by the Secretariat's Special Unit on Palestinian Rights under the Committee's guidance, and requested the Committee to study thoroughly the reasons for Israel's refusal to comply with relevant United Nations resolutions and to report to the Assembly at its regular 1980 session, which was to convene in September.

In explanation of vote on the resolutions, Luxembourg stated that the European Community members did not wish to prejudge the contacts they would be making in the near future, and had abstained. Japan emphasized that its abstentions in no way contradicted the principles it believed were essential for a just and lasting solution to the Middle East problem. Haiti, which also abstained, thought the recommendations calling for Israel's unconditional withdrawal would take the parties farther away from peaceful negotiations.

Bolivia, which voted in favour of resolution ES-7/2, expressed some reservations concerning the provisions calling for Israeli withdrawal. Trinidad and Tobago, though voting in favour, saw a certain imbalance in the text. Albania voted in favour in spite of its reservations with regard to some of the resolutions referred to in the text. Singapore, Thailand and Uruguay supported the resolution on the understanding that Israel's right to existence was recognized as irreversible.

By a letter of 22 July, Viet Nam forwarded to the Secretary-General a message of the same date from the Minister for Foreign Affairs of the People's Republic of Kampuchea, asking that the Credentials Committee reject the credentials submitted by Democratic Kampuchea. Democratic Kampuchea objected, by a letter of 23 July. The Credentials Committee, on 25 July, approved without vote a proposal of its Chairman to accept the credentials of all representatives. It set forth in its report the reservations expressed by some Members concerning the credentials of the delegation of Democratic Kampuchea (USSR) as well as those relating to the credentials of the delegations of Afghanistan (China, Pakistan, United States) and Chile (USSR).

On the Chairman's proposal, the Committee also approved, without vote on 25 July, a draft resolution by which the Assembly would approve the Committee's report. The Assembly adopted this text on 29 July, also without vote, as resolution ES-7/I.

Speaking after adoption of the resolution, the Ukrainian SSR, on behalf also of Bulgaria, the Byelorussian SSR, Czechoslovakia, the German Democratic Republic, Hungary, Poland and the USSR, said they believed that the sole legitimate Government in Kampuchea was that of the People's Revolutionary Council of the People's Republic of Kampuchea—a view shared by the Lao People's Democratic Republic and Viet Nam. Democratic Kampuchea said it objected to the presence of Viet Nam in the United Nations and all related bodies.

Report of the Committee on Palestinian Rights

In its 1980 report to the General Assembly, submitted on 22 September, the Committee on the Exercise of the Inalienable Rights of the Palestinian People reviewed its activities during the year. It noted that the Assembly had in November 1979³⁸ again urged the Security Council to take a decision as soon as possible on the Committee's 1976 recommendations designed to enable the Palestinian people to exercise its inalienable rights.³⁹ Since the Council had not taken action on those recommendations by 31 March 1980, the deadline set by the Assembly in 1979, the Committee's Acting Chairman had initiated consultations with the Council President to urge early action by the Council. In response, the Council had considered the question of Palestine in March and April (see p. 377), when a resolution presented to the Council was not adopted because of the negative vote of a permanent member. The Committee had therefore recommended that the question of Palestine should be discussed by the Assembly at an emergency special session (see preceding section).

The Committee noted that the Assembly, by resolution ES-712 adopted at the emergency special session, had reaffirmed the principles that had guided the Committee in formulating its recommendations, which concerned, among other things: the establishment by the Security Council of a timetable for Israeli withdrawal; measures to be taken by the United Nations during and after the withdrawal, including the possibility of setting up temporary peace-keeping forces; measures to facilitate the return of displaced Palestinians to their homes; and action to be taken by the Council on the question of Israeli settlements. The Committee once more urged the Council to take action on those recom-

mendations and drew the Assembly's attention to its opinion that the Camp David accords, to the extent that they did not take into consideration the inalienable rights of the Palestinian people and had been negotiated without PLO participation, contravened Assembly resolutions of 7 December 1978⁴⁰ and 29 November 1979.⁴¹

The report also reviewed relevant action taken by other organizations and the Committee's representation at international meetings. It noted that two seminars on Palestinian rights had been organized by the Special Unit on Palestinian Rights, the first at Arusha, United Republic of Tanzania, from 14 to 18 July, and the second at Vienna, Austria, from 25 to 29 August.

International Day of Solidarity

with the Palestinian People (29 November)

The Committee on Palestinian Rights reported to the General Assembly that the International Day of Solidarity with the Palestinian People was commemorated in 1980 on 28 November, as the scheduled date of 29 November fell on a Saturday. The Committee had held two special meetings at United Nations Headquarters, New York, during which more than 60 statements and messages were heard. Statements were made by the Chairman of the Committee, the Secretary-General, the President of the Security Council, a PLO representative, the President of the United Nations Council for Namibia, the Chairmen of the Special Committee against Apartheid, of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and of the regional groups of Member States at the United Nations, and others. Messages were read from the Chairman of the Non-Aligned Movement and heads of State or Government or Foreign Ministers of more than 40 countries. The Day of Solidarity was also observed at Geneva. The speakers at that meeting included the Chairmen of the Arab group of United Nations Member States and of the Islamic Conference, and the Mayor of Nablus.

Further consideration by the General Assembly

The General Assembly again considered the question of Palestine during its regular 1980 session at nine plenary meetings held between 1 and 15 December. On 15 December, it adopted five resolutions—35/169 A-E—on the question. It thereby reaffirmed the principles on which a just and lasting Middle East peace must be based, endorsed the recommendations of the

³⁸ See footnote 27.

³⁹ See footnote 28.

⁴⁰ See Y.U.N., 1978, p. 342, resolution 33/28 A.

⁴¹ See Y.U.N., 1979, p. 377, resolution 34/65 B.

Palestinian Rights Committee, demanded Israel's compliance with its resolutions, expressed opposition to partial agreements, decided not to recognize an Israeli "Basic Law" proclaiming a change in the character and status of Jerusalem and requested the Committee and the Special Unit on Palestinian Rights to continue their work.

Reports of the Secretary-General

In pursuance of Assembly resolution ES-7/2, adopted on 29 July 1980 during the seventh emergency special session (see p. 385), the Secretary-General reported to the Assembly at its 1980 regular session on the implementation of that resolution.

He had requested Israel on 30 July to inform him of the measures taken or envisaged to implement resolution ES-7/2. On 4 November, Israel had replied that Security Council resolution 242(1967) was the only agreed basis for a negotiated settlement of the Arab-Israeli conflict. In this connexion, it added, its Minister for Foreign Affairs had stated during the general debate of the current session that the Camp David framework—which was based on resolution 242(1967)—was the only approach possible. In accordance with that framework, negotiations had been taking place for the attainment of full autonomy for the Palestinian Arab inhabitants of Judaea, Samaria and Gaza.

The Secretary-General stated that, in paragraph 13 of resolution ES-7/2, the Assembly had requested the Council, in the event of non-compliance by Israel, to adopt effective measures under Chapter VII of the United Nations Charter. By a note of 5 August, the Secretary-General had brought this to the attention of the Council.

The Secretary-General said that in pursuance of other provisions of resolution ES-7/2 he had, in consultation with the Bureau of the Committee on Palestinian Rights, given careful consideration as to what measures he could take towards the implementation of the Committee's recommendations. He noted that, in the event of the Security Council's establishing a timetable for Israel's complete withdrawal from areas occupied in 1967, contingency plans for the setting up of temporary peace-keeping forces could be presented to the Council without delay. With regard to the return of displaced Palestinians, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had reiterated that, given the authority, funds and co-operation of the Governments concerned, UNRWA would be capable of providing assistance promptly, efficiently and economically. With respect to other measures referred to in the recom-

mendations of the Committee, the Secretary-General stated that they could be taken only after Israel's withdrawal.

In another report to the Assembly, dated 24 October, the Secretary-General reviewed all aspects of the Middle East situation, including that of Palestinian rights. He described, in that connexion, the decisions of the 1979 Assembly session, the March/April 1980 meetings of the Security Council and the decisions of the Assembly's seventh emergency special session, and referred to communications on the subject received during the year.

General Assembly discussion

The Chairman of the Palestinian Rights Committee, addressing the General Assembly on 1 December, recalled that at its July session the Assembly, by resolution ES-7/2, had called on Israel to begin by 15 November 1980 to withdraw from the Arab and Palestinian territories occupied since 1967, including Jerusalem. Once again, he said, Israel was refusing to comply and was hiding behind the framework of the Camp David agreement. If Israel refused to heed the voice of reason, he added, the Assembly must resolve to apply the sanctions provided for in the United Nations Charter, in the event that the Security Council failed to do so.

The Committee's Rapporteur, formally introducing the Committee's report, emphasized that a start in implementing the recommended phased approach through the Council, where all the interested parties could be involved, should be delayed no longer.

The observer of PLO called for the imposition of sanctions on Israel in view of its persistent non-compliance with relevant United Nations resolutions, in particular resolution ES-7/2 which, among other things, had called for Israel to begin to withdraw from occupied territory by 15 November.

Luxembourg, on behalf of the member States of the European Community, reiterated the view that a just solution to the Palestinian question was an essential element of a global settlement in the Middle East. The nine States were opposed to Israeli settlements in occupied territories, as well as to recent Israeli laws aimed at changing the status of Jerusalem.

Egypt stated that the Camp David agreements represented an important step towards the implementation of Security Council resolution 42(1967) and constituted a corner-stone for a comprehensive settlement of the Middle East problem. They made it possible for the Palestinian people to exercise autonomy for a determined period, preparing the way for them to exercise their right to self-determination, and

making it possible for contacts to exist between the Palestinian people and Israel in a framework of peaceful coexistence, co-operation and mutual respect.

The representative of Israel said the question of the Palestinian Arabs formed one of the many complex elements of the Arab-Israeli conflict as a whole. To discuss it in isolation and disregard interrelated aspects could only imperil progress. He reiterated Israel's view that Jordan was the Palestinian Arab State where the Palestinian Arabs had achieved their self-determination. The Arab States, he added, had never given up their final objective of liquidating Israel. Certain Arab States had put PLO in charge of an attempt to transform Judaea, Samaria and the Gaza District into platforms for terror, sabotage and subversion. Israel would not offer PLO a free hand in those territories. He also reiterated Israel's view that the programme of autonomy proposed for the Palestinian Arab inhabitants of those areas, as accepted in principle in the Camp David accords, was the first practical proposal advanced to provide a dignified solution for their needs.

The USSR and other Eastern European States reiterated their opposition to the Camp David accords and to the separate Egyptian-Israeli treaty. They praised the work of the Palestinian Rights Committee and considered that the Assembly should once more reaffirm that the Palestinian problem was the core of the Middle East problem and should reaffirm the inalienable rights of the Arab people of Palestine, especially their rights to return to their country and their homes, to self-determination without foreign interference, to sovereignty and national independence and to establish their own independent State under PLO leadership. The Byelorussian SSR and others of this group of States called for the imposition of sanctions against Israel under Chapter VII of the Charter. Similar views were expressed by Afghanistan, Algeria, Cuba, Viet Nam and others.

China restated its support for the principles endorsed by the Assembly in connexion with the Palestine question and expressed appreciation for the work of the Committee. The struggle of the Palestinian and Arab people for the restoration of their national rights and recovery of their lost territories was closely linked with the resistance to super-power expansion and rivalry in the Middle East. Until that was discontinued and Israel desisted from aggression, it would be difficult for genuine peace and stability to prevail there.

Many other Members, including Bangladesh, Burundi, India, Malaysia, Mali, Turkey, Uganda and Yugoslavia, endorsed the recommendations of the Committee, which they be-

lieved to constitute a realistic basis for the solution of the Palestine question.

Reaffirmation of support for the rights of the Palestinians was voiced by the majority of speakers, Japan, Nigeria and Sierra Leone among them.

Also mentioned during the debate was opposition to the support given by the United States to Israel, which Albania, Bulgaria, Czechoslovakia, Kuwait, Somalia and many others considered a major obstacle to a peaceful solution of the Palestine problem.

Decisions of the General Assembly

On 15 December 1980, the General Assembly adopted five resolutions—35/169 A-E—on aspects of the question of Palestine.

By resolution 35/169 A, the Assembly expressed grave concern that no just solution to the Palestine problem had been achieved and that Security Council resolution 242(1967) did not provide for the future and the inalienable rights of the Palestinian people. It reaffirmed that a just and lasting peace in the Middle East could not be established without the attainment of their rights, including the right to return and the right to self-determination, national independence and sovereignty in Palestine.

The Assembly stressed that PLO was the representative of the Palestinian people and called for it to be invited to participate in all United Nations deliberations on the Middle East on an equal footing with other parties. It endorsed the recommendations of the Committee on Palestinian Rights, which were annexed to the resolution, strongly reaffirmed its repeated endorsement of those recommendations, and drew the attention of the Security Council to the need for urgent action thereon. It also reaffirmed the inalienable right of the Palestinians to return to their homes and property in Palestine, their rights in Palestine to self-determination, to national independence and sovereignty and to establish an independent State.

The Assembly demanded that Israel withdraw from all territories occupied since June 1967, including Jerusalem, and that it fully comply with Security Council resolution 465(1980) of 1 March (see p. 409), which determined that all measures to change the character and status of the occupied territories had no validity, as well as with all resolutions relevant to Jerusalem.

The Assembly expressed its opposition to all policies and plans aimed at the resettlement of Palestinians outside their homeland and condemned Israel for its non-compliance with all relevant United Nations resolutions. Finally, it requested the Security Council to convene to consider adopting effective measures under Chapter VII of the United Nations Charter.

Operative paragraph 13, containing this final request, was adopted by a separate recorded vote of 94 to 19, with 34 abstentions. The text of the resolution as a whole was adopted by a recorded vote of 98 to 16, with 32 abstentions; it was sponsored by 31 Members (see DOCUMENTARY REFERENCES below). An amendment by Malta to the language of the first operative paragraph was accepted by the sponsors.

By resolution 35/169 B, the Assembly reaffirmed its rejection of those provisions of the Camp David accords which ignored, infringed, violated or denied the rights of the Palestinian people. It expressed strong opposition to all partial agreements and separate treaties which constituted a flagrant violation of that people's rights, Charter principles and resolutions adopted in various international forums on the Palestinian issue, as well as the principles of international law, and declared that all agreements and separate treaties had no validity in so far as they purported to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967. The Assembly declared that no State had the right to undertake any actions, measures or negotiations that could affect the future of the Palestinian people, its inalienable rights and the occupied Palestinian territories without the participation of PLO on an equal footing.

Resolution 35/169 B, sponsored by 26 States (see DOCUMENTARY REFERENCES below), was adopted by a recorded vote of 86 to 22, with 40 abstentions.

By resolution 35/169 C, sponsored by 31 States (see DOCUMENTARY REFERENCES below) and adopted by a recorded vote of 120 to 3, with 23 abstentions, the Assembly expressed appreciation to the Committee on Palestinian Rights and requested it to keep the situation relating to the question of Palestine under review and to report and make suggestions to the Assembly or the Security Council. It authorized the Committee to continue to promote the implementation of its recommendations and requested the United Nations Conciliation Commission for Palestine and other United Nations bodies associated with the question to co-operate fully with the Committee. It decided to circulate the Committee's report to all competent United Nations bodies and urged them to take action as appropriate.

By resolution 35/169 D, the Assembly requested the Secretary-General to ensure that the Special Unit on Palestinian Rights continued to discharge its tasks and to keep under constant review the question of strengthening the Special Unit. It further requested him to ensure the continued co-operation of the Department of Public Information and other Secretariat units in enabling the Special Unit to perform its tasks,

invited all Governments and organizations to co-operate with the Committee and the Unit, and noted with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion. Resolution 35/169 D, sponsored by 32 Member States (see DOCUMENTARY REFERENCES below), was adopted by a recorded vote of 120 to 4, with 23 abstentions.

By the preamble to resolution 35/169 E, the Assembly reaffirmed all relevant United Nations decisions on the status of Jerusalem and that the acquisition of territory by force was inadmissible, and noted the specific status of Jerusalem and the need for protection of the Holy Places in the city. It expressed deep concern over the enactment in the Israeli Knesset of a "basic law" proclaiming a change in the character and status of the Holy City.

By the operative section, the Assembly censured in the strongest terms the enactment by Israel of the "Basic Law" on Jerusalem, affirmed that the enactment constituted a violation of international law and determined that all legislative and administrative measures taken by Israel to alter the character and status of Jerusalem were null and void and a serious obstruction to peace in the Middle East. The Assembly decided not to recognize the "Basic Law" and such other actions by Israel that sought to alter the character and status of Jerusalem, called on all States, specialized agencies and other international organizations to comply with this resolution and urged them not to conduct any business not in conformity with it.

Resolution 35/169 E, sponsored by 32 Member States (see DOCUMENTARY REFERENCES below), was adopted by a recorded vote of 143 to 1, with 4 abstentions.

A number of Members spoke in explanation of vote. In connexion with resolution 35/169 A, the following States expressed reservations at what they termed the negative reference to Security Council resolution 242(1967) which they deemed to be the only viable basis for a just and comprehensive Middle East peace: Argentina, Bolivia, Costa Rica, Ecuador, Egypt, Greece, Haiti, Lesotho, Norway, Panama, Peru, Singapore, Sweden, Thailand, Uruguay, Zaire.

Reservations concerning resolution 35/169 B were based by a number of Members on their view that partial agreements should not be rejected and/or that States had a right to conclude treaties. Among those subscribing to these views were Bolivia, Brazil, Chile, Costa Rica, Greece, Haiti, Peru and Togo.

France stated that it was opposed to the provi-

sion of resolution 35/169 A requesting the Security Council to convene in order to consider the Palestine question and adopt measures under Chapter VII of the Charter, as the Assembly was thereby attempting to guide the work of the Council.

Australia had voted against resolutions 35/169 A-D because it considered them incompatible with its fundamental position; among other things, the security interest of Israel was not taken into account. The United States also voted against those resolutions. It considered resolution 35/169 A to be completely one-sided, making no reference to provisions of Council resolution 242(1967) which affirmed the right of every State in the area to live in peace within secure and recognized boundaries. The United States opposed the activities of the Palestinian Rights Committee and the Special Unit on Palestinian Rights. Further, it had abstained on resolution 35/169 E in consistency with its previous position; nevertheless, it opposed the action of Israel concerning Jerusalem.

Canada said that in its view resolutions 35/169 A and B prejudged negotiations, would impose a settlement not agreed to by the parties concerned and ran counter to the provisions of Security Council resolutions 242(1967) and 338(1973). It had therefore voted against them. It had also voted against resolution 35/169 D as it did not agree with the work programme for the Special Unit set out therein.

Assistance to the Palestinian people

As requested by the General Assembly on 14 December 1979,⁴² the Secretary-General on 29 May 1980 submitted to the Economic and Social Council a report on assistance given to the Palestinian people by the United Nations Development Programme (UNDP), in consultation with other organizations of the United Nations system. The report contained information received from those organizations on action they had taken, in co-ordination with the Economic Commission for Western Asia, to identify the social and economic needs of the Palestinian people and establish projects to that end. The organizations had also been asked by the Council to consult with PLO on projects to improve socio-economic conditions.

On 23 July, the Council, adopting decision 1980/160 without vote, took note of the report and transmitted it to the Assembly. The Council acted on the recommendation of its Third (Programme and Co-ordination) Committee, which had approved the text without vote on 15 July as orally proposed by its Chairman.

Other action taken during 1980 included a report to the UNDP Governing Council in June

by the UNDP Administrator on steps taken to implement the Governing Council's 1979 decision to allocate \$3.5 million for projects to aid the Palestinian people. He described his consultations with all interested parties and the resultant agreement for more precise identification and formulation of 11 of 18 project proposals.

In April 1980, the Governing Council of the United Nations Environment Programme (UNEP) requested the UNEP Executive Director to ensure the implementation of the Assembly's 1979 request for assistance to the Palestinian people⁴³ within UNEP's sphere of responsibility. Similarly, the Commission on Human Settlements in May requested the Executive Director of the United Nations Centre for Human Settlements (Habitat) to make every effort to ensure implementation of the Assembly request within the responsibility and competence of the Centre.

Later in the year, on 5 December, the Assembly adopted, by 125 votes to 2, with 21 abstentions, resolution 35/111, by which it urged agencies, organizations, organs and programmes of the United Nations system to take steps to implement the Economic and Social Council's resolutions of 1976⁴⁴ and 1977⁴⁵ on assistance to the Palestinian people, and requested that such assistance in the West Bank and Gaza be rendered through United Nations agencies and organs in co-operation and consultation with the local Palestinian organizations and in the Arab host countries through those agencies in consultation with the parties concerned.

On 14 October, the Second (Economic and Financial) Committee had approved the text, sponsored by 36 States (see DOCUMENTARY REFERENCES below), by a recorded vote of 106 to 2, with 21 abstentions.

Luxembourg said that the members of the European Community had abstained because United Nations organs were asked to take steps to implement Council resolutions on which those members had abstained. However, that did not affect their support of assistance to the Palestinian people.

The United States said it supported the assistance programme adopted by the UNDP Governing Council but had voted against the resolution because of its reference to resolutions which the United States had opposed.

Related General Assembly decisions

The General Assembly at its regular 1980 session adopted a number of additional resolutions

⁴² Ibid., p. 380, resolution 34/133.

⁴³ Ibid.

⁴⁴ See Y.U.N., 1976, p. 248, resolution 2026(LXI) of 4 August 1976.

⁴⁵ See Y.U.N., 1977, p. 329, resolution 2100(LXIII) of 3 August 1977.

relating to the search for a peaceful settlement in the Middle East.

On 14 November, by resolution 35/35 A on self-determination, the Assembly condemned Israel's expansionist activities in the Middle East, as well as the bombing of civilian Arab and Palestinian populations, and urged all States, agencies and organizations within and outside the United Nations system to support the Palestinian people through its representative, PLO, in its struggle for self-determination (see p. 837).

By resolution 35/147 of 12 December, the Assembly urged practical and urgent steps to

implement a proposal to establish a nuclear-weapon-free zone in the Middle East and invited adherence to the Treaty on the Non-Proliferation of Nuclear Weapons; it also reaffirmed its recommendation to nuclear-weapon States to refrain from any action contrary to the spirit and purpose of this resolution (see p. 47).

On the same day, by resolution 35/157, the Assembly took note of a progress report of the Secretary-General on the work of the Group of Experts to Prepare a Study on Israeli Nuclear Armament and requested him to pursue his efforts in this regard and to submit a report in 1981 (see p. 43).

Documentary references, voting details and texts of resolutions

Communications

- A/35/209. Letter of 2 May from Iraq (transmitting letter of 2 April from 2nd International Conference in Solidarity with Peasants and People of Palestine held at Baghdad, 30 March-2 April; and final statement Issued by Conference).
- A/35/542 and Corr.1. Note verbale of 14 October from Cuba (transmitting communiqué of extraordinary meeting of Ministers for Foreign Affairs and heads of delegations of non-aligned countries, New York, 2 and 3 October).
- A/35/566. Letter of 24 October from Saudi Arabia.
- A/35/570. Letter of 27 October from German Democratic Republic (transmitting resolutions adopted by 67th Inter-Parliamentary Conference, Berlin, 14-25 September).
- A/35/587 and Corr.1. Letter of 31 October from Israel. (Annex: Water resources in Judaea and Samaria.)
- A/35/625. Letter of 12 November from Iraq.
- A/35/643. Letter of 17 November from Israel. (Annex: Analysis of United Nations pamphlet entitled "Acquisition of Land in Palestine," June.)
- S/13810 (A/35/109). Letter of 11 February from Pakistan (transmitting final communiqué and resolutions of extraordinary session of Islamic Conference of Foreign Ministers, Islamabad, 27-29 January), Annex (resolution 4/EOS).
- S/13912 (A/35/188). Letter of 28 April from Libyan Arab Jamahiriya (transmitting Declaration of 4th Summit Conference of Steadfastness and Confrontation National Front, Tripoli, 12-15 April).
- S/14045 (A/35/316). Letter of 27 June from Israel. (Annex: "Israel, the United Nations and International Law: Memorandum of Law," by Julius Stone, June.)
- S/14097 (A/35/384). Note verbale of 8 August from Jordan (transmitting general report, Final Declaration and resolution on question of Palestine adopted by 2nd extraordinary session of Islamic Conference of Foreign Ministers. Amman, 11 and 12 July).
- S/14129 (A/35/419). Letter of 20 August from Pakistan (transmitting resolutions and final communiqué of 11th Islamic Conference of Foreign Ministers, Islamabad, 17-22 May).
- S/14207 (A/35/508). Letter of 29 September from Morocco (transmitting final communiqué of special session of Islamic Conference of Foreign Ministers on question of Jerusalem, Fez, 18-20 September).
- S/14289 (A/35/719). Note verbale of 4 December from Jordan (transmitting Final Declaration of 11th Arab Summit Conference, Amman, 25-27 November).

Consideration by the Security Council
(31 March-9 April, 29 and 30 April)

Security Council, meetings 2204-2208, 2219, 2220.

S/13832, S/13855. Letters of 6 and 24 March from Acting Chairman and from Chairman of Committee on Exercise of

Inalienable Rights of Palestinian People to Security Council President.

S/13865, S/13867. Letters of 27 and 31 March from Tunisia (requests to extend invitations to address Council).

S/13911. Tunisia: draft resolution.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 5, 6, 8 and 9.

Seventh emergency special session of the General Assembly

General Assembly- 7th emergency special session
Credentials Committee, meeting 1.
Plenary meetings 1-11.

A/ES-7/1. Note by Secretary-General. (Annex: Letter of 1 July from Senegal requesting emergency special session of General Assembly to discuss item entitled "Question of Palestine.")

A/ES-7/13. Letter of 21 July from Israel.

A/ES-7/4. Letter of 21 July from Sri Lanka (transmitting message by President).

A/ES-7/5. Note verbale of 9 July from Pakistan.

A/ES-7/8. Letter of 22 July from Cuba (transmitting excerpt from Final Declaration of 6th (1979) Conference of Heads of State or Government of Non-Aligned Countries, relating to situation in Middle East and question of Palestine).

A/ES-7/9. Letter of 23 July from Algeria.

A/ES-7/12. Letter of 25 July from Egypt (transmitting letter of 12 September 1979 from Minister for Foreign Affairs to President of 6th (1979) Conference of Heads of State or Government of Non-Aligned Countries).

A/ES-7/L.I and Corr.1 and Add.1 and Rev.1. Afghanistan, Angola, Bahrain, Burundi, Cape Verde, Congo, Cuba, Cyprus, Djibouti, Ethiopia, Gambia, German Democratic Republic, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Morocco, Mozambique, Nicaragua, Niger, Oman, Pakistan, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Tunisia, Uganda, Ukrainian SSR, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia: draft resolution and revision.

A/35/344. Letter of 20 July from Israel.

Resolution ES-7/2, as proposed by 52 powers, A/ES-7/L.1/Rev.1, adopted by Assembly on 29 July 1980, meeting 11, by roll-call vote of 112 to 7, with 24 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR,

Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Australia, Canada, Dominican Republic, Guatemala, Israel, Norway, United States

Abstaining: Austria, Bahamas, Belgium, Burma, Denmark, Fiji, Finland, France, Germany, Federal Republic of Haiti, Honduras, Iceland, Ireland, Italy, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Paraguay, Portugal, Samoa, Sweden, United Kingdom.

The General Assembly,

Having considered the question of Palestine at an emergency special session,

Convinced that the failure to solve this question poses a grave threat to international peace and security,

Noting with regret and concern that the Security Council, at its 2220th meeting on 30 April 1980, failed to take a decision, as a result of the negative vote of the United States of America, on the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People endorsed by the General Assembly in its resolutions 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A of 7 December 1976 and 34/65 A of 29 November 1979,

Having considered the letter dated 1 July 1980 from the Permanent Representative of Senegal to the United Nations, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Having heard the statement by the Observer of the Palestine Liberation Organization, the representative of the Palestinian people,

1. Recalls and reaffirms its resolutions 3236(XXIX) and 3237(XXIX) of 22 November 1974 and all other relevant United Nations resolutions pertinent to the question of Palestine;

2. Reaffirms, in particular, that a comprehensive, just and lasting peace in the Middle East cannot be established, in accordance with the Charter of the United Nations and the relevant United Nations resolutions, without the withdrawal of Israel from all the occupied Palestinian and other Arab territories, including Jerusalem, and without the achievement of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people in Palestine;

3. Reaffirms the inalienable right of the Palestinians to return to their homes and property in Palestine, from which they have been displaced and uprooted, and calls for their return;

4. Reaffirms also the inalienable rights in Palestine of the Palestinian people, including:

(a) The right to self-determination without external interference, and to national independence and sovereignty;

(b) The right to establish its own independent sovereign State;

5. Reaffirms the right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing in all efforts, deliberations and conferences on the question of Palestine and the situation in

the Middle East within the framework of the United Nations:

6. Reaffirms the fundamental principle of the inadmissibility of the acquisition of territory by force;

7. Calls upon Israel to withdraw completely and unconditionally from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, with all property and services intact, and urges that such withdrawal from all the occupied territories should start before 15 November 1980;

8. Demands that Israel should fully comply with provisions of resolution 465(1980) adopted unanimously by the Security Council on 1 March 1980;

9. Further demands that Israel should fully comply with all United Nations resolutions relevant to the historic character of the Holy City of Jerusalem, in particular Security Council resolution 476(1980) of 30 June 1980;

10. Expresses its opposition to all policies and plans aimed at the resettlement of the Palestinians outside their homeland;

11. Requests and authorizes the Secretary-General, in consultation, as appropriate, with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to take the necessary measures towards the implementation of the recommendations contained in paragraphs 59 to 72 of the report of the Committee to the General Assembly at its thirty-first session as a basis for the solution of the question of Palestine;

12. Requests the Secretary-General to report to the General Assembly at its thirty-fifth session on the implementation of the present resolution;

13. Requests the Security Council, in the event of non-compliance by Israel with the present resolution, to convene in order to consider the situation and the adoption of effective measures under Chapter VII of the Charter;

14. Decides to adjourn the seventh emergency special session temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from Member States.

S/14088. Note by Secretary-General.

A/ES-7/L.2 and Rev.1. Afghanistan, Bangladesh, Cape Verde, Cuba, Guyana, Iraq, Jamaica, Nicaragua, Qatar, Sudan, United Arab Emirates, Viet Nam, Yugoslavia, Zambia: draft resolution and revision.

Resolution ES-7/3, as proposed by 14 powers, A/ES-71 L.2/Rev.1, adopted by Assembly on 29 July 1980, meeting 11, by recorded vote of 112 to 5, with 26 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia

Against: Australia, Canada, Guatemala, Israel, United States

Abstaining: Austria, Bahamas, Belgium, Burma, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Haiti, Honduras, Iceland, Ireland, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom, Zaire.

The General Assembly,

Having heard the statements by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and by the Rapporteur of the Committee,

1. Commends the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts to discharge its duties;

2. Expresses great appreciation for the studies on the various aspects of the question of Palestine published by the Special Unit on Palestinian Rights of the Secretariat under the guidance of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and requests the Committee to study thoroughly the reasons for the refusal of Israel to comply with the relevant United Nations resolutions, particularly resolution 31/20 of 24 November 1976, in which the General Assembly endorsed the recommendations of the Committee contained in its report to the Assembly at its thirty-first session, and the numerous resolutions demanding the withdrawal of Israel from the occupied Palestinian and other Arab territories, including Jerusalem, and to submit the study to the Assembly;

3. Requests the Committee on the Exercise of the Inalienable Rights of the Palestinian People to report on the progress of its study to the General Assembly at its thirty-fifth session.

A/ES-7/7. Letter of 22 July from Viet Nam (transmitting message of same date from "Minister for Foreign Affairs of People's Republic of Kampuchea").

A/ES-7/11. Letter of 23 July from Democratic Kampuchea.

A/ES-7/13. Credentials of representatives to 7th emergency special session of General Assembly. Report of Credentials Committee.

A/ES-7/13. para. 13. Draft resolution, as orally proposed by Credentials Committee Chairman, approved without vote by Committee on 25 July, meeting 1.

Resolution ES-7/1, by which the General Assembly approved the report of the Credentials Committee, as recommended by Committee, A/ES-7/13. adopted without vote by Assembly on 29 July 1980. meeting 11.

Report of the Committee on Palestinian Rights

A/35/35. Report of Committee on Exercise of Inalienable Rights of Palestinian People.

A/35/563 (S/14234). Report of Secretary-General. (Chapter V: Palestinian rights.)

Further consideration by the General Assembly

General Assembly- 35th session
Plenary meetings 75-80,89,95,98.

A/35/2. Report of Security Council, 16 June 1979-15 June 1980. Chapter 1 A (paras. 24-47).

A/35/35. Report of Committee on Exercise of Inalienable Rights of Palestinian People.

A/35/109 (S/13810). Letter of 11 February from Pakistan (transmitting final communique and resolutions of extraordinary session of Islamic Conference of Foreign Ministers, Islamabad, 27-29 January), Annex (resolution 4/EOS).

A/35/188 (S/13912). Letter of 28 April from Libyan Arab Jamahiriya (transmitting Declaration of 4th Summit Conference of Steadfastness and Confrontation National Front, Tripoli, 12-15 April).

A/35/316 (S/14045). Letter of 27 June from Israel.

A/35/384 (S/14097). Note verbale of 8 August from Jordan (transmitting general report, Final Declaration and resolution on question of Palestine adopted by 2nd extraordinary session of Islamic Conference of Foreign Ministers, Amman, 11 and 12 July).

A/35/419 (S/14129). Letter of 20 August from Pakistan (transmitting resolutions and final communique of 11th Islamic Conference of Foreign Ministers, Islamabad. 17-22 May).

A/35/508 (S/14207). Letter of 29 September from Morocco (transmitting final communique of special session of Islamic Conference of Foreign Ministers on question of Jerusalem, Fez, 18-20 September).

A/35/618 (S/14250). Report of Secretary-General.

A/35/719 (S/14289). Note verbale of 4 December from Jordan (transmitting Final Declaration of 11th Arab Summit Conference, Amman, 25-27 November).

A/35/L.38. Afghanistan, Bangladesh, Benin, Comoros, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Nicaragua, Nigeria, Pakistan, Sao Tome and Principe, Senegal, Sri Lanka, Tunisia, Viet Nam, Yugoslavia, Zimbabwe: draft resolution and Annex (recommendations of Committee on Exercise of Inalienable Rights of Palestinian People, endorsed by General Assembly at its 31st session).

A/35/L.38/Rev.1. Revised draft resolution and Annex, sponsored by above 29 powers and by Congo and Guinea.

A/35/L.45. Malta: amendment to 29-power draft resolution and Annex. A/35/L.38.

Resolution 35/169 A and Annex, as proposed by 31 powers, A/35/L.38/Rev.1, adopted by Assembly on 15 December 1980, meeting 95, by recorded vote of 98 to 16, with 32 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

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

Abstaining: Austria, Bahamas, Bolivia, Burma, Central African Republic, Chile, Colombia, Costa Rica, Egypt, El Salvador, Fiji, Finland, France, Gabon, Greece, Guatemala, Haiti, Honduras, Japan, Lesotho, Liberia, Malawi, Mauritius, Nepal, Papua New Guinea, Paraguay, Portugal, Samoa, Swaziland, Sweden, United Republic of Cameroon, Zaire.

The General Assembly,

Recalling and reaffirming 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 A and B of 2 December 1977, 33/28 A to C of 7 December 1978,

34/65 A to D of 29 November and 12 December 1979 and ES-7/2 of 29 July 1980.

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

Having heard the statement of the Palestine Liberation Organization, the representative of the Palestinian people,

1. Expresses its grave concern that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Middle East conflict, of which it is the core, and to endanger international peace and security, and that Security Council resolution 242(1967) of 22 November 1967 does not provide for the future and for the inalienable rights of the Palestinian people, the attainment of which is a *conditio sine qua non* for a just solution of the question of Palestine;

2. Reaffirms that a just and lasting peace in the Middle East cannot be established without the achievement, *inter alia*, of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people, including the right of return and the right to self-determination, national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations and the principles of international law;

3. Stresses the basic principle that the future of the Palestinian people cannot be discussed in their absence and, therefore, calls once more for the invitation of the Palestine Liberation Organization, the representative of the Palestinian people, to participate, on the basis of General Assembly resolution 3237(XXIX) of 22 November 1974, in all efforts, deliberations and conferences on the Middle East which are held under the auspices of the United Nations, on an equal footing with other parties;

4. Endorses the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People contained in paragraphs 45 to 48 of its report and draws the attention of the Security Council to the need for urgent action thereon;

5. Reaffirms the inalienable right of the Palestinians to return to their homes and property in Palestine, from which they have been displaced and uprooted, and calls for their return;

6. Reaffirms *a/s*o the inalienable rights in Palestine of the Palestinian people, including:

(a) The right to self-determination without external interference, and to national independence and sovereignty;

(b) The right to establish its own independent sovereign State;

7. Strongly reaffirms its repeated endorsement of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, as contained in paragraphs 59 to 72 of its report to the thirty-first session, and as reproduced in the annex to the present resolution;

8. Demands the complete and unconditional withdrawal by Israel from all the Palestinian and other Arab territories occupied since June 1967, including Jerusalem, in conformity with the fundamental principle of the inadmissibility of the acquisition of territory by force;

9. Demands that Israel should fully comply with the provisions, in particular, of Security Council resolution 465(1980) adopted unanimously on 1 March 1980;

10. Further demands that Israel should fully comply with all the resolutions of the United Nations relevant to the historic character of the Holy City of Jerusalem, in particular Security Council resolutions 476(1980) of 30 June 1980 and 478(1980) of 20 August 1980, and rejects the declaration of Israel that Jerusalem is its capital;

11. Expresses its opposition to all policies and plans aimed at the resettlement of the Palestinians outside their homeland;

12. Condemns Israel for its non-compliance with the provisions of General Assembly resolution ES-7/2 and Security Council resolutions 465(1980) and 478(1980) and other relevant resolutions of the United Nations;

13. Requests the Security Council to convene in order to

consider the situation and the adoption of effective measures under Chapter VII of the Charter;

14. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Question of Palestine."

ANNEX

Recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, endorsed by the General Assembly at its thirty-first session

I. Basic considerations and guidelines

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

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

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

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

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

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

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

II. Right of return

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

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

Phase one

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

(a) The Security Council should request the immediate implementation of its resolution 237(1967) and that such implementation should not be related to any other condition;

(b) The resources of the International Committee of the Red Cross and/or of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, suitably financed and mandated, may be employed to assist in the solution of any logistical problems involved in the resettlement of those returning to their homes. These agencies could also assist, in co-operation with the host countries and the Palestine Liberation Organization, in the identification of the displaced Palestinians.

Phase two

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

(a) While the first phase is being implemented, the United Nations in co-operation with the States directly involved, and the Palestine Liberation Organization as the Interim representative of the Palestinian entity, should proceed to make the necessary arrangements to enable Palestinians displaced between 1948 and 1967 to exercise their right to return to their homes and property, in accordance with the relevant United Nations resolutions, particularly General Assembly resolution 194(III);

(b) Palestinians not choosing to return to their homes should be paid just and equitable compensation as provided for in resolution 194(III).

III. Right to self-determination, national independence and sovereignty

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

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

72. To these ends, the Committee recommends that:

(a) A timetable should be established by the Security Council for the complete withdrawal by Israeli occupation forces from those areas occupied in 1967; such withdrawal should be completed no later than 1 June 1977;

(b) The Security Council may need to provide temporary peace-keeping forces in order to facilitate the process of withdrawal;

(c) Israel should be requested by the Security Council to desist from the establishment of new settlements and to withdraw during this period from settlements established since 1967 in the occupied territories; Arab property and all essential services in these areas should be maintained intact;

(d) Israel should also be requested to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to declare, pending its speedy withdrawal from these territories, its recognition of the applicability of that Convention;

(e) The evacuated territories, with all property and services intact, should be taken over by the United Nations, which, with the co-operation of the League of Arab States, will subsequently hand over these evacuated areas to the Palestine Liberation Organization as the representative of the Palestinian people;

(f) The United Nations should, if necessary, assist in establishing communications between Gaza and the West Bank;

(g) As soon as the independent Palestinian entity has been established, the United Nations, in co-operation with the States directly involved and the Palestinian entity, should, taking into account General Assembly resolution 3375(XXX), make further arrangements for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions;

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

S/14342. Note, dated 23 January 1981, by Secretary-General.

A/35/L.39 and Add.1. Afghanistan, Bangladesh, Benin, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Iran, Lao People's Democratic Republic, Malaysia, Mali, Nicaragua, Pakistan, Sao Tome and Principe, Senegal, Tunisia, Ukrainian SSR, Viet Nam, Yugoslavia, Zimbabwe: draft resolution.

Resolution 35/169 B, as proposed by 26 powers, A/35/L.39 and Add.1, adopted by Assembly on 15 December 1980, meeting 95, by recorded vote of 86 to 22, with 40 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, China, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Equatorial Guinea, Ethiopia, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mongolia, Morocco, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Chile, Denmark, Dominican Republic, Finland, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom, United States

Abstaining: Argentina, Bahamas, Barbados, Bolivia, Brazil, Burma, Central African Republic, Colombia, Costa Rica, Ecuador, Egypt, El Salvador, Fiji, France, Gabon, Greece, Haiti, Honduras, Jamaica, Japan, Liberia, Malawi, Mauritius, Mexico, Nepal, Panama, Papua New Guinea, Paraguay, Peru, Saint Lucia, Samoa, Singapore, Suriname, Swaziland, Thailand, Trinidad and Tobago, United Republic of Cameroon, Uruguay, Venezuela, Zaire.

*Subsequently advised the Secretariat that it had intended to abstain.

The General Assembly.

Recalling and reaffirming its resolutions 34/65 A to D of 29 November and 12 December 1979,

Taking note of paragraphs 31 and 47 of the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

1. Reaffirms its rejection of those provisions of the accords which ignore, infringe, violate or deny the inalienable

rights of the Palestinian people, including the right of return, the right of self-determination and the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations and the principles of international law, and which envisage and condone continued Israeli occupation of the Palestinian territories occupied by Israel since 1967:

2. Expresses its strong opposition to all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the Charter and the resolutions adopted in the various international forums on the Palestinian issue, as well as the principles of international law, and declares that all agreements and separate treaties have no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967;

3. Declares that no State has the right to undertake any actions, measures or negotiations that could affect the future of the Palestinian people, its inalienable rights and the occupied Palestinian territories without the participation of the Palestine Liberation Organization on an equal footing, in accordance with the relevant United Nations resolutions, and rejects all such actions, measures and negotiations.

A/35/L.40 and Add.1, Afghanistan, Bangladesh, Benin, Comoros, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Nicaragua, Nigeria, Pakistan, Sao Tome and Principe, Senegal, Sri Lanka, Tunisia, Ukrainian SSR, Viet Nam, Yugoslavia, Zimbabwe: draft resolution.

Resolution 35/169 C, as proposed by 31 powers, A/35/L.40 and Add.1, adopted by Assembly on 15 December 1980, meeting 95, by recorded vote of 120 to 3, with 23 abstentions, as follows:

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

Against: Australia, Israel, United States

Abstaining: Austria, Belgium, Canada, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Papua New Guinea, Sweden, United Kingdom.

The General Assembly.

Recalling its resolutions 3376(XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 A and B of 2 December 1977, 33/28A to C of 7 December 1978, 34/65 A to D of 29

November and 12 December 1979 and ES-7/3 of 29 July 1980.

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. Requests the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

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

4. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194(III) of 11 December 1948, as well as other United Nations bodies associated with the question of Palestine, to co-operate fully with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to make available to the Committee, at its request, the relevant information and documentation which they have at their disposal;

5. 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;

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

A/35/L.41 and Add.1, Afghanistan, Bangladesh, Benin, Comoros, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Nicaragua, Nigeria, Pakistan, Romania, Sao Tome and Principe, Senegal, Sri Lanka, Tunisia, Ukrainian SSR, Viet Nam, Yugoslavia, Zimbabwe: draft resolution.

Resolution 35/169 D, as proposed by 32 powers, A/35/L.41 and Add.1, adopted by Assembly on 15 December 1980, meeting 95, by recorded vote of 120 to 4, with 23 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, China, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, 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, Somalia, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Canada, Israel, United States

Abstaining: Argentina, Austria, Belgium, Chile, Colombia, Denmark, Dominican Republic, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom.

The General Assembly,

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

Noting, in particular, the information contained in paragraphs 20 to 29 and 38 to 44 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978 and 34/65 D of 12 December 1979,

1. Notes with appreciation the action taken by the Secretary-General in compliance with General Assembly resolution 34/65 D;

2. Requests the Secretary-General to ensure that the Special Unit on Palestinian Rights of the Secretariat, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance, continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 Band paragraph 2 (b) of resolution 34/65 D;

3. Also requests the Secretary-General to keep under constant review the question of the strengthening of the Special Unit on Palestinian Rights and to provide it with the resources necessary to discharge the responsibilities assigned to it by the General Assembly as well as the redesignation of the Special Unit as requested in paragraph 1 of resolution 34/65 D;

4. Further 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 Special Unit on Palestinian Rights to perform its tasks;

5. 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 Special Unit on Palestinian Rights in the performance of their tasks;

8. Notes with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion.

A/35/L.42 and Rev.1 and Rev.1/Add.1. Afghanistan, Bangladesh, Benin, Comoros, Cuba, Cyprus, Ethiopia, Gambia, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Lao People's Democratic Republic, Madagascar, Malaysia, Maldives, Mali, Morocco, Nicaragua, Pakistan, Sao Tome and Principe, Senegal, Tunisia, Turkey, Ukrainian SSR, Viet Nam, Yugoslavia, Zimbabwe: draft resolution and revision.

Resolution 35/169 E, as proposed by 32 powers, A/35/L.42/Rev.1 and Rev.1/Add.1, adopted by Assembly on 15 December 1980, meeting 95, by recorded vote of 143 to 1, with 4 abstentions, as follows:

In favour.' Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, 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, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, 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, Nepal, Netherlands, New Zealand, Nicaragua, Niger, 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, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel

Abstaining: Dominican Republic, Guatemala, Malawi, United States.

The General Assembly,

Recalling and reaffirming its resolutions 2253(ES-V) of 4 July 1967 and 2254(ES-V) of 14 July 1967,

Recalling the resolutions of the Security Council relevant to the character and status of the Holy City of Jerusalem, in particular resolutions 252(1988) of 21 May 1968, 267(1969) of 3 July 1969, 271(1969) of 15 September 1969, 298(1971) of 25 September 1971, 465(1980) of 1 March 1980, 478(1980) of 30 June 1980 and 478(1980) of 20 August 1980,

Reaffirming that the acquisition of territory by force is inadmissible,

Bearing in mind the specific status of Jerusalem and, in particular, the need for protection and preservation of the unique spiritual and religious dimension of the Holy Places in the city,

Expressing its satisfaction at the decision taken by the States which have responded to Security Council resolution 478(1980) and withdrawn their diplomatic representatives from the Holy City of Jerusalem,

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

Deploping the persistence of Israel in changing the physical character, demographic composition, institutional structure and the status of the Holy City of Jerusalem,

Deeply concerned over the enactment of a "basic law" in the Israeli Knesset proclaiming a change in the character and status of the Holy City of Jerusalem, with its implications for peace and security,

1. Censures in the strongest terms the enactment by Israel of the "Basic Law" on Jerusalem;

2. Affirms that the enactment of the "Basic Law" by Israel constitutes a violation of international law and does not affect the continued application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the recent "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, are null and void and must be rescinded forthwith;

4. Affirms a/o that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

5. Decides not to recognize that "Basic Law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon all States, specialized agencies and other international organizations to comply with the present resolution and other relevant resolutions and urges them not to conduct any business which is not in conformity with the provisions of the present resolution and the other relevant resolutions.

Assistance to the Palestinian people

Economic and Social Council- 2nd regular session, 1980
Third (Programme and Co-ordination) Committee, meetings
1-4,9.

Plenary meeting 43.

A/35/227 and Add.1. Report of Secretary-General.

E/1980/102. Report of Third (Programme and Co-ordination)
Committee, draft decision, as orally proposed by Committee
Chairman, approved without vote by Committee on 15 July,
meeting 9.

Decision 1980/160, by which the Council took note of the
report of the Secretary-General on assistance to the
Palestinian people and decided to transmit it to the General
Assembly at its thirty-fifth session, as recommended by
Third Committee, E/1980/102. adopted without vote by
Council on 23 July 1980. meeting 43.

General Assembly- 35th session

Second Committee, meetings 15, 17, 18.

Plenary meeting 84.

A/35/8. Report of Commission on Human Settlements on
work of its 3rd session, Mexico City, Mexico, 6-15 May,
Chapter V D (para. 78) and Annex I A (resolution 3/11).

A/35/25. Report of Governing Council of UNEP on work of its
8th session, Nairobi, Kenya, 16-29 April, Chapter II (paras.
130-132 and 151-157) and Annex I (decision 8/4).

A/C.2/35/L.10. Afghanistan, Algeria, Angola, Bahrain, Ban-
gladesh, Burundi, Congo, Cuba, Cyprus, Democratic
Yemen, Djibouti, Ethiopia, India, Iraq, Jordan, Kuwait,
Lebanon, Libyan Arab Jamahiriya, Madagascar, Mali,
Mauritania, Morocco, Mozambique, Nicaragua, Oman, Paki-
stan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian
Arab Republic, Tunisia, United Arab Emirates, Yemen,
Yugoslavia: draft resolution, approved by Second Com-
mittee on 14 October, meeting 17. by recorded vote of 106 to
2, with 21 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argenti-
na, Austria, Bahrain, Bangladesh, Barbados, Benin,
Bhutan, Bolivia, Brazil, Burundi, Byelorussian SSR, Cape
Verde, Central African Republic, Chad, Chile, China,
Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslova-
kia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salva-
dor, Ethiopia, Fiji, German Democratic Republic, Ghana,
Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras,
Hungary, India, Indonesia, Iraq, Ivory Coast, Jamaica,
Japan, Jordan, Kenya, Kuwait, Lao People's Democratic
Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya,
Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico,
Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger,
Nigeria, Oman, Pakistan, Panama, Peru, Philippines,
Poland, Qatar, Romania, Rwanda, Sao Tome and Principe.

Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan,
Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad
and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR,
USSR, United Arab Emirates, United Republic of
Cameroon, United Republic of Tanzania, Upper Volta, Uru-
guay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire,
Zambia, Zimbabwe

Against: Israel, United States

Abstaining: Australia, Belgium, Burma, Canada, Den-
mark, Dominican Republic, Finland, France, Gabon,
Germany, Federal Republic of, Iceland, Ireland, Italy,
Luxembourg, Netherlands, New Zealand, Norway, Papua
New Guinea, Portugal, Sweden, United Kingdom.

A/35/545. Report of Second Committee (part I) (on report of
Economic and Social Council). draft resolution IV.

Resolution 35/111, as recommended by Second Committee,
A/35/545, adopted by Assembly on 5 December 1980,
meeting 84, by 125 votes to 2, with 21 abstentions.

The General Assembly,

Recalling its resolutions 33/147 of 20 December 1978 and
34/133 of 14 December 1979,

Recalling a/so its resolutions 3236(XXIX) and 3237(XXIX)
of 22 November 1974,

Recalling further Economic and Social Council resolutions
1978(LIX) of 31 July 1975, 2026(LXI) of 4 August 1976 and
2100(LXIII) of 3 August 1977,

Taking note with satisfaction of the report of the Secretary-
General on assistance to the Palestinian people,

Also taking note of the report of the Governing Council of
the United Nations Development Programme on its twenty-
seventh session,

1. Notes with satisfaction the action taken by the Admin-
istrator and the Governing Council of the United Nations De-
velopment Programme in response to General Assembly reso-
lution 34/133;

2. Urges the relevant agencies, organizations, organs and
programmes of the United Nations system to take the neces-
sary steps for the full implementation of Economic and Social
Council resolutions 2026(LXI) and 2100(LXIII);

3. Requests that assistance to the Palestinian people in
the West Bank and Gaza should be rendered through United
Nations agencies and organs in co-operation and consulta-
tion with the local Palestinian economic, social, educational
and municipal organizations in these occupied territories;

4. Requests that assistance to the Palestinian people in
the Arab host countries should be rendered through United
Nations agencies, in consultation with the parties concerned
and in accordance with the relevant resolutions of the
Economic and Social Council;

5. Requests the Secretary-General to report to the Gen-
eral Assembly at its thirty-sixth session, through the Economic
and Social Council, on the progress made in the implementa-
tion of the present resolution.

Situation in the occupied territories

During 1980, the question of the violation of
human rights in the territories occupied by
Israel as a result of hostilities in the Middle East
was again considered by the Commission on
Human Rights, the General Assembly and its
Special Committee to Investigate Israeli Prac-
tices Affecting the Human Rights of the Popula-
tion of the Occupied Territories. In addition, the
Security Council considered the situation re-

sulting from Israel's adoption of a "basic law" on
Jerusalem and the proclamation of that city as
the capital of Israel and, at a series of meetings,
specific violations of human rights in the occu-
pied territories. The occupied territories consist-
ed of the Golan Heights, the West Bank of
Jordan (including East Jerusalem), the Gaza
Strip and the Sinai peninsula. The areas of Eryp-
tian territory under Israeli military occupancy

were modified in accordance with an Egyptian-Israeli peace treaty which came into force on 25 April 1979.⁴⁶

Many communications on this subject were addressed during the year to the Secretary-General and the President of the Security Council.

Decisions of the Commission on Human Rights and its Sub-Commission

The Commission on Human Rights, at its February/March 1980 session, and its Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its August/September session, adopted several resolutions on the question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East (for details, see p. 819).

By the first of these, adopted on 13 February, the Commission demanded that Israel desist from its annexation and settlement policies and cease all acts of torture and ill-treatment of Arab detainees and prisoners.

By the second resolution, adopted on the same day, the Commission called on Israel to abide by and respect the obligations of the Charter of the United Nations and of international law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War (the fourth Geneva Convention of 12 August 1949).

On 14 February, the Commission affirmed the rights of the Palestinian people to self-determination, to the establishment of an independent State and to their return to their homes.

On 11 September, the Sub-Commission requested its Chairman to appoint three of its members to visit Israeli prisons and detention camps and to report on the conditions of Palestinian prisoners and detainees.

The Sub-Commission also condemned Israel's violations of the Charter, the Universal Declaration of Human Rights and other United Nations resolutions, and called on Israel to release all Palestinian political detainees or prisoners and to ameliorate the conditions of all detainees and prisoners held in Israeli prisons, with a view to meeting international standards.

Further, the Sub-Commission urged Israel to withdraw from all occupied territories, including the Holy City of Jerusalem, and deeply deplored the reported violations of human rights in those territories.

Status of Jerusalem

In 1980, Israel adopted several administrative measures concerning the status of Jerusalem, which were the subject of communications and reports. Two Security Council resolutions were

adopted on the Holy City. Also, the General Assembly, at meetings on the question of Palestine, concerned itself with the status of Jerusalem and adopted a resolution by which it decided not to recognize actions of Israel that sought to alter the character and status of Jerusalem.

Communications (February-24 June)

In a letter of 5 February 1980, Jordan referred to press reports in Jerusalem of recurring acts of vandalism and desecration of Christian institutions in Jerusalem and to an appeal by local Christian groups for international guarantees for the city's Holy Places. On 12 February, Israel replied that it would not tolerate vandalism and charged that Jordan had repeatedly attempted to play upon religious sentiments in its campaign against Israel.

By a letter dated 12 March, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People expressed the Committee's concern about implications of a statement by the President of the United States which concerned Security Council resolution 465(1980) of 1 March (see p. 409) and the indivisible status of Jerusalem. In the Committee's opinion, the President's statement could be interpreted as supporting Israel's insistence that Jerusalem was indivisible as long as it remained under Israel's domination.

On 16 May, Egypt transmitted a statement of 15 May by the Ministry of Foreign Affairs stating that the preparation by Israel of a basic State law regarding Jerusalem as the capital of Israel contravened the Camp David framework and made it difficult to resume negotiations for the full autonomy of the Palestinian people.

By a letter of 24 June, Bahrain, on behalf of the Arab group of States at the United Nations, condemned the Israeli Prime Minister's decision to move part of the cabinet to East Jerusalem and called on the Security Council to prevent implementation of this decision. Also on 24 June, Tunisia transmitted a statement from the Secretary-General of the League of Arab States expressing the expectation that the Council, which was currently seized of the issue (see following subsection), would adopt a resolution including measures to terminate Israel's violations in Jerusalem.

Consideration by the Security Council (24-30 June)

In response to a request of 28 May by Pakistan, in its capacity as Chairman of the Organization of the Islamic Conference, the Security Council considered the situation in Jerusalem at eight meetings between 24 and 30 June.

⁴⁶See Y.U.N., 1979, p. 3.56

Algeria, Bahrain, Chad, Cuba, Democratic Yemen, Djibouti, Egypt, Gabon, the Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Turkey, Uganda, the United Arab Emirates, the United Republic of Cameroon, the Upper Volta, Yemen and Yugoslavia were invited, at their request, to participate in the deliberations without the right to vote.

The Council extended invitations, under rule 39 of its provisional rules of procedure,⁴⁷ to the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, at his request, and the Permanent Observer of the League of Arab States, as requested by Tunisia in a letter of 20 June.

The President drew attention to another letter of 20 June from Tunisia requesting that the Palestine Liberation Organization (P.L.O.) be invited to participate in the Council's deliberations, in accordance with past practice. He added that the proposal was not made pursuant to rule 37⁴⁸ or rule 39 of the provisional rules of procedure, but that, if approved, the invitation would confer on P.L.O. the same rights as those conferred on Member States when invited to participate pursuant to rule 37.

The representative of the United States requested that the proposed invitation be put to the vote, stating that he had no objections to the participation of P.L.O. under rule 39. The proposal was approved by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

Opening the debate, the Minister for Foreign Affairs of Pakistan said the recent bill declaring Jerusalem as Israel's capital had added a new dimension to Israeli aggression. The Islamic Conference had called on the Council to examine the dangerous consequences of the Israeli measure, to declare its annulment and, in case of Israel's defiance, to impose sanctions stipulated in Chapter VII of the United Nations Charter.⁴⁹ The Islamic Conference had reaffirmed its commitment to sever relations with any country that accepted Israel's move to annex Jerusalem and recognized it as Israel's capital. Throughout the 13 centuries of Moslem rule over Palestine, he said, Islamic sovereignty over Jerusalem was exercised as a sacred trust. Its unique spiritual heritage, which spanned a period of more than 3,000 years, was consistently nurtured and preserved under Islamic administration. That sacred heritage was being systematically obliterated by the obsessive Zionist scheme to

Judaize that city and other cities of Palestine such as Hebron and Nazareth.

Morocco, speaking on behalf of the Jerusalem Committee of the Islamic Conference, reviewed the Committee's efforts, which had been met with arrogance and a spirit of conquest on the part of Israel. Morocco expressed the hope that the Council would spare no effort to see that the Holy City regained peace, that the Palestinian people could return to their homeland and establish a respected national State, and that the whole Middle East could resume its role to consolidate international peaceful co-operation.

China fully supported the initiative of the Islamic Conference and regarded Israeli actions to change the status and character of Jerusalem as illegal and null and void. The Council must strongly condemn Israel for its unlawful acts concerning Jerusalem and declare in explicit terms that the measures taken by Israel were illegal and null and void and should be rescinded. The Council should also demand Israel's withdrawal from all the occupied territories, including Jerusalem. Should the Israeli authorities continue to defy the relevant United Nations resolutions, the Council should consider the adoption of more effective measures against Israel.

The USSR charged that the support of the United States had encouraged Israel in its policy of expansion and aggression. As a result of Camp David, the Middle East was further than ever from genuine peace and a long-term political settlement. The Council must call a halt to the intentions of Israel; the decisiveness with which the Council reacted to Israel's defiance would largely determine the success in achieving a just and comprehensive settlement of the Arab-Israeli conflict.

The German Democratic Republic said that the issue before the Council was a new act of aggression; the idea of creating a "Greater Jerusalem" ran counter to international peace and security and was a further attempt to implement a colonialist policy, which had been intensified since Camp David. Should Israel fail to comply with the demands of the Council, the German Democratic Republic believed it would be justifiable to apply Chapter VII of the Charter.

Mexico favoured a forceful resolution so that the Council might implement the legal measures necessary to halt the flouting of the will of the international community. It called for an end to the illegal occupation, but thought that a long-term solution required a new approach leading to coexistence. If unification was to take place, it had to be done with respect to all sovereignties.

⁴⁷ See footnote 3.

⁴⁸ See footnote 2.

⁴⁹ For text of Chapter VII of the Charter, see APPENDIX II.

A special statute for Jerusalem, under international guarantees, with free access to the places of worship, was favoured by Portugal, which also considered that any attempt to impose control of the Holy City by force would contain the seed of new violence. Israel, Portugal added, should avoid creating a situation that would block a negotiated settlement.

France said it could not concur in the plan to annex the Arab part of Jerusalem and make the city the capital of Israel, which went beyond the measures to integrate the Arab part of Jerusalem in a unified administrative entity. Jerusalem must not be allowed to become a prize to be fought over. France held that all legislative and other measures by Israel to integrate the part of Jerusalem occupied since 1967 were, like the creation and extension of the settlements, contrary to the rules of international law. France appealed to Israel not to commit irreparable acts that would only provoke violent reactions and compromise the chances of peace.

The United Kingdom said that East Jerusalem was part of the territories occupied in the war of 1967. It was subject to the principles emphasized in Council resolution 242(1967),⁵⁰ including the inadmissibility of the acquisition of territory by war. No unilateral action should or could change the status of Jerusalem. No such action should be allowed to prejudice the future of the city. That position had most recently been reaffirmed in the Venice declaration of the European Community members (see p. 371). The United Kingdom deplored the changes which Israel had made to the physical and demographic character of Jerusalem in the years since 1967 and Israel's failure to heed earlier Council resolutions on the subject.

Tunisia noted that the United Nations had constantly stated that Israel must evacuate the whole of the occupied territories, including Jerusalem. The international community had been unanimous in considering null and void any unilateral measures taken by occupation authorities with the aim of transforming a *de facto* situation into a *de jure* one. Because of Israel's persistence in violating the status of Jerusalem, the Council was duty-bound to have recourse to the sanctions provided for in the United Nations Charter.

Jamaica also emphasized that the annexation of East Jerusalem was a clear violation of international law, in particular the 1949 fourth Geneva Convention. All illegal measures which would have the effect of altering the character and status of Jerusalem should be rescinded, followed by Israel's complete withdrawal from East Jerusalem and other occupied territories.

The Niger and Zambia held that the future of Jerusalem could not be dissociated from that of

the Palestinian people. Application of the sanctions provided for by the Charter seemed to be the only weapon capable of curbing Israel in its efforts at colonial reconquest.

The Philippines observed that the special status with international guarantees envisaged for Jerusalem by General Assembly resolution 181 A (II) of 1947 called for the establishment of the city as a *corpus separatum* under a special international regime to be administered by the United Nations.⁵¹ Since 1967, all actions having the intent of changing that status had been declared invalid by the Assembly and the Council. Cuba, Jordan and Turkey also referred to an international regime for Jerusalem in the context of the United Nations.

Bangladesh noted that Israel had been systematically taking measures in pursuit of a policy totally incompatible with its obligations under the Charter and the fourth Geneva Convention. In the context of repeated violation of its resolutions, the Council was called upon to declare as null and void the actions taken by Israel. If Israel continued its policy of defiance, all efforts must be made to compel its compliance, as its policies posed the gravest danger to international peace and security.

Israel stated that Jerusalem had always been the capital of the Jewish people. It had always been a united city except for the period between 1948 and 1967, when it was artificially divided. Modern statistics showed an uninterrupted Jewish majority in the city. In accordance with a decree enacted on 27 June 1967, Israel was empowered to apply the law, jurisdiction and administration of the State to any part of Israel. On that basis, Jerusalem was the indivisible capital. There was no substance to the allegation that Israel was altering the existing situation in Jerusalem. Under the 1967 Law on Protection of Holy Places, unrestricted access to all the Holy Places was guaranteed to members of all faiths.

In Egypt's view, Israel's policy to alter the status of Jerusalem affected the peace process. Under such conditions, Egypt had suspended the peace talks.

In the view of several other States which addressed the Council, including Algeria, Mauritania, the Sudan and Yugoslavia, the problem of Israel could not be dissociated from other aspects of the Middle East crisis. Many others, including Iraq, Jordan, Malaysia, Senegal, Somalia and the United Arab Emirates, pointed out that the application of sanctions seemed to be the only weapon to compel Israel's compliance.

⁵⁰See Y.U.N., 1967, p. 257, resolution 242(1967) of 22 November 1967.

⁵¹See Y.U.N., 1947-48, p. 254, part III A of resolution 181 A (II) of 29 November 1947.

The representative of PLO said that Israel's determination to transfer its seat to East Jerusalem was an indication of its insistence upon usurping Jerusalem. Israel could not pursue its aggressive policy without the unlimited support of the United States. Jerusalem was the capital of the homeland of the Palestinian people and had been its symbol since their forefathers. The liberation of Jerusalem constituted a basic issue for all believers.

The President of the Council, speaking as the representative of Norway, noted that at the outset Israel had recognized the special status of Jerusalem. Its final status could only be settled through a comprehensive solution to the Middle East conflict. He observed that the overwhelming majority of the international community opposed all unilateral steps to alter the status of Jerusalem as a serious obstacle to a comprehensive, just and lasting peace.

The United States, explaining its abstention before the vote on the draft resolution before the Council (see below), said that the series of debates in recent months relating to the Middle East had undermined the one active negotiation currently in progress among Egypt, Israel and the United States, which was designed to provide full autonomy to the inhabitants of the West Bank and Gaza and to resolve the Palestinian problem in all its aspects while fully protecting the security of Israel. The United States considered that the resolution before the Council contained a number of deficiencies. It quoted selectively 'from resolution 242(1967), affirming the need for Israeli withdrawal without any reference to other central provisions of that resolution, namely Israel's right to secure and recognized boundaries. The draft resolution, however, contained much that was consistent with United States policy because it deplored unilateral acts to change the character of the city outside a negotiated settlement.

On 30 June, the Security Council adopted, by 14 votes to 0, with 1 abstention (United States), resolution 476(1980), sponsored by 39 States (see DOCUMENTARY REFERENCE below).

By this resolution, the Council reaffirmed the necessity to end Israel's prolonged occupation of Arab territories, including Jerusalem. It strongly deplored Israel's refusal to comply with relevant United Nations resolutions and confirmed again that all legislative and administrative measures and actions which purported to alter the character and status of the Holy City of Jerusalem had no legal validity and constituted a flagrant violation of the fourth Geneva Convention as well as a serious obstruction to peace in the Middle East.

The Council reiterated that all measures which had altered the geographic, demographic

and historical character and status of Jerusalem were null and void and must be rescinded. It urgently called on Israel to abide by its resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of Jerusalem, and reaffirmed its determination, in the event of Israel's non-compliance, to examine practical ways and means to secure full implementation of this resolution.

Communications (30 June-14 August)

By a note of 30 June, the President of the Security Council circulated a letter of the same date from the Permanent Observer Mission of the Holy See, which enclosed a text, published by the Osservatore Romano on 30 June, setting out the position of the Holy See with regard to Jerusalem and the Holy Places. The text stated that the Jerusalem question could not be reduced to mere free access for all to the Holy Places. The overall character of the Holy City as a sacred heritage shared by all three monotheistic religions was required to be guaranteed by appropriate measures and by a juridical safeguard, which called for a responsibility that would go well beyond the limits of the States of the region. The significance and value of Jerusalem were such as to surpass the interests of any single State or bilateral agreements.

By a letter of 1 July, Iraq informed the Council President that its co-sponsorship of resolution 476(1980) of 30 June (see preceding subsection) did not imply its recognition of Council resolution 242 (1967).

By a letter dated 1 August, the representative of Pakistan stated that, in total disregard of the international community and in flagrant violation of Council resolutions, Israel had enacted a law proclaiming Jerusalem as the capital of Israel. On behalf of the Organization of the Islamic Conference, he requested an immediate Council meeting.

In a letter of 4 August, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People conveyed the Committee's grave concern at Israel's latest action to make Jerusalem its capital.

Afghanistan, on 14 August, Iraq and Romania, on 11 August, and Viet Nam, on 12 August, expressed their opposition to and condemnation of that action. The Iraqi letter transmitted the section relating to Jerusalem from an Iraqi-Saudi Arabian press communiqué, strongly rejecting what they described as the new act of aggression against the Arab and Islamic nation and expressing their agreement to sever relations with any State which condoned Israel's decision or retained its embassy in Jerusalem after that decision.

Consideration by the Security Council (20 August)

The Security Council met on 20 August, at Pakistan's request of 1 August, to discuss the situation in the Middle East, in particular developments in Jerusalem.

The President, with the consent of the Council, invited Algeria, Bahrain, Chad, Democratic Yemen, Djibouti, Egypt, the Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Turkey, the United Arab Emirates, the Upper Volta and Yemen, at their request, to participate in the discussion without the right to vote.

The President drew attention to a proposal of 15 August by Tunisia to invite PLO to participate in the discussion, in accordance with the Council's usual practice. Following the procedure adopted in the past, the Council approved the proposal by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

The President also drew attention to a draft resolution sponsored by 35 States (Algeria, Bahrain, Bangladesh, Chad, Democratic Yemen, Djibouti, Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, Upper Volta, Yemen) and to a second draft resolution prepared in the course of the Council's consultations.

By the operative part of the 35-power text, the Council would have: condemned Israel for its refusal to comply with Council resolution 476(1980) of 30 June on the status of Jerusalem; determined that measures taken by Israel, which had altered or purported to alter the character and status of Jerusalem, in particular the "Basic Law," were null and void; affirmed that the "Basic Law" was a violation of the fourth Geneva Convention and that it constituted a serious obstruction to Middle East peace; refused to recognize the "Basic Law;" and called on all States to abide by that decision, not to deal with Israel's institutions in Jerusalem and withdraw diplomatic representation from the Holy City. Finally, the Council would have called on United Nations Members to apply sanctions against Israel under Article 41 of the United Nations Charter,⁵² including the interruption of economic and military relations, requested the Secretary-General to report on implementation by 15 November 1980 and remained seized of the matter.

The draft resolution prepared in the course of consultations was subsequently adopted by the Council and is summarized below.

Speaking on the 35-power resolution, the representative of Pakistan, the current Chairman of the Islamic Conference, said that the provocative action to proclaim Jerusalem the capital of Israel had evoked strong condemnation by the international community. The Council, he added, must act on the obligation it had assumed under the terms of its resolution 476(1980), calling on Israel to desist from the measures affecting Jerusalem. It must seek practical ways and means to secure the implementation of that resolution. These measures were laid down in Chapter VII of the Charter.⁵³ The member States of the Islamic Conference demanded the imposition of sanctions under Chapter VII to force Israel to terminate its annexation and occupation of the Palestinian and other Arab territories, including the Holy City. The Council must strongly condemn Israel for its refusal to comply with the Council's resolutions, and call on all States to refuse to recognize the so-called Basic Law and to withdraw their diplomatic representations in Jerusalem.

Tunisia stated that the deliberate and overt violation by Israel of international law and the fourth Geneva Convention could not be cloaked in the slightest appearance of legality. Forty years ago, when Europe, brutally buffeted by an act of unjustified annexation, had finally yielded to intimidation, believing that it was safeguarding peace, it had done nothing other than pave the way to its own misfortune and to what was soon to be the collapse of world order. In such extreme situations, a clear and firm reply was the only healthy attitude. In submitting the 35-power text, the sponsors hoped to make known their profound concern to reach meaningful decisions. However, they were not calling for an immediate vote on the text.

The representative of Israel charged that the United Nations system had been mobilized into an unrelenting war against his country, particularly since the signing of the Egyptian-Israeli peace treaty. With regard to Jerusalem, Israel's position remained as stated on 30 June before the Council, namely, that it had always been the capital of the Jewish people. The law adopted by the Knesset on 30 July merely reaffirmed that position and a situation that had prevailed for a long time.

Egypt considered the adoption of the bill on Jerusalem by the Knesset to be contrary to the spirit of the Camp David accords and the peace

⁵² For text of Article 41 of the Charter, see APPENDIX II.

⁵³ See footnote 49.

process. Therefore, it stated, it had no alternative but to delay the autonomy talks until that new obstacle had been removed.

The German Democratic Republic said those who had pushed the law on Jerusalem through Israel's parliament had obviously felt encouraged to take such aggressive action because their imperialistic patrons had decided to pursue a policy of confrontation. The German Democratic Republic had supported the 35-power draft resolution as submitted by the group of Islamic States, which had included coercive measures. In its opinion, the text prepared during consultations was the minimum that should be done in the situation.

The Secretary of State of the United States remarked that the succession of resolutions before the Council and the General Assembly's seventh emergency special session (see p. 382) had neither aided the Camp David process nor offered a single alternative with the slightest chance of success. Jerusalem's future, he said, could not be determined by unilateral actions or narrow resolutions, but must be addressed in the context of negotiations for a comprehensive, just and lasting peace in the Middle East. The status of Jerusalem could not simply be declared, but had to be agreed to by the parties. The United States had encouraged all parties to refrain from unilateral actions to change the character or status of Jerusalem. In line with that position, the United States would not vote against the draft text prepared in the course of consultations. However, it could not vote for it because it failed to reaffirm resolution 242(1967), and the United States considered the provision calling for the withdrawal of diplomatic missions in Jerusalem as not binding. The United States would continue to resist any attempt, as contained in the 35-power text presented but not to be voted on, to impose sanctions against Israel.

The draft resolution prepared in the course of consultations was adopted by 14 votes to 0, with 1 abstention (United States) as resolution 478(1980). The Council thereby censured in the strongest terms the enactment of the "Basic Law" on Jerusalem as well as Israel's refusal to comply with the Council's relevant resolutions. The Council affirmed that the enactment of the "Basic Law" constituted a violation of international law and did not affect the continued application of the fourth Geneva Convention of 1949, and determined that all legislative and administrative measures taken to alter or purporting to alter the character and status of the Holy City were null and void and must be rescinded. The Council also decided not to recognize the "Basic Law" and such other actions that, as a result of this Law, sought to alter the status of Jerusalem. It called on all Members of the United Nations to accept that decision

and on those with diplomatic missions in Jerusalem to withdraw them, and requested the Secretary-General to report on implementation of this resolution by 15 November.

The USSR commented that the adopted resolution contained positive features, but was far from adequate since it did not envisage steps commensurate with Israel's provocative actions. The USSR had been prepared to support the resolution initially proposed by the Islamic and other States, calling for sanctions under Chapter VII of the Charter. Responsibility for the fact that such a decision had not emerged lay with the United States which had for years been giving Israel political, economic, financial and military assistance, encouraging it to continue its policy of expansion and aggression. The essence of United States Middle East policy had been revealed in its attempts to substitute for a genuine solution separate deals designed to perpetuate Israel's aggression. The main problems of the Middle East remained unsolved: the withdrawal of Israel; the rights of the Arab people of Palestine, including their right to self-determination and creation of their own State; and the guaranteed right of all States in the area to a secure existence and development.

The United Kingdom was of the view that Israel's rights in East Jerusalem did not extend beyond those of an occupying power, pending an agreed solution on the city's future. It considered the declaration of Jerusalem as the capital of Israel a highly provocative act. The United Kingdom, with its partners in the European Community, had a strong desire to see progress towards a comprehensive settlement, as demonstrated in the declaration they had adopted at Venice on 13 June (see p. 371).

France said it had warned Israel against taking a decision unacceptable to the international community. It reiterated its opinion that any unilateral measures concerning Jerusalem were illegal and contrary to international law.

Jordan hoped that the watered-down resolution adopted by the Council would serve as another signal that aggression and defiance tore to shreds the fabric on which the United Nations was founded.

The representative of PLO saw some positive aspects in the adopted resolution. However, in June the Council had reaffirmed its determination to examine practical ways to secure full implementation of its resolution 476(1980) in the event Israel did not comply. In the current case, it was not only non-compliance, but defiance.

Communications and report (22 August-December)

The Secretary-General submitted, on 11 November, a report in which he included a reply

of 4 November from Israel to his request for comments on the implementation of Security Council resolution 478(1980) of 20 August. Israel reiterated its position regarding Jerusalem, as stated by its Minister for Foreign Affairs during the regular 1980 General Assembly session. The Minister had reaffirmed that, since 1967, Israel had assured free and unfettered observance in Jerusalem of the religious rights of members of all faiths. Throughout recorded history, he had stated, only the Jewish people had made Jerusalem its capital.

The Secretary-General stated that, before the adoption of that resolution, Chile, Ecuador and Venezuela had announced their decision to withdraw their diplomatic missions from Jerusalem. At the time of the resolution's adoption, 10 States-Bolivia, Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Haiti, the Netherlands, Panama and Uruguay-maintained diplomatic missions there. Between 22 August and 9 September, those States had informed the Secretary-General that they had decided to withdraw their missions.

By a letter dated 4 September, Morocco transmitted the Final Declaration adopted at the close of an extraordinary session of the Jerusalem Committee of the Islamic Conference Casablanca - decision ca, 16-18 August). The Committee considered the decision to annex the Holy City the most serious development in Israel's escalating campaign against Arab and Islamic Palestine. By a further letter of 29 September, Morocco transmitted the final communique of a special session of the Islamic Conference of Foreign Ministers on the question of Jerusalem (Fez, 18-20 September). The communique included a resolution adopted by the Conference which affirmed the commitment of the Islamic States to utilize all their political, economic and military resources to counter Israel's decision to annex Jerusalem.

By a letter dated 29 October, Jordan transmitted a statement issued on 16 October by an official spokesman condemning what it charged was an attempt to burn down the Church of the Holy Sepulchre in Jerusalem on 14 October. Holding Israel responsible for the act, the statement indicated that the incident was in implementation of Israel's policy to destroy both the Islamic and Christian Holy Places and to give Arab Jerusalem a Jewish character. On 4 November, Israel replied that the fire had resulted from the toppling of a devotional candle onto the wooden floor. In reference to that reply, Jordan, on 23 December, affirmed that, as seen by witnesses, arson was involved.

On 24 October, in pursuance of a General Assembly resolution of 6 December 1979,⁵⁴ the Secretary-General submitted a report covering

developments in the Middle East in all its aspects. In part of that report, he reviewed efforts undertaken by the United Nations concerning the situation in the occupied territories and the question of Jerusalem.

Other aspects of the situation in the occupied territories

Communications (January-February)

In a letter of 9 January to the Secretary-General, Jordan expressed concern over Israel's measures to demolish historical Islamic places and evacuate Arab inhabitants, due to extensive excavations inside the walls of the Old City of Jerusalem which had recently caused the collapse of an Islamic building. Those charges were denied by Israel in a letter dated 25 January, in which it stated there was no connexion between the collapse of an old house and archaeological excavations being conducted in other parts of the city.

Tunisia on 25 January transmitted a letter of 21 January from the Permanent Observer of PLO who protested Israel's decision to take control of the Palestinian-owned East Jerusalem Electric Company by 1 January 1981, adding that such a decision was an obvious attempt to cut Jerusalem off materially from the rest of the West Bank.

Jordan, by a letter of 30 January to the Secretary-General, alleged that Israeli soldiers, on 25 December 1979, had stormed a refugee camp near Bethlehem, imposed a curfew and kept the refugees waiting in a school yard for more than 10 hours, and detained 70 Arabs for investigation. Jordan requested the Secretary-General to draw the attention of the Israeli authorities to these acts and request them to refrain from such behaviour and abide strictly by the provisions of the fourth Geneva Convention.

Israel, in its reply of 12 February, rejected these allegations. According to Israel, a four-hour curfew was placed on the camp and 20 persons were detained for investigation following an attack with stones on a public bus and a local ambulance near the refugee camp.

The situation in the city of Hebron (Al-Khalil) in the West Bank was the subject of eight communications, including requests for a meeting of the Security Council.

In a letter dated 5 February, Israel charged PLO with waging indiscriminate terror against civilians in Israel, taking responsibility for injury to six persons in Rehovot on 3 February and the murder of a resident of Qiryat Arba on 31 January in the bazaar of Hebron.

On 11 and 14 February, Tunisia transmitted

⁵⁴See Y.U.N., 1979, p. 375. resolution 34/70.

letters of 7 and 11 February from the Permanent Observer of PLO charging, in the first, that on 31 January Israel had placed a curfew on the city, which lasted for seven days, during which the Palestinian inhabitants had been subjected to provocations by armed Jewish settlers accompanied by Israeli soldiers, and, in the second, that Israel's decision to allow its nationals to settle in the city underscored its intention to continue usurpation and occupation of Palestinian land and homes.

By a letter dated 14 February, Egypt expressed concern about Israel's decision to allow its nationals to settle in Al-Khalil, in violation of Security Council resolution 242(1967) and in conflict with the Camp David agreements.

On 20 February, the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People charged that the latest decision of Israel's cabinet to authorize settlements in the Arab city of Al-Khalil was another step towards strengthening Israel's annexation of the occupied territories, in violation of international law and United Nations resolutions.

By a letter of 22 February, Morocco transmitted a message from the Secretary-General of the Organization of the Islamic Conference drawing the attention of the Security Council to the continued harassment of the inhabitants of Hebron and the desecration of the Haram Al-Ibrahimi Mosque (Mosque of Hebron).

On 15 February, Morocco, on behalf of the members of the Organization of the Islamic Conference, requested a meeting of the Council to consider the situation created by the measures recently taken by Israel's occupation authorities in Al-Khalil.

On the same day, Jordan also requested a Council meeting, to present to it additional evidence of Israel's defiance of its resolutions and to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

Consideration by the Security Council (22 February- 1 March)

In response to the requests made by Jordan and Morocco on 15 February 1980, the Security Council considered the situation in the occupied Arab territories at five meetings held between 22 February and 1 March. The Council had before it a report submitted on 4 December 1979⁵⁵ by the three-member Security Council Commission Established under Resolution 446(1979)⁵⁶ to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

Afghanistan, Algeria, Cuba, Egypt, Indonesia,

Israel, Jordan, Kuwait, Morocco, Pakistan, the Syrian Arab Republic, Viet Nam and Yugoslavia were invited, at their request, to participate in the discussion without the right to vote.

The President drew attention to a letter of 20 February from Tunisia requesting that PLO be invited to participate in the debate, in accordance with previous practice. He added that the proposal was not made pursuant to rule 37⁵⁷ or rule 39⁵⁸ of the provisional rules of procedure, but, if approved, the invitation would confer on PLO the same rights of participation as on a Member State when invited pursuant to rule 37.

The United States requested that the proposed invitation be put to a vote, stating that, while it had no objection to POL'S participation, it believed that such could be sustained only under rule 39. The proposal was approved by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

The President, with the consent of the Council, also invited under rule 39, at his request, the Acting Chairman of the Committee on Exercise of the Inalienable Rights of the Palestinian People. At Tunisia's request, contained in letters of 22 and 20 February, respectively, invitations under rule 39 were extended to the Permanent Observer of the League of Arab States and to Fahd Qawasma, Mayor of Al-Khalil (Hebron).

At Tunisia's suggestion, the President requested the Secretary-General to bring the invitation to Mr. Qawasma to Israel's attention, so that he might be permitted to address the Council and thereafter to return to his post.

By a letter of 25 February, brought to the Council's attention by its President in a note of 26 February, Israel stated that it would not permit the Mayor to travel abroad, charging that his intended trip would lend support to Israel's enemies. During the Council's debate, almost all speakers were critical of Israel's decision. The President drew attention to a letter of 29 February from Tunisia, transmitting a message that the Mayor had intended to deliver before the Council.

Opening the debate, the representative of Portugal, as Chairman of the three-member Security Council Commission, said the Commission had endeavoured to establish contact with all the parties concerned but had again been confronted by Israel's refusal to co-operate. Noting Israel's refusal to heed the Council's appeal to cease establishing and planning settlements in the territories it had occupied since 1967, including Jerusalem, the Commission again empha-

⁵⁵ Ibid., p. 392, for summary of report.

⁵⁶ Ibid., p. 400, resolution 446(1979) of 22 March 1979.

⁵⁷ See footnote 2.

⁵⁸ See footnote 3.

sized the gravity of Israel's relentless settlement policy. Its effects on the local Arab and Palestinian population and the modification it had effected in the territories, including those affecting natural resources, had contributed to a dangerous deterioration of a situation already charged with tension and were incompatible with the search for peace in the area.

The representative of Jordan reviewed details of the expansion of Israel's settlements in the occupied territories, referring to a master plan according to which the settlements policy was carried out. Israel, he said, had also seized five sixths of the water resources in the West Bank, which it illegally called Judaea and Samaria. Jordan had called for an urgent meeting of the Council to deliberate on the dangerous situation which had arisen in consequence of the brutal, punitive measures that Israel's forces and the colonizers had perpetrated against the inhabitants of Al-Khalil, including desecration of the Mosque. These deeds and the resort to collective punishment, Jordan said, were in violation of the fourth Geneva Convention. Jordan urged the Council to act on the Commission's recommendation that it adopt measures in Jordan's view punitive measures under Chapter VII of the United Nations Charter⁵⁹ to prevail on Israel to stop establishing settlements and dismantle the existing ones.

The representative of Morocco, speaking as Chairman of the Islamic group of States at the United Nations, said that Israel's settlement policy was one pillar of its strategy to annex a large part of the occupied Arab territories, particularly the West Bank of Jordan; it was tantamount to a dangerous provocation of the Islamic community as a whole. Council members would fully appreciate the indignation felt daily by millions of Moslems at the attacks against their Holy Places and the continued Israeli occupation. That was why the Moslem world was appealing to the Council speedily to put an end to the grave situation and take effective steps to prevent Israel from continuing to violate the rules of international law. The Islamic world remained convinced that Israel's policy was an obstacle to any serious search for a just and lasting solution to the problem of the Middle East and, more particularly, the Palestinian problem. A solution to those problems was to be found in the withdrawal by Israel from all the occupied Arab territories and the recovery by the Palestinian people of its inalienable rights, including the right to establish its own national and sovereign State.

Israel said that whenever there was tangible progress in the ongoing peace process or whenever the negotiations between Egypt and Israel reached a significant stage, Jordan and its allies

rushed to the Council in an attempt to extract from it support for their own diversionary and belligerent purposes. With regard to the question being debated by the Council, Israel had recently re-enunciated its position of principle that Jews had the right to live in any part of the land of Israel. That mere reiteration of a position of principle had been turned into an excuse for calling for an urgent meeting of the Council. The enemies of reconciliation had deliberately created incidents in Hebron and elsewhere to further their belligerent designs. Any discussion of the situation in Judaea, Samaria and the Gaza District, which did not take Israel's right to self-preservation and its legitimate concern for its security and defence into account, was meaningless. Similarly, any United Nations commission established without regard to the background of persistent Arab aggression against Israel was detached from reality.

The representative of China saw the crux of the Arab-Israeli conflict in Israel's occupation and the question of Palestine. It was imperative, he added, to do away with super-power intervention and sabotage, to oppose firmly Israel's policy of aggression and expansion, to recover the occupied Arab territories and to realize the national rights of the Palestinian people. The Council should uphold justice and adopt a resolution strongly condemning Israel for its aggression and expansion and including effective measures to stop Israel's criminal acts in the occupied territories.

In the USSR's opinion, Israel's policy in the occupied Arab territories was intended to perpetuate the results of the aggression of 1967. That policy was contrary to peace and in line with the long-standing policy of a greater Israel. The Camp David accords and the separate Egyptian-Israeli peace treaty served only to camouflage aggression against the Palestinian and Arab people, and the so-called autonomy talks between Egypt, Israel and the United States were a violation of the right of the Palestinian people to self-determination. The USSR categorically condemned Israel's mass repression, racial discrimination and suppression of freedom in the occupied territories. That situation must be ended, for the sake of peace, including for the sake of Israel itself. Proposals for sanctions against Israel under Chapter VII of the Charter were supported by the USSR.

The United Kingdom thought that there were two separate, though interrelated, aspects of Israeli policy in the occupied territories, both of which gave rise to serious concern. The first was the illegality of Israel's settlement policy. The

⁵⁹ See footnote 49.

United Kingdom deplored Israel's 1979 decision to allow Israeli citizens to buy land in the occupied territories. It considered Israel's claim to ultimate sovereignty over those territories to be incompatible with Security Council resolution 242(1967) and the principle of the inadmissibility of the acquisition of territory by force. Therefore, Israel's recent decisions concerning the city of Hebron were viewed to be provocative and ill-conceived. The second aspect of concern was the effect of those Israeli policies on the search for a comprehensive peace in the area. It was difficult to understand how those policies, actions and claims of sovereignty could possibly be compatible with Israel's declared desire for an overall peace. The United Kingdom opposed any unilateral modifications of the territories in question, including those to the status of Jerusalem and the Holy Places.

In Mexico's opinion, the Council was faced with a case in which fundamental principles of the Organization were affected and objectives pursued by the international community were undermined. What was taking place in the West Bank and the Gaza Strip was unacceptable. Israel's actions were contrary to universally accepted principles and resolutions. Despite the partial solutions found so far, there would be no peace and security for the region as long as the conflict between the Jewish and the Palestinian nations was not settled. The former had, with the approval of the United Nations, constituted a State for over 30 years. The Palestinian people had the right to constitute itself politically with all the attributes of a sovereign State.

The Niger stated that Israel's settlement policy recalled the internationally condemned policy of South Africa. Israel must be made to recognize and respect the Arab entities of the region, renounce its aggressive settlement policy, recognize the inalienable rights of the Palestinian people and accept PLO as their representative. In the absence of such action, tension would never decrease in the region. While the means available to the Council were limited, the Charter provided for action and its ineffectiveness had not yet been demonstrated.

Tunisia said that an official policy of colonization had been unremittingly pursued by Israel since 1967, constantly modifying the legal status, geographical nature and demographic composition of the occupied territories. More lands, including the most fertile areas, had been illegally expropriated. Water resources had been diverted to quell a population that was doomed to despair. Palestinians were expelled daily from their homeland or arbitrarily detained. That was done in contempt of numerous United Nations

resolutions, international law and the fourth Geneva Convention of 1949. Nothing could impede the achievement of peace more than the repressive policies of Israel.

France stated that once again the Commission, in spite of its efforts, had not been successful in obtaining the co-operation and assistance of the Israeli authorities in the performance of its task. The conclusions in the Commission's report of 4 December 1979 were such as to substantiate the grave concern felt by many. Israel's attitude towards the occupied Arab territories constituted a violation of the provisions of international conventions and, in particular, the fourth Geneva Convention. The creation or enlargement of settlements was contrary to the norms of international law, whereby the occupying power was obliged to preserve the demographic, economic and cultural nature of the occupied regions and refrain from any interference in the life of those regions which went beyond the normal needs of administration. Recent Israeli statements in favour of settlements in Hebron were particularly alarming. The maintenance of such a situation could only serve to jeopardize further the chances of an overall settlement of the Middle East conflict by peaceful means.

The Philippines associated itself with the Commission's recommendation that the Council should urge Israel to implement fully the Council's resolutions concerning Jerusalem and regretted Israel's refusal to co-operate with the Commission. In the view of the Philippines, what was happening in the occupied Arab territories was only part of the problem; the larger problem was the occupation itself. That in turn was part of a still larger problem, which was that of restoring a homeland to the Palestinian people and guaranteeing to them their inalienable rights as a people.

Jamaica, in fully endorsing the Commission's recommendations, urged Israel to cease the establishment of settlements, which was contrary to international law and to the fourth Geneva Convention and posed a grave threat to the prospects for peace and stability in the Middle East. Above all, the settlements policy represented a gross injustice to the Palestinian people, whose inalienable rights, including their right to establish an independent homeland, had been recognized and endorsed by the overwhelming majority of Member States.

Zambia said that Israel's settlements policy in the occupied Arab territories was a euphemism for modern colonization. Exaggerated concerns about security were no justification for any country to commit acts of aggression against other States or peoples. Israel should not be allowed to advance the dangerous notion that its boundaries

were elastic and shifting. Zambia called for effective enforcement measures under the Charter to ensure Israel's withdrawal without delay.

Bangladesh and Yugoslavia expressed support for the recommendations of the Commission. Its report elaborated facts, Bangladesh said, which constituted an outright indictment of Israel. The Council should take effective enforcement measures to ensure that Israel withdrew from the occupied territories without any further delay. Yugoslavia expressed the view that Israel's lack of readiness to comply with United Nations resolutions should open the eyes of those on whom it relied in its intransigence. All Council members must immediately take the necessary measures to check Israel's policy of violence.

A number of States, not members of the Council, including Afghanistan, Egypt, Kuwait, Pakistan and the Syrian Arab Republic, felt that Israel's settlement policy violated not only the relevant United Nations resolutions but also international law and constituted a serious obstruction to peace in the Middle East. Cuba and Pakistan called for sanctions in the case of Israel's non-compliance with the Council's decisions; Israel's withdrawal and the recovery by the Palestinian people of its inalienable rights was the only solution, in the view of these States as well as of Afghanistan, Algeria, Indonesia, Lebanon, the Syrian Arab Republic, Viet Nam and Zambia. Lebanon added that, by denying the Palestinians their national rights, Israel was creating a Palestine diaspora, particularly in Lebanon.

The PLO representative said the Commission's concern over the water resources of the occupied territories was justified. He expressed the hope that the Council would consider measures aimed at investigating the matter with a view to ensuring the protection of those important resources. The only effective protection, he said, was the withdrawal of the forces of occupation, a prerequisite for the free exercise of the inalienable rights of the Palestinian people and for peace. As to the question of Jerusalem, the documents annexed to the Commission's report indicated that there was a consensus among Christian organizations that it was not merely a matter of protection of the Holy Places but that it was organically linked with living faiths and communities in the Holy City. By resolution 446(1979),⁶⁰ the Council had determined that Israel's policy in establishing settlements in the Palestinian and other Arab territories occupied since 1967 had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. In view of Israel's rejection of that resolution and its flouting of other Council decisions, the Council must meet

its responsibilities by imposing on Israel the sanctions provided for in Chapter VII of the Charter.

The Council President, speaking as the representative of the German Democratic Republic, said that Israel had for decades been protected, financed and equipped by the United States. With that support, it hoped that it could intensify its actions in the Middle East. The Camp David accords, he continued, ostensibly served the cause of peace, but their true significance was becoming increasingly clear. Taking refuge behind those accords and demagoguery about so-called autonomy, Israel was establishing further settlements and continuing the expulsion of the indigenous Palestinian population from its lands. The German Democratic Republic called for an uncompromising withdrawal by Israel to its borders as before the 1967 war, as well as participation on an equal footing for PLO in all negotiations.

On 1 March, the Council unanimously adopted resolution 465(1980), prepared in the course of consultations among members. It thereby called on Israel to dismantle the settlements in the Arab territories occupied since 1967, including Jerusalem, and to cease the establishment and planning of new ones. The Council determined that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of those territories had no legal validity, and that Israel's policy and practices of settling parts of its population in those territories constituted a flagrant violation of the 1949 fourth Geneva Convention and were a serious obstruction to peace in the Middle East.

The Council strongly deplored Israel's persistence in pursuing such policies and practices and called on all States not to provide it with any assistance to be used in connexion with settlements in the occupied territories. Further, the Council requested the Commission to continue to examine the situation relating to the settlements, to investigate the reported depletion of natural resources, particularly water resources, to keep under close scrutiny the implementation of the resolution and to report to it before 1 September.

Speaking in explanation of vote, Norway said it considered the settlement policy of Israel as inconsistent with international law and the fourth Geneva Convention, as an obstacle to peace, as undermining ongoing negotiations and as prejudging the outcome of negotiations on the future of the occupied territories. A just and lasting peace in the Middle East must be based on

⁶⁰See footnote 56.

recognition of Israel's right to exist within secure and recognized boundaries and of the legitimate national rights of the Palestinian people. The final status of the territories could be established only through a comprehensive solution negotiated by representatives of all the parties concerned, including the Palestinian people. To achieve such a solution, all parties must refrain from actions which might complicate the search for peace.

The United States said that one positive trend in the area was reflected in the current series of negotiations for a comprehensive settlement which had resulted from the historic breakthrough at Camp David. A peace treaty had been signed and large areas of occupied Arab territories had been evacuated by Israel. Yet, there could be no comprehensive peace in the Middle East until the Palestinian problem in all its aspects was resolved. The United States regarded the settlements in the occupied territories as illegal-under international law, and an obstacle to a successful outcome of the current negotiations. The United States supported resolution 465(1980) despite reservations with regard to certain of its provisions which it considered to be recommendatory. It did not read the reference to changes in the institutional structure of the occupied territories as in any way prejudicing the outcome of the autonomy negotiations. The basic framework for all efforts, including the Camp David accords, was resolution 242(1967), calling for negotiations to resolve the many and difficult aspects of the Arab-Israeli conflict. One issue which the negotiators would have to address was the matter of existing settlements. There were a number of factors of a practical character, such as the need for housing, making it impractical to call for the dismantling of existing settlements.

The USSR representative drew attention to the appeal in the resolution to all States not to provide Israel with any assistance which might be used in connexion with the establishment of settlements in the occupied territories. He said it was important that all States heed that appeal and implement it. At the same time, the USSR considered that the resolution did not fully respond to the demands made of the Council by the very serious and peace-threatening situation which prevailed in the territories. The Council should more decisively condemn Israel's colonization and acquisition of Arab lands. It was time for the Council to ponder steps which would make it possible for its resolutions to be implemented.

Communications and report (12 March-6 May)

In a letter of 12 March, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People expressed to

the President of the Security Council the Committee's satisfaction with the Council's adoption of resolution 465(1980) (see preceding subsection) and its unanimity in deploring Israel's settlement policy.

Between 14 and 25 March, the Council received six communications relating to the expropriation of Arab lands by Israel.

By a letter of 14 March, the Chairman of the Committee on Palestinian Rights expressed the Committee's concern about the expropriation by Israel of vast areas of Arab-owned land in the vicinity of Jerusalem, in order to establish new Israeli settlements.

By a letter of the same date, Jordan, in its capacity as current Chairman of the Arab group of Member States at the United Nations, protested the expropriation of 4 million square metres of Arab land north of Jerusalem. Also on that day, Egypt transmitted a statement by a cabinet spokesman expressing dismay at Israel's decision to confiscate Arab land in East Jerusalem which, he said, created serious obstacles to a comprehensive and just peace.

By a letter of 19 March, the Acting Chairman of the Committee on Palestinian Rights conveyed the Committee's serious concern about Israel's further expropriation of Arab land near Bethlehem.

On 21 March, Tunisia transmitted a letter of 19 March from the Deputy Permanent Observer of PLO who charged that Israel's recent confiscation of land in the vicinity of Bethlehem was for the purpose of establishing another illegal settlement.

By a letter of 25 March, Morocco, as Chairman of the Organization of the Islamic Conference, expressed grave concern about the expropriation of additional Arab lands north of Jerusalem and near Bethlehem and the proposed establishment of two Jewish religious institutions in Al-Khalil.

Two additional communications dealt with an Israeli decision to establish two schools in Al-Khalil. In a letter of 24 March, the Chairman of the Committee on Palestinian Rights said that decision was a clear indication of Israel's intention to annex the occupied Arab territories through a policy of faits accomplis. In a letter dated 25 March, Egypt quoted a statement of 23 March by its Ministry of Foreign Affairs, describing the Israeli decision as an act of defiance of international legitimacy and the spirit of peace.

By letters of 27 and 28 March to the President of the Security Council and the Secretary-General, respectively, Jordan conveyed a statement by the Mayor of Arab Jerusalem who deplored the latest act of aggression in the Jerusalem area by the Israeli occupation authorities who had closed the Arab Science College in Abu Dees on the ground

that there were sufficient colleges in the occupied territories. In a reply of 3 April, Israel stated that that institution consisted of one class with a limited number of students and, since there were 13 institutions of higher learning on the West Bank, it had seen no reason for maintaining a single-unit institution.

On 2 May, the representative of Democratic Yemen, in his capacity as current Chairman of the Arab group, transmitted a letter of 1 May from the PLO observer, who complained of a series of provocations by Israeli forces against Palestinian students who had been staging protests in a number of cities in the occupied territories.

Developments in Hebron were the subject of further communications and a request for a meeting of the Security Council.

By a letter dated 4 May, Israel complained of a terrorist attack by PLO against Jewish worshippers in Hebron, which resulted in the death of six Israelis and the injury of 16 others, among them women and children.

On 6 May, Democratic Yemen, as Chairman of the Arab group, transmitted a letter of 5 May from the PLO observer who charged that on 2 May the Mayors of Al-Khalil and Halhul and the Islamic Judge of Al-Khalil had been expelled by the Israeli forces; PLO asked the Secretary-General to use his good offices to ensure their return to their towns.

On 6 May, Tunisia requested an urgent Security Council meeting to consider those expulsion measures.

Consideration by the Security Council (8 May)

On 8 May, the Security Council met to consider the expulsion of the Mayors of Hebron and Halhul and the Islamic Judge of Hebron, as requested by Tunisia on 6 May. Israel and Jordan were invited, at their request, to participate in the discussion without the right to vote.

The President drew attention to a letter of 8 May from Tunisia requesting that PLO be invited to participate in the Council's deliberations, in accordance with the usual practice. He added that the proposal was not made pursuant to rule 37⁶¹ or rule 39⁶² of the provisional rules of procedure, but that, if approved, the invitation would confer on PLO the same rights of participation as those conferred on a Member State when invited pursuant to rule 37.

The United States reiterated its opposition to the manner in which the invitation had been phrased. Tunisia's proposal was approved by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

The Council then proceeded to vote on a draft resolution prepared in the course of consulta-

tions among Council members. It was adopted, by 14 votes to 0, with 1 abstention (United States), as resolution 468(1980). The Council thereby recalled the fourth Geneva Convention of 1949 and expressed its deep concern at the expulsion of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron. It called on Israel to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they could resume their functions, and requested the Secretary-General to report on implementation of the resolution.

Following the vote, the United States said that those deportations were contrary to the provisions of the fourth Geneva Convention which applied to the conduct of Israeli military authorities in the West Bank and Gaza. However, the Council had been dealing with a tragic cycle of violence and could not focus on a single act. The United States regretted that the resolution did not refer to the killing of six Israelis and the wounding of 16 others in Hebron, which preceded the deportations.

The USSR had supported the resolution, although it did not contain a decisive condemnation of Israel for its illegal actions against the Palestinian leaders which should be immediately repealed. Nor could the USSR overlook any attempts to place on the same footing the actions of the Israeli occupiers who had committed atrocities in the Arab lands and the heroic struggle of the Palestinians fighting to drive out the occupiers and to restore their internationally recognized inalienable rights.

Israel stated that following the attack in Hebron on 2 May, for which PLO had taken responsibility, it had taken steps for the preservation of law and order and the maintenance of security. Those steps included the deportations of the Mayors and the Judge who, on the instruction of PLO, had been systematically engaged in inciting the local Arab population to acts of violence and subversion, abusing their public offices. The deportation orders were carried out on the basis of the Defence (Emergency) Regulations of 1945, which had been issued by the British Mandatory authorities and which had been applied in the West Bank by Jordan. The Palestine Liberation Organization had recently stepped up its campaign against the peace process and the current talks aimed at achieving full autonomy for the Palestinian people. Prominent among those involved in this campaign were the officials whom Israel had deported, only after their words and activities had led to bloodshed.

⁶¹see footnote 2.

⁶²see footnote 3.

The representative of PLO said the Palestinians, being denied the rights to return to their homes, to self-determination and to life, were fighting for survival. By resolution 465(1980) of 1 March (see p. 409), the Council had deplored Israel's policies and practices in the occupied territories and called on it to rescind those measures. Israel's response had been further confiscation of Arab lands and the pursuance of its measures against the Palestinian people, many of which the PLO representative detailed.

Communications and report (12- 16 May)

By letters of 12 May 1980 to the Security Council President and the Secretary-General, Jordan transmitted a statement of 9 May pertaining to the deportation of the Mayors of Al-Khalil and Halhul and the Moslem Sharia Judge of Al-Khalil, Rajab Tamimi, in which it refuted the allegations on that issue made by Israel in the Council on 8 May.

In a letter dated 14 May, the Acting Chairman of the Committee on Palestinian Rights expressed the Committee's concern about Israel's defiance of Council resolution 468(1980) of 8 May (see preceding subsection) in refusing to readmit those officials.

On 13 May, the Secretary-General submitted a report on the implementation of resolution 468(1980). He stated that on 9 May Israel had informed him that it was unable to allow the expelled Mayors and Judge to return, for reasons indicated in its statement before the Council. The Secretary-General added that he had noted reports that those officials had been denied re-entry into the West Bank by Israel on 11 May.

On 16 May, Jordan, referring to Israel's defiance of resolution 468(1980), requested that the Council be convened to explore ways of ensuring full implementation of that resolution.

Consideration by the Security Council (20 May)

On 20 May 1980, the Security Council placed on its agenda Jordan's letter of 16 May concerning the non-compliance of Israel with Council resolution 468(1980) of 8 May. Israel and Jordan were invited, at their request, to participate in the discussion without the right to vote.

The President drew attention to a letter of 16 May from Tunisia, requesting that PLO be invited to participate in the debate, in accordance with previous practice. The United States reiterated its view that it was inappropriate to invite PLO on terms that would confer on it the right of participation as a Member State. Tunisia's proposal was adopted by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

Also the Council extended invitations, under rule 39, to the Mayors of Al-Khalil and Halhul, as well as to the Islamic Judge of Al-Khalil, as requested by Tunisia on 16 May.

Before the debate, the President called attention to a draft resolution prepared in the course of consultations among Council members.

Jordan, the first speaker, charged that not only those three Palestinian leaders but 1,600 others had been deported, including the Mayor of Arab Jerusalem, as a prelude to the annexation of the Holy City. At the grass-roots level, almost 300,000 persons from the Gaza Strip and the West Bank were currently displaced in the East Bank awaiting the implementation of United Nations resolutions which, since 1967, had called for their return to their homes. There were also tens of thousands of young people who had endured the ordeal of torture chambers and windowless cells, and thousands in Israel's jails. Jordan hoped the Council would not allow itself to be foiled once again.

Israel said the three individuals concerned had made no secret of their views and had encouraged acts of violence. As public officials entrusted to fulfil functions which included maintaining public order and peace, they had subverted the very source of their authority. As to the fourth Geneva Convention of 1949, Israel did not recognize its formal application in the administered area, but nevertheless did apply, on a *de facto* basis, its humanitarian provisions. Israel would have been fully within its legal rights had it limited freedom of speech, assembly, expression and other basic freedoms. Proceedings had been initiated in Israel's Supreme Court on behalf of the three individuals regarding their deportation; the Court had decided to grant the petitioners a hearing.

In his statement before the Council, the Mayor of Halhul said the three officials had been expelled because they had rejected the autonomy plan proposed in the Camp David accords. Autonomy meant no rule over land, sources of water or power, but the perpetuation of occupation. Contrary to the statements made to the Council by Israel's representative, there was no freedom of expression, assembly or otherwise. The only way to peace was through recognition of the inalienable rights of the Palestinian people to return to their homes, to self-determination and the establishment of their sovereign State in their homeland, Palestine.

The Mayor of Al-Khalil stated that Israeli acts of violence and terror had involved every Palestinian city and town. Neither the population nor the land had been spared violent mutilation by the occupying power. The peaceful protests by the people went unheard. Israel

had intensified its oppression by imposing curfews, limiting freedom of movement, enforcing collective punishment, destroying houses and restricting the political activities of the elected officials and community leaders. The decision to expel him and the two other officials had to do with their opposition to the Camp David agreements and the autonomy plan and their fight against Israel's policy of settlement.

On 20 May, the Council, by 14 votes to 0, with 1 abstention (United States), adopted the text before it as resolution 469(1980). By this text, it deplored Israel's failure to implement its resolution 468(1980) of 8 May, and called again on Israel, as the occupying power, to rescind the illegal measures taken by its military authorities in expelling the three officials and to facilitate their immediate return. The Council also requested the Secretary-General to continue his efforts in order to implement this resolution and to report at the earliest possible date.

Following the vote, the United States said its position, as set forth before the Council on 8 May, had not changed.

Commenting on the abstention of the United States, PLO charged it with flouting its commitment under the fourth Geneva Convention.

Zambia expressed the view that all States, especially Members of the United Nations, were obliged to accept and give effect to Council decisions. Israel, by its actions, was bent on provoking a catastrophe in the Middle East by continuing to pursue its provocative and aggressive policies.

Communications and report (24 May-24 June)

On 24 May 1980, the Secretary-General submitted a report, as called for by the Council in resolution 469(1980) of 20 May (see preceding subsection). He stated that on 21 May he had addressed an appeal to the Prime Minister of Israel to respond to the call of the Council. In a reply of 23 May, the Prime Minister, expressing regret that Council resolutions had failed to mention the attack by PLO on Jewish worshippers in Hebron, stated that a petition to allow the return of the three men had been submitted to the High Court of Justice for consideration. The Prime Minister added that the judgement of the Court would be carried out by the Government.

In a letter dated 2 June, Jordan stated that on that day time-bombs planted in cars belonging to the Mayors of Nablus, Ramallah and Al Bireh had exploded, causing one of them the loss of both his legs and another the loss of one leg and injury to one hand. Jordan held the occupation authorities responsible for those acts. Condemnation of these incidents was expressed in two other communications: the first, dated 2 June, from the Chairman of the Committee on

Palestinian Rights; and the second, dated 3 June, from Egypt.

On 3 June, Bahrain, as current Chairman of the Arab group, transmitted a letter of the same date from the Chairman of the PLO Executive Committee charging that recent Israeli actions in the occupied Palestinian territories constituted an attempt to deprive those territories of their national leaders. He called on the United Nations to take the necessary steps to ensure the protection of the Palestinian people.

On the same date, Bahrain, acting for the Arab group, requested an immediate meeting of the Security Council to consider the assassination attempts and the arbitrary detention of a great number of Palestinian students.

By a letter of 4 June, the representative of Israel transmitted excerpts from the political programme and resolutions adopted at the Fourth Congress of al-Fatah (Damascus, Syrian Arab Republic, end of May), which, he charged, called for the liquidation of Israel.

Consideration by the Security Council (5 June)

On 5 June, the Security Council met, as requested by Bahrain on 3 June, to consider the assassination attempts on the three Palestinian Mayors. Bahrain, Egypt, Israel and Jordan were invited, at their request, to participate in the debate without the right to vote.

The President drew attention to a 4 June letter from Tunisia requesting that PLO be invited to participate in the debate, in accordance with previous practice. The Council extended an invitation to PLO after adopting the proposal by 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom).

The representative of Bahrain, as Chairman of the Arab group, said that recent developments in the occupied West Bank were alarming. He called urgently on the international community to end Israel's violation of the human rights of the Palestinian people and its occupation of Arab territories. While Israel had claimed its readiness to withdraw within the framework of a comprehensive settlement which guaranteed peace and security to all parties concerned, it was evident that it had no such intention. The United States, he said, bore great responsibility for the suffering of the Palestinian people. It not only supplied Israel with sophisticated weapons that allowed it to continue its occupation of the Palestinian homeland but it also was one of the signatories of the Camp David agreement and a party to the negotiations which aimed at perpetuating the occupation of Arab territories and legalizing Israel's presence in Palestine.

Israel said it condemned the use of terror. The acts of terror against the Arab Mayors on 2 June

had evoked widespread revulsion in Israel, which stood in stark contrast to the virtual absence of similar condemnations by Arab Governments and public opinion of PLO terror acts. Israel, remaining firm in its quest for a comprehensive peace in the area, was entitled to expect that the Council would refrain from adopting any position which might be interpreted by the enemies of peace as encouragement to further violence.

Following these statements, the Council adopted, by 14 votes to 0, with 1 abstention (United States), resolution 471(1980), prepared in the course of consultations among Council members.

By this resolution, the Council condemned the assassination attempts and expressed deep concern that Israel, the occupying power, had failed to provide adequate protection to the civilian population in the occupied territories in conformity with the 1949 fourth Geneva Convention. The Council called on Israel to provide the victims with adequate compensation for the damages suffered, called again on all States not to provide Israel with any assistance to be used in connexion with settlements in the occupied territories, and reaffirmed the necessity to end the prolonged occupation of Arab territories, including Jerusalem. In addition, the Council called again on Israel to comply with the provisions of the fourth Geneva Convention as well as with the relevant resolutions of the Council.

The German Democratic Republic said it was time for the Council to take urgent measures to put an end to Israel's expansionist policy. Otherwise, acts of violence against the Palestinian people would become ever more frequent. The most recent events in the Arab territories gave an idea of what awaited the Arab people of Palestine under the so-called autonomy.

The United States said the brutal crimes perpetrated on the West Bank were cowardly acts, the latest in a spiral of acts which had brought more distress to the West Bank than it had suffered at any time since the occupation began. That sad situation and the equally sad murder of Israeli citizens at Hebron were part of a broader tragedy-the continuing Arab-Israeli conflict. The Council had the responsibility to keep in mind the full range of those events and other factors bearing on the dispute, which had not been done in this resolution. The United States continued to believe that resolution 242(1967), a change in which it opposed, provided the basis for a just settlement. On that basis, it had pursued a settlement through the Camp David accords. The United States appealed most earnestly to those with influence and authority to exercise leadership and restraint.

The United Kingdom condemned unreservedly the assassination attempts on the Mayors. Shocking as they were, they were but the latest link in a chain of violence. The United Kingdom therefore wished to make it clear that it deplored and wished to see an end to all violence in the area. It called for restraint by all concerned. Recent events only underlined the need for a just and lasting peace in the Middle East, which must involve, among other things, Israeli withdrawal from occupied territories.

France expressed its deep concern at all the acts of violence which had taken place in recent months, and condemned the assassination attempts, which made more necessary than ever before the quest for and implementation of a just and lasting peace settlement.

The USSR said the barbarous acts committed with the clear-cut connivance of the Israeli authorities and directed against the elected Palestinian officials were the direct extension of Israel's campaign of terror, violence and intimidation to force the indigenous Arab population to resign themselves to the military occupation régime and to impose, in the guise of autonomy, the final annexation of their ancestral lands. Violence in the Middle East was the result of the occupation by Israel of those lands and the expulsion therefrom of the indigenous Arab population. The only way to eliminate that violence was by Israel's withdrawal from all the Arab territories occupied in June 1967. The Council should consider the question of what Israel's aggressive policy would ultimately lead to and take all necessary measures to call a halt to that dangerous turn of events.

The representatives of Egypt and Jordan condemned the criminal acts against Palestinian leaders. Egypt commented that those acts were incriminating testimony to the evils of Israel's military occupation and provided further evidence of the need to terminate it. Jordan reiterated the conviction that the security and safety of the civilian population in the occupied Arab territories were the responsibility of Israel as the occupying power.

The PLO representative charged that Israel was resorting to organized terrorism in the territories. Those acts of armed vigilantes were encouraged by a climate of licentiousness created by the authorities, by arbitrary legislation for the requisitioning of property and by the deployment of the Israeli army to defend the illegal settlement.

Communications (6 June-December)

By a letter of 6 June, Yemen transmitted a statement by its Ministry of Foreign Affairs denouncing the recent Israeli terrorist acts

against the Mayors of Nablus, Ramallah and Al Bireh.

In a letter dated 12 June, the Acting Chairman of the Committee on Palestinian Rights referred to a declaration by the Israeli Prime Minister concerning the establishment of 10 new settlements on the West Bank, as well as to reports concerning the implementation of a plan to establish a "barrier zone" of new settlements in Gaza. He expressed the Committee's belief that the Security Council should take urgent and decisive measures to prevent the deterioration of the situation.

On 29 July, Tunisia transmitted a letter of 25 July from the PLO observer to the United Nations who said that on 14 July 76 Palestinian detainees had launched a hunger strike in protest of the abhorrent, inhuman conditions at the Nafha prison in the Negev Desert. As a result, 25 detainees became critically ill and were transferred on 21 July to Ramle prison. Prison officials attempted to break their fast by force-feeding which resulted in the death of two of them.

On 30 July, Tunisia transmitted another letter, dated 29 July, from the PLO observer stating that several hundred detainees in West Bank and Gaza prisons had joined the hunger strike. He urged the Security Council President to take every possible action to ensure that not one more Palestinian would suffer the same agonizing death as the other two victims.

On the conditions in Israel's prisons, two communications were received: the first dated 4 August from the Chairman of the Committee on Palestinian Rights and the second dated 7 August from Qatar, drawing attention to what they described as the inhuman treatment of imprisoned inhabitants of the occupied territories.

In a letter of 15 August, the Chairman of the Committee on Palestinian Rights drew attention to reports that Israel had decided to make it impossible for the Palestinian people in the occupied territories to open any institution for higher education without a special permit. Meanwhile, Israel had authorized the military authorities to strip Arab school curricula of any reference to Palestinian national character and history.

By a letter of 29 September, the Chairman drew the Secretary-General's attention to the latest developments in the case of the Mayors of Hebron and Halhul and the Sharia Judge of Hebron. The Supreme Court of Israel had upheld their expulsion for considerations of security and had ruled that the Mayors, though not the Judge, could appeal to an Israel Military Review Committee. On 10 October, the Secretary-General advised the Chairman that Israel had decided to allow the Mayors to return to the West Bank to appeal their deportation

order. On 24 October, the Chairman advised the Secretary-General that the Mayors had been confined at a border post where the hearing was held and, it was reported, had gone on a hunger strike following rejection of their appeal.

By a letter of 29 October, the Secretary-General stated that, according to information he had received, the Israeli Supreme Court was scheduled to hear the appeal submitted by the lawyer for the Mayors on 30 October. The Mayors had been transferred to Ramle prison in Israel. The Secretary-General added that he was following closely the developments in that matter.

In a letter dated 9 December, the Chairman of the Committee on Palestinian Rights said that Israel had maintained its defiance of Council resolutions by confirming its previous illegal decisions to expel the two Mayors. He therefore requested the Council to take firm action to implement the relevant resolutions.

By another letter, of 19 November, the Chairman expressed the Committee's deep concern at reports from the occupied territories indicating that 11 students from Bir Zeit University, who had been demonstrating against the closure of the University by the Israeli military authorities to prevent the students from observing Palestine Week, had been wounded by gunfire.

On 20 November, Tunisia transmitted a letter of 18 November from the Permanent Observer of PLO, charging that, on that date, Israeli soldiers had fired at unarmed students from Ramallah, Bethlehem and Al Bireh while they were demonstrating against the arbitrary closing of the University.

By a letter dated 8 December, the Chairman of the Committee on Palestinian Rights expressed the Committee's serious concern at the arrest of Gabbi Baramki, President of the University, under the pretext that he had allowed the students to observe a Palestine Week.

In a letter of 20 November, the Israeli representative charged that PLO was carrying out a campaign of intimidation and subversion in Judaea, Samaria and the Gaza District, adding that the campaign had intensified recently and had taken the form of political assassinations and public disturbances. In another communication, dated 26 November, he stated that since 1966 PLO had frequently threatened, terrorized and intimidated Arab leaders who did not carry out its orders.

Report of the Security
Council Commission (25 November)

In March 1979, the Security Council had established a three-member Commission to examine the situation relating to settlements in the

Arab territories, including Jerusalem.⁶³ The Commission had reported twice in 1979;⁶⁴ its second report was taken up by the Council in February/March 1980 (see p. 406). On 1 March, the Council set 1 September as the date for submission of the Commission's third report (see p. 409).

On 16 June, the Council President announced that, following informal consultations, the Council had decided to maintain the Commission's original composition. By a note dated 20 August, he further stated that the Council had no objection to a request from the Chairman of the Commission to extend the date of submission of the third report until 25 November.

On 25 November, the Commission submitted that report. It observed that Israel was actively pursuing its systematic large-scale process of establishing settlements in the occupied territories and that a correlation existed between the establishment of those settlements and the displacement of the Arab population. The Commission concluded that the settlement policy had brought drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population as well as profound changes of a geographical and demographic nature in the occupied territories, including Jerusalem.

The Commission stated that available evidence had shown that Israel continued to deplete the natural resources, particularly water resources, in the occupied territories for its own advantage and to the detriment of the Palestinian population.

As to the situation in Jerusalem, the Commission noted with grave concern that tension and confrontation between Israel and the Islamic world had increased, especially following the enactment of the "Basic Law" which proclaimed a change in the city's character and status.

The Commission expressed the view that the problem of the settlements and occupation raised fundamental problems for peace and that Israel's persistent refusal to heed the repeated appeals of the Security Council should be censured. The Commission reiterated its earlier recommendations that the Council, bearing in mind the inalienable rights of the Palestinians to return to their homeland, again draw Israel's attention to the disastrous consequences its settlement policy was bound to have on any attempt to reach a peaceful solution in the Middle East.

It recommended that appropriate measures be sought for an equitable allocation of water resources in the area, outside of any political considerations, in view of the vital importance of those resources. Their serious depletion was a result of intensive exploitation by Israeli authorities, mainly for the benefit of Israeli settlers.

With regard to Jerusalem, the Commission recommended that the Council urge Israel to implement fully its resolutions on that question.

Consideration by the General Assembly

Report of the Special Committee to Investigate Israeli Practices

The General Assembly in 1979 had renewed the mandate of the three-member Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and requested it to submit a report in 1980.⁶⁵ The Committee's twelfth report, approved on 25 July and submitted to the Secretary-General on 26 July, covered the period since 9 November 1979. It contained a representative cross-section of information received by the Committee and an assessment in the context of applicable international law. The Committee noted that its special effort to secure the co-operation of Israel had been to no avail. The Committee heard the testimonies of a former detainee in an Israeli prison, the three Palestinian leaders expelled by Israel- the Mayors of Hebron and Halhul and the Islamic Judge of Hebron-and the Mayor of Nablus, who had been the subject of an assassination attempt. It also heard two persons from the occupied territories in closed meetings.

The information presented by the Committee was grouped in four categories: Israel's settlement policy; the treatment of civilians in the occupied territories; the situation of detainees in those territories; and the consequences of recourse to judicial remedies on the human rights of the local population. The report gave samples of incidents occurring during the period covered.

The report stated that Israel's annexation and settlement policy continued unabated. The rate and extent of expropriation were considerable; over 27 per cent of the land in the occupied territories had been taken over by Israel. Another significant measure was the purchase of property in the occupied territories, authorized by Israel. A particular feature observed by the Committee was the considerable amount of money spent on the settlement programme. The construction of new settlements and the expansion of existing ones had become part of a regular programme. As at 26 July, over 127 settlements had been established. This policy and the measures taken, the Committee pointed out, were in violation of the fourth Geneva Convention of 1949.

⁶³ See footnote 56.

⁶⁴ See Y.U.N., 1979, pp. 387 and 392.

⁶⁵ Ibid., p. 402, resolution 34/90 A of 12 December 1979.

Regarding the treatment of the civilian population, the Committee noted that acts of violence had remarkably increased and bloodshed had reached unprecedented levels. As noted in the past, the military occupation had generated a strong spirit of resistance among the civilians, and the reaction by the military authorities to the increasing number of demonstrations, strikes and other actions was severe. Israel, the Committee observed, continued to allow extreme provocation of the civilian population and severe repression of any reaction. One of the more striking developments was the activist role of the Israeli settlers who engaged in violent acts against the civilian inhabitants, causing damage to property, personal injury and sometimes even death. The military authorities, according to information available to the Committee, did not control those settlers.

Concerning the situation in prisons and the treatment of detainees, the Committee had received extensive reports of inhuman conditions and noted that no serious efforts had been undertaken to improve them. Interrogation procedures continued to be accompanied by violence, according to numerous reports. The Committee had examined cases where detainees had suffered severe bodily and mental damage as a result of conditions of detention; it called for an end forthwith to such practices and held that drastic measures should be taken to ensure against a recurrence.

The Committee noted an increasing trend in the resort to the High Court of Justice of Israel by the inhabitants of the occupied territories. In virtually all cases, this Court had been impotent in controlling the arbitrary behaviour by the military occupation authorities. There were no judicial remedies available to the civilian population other than making an application to the High Court. The Committee noted that the right to make such application became meaningless if the Court's judgement was not implemented. The administration of justice, the Committee pointed out, had been transferred from civil courts to military forums, by virtue of the promulgation of over 850 military orders changing the law governing the occupied territories.

In conclusion, the Committee said the military occupation in all its facets was at the core of the violation of fundamental human rights. The practices thereunder also constituted a systematic effort to change the status of the occupied territories in pursuit of Israel's "homeland" policy and its avowed intention to perpetuate its domination there and deny the inhabitants the right to self-determination. While the international community pursued the major goal of ending the occupation, it should immediately set in motion

efforts to modify conditions by the kind of mechanism urged by the Committee in previous reports (the protecting-power formula based on the fourth Geneva Convention).

The Committee's report was considered by the General Assembly's Special Political Committee which also had before it a series of communications (see sections above), including a letter of 24 April from Jordan transmitting a Government statement on Israel's modification of Jordanian labour law in the West Bank in order to curb trade union activity.

The Secretary-General, reporting on 4 November to the Assembly, described steps taken by the Department of Public Information to secure wide dissemination of the Committee's report and activities.

The Special Political Committee discussed the Committee's report at seven meetings between 7 and 21 November. On 18 and 21 November, it approved the texts of five resolutions-35/122 A-E-which it recommended to the Assembly for adoption. A sixth resolution, adopted as resolution 35/122 F, was not submitted in the Special Political Committee but in a plenary meeting on 11 December (see following subsection).

ADOPTION OF RESOLUTIONS

On 11 December, the General Assembly adopted the texts recommended by the Special Political Committee. By resolution 35/122 A, adopted by a recorded vote of 141 to 1, with 1 abstention, the Assembly reaffirmed that the fourth Geneva Convention was applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem. It deplored Israel's failure to acknowledge that applicability and called on it to do so and to comply with the provisions of the Convention. The Assembly again urged all States parties to that Convention to exert all efforts to ensure respect for and compliance with its provisions in the occupied territories, including Jerusalem.

The text was sponsored by Bangladesh, India, Indonesia, Madagascar, Malaysia, Maldives, Mali, Nigeria, Pakistan and Yugoslavia. The Special Political Committee, on 18 November, had approved it by a recorded vote of 109 to 1.

By resolution 35/122 B, adopted by a recorded vote of 140 to 1, with 3 abstentions, the Assembly determined that the measures and actions taken by Israel to change the legal status, geographical nature and demographic composition of the occupied territories had no legal validity and constituted a serious obstruction to a just and lasting peace in the Middle East, deplored Israel's persistence in carrying out such measures and called again on it to comply with its interna-

tional obligations and desist from any such action.

The resolution, sponsored by Bangladesh, Cuba, Guinea, Guinea-Bissau, Indonesia, Mali, Pakistan and Zambia, was approved by the Special Political Committee on 18 November, by a recorded vote of 110 to 1, with 2 abstentions.

By resolution 35/122 C, adopted by a recorded vote of 118 to 2, with 23 abstentions, the Assembly commended the Special Committee to investigate Israeli practices for its work and called again on Israel to allow the Committee access to the occupied territories. It deplored Israel's continued violation of the fourth Geneva Convention, condemning those violations which the Convention designated as grave breaches. It then condemned the following Israeli policies and practices: annexation of parts of the occupied territories, including Jerusalem; establishment of new settlements and expansion of existing ones on Arab lands, and transfer of an alien population thereto; evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return; confiscation and expropriation of Arab property and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand, and inhabitants or institutions of the occupied territories on the other; destruction and demolition of Arab houses; mass arrests, administrative detention and ill-treatment of the Arab population; ill-treatment and torture of persons under detention; pillaging of archaeological and cultural property; interference with religious freedoms and practices, as well as family rights and customs; and illegal exploitation of the natural wealth, resources and population of the occupied territories.

The Assembly reaffirmed that all measures by Israel to change the physical character, demographic composition, institutional structure or status of the occupied territories, including Jerusalem, were null and void, and that Israel's settlement policy constituted a flagrant violation of the fourth Geneva Convention and of relevant United Nations resolutions. It demanded that Israel desist from those policies and practices, and reiterated its call on all States, international organizations and specialized agencies to avoid actions, including those in the field of aid, which might be used by Israel in its policies of annexation and colonization.

The Assembly requested the Special Committee to continue its investigations, to consult with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories, and to continue to investigate

the treatment of civilians detained in the Arab territories. The Secretary-General was requested *inter alia* to ensure the widest circulation of the Committee's reports and of information regarding its activities and findings.

The draft was sponsored by Bangladesh, Cuba, Guinea-Bissau, Indonesia, Malaysia, Mali, Pakistan and Zambia and was approved by the Special Political Committee on 18 November by a recorded vote of 91 to 2, with 22 abstentions.

By resolution 35/122 D, adopted by a recorded vote of 140 to 1, with 3 abstentions, the Assembly called on Israel to rescind the illegal measures taken in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron, and to facilitate their immediate return.

Bangladesh, Cuba, India, Indonesia, Mali, Pakistan, Yugoslavia and Zambia sponsored the text in the Special Political Committee, where it was approved on 18 November by a recorded vote of 117 to 1, with 2 abstentions.

Resolution 35/122 E was adopted by a recorded vote of 119 to 2, with 23 abstentions. The Assembly thereby condemned Israel's persistence in changing the physical character, demographic composition, institutional structure and legal status of the Syrian Arab Golan Heights, and determined that all legislative and administrative measures and actions which might be taken by Israel that purported to alter the character and legal status of the Golan Heights were null and void, constituted a flagrant violation of international law and the fourth Geneva Convention and had no legal effect. It called on Member States not to recognize such measures and actions and called on Israel to desist from enacting such legislation.

Algeria, Cuba, India, Indonesia, Jordan, Mali, Pakistan, Qatar and Yemen sponsored the resolution, which was approved by the Special Political Committee on 21 November by a recorded vote of 97 to 2, with 21 abstentions.

By resolution 35/122 F, adopted by a recorded vote of 117 to 2, with 25 abstentions, the Assembly again reaffirmed the applicability of the fourth Geneva Convention to the territories occupied by Israel. It condemned Israeli policies and practices against Palestinian students and faculty and the systematic repression of universities in the occupied Palestinian territories, and demanded that Israel rescind those actions and measures and ensure the freedom of those institutions. It requested the Security Council to convene urgently to take the necessary measures to ensure that Israel rescinded the illegal measures against the Palestinian Mayors and the Sharia Judge and to facilitate their immediate return.

The text was sponsored in the plenary Assembly by Cuba, the German Democratic Republic, Hungary, India, Iraq, Jordan, Maldives, Mauritania, Pakistan, the United Arab Emirates and Yemen.

GENERAL ASSEMBLY DISCUSSION

The representative of Sri Lanka introduced the report of the Special Committee in the Special Political Committee. He said that, in view of the events which had taken place since the adoption of the Committee's report on 25 July, the Special Committee had wished to submit a special report on the treatment of detainees, but had been unable to do so for reasons beyond its control. The events in question had taken place during August and September in the Israeli Nafha prison. The Special Committee had gathered information from numerous sources, including eyewitnesses. Conditions in that prison were so deplorable that detainees had declared a hunger strike soon after being transferred there. The protest had spread to all other prisons where Palestinians were detained, and a number of incidents had taken place. To date, three detainees had died as a result of measures to force-feed them. An investigation by Israel had exonerated the prison authorities from responsibility for those deaths, but the facts available to the Special Committee had led to quite a different conclusion.

Another development since the adoption of the report was the publication of a study by the International Commission of Jurists on the rule of law in the occupied territories. The study covered a number of fields, including military legislation in areas as diverse as land rights and town planning, which appeared to extend far beyond the needs of Israel's security. The study illustrated the extent to which the occupation authorities were pursuing efforts to annex those territories in defiance of the fourth Geneva Convention. In the preface to the study, it was stated that the occupation would probably continue for an indefinite period and that the military governments had exercised powers akin to those of sovereign Governments by altering existing laws in such a way as to make the economy of the West Bank dependent on Israel and to facilitate the establishment of Jewish settlements.

The representative of Israel said the report had provided further proof that the Special Committee served as an instrument of the hatred and propaganda campaign against Israel by certain Arab States. Israel rejected the distorted picture which the Special Committee had given and denounced the deliberate use of the United Nations for purposes contrary to the United Nations Charter and detrimental to international

peace. The Special Committee had completely ignored the circumstances which necessitated Israel's presence in the territories, and had conveyed misguided concepts about security issues and regional political developments. The representative addressed in detail various statements and conclusions in the Special Committee's report, making such points as: Israel held that the fourth Geneva Convention was not applicable to the territories it administered but that it nevertheless applied the Convention's principles and even granted privileges not laid down in it; detainees were common criminals and were not detained for their political beliefs; Israel's legal system provided numerous safeguards for its citizens and the inhabitant of territories under its administration; and the Geneva Convention recognized the right to impose administrative detention where security considerations so demanded.

In the view of PLO, the current report of the Special Committee had special importance since it covered a period of intensification by Israel of its aggressive, criminal oppression, encroaching on every aspect of the lives of the Palestinian people both inside and outside the occupied territories. Israel's settlement policy aimed at depriving that people of the source of their livelihood, thus compelling them to leave, and at undermining the geographical base on which they as a nation would assert their right to self-determination and statehood.

Members agreed that the Israeli settlement practices were designed to alter unilaterally the demographic and physical character of the occupied territories with a view to perpetuating Israel's domination, and as such constituted a flagrant violation of the fourth Geneva Convention. They also condemned Israel's practices with respect to the civilian population in the occupied territories and considered the proclamation of Jerusalem as the capital of Israel an act of aggression. Egypt, the USSR, the members of the European Community and many others called for Israel's total withdrawal as the basis for a just and lasting peace.

Greece said a peaceful solution of the Palestinian problem was unthinkable when settlements were continually being established and extended, the demographic composition of the territories changed, the judicial status unilaterally modified and the Palestinian people deprived of their legitimate right to self-determination.

The representative of the League of Arab States said the report of the Special Committee illustrated the ever-increasing violations by Israel of all legal, human, national and territorial rights of the population of the occupied territories.

Hungary associated itself with all those who supported the determination of the Arab inhabitants of the territories not to accept the conditions under which they were forced to live.

Malaysia appealed again to all countries which supported and sustained Israel to co-operate with the United Nations by taking steps that would ensure Israel's compliance with the accepted principles of international law.

Luxembourg, speaking on behalf of the nine member States of the European Community, reiterated their position calling for a comprehensive settlement and supporting the applicability of the fourth Geneva Convention. They urged Israel to refrain from expelling 'Palestinian officials and preventing them from carrying out their functions; such measures could only increase tension. They were also opposed to certain practices of the military occupation authorities with respect to the civilian population which were violations of the most fundamental human rights. The Community members, however, reiterated their reservations with respect to the establishment of the Special Committee and the manner in which it carried out its work. Since the Committee had not had adequate access to first-hand information, its report could not be considered absolutely authoritative.

The USSR reiterated its support for the struggle of the Arab peoples to eliminate the effects of Israel's aggression and achieve a comprehensive settlement with the participation of all parties concerned, including PLO. Such a settlement must provide for the unconditional return to the Arabs of all lands seized by Israel in 1967, including the eastern part of Jerusalem, and the full implementation of the national rights of the Palestinian people, including their right to create an independent State.

The representative of Indonesia, who introduced the text of resolution 35/122 A on the applicability of the fourth Geneva Convention to the occupied territories, said that the international community must assume its responsibility to ensure the human rights of the population of those territories and to end the occupation.

Austria thought that the changes introduced by Israel in the occupied territories were unacceptable since they had not only increased tension and complicated the search for a peaceful settlement, but could also be viewed as an indication that Israel intended to perpetuate its domination.

The representative of China said that the Government and people of his country strongly condemned the Israeli authorities for their crimes against the Palestinian and other Arab peoples in the occupied territories, and for their flagrant violations of the fourth Geneva Conven-

tion and the United Nations Charter. The Chinese people had always resolutely supported the just struggle of the Palestinian and other Arab peoples, which would finally triumph. Israel must withdraw from all the occupied Arab territories and the Palestinian people must regain its national rights.

Kenya said it was strongly opposed to the acquisition of land by force; it deplored Israel's practices in the occupied territories and once more called on it to heed the opinion of the world community and change its policies in those territories. In Kenya's view, the United Nations had a historical duty and responsibility to protect the rights of the Palestinians, which were guaranteed in internationally recognized conventions.

In Nigeria's opinion, Israel's concept of "coexistence" was not one of equals but one between a dominant invader and the subordinate indigenous population, kept docile by a combination of military force and political and economic inducements.

EXPLANATIONS OF VOTE

Israel considered that resolution 35/122 C endorsed various false allegations made by the Special Committee and completely disregarded the actual circumstances. It said the text also ignored the principle of international law to the effect that the authorities, in addition to ensuring the welfare of the local population, had the clear obligation to protect that population against disorder and terrorism.

Regarding resolution 35/122 D, Israel stated that the Supreme Court, having heard the appeal of the two Mayors, would issue its decision in due course. The resolution was, therefore, totally unwarranted and sought to interfere with the due process of law.

Israel said resolution 35/122 E was unacceptable because it was based on the false premise that Israel's presence on the Golan Heights was illegal, and because it was designed to draw the United Nations into the campaign against the peace process in the Middle East. Israel considered resolution 35/122 F an unacceptable attempt to interfere with the judicial system of a sovereign Member State.

Luxembourg said the members of the European Community had voted for resolutions 35/122 A, B and D, thus reaffirming their position that the fourth Geneva Convention was applicable to the occupied territories. Their support for resolution 35/122 B reflected their feeling that the Israeli settlements and the demographic and land-ownership changes were in violation of international law. The Community members had abstained in the vote on resolu-

tion 35/122 C because of their reservations on the establishment of the Special Committee and certain inappropriate elements. The condemnation of Israeli policies and practices was unjustified in view of the lack of conclusive proof of the use of torture by Israel.

As for resolution 35/122 E, the Community members had abstained because of reservations particularly in connexion with certain operative paragraphs and some technical aspects of the preamble. In their view, however, any unilateral change in the status of the occupied territories would be contrary to international law and to the fourth Geneva Convention, and would constitute a new source of tension. Luxembourg added that the Community members would have liked to vote in favour of resolution 35/122 F, but were unable to do so because of their reservations with respect to some of the wording. On the other hand, they strongly disapproved of Israel's measures, particularly against Palestinian students and faculty, and strongly deplored the expulsion of the two Mayors for the second time.

Finland had abstained on resolution 35/122 C because of its reservations with respect to certain formulations, especially in those paragraphs regarding Israeli policies and practices. It had voted for resolutions 35/122 A, B and D, because it felt that they fully complied with Security Council resolutions 242(1967)⁶⁶ and 338(1973).⁶⁷ In view of the urgent need to obtain reliable information on the situation in the occupied territories, Finland deplored Israel's continued refusal to allow the Special Committee access to them.

The United States said it had voted for resolution 35/122 A since it felt that Israel's settlements in the occupied territories were inconsistent with international law, particularly the fourth Geneva Convention. The United States had abstained in the vote on resolution 35/122 B solely to make clear its objections to the use of the phrase "Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem." It considered that the reference to Jerusalem was to that part of the city which had been occupied in 1967. The United States reiterated its position that the final status of Jerusalem must be settled in the context of negotiations for a final peace. Whatever solution was eventually agreed upon should preserve Jerusalem as an undivided city, with free access to the Holy Places, and should safeguard the basic rights of the city's residents.

The United States had voted against resolution 35/122 C, which contained unfounded charges against the conduct of Israeli authorities. It had abstained in the vote on resolution 35/122 D, as it believed that the deportation of the

Mayors was contrary to the fourth Geneva Convention; but it could not vote for that resolution because the text should have contained a reference to the attack on Israeli citizens in Hebron which preceded the deportation.

The United States said it had voted against resolution 35/122 E, first, because Israel had not enacted any legislation changing the legal status of occupied Syrian Arab territory, and second, because the resolution did not contain specific reference to Security Council resolutions 242(1967) and 338(1973) which set forth the principles on which a peaceful settlement of the question must be based. With reference to resolution 35/122 F, the United States, though very concerned about the measures taken by Israel, could not accept the resolution, principally because it purported to dictate to the Security Council what measures it should take, but also because it used unbalanced language and made no mention of the broader context in which events to which it related had occurred.

Australia said it had voted for resolutions 35/122 A, B and D, but had abstained in the vote on resolution 35/122 C. Although it was firmly opposed to Israeli actions which violated the human rights of the inhabitants of the occupied territories, that resolution condemned Israel for actions which had not been proved.

Declaring its support for resolution 35/122 E, Egypt condemned the attempt by extremist elements which sought to annex the Golan Heights and halt the peace process.

Austria said it supported resolution 35/122 E because it would not only categorically reject an act of annexation of the Golan Heights as a serious violation of international law but was also opposed to any preparatory steps and initiatives which might result in an annexation. However, Austria had serious reservations about the resolution, and considered that the question of the Golan Heights was a separate problem which should have been dealt with in the Security Council. It would have preferred more balanced wording for a resolution of a preventive character.

The Bahamas and Austria stated that their affirmative votes on resolution 35/122 F did not imply that they did not have serious reservations with regard to certain formulations. Austria and Portugal interpreted the reference to Palestinian and other Arab territories to apply to those territories which were occupied in 1967.

Canada said it had abstained in the vote on resolution 35/122 E because, although it strongly opposed any move by Israel to annex the Golan

⁶⁶ See footnote 50.

⁶⁷ See Y.U.N., 1973, p. 213, resolution 338(1973) of 22 October 1973.

Heights, it felt that the determination of the borders must be decided in negotiations between the parties and not by unilateral action. Canada also had particular reservations regarding a preambular paragraph recalling previous resolutions in which the Assembly had called on Israel to put an end to its illegal occupation and to withdraw, and regarding the condemnation of Israel's refusal to comply with the relevant resolutions. With respect to resolution 35/122 F, Canada had abstained since it could not subscribe to the emotive charges in parts of the text.

Norway stated that, although it shared the concern of the sponsors, it had abstained on resolution 35/122 E because it seemed to imply that the legal status of the Golan Heights had already been changed. Norway, as well as Finland and Portugal which had abstained, voiced particular reservations on the first two operative paragraphs condemning Israel's persistence in making changes in the Golan Heights and its refusal to comply with relevant United Nations resolutions.

Sweden said it could not support resolution 35/122 E because it dealt in a sweeping way with legislation not yet enacted; however, Sweden hoped Israel would desist from enacting such a law. Because of certain inappropriate formulations, Sweden abstained on resolution 35/122 F though it called on Israel to rescind all actions and measures contrary to the fourth Geneva Convention.

New Zealand abstained on resolution 35/122 E because Israel had not taken any action with regard to the Golan Heights, and it expressed the hope that Israel would not do so. Japan also abstained on that resolution, yet believed that Israel must withdraw from the Golan Heights; it maintained its objection to any annexation measures. Japan abstained on resolution 35/122 F because it included some elements Japan could not support.

Portugal and Venezuela said they would vote in favour of resolution 35/122 F to show support for the Palestinian cause, yet they wished to place on record reservations on the wording of certain paragraphs, in particular that which claimed that Israel pursued a deliberate policy of opening fire on defenceless students.

Uruguay expressed reservations with regard to the operative paragraph of resolution 35/122 C condemning specific policies and practices of Israel, on the grounds that it had not been proved that the practices and policies listed were in fact engaged in by Israel. For the same reason, it abstained on resolution 35/122 F.

Chile abstained on resolution 35/122 F because of its doubts about the language used and about the propriety of dealing with such matters in conjunction with situations of a different kind.

Tunisia said it had voted in favour of resolution 35/122 F, yet had some doubt whether measures decided on by the Security Council would be effective, given the prevailing situation in the Council.

Living conditions of the Palestinian people

In response to a General Assembly request of 14 December 1979,⁶⁸ the Secretary-General submitted to the Assembly on 17 October 1980 a report on the social and economic impact of Israel's occupation on the living conditions of the Palestinian people in the occupied territories. As permission to visit those territories had not been granted by Israel, the three experts appointed to prepare the report had had to rely on secondary sources of information from Governments, PLO and United Nations organs and specialized agencies. Two of the experts visited Egypt, Jordan, Lebanon and the Syrian Arab Republic, where they held discussions with government officials, Palestinian refugees, persons deported from the occupied territories, residents of the occupied territories visiting those countries, visitors to the occupied territories and PLO representatives.

The experts reported that no human settlements policy had been adopted for the occupied territories to ensure a rational distribution of the Palestinian people, as a consequence of the lack of an overall economic and social development policy and planning. Very little planning had been devoted to the resettlement of refugees in the West Bank, who constituted 46 per cent of the population. No public housing seemed to have been initiated commensurate with the magnitude of needs. In the Gaza Strip and northern Sinai, there was a resettlement policy, yet only a fraction of refugees had been provided with housing units. The dwelling units were overcrowded, both in the Gaza Strip and the West Bank, especially in the rural areas and refugee camps.

Over the years, the occupied territories had witnessed a deterioration of the infrastructure. The appropriation by Israel of over a quarter of the land in the West Bank and the Gaza Strip had meant that less land was available to the Palestinian people for their housing and agricultural needs. Similarly, the diversion of water for the needs of the Israeli settlements had adversely affected the traditional habitat of the Palestinian people. Environmental health services had not improved commensurate with population increase. As a consequence, gastro-intestinal diseases had been a major cause of morbidity and mortality. One significant development had been the increase of the number of educational

⁶⁸ See Y.U.N., 1979, p. 406, resolution 34/113.

institutions both in the West Bank and the Gaza Strip, and enrolment had also increased significantly. However, the political climate and actions of the occupying authorities had not provided a learning environment free from insecurity among both teachers and students. Concerning social welfare services, the occupying authorities had increased the number of welfare bureaux and social workers. The number of recipients of services, particularly financial assistance, had decreased considerably, due to the high level of employment in the occupied territories and to the rehabilitative services introduced by the occupying authorities, with financial resources made available by international organizations.

Having considered the Secretary-General's report, the Assembly on 5 December adopted resolution 35/75, by which it deplored Israel's refusal to allow the Group of Experts to visit the occupied territories, condemned Israel's policy resulting in the deterioration of the living conditions of the Palestinian people in those territories and called on all States to co-operate with the United Nations and local Palestinian authorities to alleviate the tragic living conditions caused by the Israeli occupation.

Resolution 35/75 was adopted by a recorded vote of 118 to 2, with 26 abstentions, on the recommendation of the Second (Economic and Financial) Committee, where the draft, sponsored by 40 Member States (see DOCUMENTARY REFERENCES below), was approved on 14 November by a recorded vote of 110 to 2, with 23 abstentions.

Before the vote in Committee, Israel said that one-sided resolutions would not bring peaceful solutions any closer and, therefore, it would vote against the resolution.

In explanation of vote, Bulgaria, which voted in favour of the text, endorsed the struggle for independence led by PLO and said it would continue to support the Palestinian people. Bolivia, which also voted in favour, would have preferred a different wording of the paragraph which condemned Israeli policy resulting in the deterioration of the living conditions of the Palestinian people in the occupied territories. Austria said it had voted in favour with considerable hesitation and was not convinced that the condemnation of Israel was justified on the basis of the Secretary-General's report; if a separate vote had been taken on that paragraph, it would not have voted for it. Japan said it abstained because that paragraph concerned a matter which, it felt, could not appropriately be considered by the Second Committee.

Luxembourg, on behalf of the nine members of the European Community, said they had ab-

stained because of certain reservations. The United States said it had voted against the resolution because of unjustified criticism of Israel and references to resolutions which the United States had opposed.

Permanent sovereignty over national resources in the occupied Arab territories

On 5 December 1980, the General Assembly adopted another resolution relating to the situation in the territories occupied by Israel. By resolution 35/110, on permanent sovereignty over national resources in the occupied Arab territories, the Assembly emphasized the right of the Arab States and peoples whose territories were under Israeli occupation to full and effective permanent sovereignty over their natural and all other resources, wealth and economic activities. It reaffirmed that measures taken by Israel to exploit those resources were illegal, called on Israel to desist from such measures, reaffirmed the right of the Arab States and peoples subjected to Israel's occupation to restitution of and compensation for such exploitation, and called on Israel to meet their just claims. The Assembly called on all States to support the Arab States and peoples in the exercise of these rights and called on all States, international organizations and institutions not to co-operate with Israel in this matter. It regretted that the report it had requested in 1979 on this subject⁶⁹ was not completed and asked the Secretary-General to prepare a report for the 1981 session.

The Assembly adopted resolution 35/110 by 122 votes to 2, with 23 abstentions. It acted on the recommendation of the Second Committee which had approved the text, sponsored by 36 Members (see DOCUMENTARY REFERENCES below), on 14 October by a recorded vote of 101 to 2, with 22 abstentions.

After the vote, Luxembourg, speaking on behalf of the European Community members, said they had abstained because they felt the issue was not within the competence of the Second Committee. The United States said it had voted against the resolution on the basis of its position on the question of permanent sovereignty and because the matter was not within the Committee's competence. Portugal, which voted in favour, expressed reservations with regard to the paragraph reaffirming the right to compensation.

Related General Assembly decisions

The General Assembly, on 14 November, adopted two additional resolutions relating to the Middle East problem.

⁶⁹ Ibid., resolution 34/136 of 14 December 1979.

By resolution 35/33, on the Decade for Action to Combat Racism and Racial Discrimination, the Assembly expressed its satisfaction to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its contribution of the implementation of the Programme for the Decade (for details, see p. 798).

By resolution 35/35 A, on the importance of the right to self-determination, the Assembly reaffirmed the inalienable right of the Palestinian people to self-determination, national independence, territorial integrity, national unity and sovereignty without external interference (for details, see p. 837).

Further consideration by the Security Council

Meetings of the Security Council (19 December)

On 19 December, the Security Council met, for the third time, to consider the expulsion of the three Palestinian leaders. Egypt, Israel and Kuwait were invited, at their request, to participate in the discussion without the right to vote.

By 10 votes to 1 (United States), with 4 abstentions (France, Norway, Portugal, United Kingdom), the Council approved a Tunisian proposal to invite PLO to participate in the debate. The invitation conferred on PLO the same rights of participation as those conferred on Member States when invited under rule 37 of the Council's provisional rules of procedure.⁷⁰ Upon Tunisia's request, the Council also invited, under rule 39 of the provisional rules of procedure," the Permanent Observer of the League of Arab States and the two Mayors.

Opening the debate, the Secretary-General gave an account of developments in the case since 24 May. He told the Council that on 4 December the Supreme Court of Israel had upheld the expulsion order but recommended that the Government review the matter, in the mean time allowing the Mayors to stay. On 5 December, the Secretary-General had learned that Israel planned to deport the Mayors forthwith. Despite his intervention, Israel had deported them that day.

Israel said that it had a primary duty to preserve law and order and safeguard human life. The three individuals concerned had been systematically engaged over the preceding months in inciting the local Arab population to acts of violence and subversion. Over the past few months, they had had full recourse to the Israeli judicial system. Israel could not accept any attempt to interfere with its judicial process.

Tunisia noted that Article 25 of the United Nations Charter⁷² made it binding on Members of the United Nations to carry out Council deci-

sions. Israel did not comply with that Article. The expulsion of the three Palestinian leaders was part of Israel's systematic defiance of international law and unanimously acknowledged rules.

The USSR said it had long been clear that the real sources of tension in the Middle East were Israel's occupation of Arab lands, the expulsion of the indigenous population and its acts of terror, violence and intimidation. The USSR believed that the Council should most resolutely demand that Israel strictly comply with the 1949 fourth Geneva Convention. In the case of Israel's non-compliance, the Council should take appropriate measures in accordance with the Charter.

Zambia said Israel had no legal right to expel any Palestinian from Palestine. Since 1967, the indigenous people had been dispossessed of their land and property. The Council should prevail on Israel to allow the Mayors to return to their homeland.

China noted that Israel's acts had aroused strong condemnation from the international community and vigorous resistance by Palestinians. In China's opinion, Israel could only make itself even more isolated, should it persist in its aggression and expansion and the persecution of the Palestinian and other Arab peoples. If Israel refused to implement the Council's decision on this matter, the Council would have to take stronger and more effective measures.

The German Democratic Republic said that, along with many other States, it condemned the policy of separate deals pursued under the protection of the United States, since that policy had increased obstacles to a comprehensive and just peace settlement in the Middle East and had already led to dangerous complications.

Bangladesh noted that the Council had recently met twice on the expulsion of the Palestinian leaders; it felt grave concern over Israel's latest action.

The Council also heard statements on the matter by Egypt, Kuwait, the representatives of PLO and the League of Arab States, and the Mayors of Hebron and Halhul.

The President, speaking as the representative of the United States, said that the views of the United States on the deportation of the Mayors were well known. The fourth Geneva Convention applied to the West Bank and prohibited deportations. While supporting the resolution which was before the Council, the United States continued to believe that the Council should take the entire situation in the occupied territories into account. It hoped that any future inci-

⁷⁰ See footnote 2.

⁷¹ See footnote 3.

⁷² For text of Article 25 of the Charter, see APPENDIX II.

dents of violence would be brought to the attention of the Council, which should condemn violence against Israel as promptly as it condemned Israel's actions.

On 19 December, the Security Council adopted unanimously resolution 484(1980), prepared in the course of consultations among Council members. It thereby reaffirmed the applicability of the 1949 fourth Geneva Convention to all the Arab territories occupied by Israel in 1967, called on Israel to adhere to the Convention, and declared it imperative that the Mayors be enabled to return to their homes and resume their responsibilities.

Further communications

On 23 December, Cuba transmitted the communiqué of a plenary meeting of the non-aligned countries, held at New York that day to consider the situation of the two Palestinian Mayors. The meeting declared its full solidarity with them and the Sharia Judge of Al-Khalil and called on the Security Council to ensure full implementation of its resolutions adopted on this matter in 1980.

By a letter of 24 December, Tunisia transmitted a message of the same date from the Secretary-General of the League of Arab States, calling on the Council to undertake all measures that would ensure the safe return of the two Mayors.

Documentary references, voting details and texts of resolutions

Status of Jerusalem

COMMUNICATIONS (FEBRUARY -24 JUNE)

S/13782 (A/35/87). Letter of 5 February from Jordan.

S/13793 (A/35/98). Letter of 12 February from Israel.

S/13840. Letter of 12 March from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13945. Letter of 16 May from Egypt (transmitting statement of 15 May by Ministry of Foreign Affairs).

S/14017. Letter of 24 June from Tunisia.

S/14018. Letter of 24 June from Bahrain.

CONSIDERATION BY THE SECURITY COUNCIL (24-30 JUNE)

Security Council, meetings 2233-2236, 2238, 2239, 2241, 2242.

S/13966. Letter of 28 May from Pakistan (request to convene Council).

S/14012, S/14013. Letters of 20 June from Tunisia (requests to extend invitations to address Council).

S/14031. Algeria, Bahrain, Bangladesh, Chad, Democratic Yemen, Djibouti, Egypt, Gabon, Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Cameroon, Upper Volta, Yemen: draft resolution.

S/14049. Letter of 2 July from Uganda.

Resolution 476(1980), as proposed by 39 powers, S/14031, adopted by Council on 30 June 1980, meeting 2242, by 14 votes too, with 1 abstention (United States).

The Security Council,

Having considered the letter of 28 May 1980 from the representative of Pakistan, the current Chairman of the Organization of the Islamic Conference, contained in document S/13966,

Reaffirming that the acquisition of territory by force is inadmissible,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Reaffirming its resolutions relevant to the character and status of the Holy City of Jerusalem, in particular resolutions 252 (1968), 267(1969), 271(1969), 298(1971) and 465(1980),

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

Deploing the persistence of **Israel** in changing the physical

character, demographic composition, institutional structure and the status of the Holy City of Jerusalem,

Gravely concerned about the legislative steps initiated in the Israeli Knesset with the aim of changing the character and status of the Holy City of Jerusalem,

1. Reaffirms the overriding necessity for ending the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

2. Strongly deplores the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly;

3. Reconfirms that all legislative and administrative measures and actions taken by Israel, the occupying Power, which purport to alter the character and status of the Holy City of Jerusalem have no legal validity and constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

4. Reiterates that all such measures which have altered the geographic, demographic and historical character and status of the Holy City of Jerusalem are null and void and must be rescinded in compliance with the relevant resolutions of the Security Council;

5. Urgently calls on Israel, the occupying Power, to abide by the present and previous Security Council resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of the Holy City of Jerusalem;

6. Reaffirms its determination, in the event of non-compliance by Israel with the present resolution, to examine practical ways and means in accordance with relevant provisions of the Charter of the United Nations to secure the full implementation of the present resolution.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 12 and 13.

COMMUNICATIONS (30 JUNE-14 AUGUST)

A/35/390. Letter of 11 August from Iraq (transmitting excerpt relating to Jerusalem from press communiqué issued jointly with Saudi Arabia).

S/I 4032. Note by President of Security Council (transmitting letter of 30 June from Holy See enclosing text on question of Jerusalem from Osservatore Romano of same date).

S/14042. Letter of 1 July from Iraq.

S/14084. Letter of 1 August from Pakistan (request to convene Council).

S/14090 (A/35/378). Letter of 4 August from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/14098. Letter of 11 August from Romania.

- S/14103. Letter of 12 August from Viet Nam (transmitting statement of 6 August by Ministry of Foreign Affairs).
S/14115. Letter of 14 August from Afghanistan.

CONSIDERATION BY THE SECURITY COUNCIL (20 AUGUST)

Security Council, meeting 2245.

- S/14084. Letter of 1 August from Pakistan.
S/14106. Algeria, Bahrain, Bangladesh, Chad, Democratic Yemen, Djibouti, Gambia, Guinea, Guinea-Bissau, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Morocco, Niger, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, Upper Volta, Yemen: draft resolution.
S/14109. Letter of 15 August from Tunisia (request to extend invitation to participate in Council discussion).
S/14113. Draft resolution prepared in course of consultations.

Resolution 478(1980), as proposed in S/14113, adopted by Council on 20 August 1980, meeting 2245, by 14 votes to 0, with 1 abstention (United States).

The Security Council,
Recalling its resolution 476(1980),
Reaffirming again that the acquisition of territory by force is inadmissible,

Deeply concerned over the enactment of a "basic law" in the Israeli Knesset proclaiming a change in the character and status of the Holy City of Jerusalem, with its implications for peace and security,

Noting that Israel has not complied with resolution 476 (1980),

Reaffirming its determination to examine practical ways and means, in accordance with the relevant provisions of the Charter of the United Nations, to secure the full implementation of its resolution 478(1980), in the event of non-compliance by Israel,

1. Censures in the strongest terms the enactment by Israel of the "basic law" on Jerusalem and the refusal to comply with relevant Security Council resolutions;

2. Affirms that the enactment of the "basic law" by Israel constitutes a violation of international law and does not affect the continued application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian and other Arab territories occupied since June 1967, including Jerusalem;

3. Determines that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent "basic law" on Jerusalem, are null and void and must be rescinded forthwith;

4. Affirms a/so that this action constitutes a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

5. Decides not to recognize the "basic law" and such other actions by Israel that, as a result of this law, seek to alter the character and status of Jerusalem and calls upon:

(a) All Member States to accept this decision;

(b) Those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City;

6. Requests the Secretary-General to report to the Security Council on the implementation of the present resolution before 15 November 1980;

7. Decides to remain seized of this serious situation.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 13 and 14.

COMMUNICATIONS AND REPORT (22 AUGUST-DECEMBER)

- S/14124. Letter of 22 August from El Salvador.
S/14126. Letter of 26 August from Costa Rica.
S/14127. Letter of 26 August from Panama.
S/14135. Letter of 28 August from Colombia.
S/14137. Letter of 29 August from Haiti.
S/14138. Letter of 29 August from Bolivia.
S/14144. Letter of 29 August from Netherlands.
S/14151. Letter of 5 September from Guatemala.
S/14163. Note verbale of 9 September from Dominican Republic.
S/14168. Note verbale of 9 September from Uruguay.
S/14169. Letter of 4 September from Morocco (transmitting Final Declaration adopted by Al-Quds (Jerusalem) Committee at its extraordinary session, Casablanca, 16-18 August).
S/14207 (A/35/508). Letter of 29 September from Morocco (transmitting final communiqué of special session of Islamic Conference of Foreign Ministers, Fez, 18-20 September).
S/14234 (A/35/563). Report of Secretary-General, Chapter III (paras. 22, 26 and 27).
S/14241 (A/35/578). Letter of 29 October from Jordan (transmitting statement issued on 16 October by official spokesman).
S/14243 (A/35/595). Letter of 4 November from Israel.
S/14248. Report of Secretary-General under Security Council resolution 478(1980) of 20 August.
S/14317 (A/36/58). Letter of 23 December from Jordan.

Other aspects of the situation in the occupied territories

COMMUNICATIONS (JANUARY-FEBRUARY)

- S/13732 (A/35/60). Letter of 9 January from Jordan.
S/13765. Letter of 25 January from Tunisia (transmitting letter of 21 January from PLO).
S/13766 (A/35/77). Letter of 25 January from Israel.
S/13772 (A/35/81). Letter of 30 January from Jordan.
S/13781 (A/35/86). Letter of 5 February from Israel.
S/13791 (A/35/101). Letter of 11 February from Tunisia (transmitting letter of 7 February from PLO).
S/13792 (A/35/97). Letter of 12 February from Israel.
S/13795 (A/35/102). Letter of 14 February from Egypt.
S/13798 (A/35/103). Letter of 14 February from Tunisia (transmitting letter of 11 February from PLO).
S/13801. Letter of 15 February from Jordan (request to convene Council).
S/13802. Letter of 15 February from Morocco (request to convene Council).
S/13811 (A/35/111). Letter of 20 February from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
S/13815. Letter of 22 February from Morocco (transmitting message from Secretary-General of Organization of Islamic Conference).

CONSIDERATION BY THE SECURITY COUNCIL (22 FEBRUARY-I MARCH)

Security Council, meetings 2199-2203.

- S/13679. Report of Security Council Commission Established under Resolution 446(1979) of 22 March 1979.
S/13801. Letter of 15 February from Jordan.
S/13802. Letter of 15 February from Morocco.
S/13813 and Corr.1, S/13814, S/13819. Letters of 20 and 22 February from Tunisia (requests to extend invitations to address Council).
S/13824. Note by President of Security Council.
S/13827. Draft resolution prepared in course of consultations.
S/13830. Letter of 29 February from Tunisia (transmitting message from Mayor of Hebron).

Resolution 465(1980), as proposed in S/13827, adopted unanimously (15-0) by Council on 1 March 1980, meeting 2203.

The Security Council,

Taking note of the reports of the Security Council Commission established under resolution 446(1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, contained in documents S/13450 and Corr.1 and Add.1 and S/13679,

Taking note also of letters from the Permanent Representative of Jordan and the Permanent Representative of Morocco, Chairman of the Islamic Group,

Strongly deploring the refusal by Israel to co-operate with the Commission and regretting its formal rejection of resolutions 446(1979) and 452(1979),

Affirming once more 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,

Deploping the decision of the Government of Israel officially to support Israeli settlements in the Palestinian and other Arab territories occupied since 1967,

Deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population,

Taking into account the need to consider measures for the impartial protection of private and public land and property, and water resources,

Bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimension of the Holy Places in the city,

Drawing attention to the grave consequences which the settlements policy is bound to have on any attempt to reach a comprehensive, just and lasting peace in the Middle East,

Recalling pertinent Security Council resolutions, specifically resolutions 237(1967), 252(1968), 267(1969), 271(1969) and 298(1971), as well as the consensus statement made by the President of the Council on 11 November 1976,

Having invited Mr. Fahd Qawasma, Mayor of Al-Khalil (Hebron), in the occupied territory, to supply it with information pursuant to rule 39 of the provisional rules of procedure,

1. Commends the work done by the Security Council Commission established under resolution 446(1979) in preparing the report contained in document S/13679;

2. Accepts the conclusions and recommendations contained in the report of the Commission;

3. Calls upon all parties, particularly the Government of Israel, to co-operate with the Commission;

4. Strongly deplores the decision of Israel to prohibit the free travel of Mayor Fahd Qawasma in order to appear before the Security Council and requests Israel to permit his free travel to United Nations Headquarters for that purpose;

5. Determines that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

6. Strongly deplores the continuation and persistence of Israel in pursuing those policies and practices and calls upon the Government and people of Israel to rescind those measures, to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem;

7. Calls upon all States not to provide Israel with any

assistance to be used specifically in connexion with settlements in the occupied territories;

8. Requests the Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, to investigate the reported serious depletion of natural resources, particularly the water resources, with a view to ensuring the protection of those important natural resources of the territories under occupation, and to keep under close scrutiny the implementation of the present resolution;

9. Requests the Commission to report to the Security Council before 1 September 1980 and decides to convene at the earliest possible date thereafter in order to consider the report and the full implementation of the present resolution.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 4.

COMMUNICATIONS AND REPORT (12 MARCH-6 MAY)

S/13839, S/13843. Letters of 12 and 14 March from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13844. Letter of 14 March from Jordan.

S/13845 (A/35/133) and Corr.1. Letter of 14 March from Egypt (transmitting statement by spokesman for Cabinet).

S/13849. Letter of 19 March from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13851. Letter of 21 March from Tunisia (transmitting letter of 19 March from PLO to President of Security Council).

S/13854. Letter of 24 March from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13859. Letter of 25 March from Morocco.

S/13861 (A/35/155). Letter of 25 March from Egypt.

S/13868 (A/35/158 (28 March)). Letter of 27 March from Jordan.

S/13874 (A/35/166). Letter of 3 April from Israel.

S/13922 (A/35/206) and Corr.1. Letter of 2 May from Democratic Yemen (transmitting letter of 1 May from PLO).

S/13923 (A/35/207). Letter of 4 May from Israel.

S/13926. Letter of 6 May from Tunisia (request to convene Council).

S/13928 (A/35/218). Letter of 6 May from Democratic Yemen (transmitting letter of 5 May from PLO).

CONSIDERATION BY THE SECURITY COUNCIL (8 MAY)

Security Council, meeting 2221.

S/13926. Letter of 6 May from Tunisia.

S/13930. Draft resolution prepared in course of consultations.

S/13932. Letter of 8 May from Tunisia (request to extend invitation to participate in Council discussion).

Resolution 468(1980), as proposed in S/13930, adopted by Council on 8 May 1980, meeting 2221, by 14 votes to 0, with 1 abstention (United States).

The Security Council,

Recalling the Geneva Convention of 1949,^a

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhul and of the Sharia Judge of Hebron,

1. Calls upon the Government of Israel, as the occupying Power, to rescind these illegal measures and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

2. Requests the Secretary-General to report upon the implementation of the present resolution.

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

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 9.

COMMUNICATIONS AND REPORT (12-16 MAY)

S/13936 (A/35/225). Letter of 12 May from Jordan. (Annex: Statement of 9 May regarding deportation of Mayors of Hebron and Halhul.)

S/13938. Report by Secretary-General under Security Council resolution 468(1980) of 8 May.

S/13940 (A/35/230). Letter of 14 May from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13941. Letter of 16 May from Jordan (request to convene Council).

CONSIDERATION BY THE SECURITY COUNCIL (20 MAY)

Security Council, meetings 2222, 2223.

S/13941. Letter of 16 May from Jordan.

S/13942. Letter of 16 May from Tunisia (request to extend invitation to address Council).

S/13949. Draft resolution prepared in course of consultations.

S/13950. Letter of 16 May from Tunisia (request to extend invitation to participate in Council discussion).

Resolution 469(1980), as proposed in S/13949, adopted by Council on 20 May 1980, meeting 2223, by 14 votes to 0, with 1 abstention (United States).

The Security Council,

Having considered the report submitted by the Secretary-General on 13 May 1980, under Security Council resolution 468(1980),

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 1, which reads "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances," and article 49, which reads "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,"

1. Strongly deplores the failure of the Government of Israel to implement resolution 468(1980);

2. Calls again upon the Government of Israel, as the occupying Power, to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron and Halhul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

3. Commends the Secretary-General for his efforts and requests him to continue his efforts in order to ensure the immediate implementation of the present resolution and to report to the Security Council on the result of his efforts at the earliest possible date.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 9.

COMMUNICATIONS AND REPORT (24 MAY-24 JUNE)

S/13960. Report of Secretary-General under Security Council resolution 469(1980) of 20 May.

S/13976 (A/35/278). Letter of 2 June from Jordan.

S/13977. Letter of 3 June from Bahrain (request to convene Council).

S/13978 (A/35/279). Letter of 2 June from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

S/13979. Letter of 3 June from Egypt.

S/13983 (A/35/281). Letter of 3 June from Bahrain (transmitting letter of same date from Chairman of PLO Executive Committee).

S/13985 (A/35/282). Letter of 4 June from Israel (transmitting excerpts from political programme and resolutions adopted by 4th Congress of al-Fatah, Damascus, Syrian Arab Republic, end of May).

CONSIDERATION BY THE SECURITY COUNCIL (5 JUNE)

Security Council, meeting 2226.

S/13977. Letter of 3 June from Bahrain.

S/13982. Letter of 4 June from Tunisia (request to extend invitation to participate in Council discussion).

S/13984. Draft resolution prepared in course of consultations.

Resolution 471(1980), as proposed in S/13984, adopted by Council on 5 June 1980, meeting 2226, by 14 votes to 0, with 1 abstention (United States).

The Security Council,

Recalling once again the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular article 27, which reads,

"Protected persons are entitled, in all circumstances, to respect for their persons.. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof. .,"

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War to the Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling a/s/o its resolutions 468(1980) and 469(1980),

Reaffirming its resolution 465(1980), by which the Security Council determined "that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof have no legal validity and that Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East" and strongly deplored the "continuation and persistence of Israel in pursuing those policies and practices,"

Shocked by the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh,

Deeply concerned that the Jewish settlers in the occupied Arab territories are allowed to carry arms, thus enabling them to perpetrate crimes against the civilian Arab population,

1. Condemns the assassination attempts against the Mayors of Nablus, Ramallah and Al Bireh and calls for the immediate apprehension and prosecution of the perpetrators of these crimes;

2. Expresses deep concern that Israel, as the occupying Power, has failed to provide adequate protection to the civilian population in the occupied territories in conformity with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

3. Calls upon the Government of Israel to provide the victims with adequate compensation for the damages suffered as a result of these crimes;

4. Calls again upon the Government of Israel to respect and to comply with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, as well as with the relevant resolutions of the Security Council;

5. Calls once again upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories;

6. Reaffirms the overriding necessity to end the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;

7. Requests the Secretary-General to report on the implementation of the present resolution.

S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, p. 10.

COMMUNICATIONS (6 JUNE-DECEMBER)

S/13988 (A/35/283). Letter of 6 June from Yemen.
 S/13997. Letter of 12 June from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14057 (A/35/325). Note by Secretary-General (bringing to attention of General Assembly and Security Council resolutions 1 A and B (XXXVI) adopted by Commission on Human Rights on 13 February).
 S/14075, S/14082. Letters of 29 and 30 July from Tunisia (transmitting letters of 25 and 29 July from PLO).
 S/14089 (A/35/377). Letter of 4 August from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14096. Letter of 7 August from Qatar.
 S/14110 (A/35/398). Letter of 15 August from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14209 (A/35/513). Letter of 29 September from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People to Secretary-General.
 S/14215 (A/35/530). Letter of 10 October from Secretary-General to Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14234 (A/35/563). Report of Secretary-General, Chapter III.
 S/14235 (A/35/565). Letter of 24 October from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People to Secretary-General.
 S/14242 (A/35/581). Letter of 29 October from Secretary-General to Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14261 (A/35/648). Letter of 19 November from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 S/14262. Letter of 20 November from Tunisia (transmitting letter of 18 November from PLO).
 S/14264 (A/35/652), S/14273 (A/35/666). Letters of 20 and 26 November from Israel.
 S/14291 (A/35/728), S/14292 (A/35/740). Letters of 8 and 9 December from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

REPORT OF THE SECURITY

COUNCIL COMMISSION (25 NOVEMBER)

S/14000. Note of 16 June by President of Security Council.
 S/14116. Note of 20 August by President of Security Council.
 S/14268 Report of Security Council Commission Established under Resolution 446(1979) of 22 March 1979.
 S/INF/36. Resolutions and decisions of Security Council, 1980. Decisions, pp. 11 and 14.

Consideration by the General Assembly

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES

General Assembly- 35th session
 Special Political Committee, meetings 25-29,34,39.
 Fifth Committee, meeting 42.
 Plenary meeting 92.

A/35/60 (S/13732). Letter of 9 January from Jordan.
 A/35/77 (S/13766). Letter of 25 January from Israel.
 A/35/81 (S/13772), A/35/87 (S/13782). Letters of 30 January and 5 February from Jordan.

A/35/97 (S/13792), A/35/98 (S/13793). Letters of 12 February from Israel.
 A/35/101 (S/13791). Letter of 11 February from Tunisia (transmitting letter of 7 February from PLO).
 A/35/102 (S/13795). Letter of 14 February from Egypt.
 A/35/103 (S/13798). Letter of 14 February from Tunisia (transmitting letter of 11 February from PLO).
 A/35/111 (S/13811). Letter of 20 February from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 A/35/133 (S/13845) and Corr.1. Letter of 14 March from Egypt (transmitting statement by spokesman for Cabinet).
 A/35/155 (S/13861). Letter of 25 March from Egypt.
 A/35/158 (S/13868). Letter of 28 March from Jordan.
 A/35/166 (S/13874). Letter of 3 April from Israel.
 A/35/186. Letter of 24 April from Jordan (transmitting Government statement).
 A/35/206 (S/13922) and Corr.1. Letter of 2 May from Democratic Yemen (transmitting letter of 1 May from PLO).
 A/35/207 (S/13923). Letter of 4 May from Israel.
 A/35/218 (S/13928). Letter of 6 May from Democratic Yemen (transmitting letter of 5 May from PLO).
 A/35/225 (S/13936). Letter of 12 May from Jordan. (Annex: Statement of 9 May regarding deportation of Mayors of Hebron and Halhul.)
 A/35/230 (S/13940). Letter of 14 May from Acting Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 A/35/278 (S/13976). Letter of 2 June from Jordan.
 A/35/279 (S/13978). Letter of 2 June from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 A/35/281 (S/13983). Letter of 3 June from Bahrain (transmitting letter of same date from Chairman of PLO Executive Committee).
 A/35/282 (S/13985). Letter of 4 June from Israel (transmitting excerpts from political programme and resolutions adopted by 4th Congress of al-Fatah, Damascus, Syrian Arab Republic, end of May).
 A/35/283 (S/13988). Letter of 6 June from Yemen.
 A/35/325 (S/14057). Note by Secretary-General (bringing to attention of General Assembly and Security Council resolutions 1 A and B (XXXVI) adopted by Commission on Human Rights on 13 February).
 A/35/377 (S/14089), A/35/378 (S/14090), A/35/398 (S/14110). Letters of 4 and 15 August from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 A/35/419 (S/14129). Letter of 20 August from Pakistan (transmitting resolutions and final communique of 11th Islamic Conference of Foreign Ministers, Islamabad, 17-22 May).
 A/35/425. Report of Special Committee to Investigate Israeli Practices Affecting Human Rights of Population of Occupied Territories. Note by Secretary-General (transmitting report).
 A/35/508 (S/14207). Letter of 29 September from Morocco (transmitting final communique of special session of Islamic Conference of Foreign Ministers, Fez. 18-20 September).
 A/35/513 (S/14209). Letter of 29 September from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People to Secretary-General.
 A/35/530 (S/14215). Letter of 10 October from Secretary-General to Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.
 A/35/563 (S/14234). Report of Secretary-General.ChapterIII.
 A/35/565 (S/14235). Letter of 24 October from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People to Secretary-General.
 A/35/578 (S/14241). Letter of 29 October from Jordan (transmitting statement issued on 16 October by official spokesman).
 A/35/581 (S/14242). Letter of 29 October from Secretary-General to Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

A/35/586. Report of Secretary-General.

A/35/595 (S/14243). Letter of 4 November from Israel.

A/35/648 (S/14261). Letter of 19 November from Chairmen of Committee on Exercise of Inalienable Rights of Palestinian People.

A/35/652 (S/14264), A/35/666 (S/14273). Letters of 20 and 26 November from Israel.

A/35/728 (S/14291), A/35/740 (S/14292). Letters of 8 and 9 December from Chairman of Committee on Exercise of Inalienable Rights of Palestinian People.

A/SPC/35/L.14. Bangladesh, India, Indonesia, Madagascar, Malaysia, Maldives, Mali, Nigeria, Pakistan. Yugoslavia: draft resolution, approved by Special Political Committee on 18 November, meeting 34, by recorded vote of 109 to 1, as follows:

In favour: Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia
Against: Israel.

A/35/674. Report of Special Political Committee, draft resolution A.

Resolution 35/122 A, as recommended by Special Political Committee, A/35/674, adopted by Assembly on 11 December 1980, meeting 92, by recorded vote of 141 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, 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, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, 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 Cameroon, United Republic of Tanzania, United States, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel

Abstaining: Guatemala.

The General Assembly,

Recalling 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 and 34/90 B of 12 December 1979,

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

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

Taking into account that States parties to that 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 Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. Strongly deplores the failure of Israel to acknowledge the applicability of that Convention to the territories it has occupied since 1967;

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

4. Urges once more all States parties to that Convention to exert all efforts in order to ensure respect for and compliance with its provisions in Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem.

A/SPC/35/L.15. Bangladesh, Cuba, Guinea, Guinea-Bissau, Indonesia, Mali, Pakistan, Zambia: draft resolution, approved by Special Political Committee on 18 November, meeting 34, by recorded vote of 110 to 1, with 2 abstentions, as follows:

In favour: Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel

Abstaining: Malawi, United States.

A/35/674. Report of Special Political Committee, draft resolution B.

Resolution 35/122 B, as recommended by Special Political Committee, A/35/674, adopted by Assembly on 11 December 1980, meeting 92, by recorded vote of 140 to 1, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, 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, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel

Abstaining: Guatemala, Malawi, United States.

The General Assembly,

Recalling its resolutions 32/5 of 28 October 1977, 33/113 B of 18 December 1978 and 34/90 C of 12 December 1979,

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

Considering that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to all the Arab territories occupied since 5 June 1967,

1. Determines that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East;

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;

3. Calls again upon Israel to comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

4. Calls once more upon the Government of Israel, as the occupying Power, to desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Arab territories occupied since 1967, including Jerusalem;

5. Urges all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War to respect and to exert all efforts in order to ensure respect for and

compliance with its provisions in all the Arab territories occupied by Israel since 1967, including Jerusalem.

A/SPC/35/L.16. Bangladesh, Cuba, Guinea-Bissau, Indonesia, Malaysia, Mali, Pakistan, Zambia: draft resolution, approved by Special Political Committee on 18 November, meeting 34, by recorded vote of 91 to 2, with 22 abstentions, as follows:

In favour: Albania, Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Central African Republic, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel, United States

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

A/SPC/35/L.18, A/C.5/35/59, A/35/713. Administrative and financial implications of draft resolution C recommended by Special Political Committee in A/35/674. Statements by Secretary-General and report of Fifth Committee.

A/35/674. Report of Special Political Committee, draft resolution C.

Resolution 35/122 C, as recommended by Special Political Committee, A/35/674, adopted by Assembly on 11 December 1980, meeting 92, by recorded vote of 118 to 2, with 23 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, 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, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel, United States

Abstaining: Australia, Austria, Belgium, Canada, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom.

The General Assembly,

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

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as well as of other relevant conventions and regulations,

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 and 34/90 A of 12 December 1979, as well as those adopted by the Security Council, the Commission on Human Rights and other United Nations organs concerned and by the specialized agencies,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories which contains, *inter alia*, public statements made by leaders of the Government of Israel,

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 task assigned to it by the General Assembly and for its thoroughness and impartiality;

2. Deplores the continued refusal by Israel to allow the Special Committee access to the occupied territories;

3. Calls again upon Israel to allow the Special Committee access to the occupied territories;

4. Deplores 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 that Convention designates as "grave breaches" thereof;

5. Condemns the following Israeli policies and practices:

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

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

(c) Evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories and denial of their right to return;

(d) Confiscation and expropriation of private and public Arab property in the occupied territories and all other transactions for the acquisition of land involving the Israeli authorities, institutions or nationals on the one hand and the inhabitants or institutions of the occupied territories on the other;

(e) Destruction and demolition of Arab houses;

(f) Mass arrests, administrative detention and ill-treatment of the Arab population;

(g) Ill-treatment and torture of persons under detention;

(h) Pillaging of archaeological and cultural property;

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

(j) Illegal exploitation of the natural wealth, resources and population of the occupied territories;

6. Reaffirms that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the 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 the occupied territories constitutes a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of relevant United Nations resolutions;

7. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 5 and 6 above;

8. Reiterates its call upon all States, in particular those States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in accordance with article 1 of that Convention, and upon international organizations and the specialized agencies not to recognize any changes carried out by Israel in the 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;

9. Requests the Special Committee, pending the early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the 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 population of the occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

10. Requests the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967;

11. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, with a view to investigating 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 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;

(d) To report to the General Assembly at its thirty-sixth session on the tasks entrusted to him in the present paragraph;

12. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories."

A/SPC/35/L.17. Bangladesh, Cuba, India, Indonesia, Mali, Pakistan, Yugoslavia, Zambia: draft resolution, approved by Special Political Committee on 16 November, meeting 34, by recorded vote of 117 to 1, with 2 abstentions, as follows:

In favour: Albania, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Spain, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel

Abstaining: Malawi, United States.

A/35/674. Report of Special Political Committee, draft resolution D.

Resolution 35/122 D. as recommended by Special Political Committee, A/35/674, adopted by Assembly on 11 December 1960, meeting 92, by recorded vote of 140 to 1, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, 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, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel

Abstaining : Guatemala, Malawi, United States.

The General Assembly,
Recalling Security Council resolutions 466(1980) of 8 May 1980 and 469(1980) of 20 May 1980,

Deeply concerned at the expulsion by the Israeli military occupation authorities of the Mayors of Hebron and Halhul and of the Sharia Judge of Hebron,

Grave/y concerned at the imprisonment by the Israeli military occupation authorities of the Mayors of Hebron and Halhul.

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 relative to the Protection of Civilian Persons in Time of War to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

1. Calls upon the Government of Israel, as the occupying Power, to rescind the illegal measures taken by the Israeli military occupation authorities in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and to facilitate the immediate return of the

expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

2. Requests the Secretary-General to report to the General Assembly as soon as possible on the implementation of the present resolution.

A/SPC/35/L.19. Algeria, Cuba, India, Indonesia, Jordan, Mali, Pakistan, Qatar, Yemen: draft resolution, approved by Special Political Committee on 21 November, meeting 39, by recorded vote of 97 to 2, with 21 abstentions, as follows:

In favour: Albania, Algeria, Argentina, Austria, Bahrain, Bangladesh, Barbados, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Central African Republic, China, Colombia, Comoros, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel, United States

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

A/35/674. Report of Special Political Committee, draft resolution E.

Resolution 35/122 E. as recommended by Special Political Committee, A/35/674, adopted by Assembly on 11 December 1960, meeting 92, by recorded vote of 119 to 2, with 23 abstentions, as follows:

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

Against : Israel, United States

Abstaining: Australia, Belgium, Burma, Canada, Denmark, Dominican Republic, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy,

Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Portugal, Swaziland,^a Sweden, United Kingdom.

^aSubsequently advised the Secretariat that it had intended to vote in favour.

The General Assembly,

Gravely concerned at reports indicating the intention of the Israeli authorities to enact legislation embodying changes in the character and status of the occupied Syrian Arab Golan Heights,

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

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, 33/26 and 33/29 of 7 December 1978 and 34/70 of 6 December 1979, in which it, inter alia, called upon Israel to put an end to its illegal occupation of the Arab territories and to withdraw from all those territories,

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 1949,

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

2. Strongly condemns the refusal by Israel, the occupying Power, to comply with relevant resolutions of the General Assembly and the Security Council;

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

4. Calls upon Member States not to recognize such legislative and administrative measures and actions;

5. Calls upon Israel, the occupying Power, to desist from enacting such legislation.

A/35/L.46 and Add.1. Cuba, German Democratic Republic, Hungary, India, Iraq, Jordan, Maldives, Mauritania, Pakistan, United Arab Emirates, Yemen: draft resolution.

Resolution 35/122 F. as proposed by 11 powers, A/35/L.46 and Add.1, adopted by Assembly on 11 December 1980, meeting 92, by recorded vote of 117 to 2, with 25 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, 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, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of

Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel, United States

Abstaining: Australia, Belgium, Canada, Chile, Costa Rica, Denmark, Dominican Republic, Finland, France, Germany, Federal Republic of, Guatemala, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Swaziland, Sweden, United Kingdom, Uruguay.

The General Assembly,

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

Recalling Security Council resolutions 466(1980) of 8 May 1980 and 469(1980) of 20 May 1980,

Deeply shocked by the most recent atrocities committed by Israel, the occupying Power, against educational institutions in the occupied Palestinian territories,

Taking cognizance of the recent repeated expulsion by Israel, the occupying Power, of the Mayors of Hebron and Halhul.

Condemning the rejection of Israel to accept and carry out the above-mentioned decisions of the Security Council,

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 Palestinian and other Arab territories occupied by Israel, including Jerusalem;

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

3. Condemns the systematic Israeli campaign of repression against universities in the occupied Palestinian territories, restricting and impeding academic activities of Palestinian universities by subjecting selection of courses, textbooks and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities, in clear contravention of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

4. Demands that Israel, the occupying Power, comply with the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and rescind all actions and measures against all educational institutions and ensure the freedom of these institutions;

5. Requests the Security Council to convene urgently in order to take the necessary measures, in accordance with the provisions of the Charter of the United Nations, to ensure that the Government of Israel, the occupying Power, rescinds the illegal measures taken against the Palestinian mayors and the Sharia Judge Tamimi, and to facilitate their immediate return so that they can resume the functions for which they were elected.

LIVING CONDITIONS OF THE PALESTINIAN PEOPLE

General Assembly- 35th session

Second Committee, meetings 5. 35,39,43.

Plenary meeting 83.

A/35/533 and Corr.1. Report of Secretary-General. (Annex I: Report of Group of Experts on Social and Economic Impact of Israeli Occupation on Living Conditions of Palestinian People in Occupied Arab Territories.)

A/C.2/35/L.23. Afghanistan, Algeria, Bahrain, Bangladesh, Congo, Cuba, Cyprus, Democratic Yemen, Djibouti, Gambia, German Democratic Republic, Guinea-Bissau, Hungary, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mauritania, Morocco, Mozambique, Nicaragua, Oman, Pakistan, Qatar, Sao Tome and Principe, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, Uganda, Ukrainian SSR, United Arab Emirates, Viet Nam, Yemen, Yugoslavia, Zimbabwe: draft

resolution approved by Second Committee on 14 November, meeting 43, by recorded vote of 110 to 2, with 23 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel, United States

Abstaining: Australia, Belgium, Canada, Denmark, Fiji, Finland, France, Germany, Federal Republic of, Haiti, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Nepal, Netherlands, New Zealand, Norway, Papua New Guinea, Sweden, United Kingdom.

A/35/592/Add.4. Report of Second Committee (part V) (on development and International economic co-operation), draft resolution V.

Resolution 35/75, as recommended by Second Committee, A/35/592/Add.4, adopted by Assembly on 5 December 1980, meeting 83, by recorded vote of 118 to 2, with 26 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian SSR, Cape Verde, Central African Republic, Chad, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel, United States

Abstaining: Australia, Belgium, Burma, Canada, Denmark, Dominican Republic, Fiji, Finland, France, Germany, Federal Republic of, Guatemala, Haiti, Iceland, Ireland, Italy, Ivory Coast, Japan, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Papua New Guinea, Samoa, Sweden, United Kingdom.

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 resolution 3, entitled "Living conditions of the Palestinians in the occupied territories," contained in the recommendations for international co-operation adopted by Habitat: United Nations Conference on Human Settlements and Economic and Social Council resolutions 2026(LXI) of 4 August 1976 and 2100(LXIII) of 3 August 1977,

Recalling further its resolutions 31/110 of 16 December 1976, 32/171 of 19 December 1977, 33/110 of 18 December 1978 and 34/113 of 14 December 1979,

1. Takes note with satisfaction of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied Arab territories;

2. Deplores the refusal of the Government of Israel to allow the Group of Experts on the Social and Economic Impact of the Israeli Occupation on the Living Conditions of the Palestinian People in the Occupied Arab Territories to visit the Palestinian and other Arab territories occupied by Israel;

3. Condemns Israeli policy resulting in the deterioration of the living conditions of the Palestinian people in the occupied territories;

4. Calls upon all States to co-operate with United Nations agencies, organizations and organs and local Palestinian authorities to alleviate the tragic living conditions of the Palestinian people caused by the Israeli occupation;

5. Requests the Secretary-General to submit a comprehensive and analytical report to the General Assembly at its thirty-sixth session, through the Economic and Social Council, on the progress made in the implementation of the present resolution.

PERMANENT SOVEREIGNTY OVER NATIONAL RESOURCES IN THE OCCUPIED ARAB TERRITORIES

General Assembly- 35th session
Second Committee, meetings 15, 17, 18.
Fifth Committee, meeting 45.
Plenary meeting 84.

A/35/514. Note by Secretary-General.

A/35/577. Administrative and financial implications of, inter alia, draft resolution III recommended by Second Committee in A/35/545. Report of Fifth Committee.

A/C.2/35/L.9. Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Burundi, Congo, Cuba, Cyprus, Democratic Yemen, Djibouti, Ethiopia, India, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Morocco, Mozambique, Nicaragua, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Yemen, Yugoslavia: draft resolution, approved by Second Committee on 14 October, meeting 17, by recorded vote of 101 to 2, with 22 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Byelorussian SSR, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, German Democratic Republic, Ghana, Greece, Guyana, Honduras, Hungary, India, Indonesia, Iraq, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Suriname,

Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Israel. United States

Abstaining: Australia, Austria, Belgium, Canada, Central African Republic, Denmark, Dominican Republic, Finland, France, Gabon, Germany, Federal Republic of, Haiti, Iceland, Ireland, Italy, Ivory Coast, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom.

A/C.2/35/L.11, A/C.5/35/60. Administrative and financial implications of 36-power draft resolution, A/C.2/35/L.9. Statements by Secretary-General.

A/35/545. Report of Second Committee (part I) (on report of Economic and Social Council), draft resolution III.

Resolution 35/110, as recommended by Second Committee, A/35/545. adopted by Assembly on 5 December 1980, meeting 84, by 122 votes to 2, with 23 abstentions.

The General Assembly,

Reaffirming its resolution 34/136 of 14 December 1979,

Bearing in mind the relevant principles of international law and the provisions of the international conventions and regulations, in particular Convention IV of The Hague of 1907. and the fourth Geneva Convention of 12 August 1949, concerning the obligations and responsibilities of the occupying Power.

Recalling its previous resolutions on permanent sovereignty over natural resources, particularly their provisions supporting resolutely the efforts of the developing countries and the peoples of territories under colonial and racial domination and foreign occupation in their struggle to regain effective control over their natural and all other resources, wealth and economic activities.

Bearing in mind the pertinent provisions of its resolutions 3201(S-VI) and 3202(S-VI) of 1 May 1974, containing the Declaration and the Programme of Action on the Establishment of a New international Economic Order, and 3281(XXIX) of 12 December 1974, containing the Charter of Economic Rights and Duties of States,

Recalling further its resolutions 3175(XXVIII) of 17 December 1973, 3336(XXIX) of 17 December 1974, 3516(XXX) of 15 December 1975, 31/186 of 21 December 1976 and 32/161 of 19 December 1977 on permanent sovereignty over national resources in the occupied Arab territories,

Referring to the note by the Secretary-General concerning the report on permanent sovereignty over national resources in the occupied Arab territories requested by the General Assembly in its resolution 34/136,

1. Emphasizes the right of the Arab States and peoples whose territories are under Israeli occupation to full and effective permanent sovereignty and control over their natural and all other resources, wealth and economic activities;

2. Reaffirms that all measures undertaken by Israel to exploit the human, natural and all other resources, wealth and economic activities in the occupied Arab territories are illegal and calls upon Israel to desist immediately from such measures;

3. Further reaffirms the right of the Arab States and peoples subjected to Israeli aggression and occupation to the restitution of, and full compensation for, the exploitation, depletion and loss of and damages to their natural, human and all other resources, wealth and economic activities, and calls upon Israel to meet their just claims;

4. Calls upon all States to support and assist the Arab

States and peoples in the exercise of their above-mentioned rights;

5. Calls upon all States, international organizations, specialized agencies, investment corporations and all other institutions not to recognize, or co-operate with or assist in any manner in, any measures undertaken by Israel to exploit the resources of the occupied territories or to effect any changes in the demographic composition, geographic character or institutional structure of those territories;

6. Regrets the failure to prepare a report for submission to the General Assembly at its thirty-fifth session in accordance with Assembly resolution 34/136;

7. Requests the Secretary-General to prepare and submit to the General Assembly at its thirty-sixth session a report which takes into consideration the provisions of paragraph 2 of resolution 32/161.

Further consideration by the Security Council

MEETINGS OF THE SECURITY COUNCIL (19 DECEMBER)

Security Council, meetings 2259, 2260.

S/13960. Report of Secretary-General under Security Council resolution 469(1980) of 20 May 1980.

S/14302. Note by Secretary-General.

S/14303. S/14304, S/14305. Letters of 18 December from Tunisia (requests to extend invitations to address Council).

S/14306. Draft resolution prepared in course of consultations.

Resolution 484(1980), as proposed in S/14306, adopted unanimously (15-0) by Council on 19 December 1980, meeting 2260.

The Security Council,

Recalling its resolutions 466(1960) and 469(1980),

Taking note of General Assembly resolution 35/122 F of 11 December 1980,

Expressing its grave concern at the expulsion by Israel of the Mayor of Hebron and the Mayor of Halhul,

1 Reaffirms the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the Arab territories occupied by Israel in 1967;

2. Calls upon Israel, the occupying Power, to adhere to the provisions of the Convention;

3. Declares it imperative that the Mayor of Hebron and the Mayor of Halhul be enabled to return to their homes and resume their responsibilities;

4. Requests the Secretary-General to report on the implementation of the present resolution as soon as possible.

S/INF/36. Resolutions and decisions of Security Council, 1960. Decisions, p. 16.

FURTHER COMMUNICATIONS

S/14315. Note verbale of 23 December from Cuba (transmitting communique adopted on same date by non-aligned countries at meeting held in New York).

S/14319 (A/36/59). Letter of 24 December from Tunisia (transmitting message of same date from Secretary-General of League of Arab States).

Other documents

A/35/2. Report of Security Council, 16 June 1979-15 June 1980. Chapter 1 B (paras. 81-183).

A/36/2. Report of Security Council, 16 June 1980-15 June 1981, Chapter 1 D (paras. 153-168, 170).

Questions pertaining to refugees in the Near East

In 1980, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) maintained its education, health and

relief programmes for Palestine refugees in Jordan, Lebanon, the Syrian Arab Republic and the Israeli-occupied territories of the West Bank

and the Gaza Strip. In spite of the continuing insecure situation, programmes were almost fully maintained.

As had been the case many times since UNRWA began operations in 1950, it did not receive enough voluntary contributions during the year to meet all budgetary expenditures. Income for 1980 was just over \$190 million against budget expenditures of \$211 million. To overcome this deficit, the basic food ration had had to be kept at the reduced 1978 level, a number of capital improvements were deferred, and improvements in local staff remuneration to keep pace with inflation were not fully implemented. A survey of conditions of employment in the West Bank and the Gaza Strip by the International Civil Service Commission did, however, lead to an upward adjustment of staff remuneration in those areas late in the year.

Activities in 1980

The number of refugees registered with UNRWA rose through natural increase by 41,229 since 31 December 1979, to 1,863,162 at 31 December 1980. Of these, about 834,000 were eligible to receive food rations and approximately 1.5 million were eligible for health and education services. However, 565,036 registered eligible persons, mostly children, did not receive rations because of ceilings put on the number of recipients.

The Agency also distributed rations to about 230,000 displaced persons and displaced refugee children (registered for services only) in Jordan at the expense of the Jordanian Government.

About 35 per cent of the registered population lived in camps. At 31 December, there were 656,485 refugees in 61 camps.

The Agency continued its efforts, in co-operation with the World Health Organization, in health education and integrated family health care, with emphasis on preventive medicine, including supplementary feeding for nutritionally vulnerable groups. Despite money shortages, specialized medicine programmes and laboratory facilities were improved. In 1979, UNRWA had extended its hot-meal programme to all children under the age of eight, but for financial reasons had to limit it again in 1980 to the age of six. Expenditure on health services totalled \$31.0 million in 1980.

Expenditure on relief services in 1980 was \$44.1 million, which represented mainly the value of food commodities donated in kind and a small programme of assistance to hardship cases. Spending on education was over \$100.1 million. The programme, operated with the technical assistance of the United Nations Educational, Scientific and Cultural Organization (UNESCO), included the first nine years of general education

(10 years in Lebanon), some assistance for refugee pupils in government and private secondary schools, vocational and teacher training in eight centres, and 354 university scholarships (for the 1979/80 academic year). Of UNRWA'S 16,700 employees, almost all Palestine refugees themselves, more than 11,000 were working in the educational field, and most of them were teachers (9,479).

In the 1979/80 school year, some 314,000 children were enrolled in the 627 UNRWA elementary and junior secondary schools, an increase of approximately 3,000 over 1978/79. There were also 87,641 refugee pupils enrolled in government and private schools. Double shifts were necessary in 74 per cent of UNRWA schools as only 13 prefabricated classrooms, 77 standard class- and administration-rooms and eight specialized rooms were completed during the year.

The eight UNRWA/UNESCO training centres had places for 4,695 young persons. By the end of 1980, more than 33,500 trainees had graduated from these centres. The UNRWA/UNESCO Institute of Education continued to emphasize refresher courses for qualified teachers and courses in educational techniques to meet special needs and new curricula developments.

The Department of Education opened education development units in Lebanon and the Syrian Arab Republic. An Education Development Centre was established in the West Bank during the year, joining centres established in Jordan and Gaza in 1974.

Consideration by the General Assembly

As in previous years, the Assembly considered the question of refugees in the Near East both in its Special Political Committee and in plenary meetings.

The Committee, which discussed the matter between 15 and 22 October, had before it six reports- the annual report of the Commissioner-General of UNRWA, three reports by the Secretary-General, a report of the United Nations Conciliation Commission for Palestine and a report by the Working Group on the Financing of UNRWA.

Report of the Commissioner-General

In his report covering the period from 1 July 1979 to 30 June 1980, the Commissioner-General of UNRWA, after detailing the various activities of the Agency, indicated that the year under review had been a very difficult one, primarily because of the insufficiency of income in the face of ever-rising costs. The precariousness and unpredictability of UNRWA'S finances were likely to affect not only the future of its services but also its very existence.

Referring to the political factors affecting UNRWA'S work, the Commissioner-General in-

dictated that Israeli military operations against Palestinian targets in southern Lebanon had caused massive and repeated displacement of refugees which had led to serious interruptions of Agency operations and necessitated emergency assistance to some 50,000 displaced refugees. In the occupied West Bank, measures of collective punishment imposed by the Israeli authorities, particularly on students in UNRWA educational establishments, had affected the Agency's services.

Reports of the Secretary-General

In September and October 1980, the Secretary-General submitted three reports pursuant to three Assembly resolutions of 23 November 1979.⁷³

The first report included the substance of responses by Member States and United Nations agencies to an Assembly appeal for allocations, scholarships and grants to refugee students. Australia had indicated that it intended to offer scholarships to Palestine refugees for higher-education studies in Australia, and the Sudan had informed that it had consistently offered 25 to 30 scholarships annually to Palestinian students, and that 30 scholarships were being allocated to Palestinians for higher-education studies in 1980/81. Egypt advised that in 1979/80 it had awarded 13,239 scholarships to Palestinian students. These included 739 scholarships to students from the Gaza Strip and 549 distributed by PLO.

Several United Nations specialized agencies had also informed the Secretary-General of the assistance they were providing to the Palestinians, including training facilities and fellowships for higher studies.

The Secretary-General's second report concerned Palestine refugees in the Gaza Strip. The Assembly, by a resolution of 23 November 1979, had called on Israel to stop removing and resettling those refugees and destroying their shelters." The Secretary-General reported that he had requested Israel to forward to him information on the implementation of that resolution. Israel replied on 2 September 1980 that, thanks to measures it had taken in Gaza, refugees in that District for the first time since 1948 had been given the opportunity to leave the camps and take possession of new homes in housing projects. In Israel's view, the Assembly resolution in question did not stem from genuine humanitarian concern for the refugees. The only rational explanation for it was that its initiators sought to perpetuate the misery of the refugees as a propaganda tool in their political warfare against Israel.

At the same time, the Secretary-General

reported that information received from the Commissioner-General indicated that in Gaza there had been two occasions of punitive demolition of refugee shelters. The Agency had presented claims to Israel for compensation, but had had no response, nor had it secured any settlement in respect of its claims for compensation for refugee shelters demolished on punitive grounds in previous years. With regard to continuing references by Israel to "squalid and cramped conditions" in the refugee camps, the Commissioner-General had again noted that such references were more generalized than was warranted by the facts.

The Secretary-General submitted his third report, concerning the return of displaced inhabitants of territories occupied by Israel since 1967, in response to an Assembly request for a report on Israel's compliance with its directive that Israel take immediate steps for their return and desist from obstructing that return.⁷⁵

He reported that, replying to his request for information, Israel had maintained that its policy with regard to persons who had left the area as a result of the 1967 hostilities remained unchanged; it allowed freedom of movement in both directions across the Jordan River. However, in implementing that policy, Israel had to be guided by certain security considerations.

The Secretary-General reported that information from the Commissioner-General indicated that the number of displaced registered refugees who were known by UNRWA to have returned to the occupied territories since June 1967 was about 9,600. The Agency was unable to estimate their total number since its records accounted only for UNRWA-registered refugees.

On 24 October, the Secretary-General reported on the developments in the Middle East, in all their aspects, as requested by the Assembly on 6 December 1979.⁷⁶ In that report, he reviewed the developments of the past year in relation to Assembly actions on the Palestine refugee problem.

Report of the United Nations

Conciliation Commission for Palestine

In accordance with an Assembly resolution of 23 November 1979,⁷⁷ the United Nations Conciliation Commission for Palestine submitted to the Assembly a report covering the period from 1 October 1979 to 30 September 1980. Under that resolution, the Commission had been

⁷³ See Y.U.N., 1979p.416, resolution 34/52 C; 418, resolution 34/52 E; and p. 419, resolution 34/52 F.

⁷⁴ Ibid., p. 419, resolution 34/52 F.

⁷⁵ Ibid., p. 418, resolution 34/52 E of 23 November 1979.

⁷⁶ Ibid., p. 375, resolution 34/70.

⁷⁷ Ibid., p. 415, resolution 34/52 A.

requested to exert continued efforts towards the implementation of paragraph 11 of Assembly resolution 194(III) of 11 December 1948⁷⁸ and to report to the Assembly by 1 October 1980.

The Commission noted that circumstances limiting its possibilities of action had remained essentially unchanged. It expressed the hope, however, that the situation in the region would improve, enabling it to carry forward its work.

Report of the Working Group on the Financing of UNRWA

In its report, submitted to the Assembly on 10 October 1980, the Working Group on the Financing of UNRWA reiterated its conviction that, as long as a just and lasting settlement of the problem of the Palestine refugees had not been achieved, the Agency's humanitarian services remained indispensable.

It emphasized the gravity of the continuing critical financial situation of UNRWA. Only through the continued generous support of a relatively few donors, a drastic reduction of services during 1980 had been avoided, and the outlook for 1981 gave rise to serious concern. Therefore, the Working Group reiterated its call on all countries to participate in the financing of UNRWA.

General Assembly discussion

The Commissioner-General of UNRWA, in presenting his report to the Special Political Committee on 15 October, noted that year after year the Agency had to reduce services, defer maintenance of installations, withhold compensation from the staff for rising costs of living, and cover the remaining deficit by reducing working capital to practically nil. Unless Governments came to UNRWA's aid and the annual pledging conference resulted in a marked increase of income, further reductions, especially in the education programme, were unavoidable. The health programme was already at a minimum level, while the main component of the relief programme, the basic ration, was limited to the distribution of foodstuffs contributed by Governments.

The representative of Norway, speaking as Rapporteur of the Working Group on the Financing of UNRWA, presented the Group's report to the Committee. He pointed out that at the beginning of 1980 estimated expenditures of \$211.5 million had left a deficit of \$56.3 million in the regular budget; in addition, \$6 million were needed to replenish the Agency's working capital. By October 1980, the revised budget estimates amounted to \$211.3 million, while pledged or expected income had risen to \$174.2 million, resulting in a reduction in the budgetary

deficit to \$37.1 million. Unless further substantial contributions were received by the end of the year, it would not be possible for the Commissioner-General to approve expenditures on the remaining suspended budgetary items. The Agency's financial needs in 1981 were estimated at \$236.9 million. Unless income was increased substantially over the 1980 level, the Agency would again face the possibility of having to reduce the education programme.

During discussion in the Special Political Committee, there was general concern at UNRWA's continued financial crisis and the possibility that it might have to curtail essential services due to insufficient funds. Jordan, in particular, expressed deep concern that the Agency's continuing diminution of services might result in the host countries' having to bear the entire burden.

While recognizing the importance and urgency of providing immediate assistance to the Palestine refugees, many Members emphasized other aspects. A number, including the Arab States, expressed the view that the refugee problem should be dealt with in all its dimensions.

Romania, the USSR, Yugoslavia and several others pointed out that the Palestine refugee problem was not merely a humanitarian issue, but rather a major political problem whose solution resided in a just and lasting settlement. The USSR added that the problem had its origin in Israeli aggression, strengthened by the separate Camp David agreement, which was contrary to the interest of the Palestinian people.

Speaking on behalf of the member States of the European Community, Luxembourg stressed the humanitarian aspect, but said that only a comprehensive settlement would bring about a definite solution.

The United States, affirming its commitment to the ongoing negotiations in the Camp David framework, said it aimed at a comprehensive peace in which legitimate Palestinian rights would be realized. In the mean time, it would continue to give full support to UNRWA's essential programmes.

Burundi and India were among Members which expressed the view that a lasting solution to the Palestine refugee problem could only be found on the basis of the realization of Palestinian national rights and Israel's withdrawal. Meanwhile, the international community had a moral obligation to assist UNRWA.

The representative of the Palestine Liberation

⁷⁸ Paragraph II of resolution 194(III) states, in part, that "the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property..." See Y.U.N., 1948-49, p. 174, for full text of resolution.

Organization said the problem of the refugees was only one aspect of the question of Palestine as a whole. The only solution was the exercise of their inalienable rights by the Palestinian people, especially the right to return to their homeland and property and the right to sovereign national independence in an independent Palestinian State. Responsibility for the situation, he said, rested with Israel and the States which supported it, particularly the United States.

Concerning UNRWA'S financial situation, some European countries, particularly the European Community members, felt that too small a group of nations supported the Agency. They expressed the hope that all Member States would respond to its appeal by increasing their financial support as much as possible.

As a means of putting UNRWA'S finances on a firmer basis, the United Arab Emirates proposed an objective study of UNRWA'S financing in an international framework. Voluntary contributions, it said, could be supplemented with an allocation from the United Nations regular budget.

The USSR, on the other hand, reiterated its position favouring retention of the voluntary system of financing.

Some States pointed out difficulties other than financial facing UNRWA. Thus, Lebanon observed that continuing Israeli aggression hindered the Agency's work in the occupied territories and in the Arab countries of asylum, especially in southern Lebanon. Egypt condemned Israel's continuing policy of demolishing the houses of refugees as an arbitrary, punitive measure.

A number of Members, referring to legal matters dealt with in the Commissioner-General's report, expressed the view that certain Israeli policies vis-à-vis UNRWA'S staff seriously interfered with the Agency's work. Austria considered it totally unacceptable that staff should be detained for a prolonged period without charge or trial, that travel restrictions should be imposed on them, and that UNRWA schools in the West Bank should be adversely affected by security measures.

Israel called for an adjustment of UNRWA lists of refugees to remove those who had become self-supporting, thus alleviating the Agency's financial burden. Further, Israel considered that account must be taken of the situation which had developed in UNRWA camps in Lebanon. When it was clear that a camp had passed under the control of a terrorist organization, UNRWA was not obliged to continue administering it and supplying it with relief. The United Nations could not give assistance to persons engaged in warfare against a Member State. Israel believed that in the Camp David framework the prospects of achieving real progress towards peace were better than ever before and in that framework the refugee problem would find its proper and agreed solution.

Decisions of the General Assembly

On 3 November 1980, the General Assembly adopted six resolutions dealing with the Palestine refugees. They had been approved by the Special Political Committee on 22 October.

By resolution 35/13 A, on assistance to Palestine refugees, the Assembly noted with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of its resolution 194(III)⁷⁹ had not been effected and that no substantial progress had been made either by repatriation or resettlement. It also noted with regret that the United Nations Conciliation Commission for Palestine had been unable to find a means to implement that resolution and called for continued Commission efforts.

The Assembly drew attention to UNRWA'S financial position and called on all Governments as a matter of urgency to make the most generous efforts possible to meet the Agency's anticipated needs, particularly in the light of its budgetary deficit. It urged them to contribute regularly and to increase their contributions, and renewed UNRWA'S mandate for three years, until 30 June 1984. The Assembly also repeated its request for relocation of UNRWA'S headquarters within its area of operations.

The resolution, sponsored by the United States, was approved by the Committee by a recorded vote of 119 to 0, with 1 abstention; the Assembly adopted it by a recorded vote of 109 to 0, with 1 abstention.

By resolution 35/13 B, the Assembly appealed to all States, specialized agencies and non-governmental organizations to augment the special allocations for scholarships and grants to Palestine refugees, to contribute generously to the Palestinian universities in the occupied territories, and to contribute towards the establishment of vocational training centres for Palestine refugees. It requested UNRWA, to act as recipient and trustee for such special allocations and scholarships. The Assembly also asked the Secretary-General to study ways and means to establish at Jerusalem a university of arts and sciences for the Palestine refugees in the area.

Resolution 35/13 B, sponsored by Bangladesh, Jordan, Lebanon, Oman, Pakistan and Qatar, was approved by the Committee by a recorded vote of 116 to 1, with 2 abstentions; the Assembly adopted it by a recorded vote of 109 to 1, with 1 abstention.

By resolution 35/13 C, on assistance to persons displaced as a result of the June 1967 hostilities, the Assembly endorsed the efforts of the Commissioner-General to continue to provide humanitarian assistance, on an emergency basis and as a temporary measure, to other displaced

⁷⁹ Ibid.

persons in the area who were in need of assistance. It appealed for generous contributions for this purpose.

Sponsored by Austria, Bangladesh, Belgium, Canada, Denmark, Finland, the Federal Republic of Germany, Greece, India, Indonesia, Ireland, Italy, Japan, Malaysia, the Netherlands, Norway, Pakistan, the Philippines and Sweden, resolution 35/13 C was approved without objection by the Committee and adopted without vote by the Assembly.

By resolution 35/13 D, the Assembly commended the Working Group on the Financing of UNRWA for its efforts to assist in ensuring the Agency's financial security and requested it to continue those efforts for another year.

The Committee approved the text, sponsored by Austria, Bangladesh, Canada, Denmark, the Federal Republic of Germany, India, Indonesia, the Netherlands, New Zealand, Pakistan, the Philippines, Spain, Sweden, Trinidad and Tobago, Yugoslavia and Zaire, without objection. The Assembly adopted it without vote.

By resolution 35/13 E, the Assembly reaffirmed the inalienable rights of all the displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967. It considered that any agreement embodying any restriction on that right was null and void. Deploing Israel's continued refusal to take steps for the return of the displaced inhabitants, the Assembly called on it to take immediate steps for their return and to desist from all measures obstructing that return, including measures affecting the physical and demographic structure of the occupied territories.

The draft, sponsored by Bangladesh, India, Indonesia, Madagascar, Pakistan and Yugoslavia, was approved by the Committee by a recorded vote of 100 to 3, with 18 abstentions. The Assembly adopted it by a recorded vote of 96 to 3, with 16 abstentions.

By resolution 35/13 F, adopted by a recorded vote of 112 to 1, with 3 abstentions, the Assembly called once more on Israel to desist from removal and resettlement of Palestine refugees in the Gaza Strip and from destruction of their shelters. The Committee had approved the text by a recorded vote of 116 to 1, with 4 abstentions; it was sponsored by Bangladesh, India, Indonesia, Madagascar, Pakistan and Yugoslavia.

Explanations of vote

Following the votes on the six draft resolutions in the Special Political Committee, a number of Member States explained their votes. Most of those speaking referred to the text proposing a study of the possibility of an arts and sciences university for Palestinians in Jerusalem or to the text on the return of persons displaced since 1967. With regard to the latter, Australia believed the matter could only be settled in the framework of an overall settlement. Portugal and Spain interpreted the resolution as not excluding the possibility of a negotiated settlement, while Luxembourg, on behalf of the European Community members, said they had abstained because the text seemed to exclude that possibility. Sweden had abstained because of ambiguities in the text and Suriname said its favourable vote should not be construed as a repudiation of the treaties concluded between Egypt and Israel.

As for the proposed university, the United States considered that it constituted an inappropriate attempt to introduce the question of Jerusalem. Austria and Canada thought it would be better to make use of outside educational establishments, while Japan and Sweden noted respectively their understanding that the resolution called only for a study and would not burden the UNRWA budget. Jordan, on the other hand, felt the establishment of a university at Jerusalem would give the city a universal character.

Pledges and contributions

For the calendar year 1980, governmental and intergovernmental contributors provided the equivalent of \$152,930,127 towards UNRWA's budget. In addition, contributions were received from the United Nations, specialized agencies, non-governmental organizations, private individuals and business corporations. Total income from all sources in 1980 was \$166,850,554.

On 17 November, the Ad Hoc Committee of the General Assembly for the Announcement of Voluntary Contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East met at United Nations Headquarters, New York, where 39 States pledged contributions for 1981 in cash or kind. Pledges announced were estimated at \$103.9 million.

CONTRIBUTIONS TO UNRWA FOR THE YEAR ENDING 31 DECEMBER 1980

(in US dollar equivalents)

Contributor	Payments in kind	Payments in cash	Total	Contributor	Payments in kind	Payments in cash	Total
Argentina	-	5,000	5,000	Bahamas	-	500	500
Australia	-	466,433	466,433	Bahrain	-	15,000	15,000
Austria	-	132,000	132,000	Belgium	1,293,233 ^a	635,257	1,928,490

Contributor	Payments in kind	Payments in cash	Total	Contributor	Payments in kind	Payments in cash	Total
Benin	-	1,000	1,000	Pakistan	-	20,843	20,843
Canada	3,012,689 ^a	1,864,407	4,677,096	Panama	-	500	500
Chile	-	3,000	3,000	Philippines	-	5,000	5,000
Cyprus	-	2,690	2,690	Portugal	-	2,000	2,000
Denmark	-	2,166,665	2,166,665	Qatar	-	250,000	250,000
Egypt	-	8,560	8,560	Republic of Korea	-	5,000	5,000
EEC	24,190,163 ^a	-	24,190,163	San Marino	-	1,638	1,638
Finland	-	274,725	274,725	Saudi Arabia	-	5,000,000	5,000,000
France	356,240	936,000	1,292,240	Singapore	-	1,500	1,500
Gazaauthorities	100,352	-	100,352	Sri Lanka	1,000	-	1,000
Germany, Federal	-	-	-	Suriname	-	1,000	1,000
Republic of	560,427	5,316,611	5,677,036	Sweden	-	11,235,027	11,235,027
Ghana	-	5,200	5,200	Switzerland	3,919,652 ^a	670,766	4,590,418
Greece	14,342	22,000	36,342	Syrian Arab	-	-	-
Holy See	-	2,500	2,500	Republic	160,020	-	160,020
Iceland	-	17,500	17,500	Thailand	-	17,620	17,620
Indonesia	-	6,000	6,000	Trinidad and Tobago	-	4,975	4,975
Iraq	-	5,121,600	5,121,600	Tunisia	-	6,533	6,533
Ireland	-	164,975	164,975	United Arab	-	-	-
Israel	450,625	-	450,625	Emirates	-	670,000	670,000
Japan	3,211,009	6,422,016	9,633,027	United Kingdom	-	10,442,250	10,442,250
Jordan	355,219	-	355,219	United States	-	52,000,000	52,000,000
Kuwait	-	2,100,000	2,100,000				
Lebanon	61,564	-	61,564	Subtotal	37,686,535	115,243,592	152,930,127
Liberia	-	5,000	5,000				
Libyan Arab	-	-	-	United Nations and			
Jamahiriyah	-	1,250,000	1,250,000	specialized agencies		Payments in	Total
Luxembourg	-	16,644	16,644			kind and cash	
Malaysia	-	1,500	1,500	United Nations		5,320,000	5,320,000
Mauritania	-	543	543	UNESCO		642,180	642,160
Mauritius	-	2,000	2,000	WHO		304,042	304,042
Mexico	-	5,000	5,000				
Monaco	-	735	735	Subtotal		6,266,222	6,266,222
Morocco	-	59,220	59,220				
Netherlands	-	2,852,206	2,852,206	Non-governmental sources		2,662,013	2,662,013
New Zealand	-	116,174	116,174	Miscellaneous income and			
Norway	-	3,919,667	3,919,667	exchange adjustments		4,972,192	4,972,192
Oman	-	25,000	25,000				
OPEC Fund	-	923,390	923,390	Total		166,850,554	166,650,554

^aAt donor's valuation.

Documentary references, voting details and texts of resolutions

Consideration by the General Assembly

General Assembly- 35th session

Ad Hoc Committee of General Assembly for Announcement of Voluntary Contributions to UNRWA. meeting 1 (A/AC.205/SR.1) of 17 November.

Special Political Committee, meetings 6-13.

Plenary meeting 50.

A/35/13. Report of Commissioner-General of UNRWA, 1 July 1979-30 June 1990.

A/35/316(S/14045). Letter of 27 June from Israel.

A/35/419(S/14129). Letter of 20 August from Pakistan (transmitting resolutions and final communique of 11th Islamic Conference of Foreign Ministers, Islamabad 17-22 May).

A/35/438 and Corr.1. Offers of scholarships and grants for higher education for Palestine refugees. Report of Secretary-General.

A/35/472. Population and refugees displaced since 1967. Report of Secretary-General.

A/35/473. Palestine refugees in Gaza Strip. Report of Secretary-General.

A/35/474. Report of United Nations Conciliation Commission for Palestine. Note by Secretary-General.

A/35/526. Report of Working Group on Financing of UNRWA.

A/35/563 (S/14234). Report of Secretary-General. Chapter IV.

A/SPC/35/L.3. United States: draft resolution, approved by Special Political Committee on 22 October, meeting 13. by recorded vote of 119 to 0, with 1 abstention, as follows:

In favour: Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriyah, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, 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 Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Israel.

A/35/579. Report of Special Political Committee, draft resolution A.

Resolution 35/13 A, as recommended by Special Political Committee, A/35/579, adopted by Assembly on 3 November 1980. meeting 50, by recorded vote of 109 to 0, with 1 abstention, as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Chad, Chile, China, Congo, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Ethiopia, Fiji, Finland, France, Gambia, German Democratic Republic, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, United States, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: None

Abstaining: Israel.

Assistance to Palestine refugees

The General Assembly.

Recalling its resolution 34/52 A of 23 November 1979 and all 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 1979 to 30 June 1980,

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 United Nations Relief and Works Agency for Palestine Refugees in the Near East should be relocated within the area of its 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 October 1961;

5. Directs attention to the continuing seriousness of the financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 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 United Nations Relief and Works Agency for Palestine Refugees in the Near East 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 United Nations Relief and Works Agency for Palestine Refugees in the Near East, 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 until 30 June 1984, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194(III), the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

A/SPC/35/L.4 and Rev.1. Bangladesh, Jordan, Lebanon, Oman, Pakistan, Qatar: draft resolution and revision, approved by Special Political Committee on 22 October, meeting 13, by recorded vote of 116 to 1, with 2 abstentions, as follows:

In favour: Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel

Abstaining: Malawi, United States.

A/35/579. Report of Special Political Committee, draft resolution B.

Resolution 35/13 B, as recommended by Special Political Committee, A/35/579, adopted by Assembly on 3 November 1980, meeting 50, by recorded vote of 109 to 1, with 1 abstention, as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Canada, Chad, Chile, China, Congo, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United

Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia
Against: Israel
Abstaining: United States.

Offers by Member States of grants and scholarships for higher education, including vocational training, for the Palestine refugees

The General Assembly,
Recalling its resolution 212(III) of 19 November 1948 on assistance to Palestine refugees,
Recalling also its resolution 34/52 C of 23 November 1979, Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined with appreciation the report of the Secretary-General on offers of scholarships and grants for higher education for Palestine refugees and the scope of the implementation of resolution 34/52 C.

Having a/o examined with appreciation 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 1979 to 30 June 1980, dealing with this subject,

Noting that fewer than one per thousand of the Palestine refugee students have the chance to continue higher education, including vocational training,

Noting a/o that over the past several years the number of scholarships offered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East has dwindled to half of what it was because of the Agency's recurring budgetary difficulties,

1. Urges all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 in a manner commensurate with the needs of the Palestine refugees for higher education and vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for scholarships and grants 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 which responded favourably to General Assembly resolution 33/112 C of 18 December 1978;

4. Invites the relevant United Nations agencies to continue to expand the inclusion, within their respective spheres of competence, of assistance for higher education for the Palestine refugee students;

5. Requests the Secretary-General, in co-ordination with the Council of the United Nations University, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United Nations Educational, Scientific and Cultural Organization, to study ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations;

6. Requests the Secretary-General to submit a report on the establishment of the said university to the General Assembly at its thirty-sixth session;

7. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the territories occupied by Israel since 1967;

8. Also appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

9. Requests the United Nations Relief and Works Agency for Palestine Refugees in the Near East to act as recipient and trustee for such special allocations and scholarships and to award them to qualified Palestine refugee candidates;

10. Requests the Secretary-General to report to the General Assembly at its thirty-sixth session on the implementation of the present resolution.

A/SPC/35/L.5. Austria, Bangladesh, Belgium, Canada, Denmark, Finland, Germany, Federal Republic of, Greece, India, Indonesia, Ireland, Italy, Japan, Malaysia, Netherlands, Norway, Pakistan, Philippines, Sweden: draft resolution, approved without objection by Special Political Committee on 22 October, meeting 13.

A/35/579. Report of Special Political Committee, draft resolution C.

Resolution 35/13 C, as recommended by Special Political Committee, A/35/579, adopted without vote by Assembly on 3 November 1980, meeting 50.

Assistance to persons displaced as a result of the June 1967 hostilities

The General Assembly,

Recalling its resolution 34/52 B of 23 November 1979 and all 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 1979 to 30 June 1980,

Concerned about the continued human suffering resulting from the June 1967 hostilities in the Middle East,

1. Reaffirms its resolution 34/52 B and all 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 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.

A/SPC/35/L.6. Austria, Bangladesh, Canada, Denmark, Germany, Federal Republic of, India, Indonesia, Netherlands, New Zealand, Pakistan, Philippines, Spain, Sweden, Trinidad and Tobago, Yugoslavia, Zaire: draft resolution, approved without objection by Special Political Committee on 22 October, meeting 13.

A/SPC/35/L.9. Administrative and financial implications of 16-power draft resolution, A/SPC/35/L.6. Statement by Secretary-General.

A/35/579. Report of Special Political Committee, draft resolution D.

Resolution 35/13 D, as recommended by Special Political Committee, A/35/579, adopted without vote by Assembly on 3 November 1980, meeting 50.

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 and 34/52 D of 23 November 1979,

Having considered the report of the Working Group on the

Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

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 1979 to 30 June 1980.

Grave/y concerned at the critical financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has already reduced the essential minimum services being provided to the Palestine refugees and which threatens even greater reductions in the future,

Emphasizing the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

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 United Nations Relief and Works Agency for Palestine Refugees in the Near East 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.

A/SPC/35/L.7. Bangladesh, India, Indonesia, Madagascar, Pakistan, Yugoslavia: draft resolution, approved by Special Political Committee on 22 October, meeting 13, by recorded vote of 100 to 3, with 18 abstentions, as follows:

In favour: Algeria, Argentina, Bahrain, Bangladesh, Barbados, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, German Democratic Republic, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Canada, Israel, United States

Abstaining: Australia, Austria, Belgium, Denmark, Finland, France, Gabon, Germany, Federal Republic of, Iceland, Ireland, Italy, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Sweden, United Kingdom,

A/35/579. Report of Special Political Committee, draft resolution E.

Resolution 35/13 E. as recommended by Special Political Committee, A/35/579, adopted by Assembly on 3 November 1980, meeting 50, by recorded vote of 96 to 3, with 16 abstentions, as follows:

In favour: Albania, Algeria, Argentina, Bahrain, Barbados, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Chad, Chile, China, Congo, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Gambia, German Democratic

Republic, Greece, Guinea, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Canada, Israel, United States

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

Population and refugees displaced since 1967

The General Assembly.

Recalling Security Council resolution 237(1967) of 14 June 1967,

Recalling a/so 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 16 December 1978, 34/52 E of 23 November 1979 and ES-7/2 of 29 July 1980,

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 1979 to 30 June 1980, and the report of the Secretary-General of 8 October 1980,

1. Reaffirms the inalienable rights of all the 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 of return by any displaced person is inconsistent with that inalienable right and 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. 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 the 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 by the opening of its thirty-sixth session on Israel's compliance with paragraph 4 above.

A/SPC/35/L.8. Bangladesh, India, Indonesia, Madagascar, Pakistan, Yugoslavia: draft resolution, approved by Special Political Committee on 22 October, meeting 13, by recorded vote of 116 to 1, with 4 abstentions, as follows:

In favour: Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus,

Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel

Abstaining: Canada, Ivory Coast, Malawi, United States.

A/35/579. Report of Special Political Committee, draft resolution F.

Resolution 35/13 F, as recommended by Special Political Committee, A/35/579, adopted by Assembly on 3 November 1980, meeting 50, by recorded vote of 112 to 1, with 3 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian SSR, Chad, Chile, China, Congo, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gambia, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Paki-

stan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian SSR, USSR, United Arab Emirates, United Kingdom, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia

Against: Israel

Abstaining: Canada, Ivory Coast, United States.

Palestine refugees in the Gaza Strip

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 and 34/52 F of 23 November 1979,

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 1979 to 30 June 1980, and the report of the Secretary-General of 8 October 1980.

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 Gaza Strip away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

1. Calls once more upon Israel to desist from removal and resettlement of Palestine refugees in the Gaza Strip and from destruction of their shelters;

2. 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 by the opening of its thirty-sixth session on Israel's compliance with paragraph 1 above.

Other documents

A/35/5/Add.3. UNRWA. Audited financial statements for year ended 31 December 1979 and report of Board of Auditors.

Assistance for the reconstruction and development of Lebanon

At its April/May 1980 session, the Economic and Social Council considered a report of the Secretary-General on assistance for the reconstruction and development of Lebanon under a co-ordinated programme authorized by the General Assembly in 1978.⁸⁰

In his report, dated 20 February, the Secretary-General observed that since 1974 war and civil disturbances in Lebanon had cost the lives of over 60,000 people, led to a large-scale exodus of persons and caused widespread destruction of property. He noted that a general deterioration of services across all sectors had occurred and that the Government was experiencing serious problems in extending its authority throughout the country. These conditions necessitated an emergency programme of assistance for overall reconstruction and development. The report outlined international assis-

tance given and pledged to Lebanon by the United Nations as well as bilaterally.

On 25 April 1980, the United Nations Coordinator, appointed by the Secretary-General in 1979 to help and advise the Lebanese Government in matters relating to reconstruction and development, presented an oral report to the Council, providing additional information on the prevailing situation, the plans and programmes of the Lebanese Government for the country's reconstruction and development and its request for United Nations assistance.

The Council adopted without vote on 29 April a resolution on the matter, sponsored by 22 States (see DOCUMENTARY REFERENCES below). By that resolution - 1980/15 - the Council ap-

⁸⁰See Y.U.N., 1978, p. 373, resolution 33/146 of 20 December 1978.

pealed to all Governments to contribute to the reconstruction and development of Lebanon, requested the specialized agencies, organizations and programmes within the United Nations system in a position to help in this field to do so, and requested the Secretary-General to continue to render support.

In a second report, submitted on 3 October, the Secretary-General gave the General Assembly a comprehensive account of developments through mid-1980 and of the activities of the United Nations agencies and others concerned with reconstruction efforts in Lebanon. The report outlined a short-term reconstruction and development programme prepared by Lebanon's Council for Development and Reconstruction, to be financed mainly with assistance pledged by the League of Arab States at the Tenth Arab Summit Conference (Tunis, Tunisia, November 1979). At that Conference, it had been decided that the contribution of the Arab countries would be \$2 billion over a five-year period, with half of that amount to be spent in the south. In addition, the Conference of Arab Ministers for Social Affairs (Beirut, Lebanon, May 1980) offered \$64 million for immediate rehabilitation and relief projects in the south.

The Council for Development and Reconstruction based its programme on three criteria: economic and social priorities; whether a given project could be carried out in the existing unsatisfactory security conditions; and whether the Government could implement the different proj-

ects as well as the programme as a whole. In order to stay within the limited funds available, the Government adopted an abridged programme and provided for an expenditure of \$298.5 million for 12 months, with half this amount to be spent in the south.

For its programme in the south, Lebanon designated the United Nations Children's Fund (UNICEF) as executing agency for water-supply projects and the repair and construction of schools and hospitals. On 14 October, UNICEF and the Council for Development and Reconstruction signed an agreement according to which UNICEF would provide assistance in identifying, drawing up and implementing those projects in 1980-1981.

At its regular 1980 session, the Assembly, with the adoption of resolution 35/85 on 5 December, requested the Secretary-General to continue to render assistance which could be mobilized within the United Nations system to help Lebanon in its reconstruction and development plans and in their implementation. It noted with satisfaction the assistance already provided or pledged by a number of countries and called on the specialized agencies, organs and other bodies of the United Nations to intensify their efforts in this field.

The Assembly adopted resolution 35/85, without vote, on the recommendation of its Second (Economic and Financial) Committee which had approved, on 19 November, also without vote, a text sponsored by 30 Members (see DOCUMENTARY REFERENCES below).

Documentary references and texts of resolutions

Economic and Social Council- 1st regular session. 1980
Plenary meetings 13,14,16.

A/35/99. Report of Secretary-General.

E/1960/L.29. Argentina, Brazil, Cyprus, Ecuador, Ethiopia, France, Indonesia, Iraq, Italy, Japan, Jordan, Lebanon, Libyan Arab Jamahiriya, Mexico, Morocco, Nepal, Pakistan, Senegal, Sudan, United Arab Emirates, United States, Yugoslavia: draft resolution.

Resolution 1960/15. as proposed by 22 powers, E/1980/L.29, adopted without vote by Council on 29 April 1980, meeting 16.

The Economic and Social Council,

Recalling General Assembly resolutions 33/146 of 20 December 1978 and 34/135 of 14 December 1979 and Economic and Social Council decision 1979/15 of 4 May 1979,

Having studied the report of the Secretary-General on assistance for the reconstruction and development of Lebanon, and the supplementary information conveyed in the oral statement made by the United Nations Co-ordinator for Assistance to Lebanon,

Commending the Co-ordinator for his efforts in the discharge of his duties,

Sharing fully the concern of the Government of Lebanon that reconstruction and development must not await a politi-

cal settlement and the full restoration of public order, since such reconstruction and development will contribute to a climate of peace and promote national reconciliation,

Bearing in mind that the restoration and reconstruction of the economy of the country and its long-term development on a balanced and equitable basis will call for a vast and sustained national effort, which will need to be supplemented by external assistance,

Taking note of the programme of reconstruction and development for the current year drawn up by the Government of Lebanon and its request for United Nations assistance in executing that programme and in the preparation and implementation of long-term plans,

Welcoming the aid already furnished or pledged by a number of countries, including the countries of the League of Arab States at the Tenth Arab Summit Conference, held at Tunis from 20 to 22 November 1979,

1. Expresses its appreciation to the Secretary-General for his report:

2. Appeals to all Governments to contribute to the reconstruction and development of Lebanon:

3. Requests the specialized agencies and other organizations and programmes within the United Nations system which are in a position to help in this field to do so;

4. Requests the Secretary-General to continue to render support and assistance which can be mobilized within the United Nations system to help the Government of Lebanon in its reconstruction and development plans;

5. Requests the Secretary-General to report to the General Assembly at its thirty-fifth session on the steps taken to implement the present resolution.

General Assembly- 35th session
Second Committee, meetings 36-38,40,42-44
Plenary meeting 84.

A/35/381 and Corr.1,2. Report of Secretary-General.
A/C.2/35/L.57. Bangladesh, Chad, Cyprus, Djibouti, Ecuador, Egypt, France, Guinea, Italy. Japan, Jordan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Mauritania, Morocco, Norway, Oman, Pakistan, Philippines, Qatar, Senegal, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, United States, Uruguay, Yemen: draft resolution, approved without vote by Second Committee on 19 November, meeting 44.
A/35/663. Report of Second Committee (on special economic and disaster relief assistance). draft resolution II.

Resolution 35/85. as recommended by Second Committee, A/35/663, adopted without vote by Assembly on 5 December 1980, meeting 84.

The General Assembly,
Recalling its resolutions 33/146 of 20 December 1976 and

34/135 of 14 December 1979 on assistance for the reconstruction and development of Lebanon,

Recalling also Economic and Social Council resolution 1980/15 of 29 April 1980,

Noting with satisfaction the reports of the Secretary-General on assistance for the reconstruction and development of Lebanon,

Noting also the statement made by the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon before the Second Committee,

1. Expresses its appreciation to the Secretary-General for his report:

2. Commends the United Nations Co-ordinator of Assistance for the Reconstruction and Development of Lebanon for his unstinted efforts in the discharge of his duties:

3. Notes with satisfaction the assistance already provided or pledged by a number of countries:

4. Requests the Secretary-General to continue to render assistance which can be mobilized within the United Nations system to help the Government of Lebanon in its reconstruction and development plans and in their implementation;

5. Calls upon the specialized agencies, organs and other bodies of the United Nations system to intensify their efforts in this field;

6. Requests the Secretary-General to report to the General Assembly at its thirty-sixth session on the progress achieved in the implementation of the present resolution.