

**REPORT
OF THE
COMMITTEE ON THE EXERCISE OF
THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE**

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-NINTH SESSION

SUPPLEMENT No. 35 (A/39/35)



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New York, 1984

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

[5 October 1984]

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LETTER OF TRANSMITTAL

18 September 1984

Sir,

I have the honour to enclose herewith the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for submission to the General Assembly, in accordance with paragraph 5 of resolution 38/58 A.

Accept, Sir, the assurances of my highest consideration.

(Signed) Massamba SARRE
Chairman of the Committee
on the Exercise of the Inalienable Rights
of the Palestinian People

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations

I. INTRODUCTION

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian People, established by General Assembly resolution 3376 (XXX) of 10 November 1975, is currently composed of 23 Member States. 1/
2. The first report of the Committee 2/ contained specific recommendations designed to enable the Palestinian people to exercise its inalienable rights, as previously recognized and defined by the General Assembly. Those recommendations were first endorsed by the Assembly at its thirty-first session, as a basis for the solution of the question of Palestine.
3. In its subsequent reports to the General Assembly, 3/ the Committee retained its original recommendations unchanged. On each occasion they were again endorsed by the Assembly with renewed emphasis.
4. After a thorough discussion of the Committee's reports and an appraisal of the situation in Palestine, the General Assembly each year has renewed and, as necessary, reviewed the mandate of the Committee.
5. Despite repeated urgings by the Committee, however, the Security Council has not yet been able to act on the recommendations of the Committee, nor have they yet been implemented in the area.
6. Meanwhile, arising from Israeli practices, tension and violence persist in the illegally occupied Palestinian and other Arab territories, including Jerusalem. In particular, widespread conflict resulted from the Israeli invasion of Lebanon in 1982.
7. In consequence, as authorized by the General Assembly, the original date proposed for the International Conference on the Question of Palestine was advanced, and the Conference was held from 29 August to 7 September 1983 at Geneva. The Committee made all the necessary preparations for the widely attended Conference, which assessed the situation and made appropriate recommendations, contained in the Geneva Declaration on Palestine 4/ and the Programme of Action for the Achievement of Palestinian Rights (see annex II to the present report), 5/ endorsed by acclamation by the participants.
8. The inalienable rights and aspirations of the Palestinian people remain unattained. Tension and violence in the area prevail. It therefore remains the hope and expectation of the Committee that resolute and concerted international action will lead to a peaceful political solution to their plight.
9. For this purpose, the Committee attaches importance to the early convening of the proposed international peace conference on the Middle East and appreciates the contacts already initiated in that regard. The momentum for a peaceful solution must be maintained through practical action.

II. MANDATE OF THE COMMITTEE

10. The latest mandate of the Committee was specified in paragraphs 3 and 5 of General Assembly resolution 38/58 A and paragraphs 2 and 3 of resolution 38/58 B, of 13 December 1983. By those paragraphs the Assembly:

(a) Requested the Committee (i) to keep under review the situation relating to the question of Palestine and the implementation of the Programme of Action for the Achievement of Palestinian Rights 5/ adopted by the International Conference on the Question of Palestine and (ii) to report and make suggestions to the General Assembly or the Security Council, as appropriate;

(b) Authorized the Committee (i) to continue to exert all efforts to promote the implementation of its recommendations, (ii) to send delegations or representatives to international conferences and (iii) to report thereon to the General Assembly at its thirty-ninth session and thereafter.

The General Assembly also:

(a) Requested the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continued to discharge the tasks assigned to it, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

(b) Requested the Secretary-General to provide the Division for Palestinian Rights with the necessary resources to accomplish its tasks and to expand its work programme through: (i) closer contacts with the media and wider dissemination of the Division's information material, particularly where information on the question of Palestine is inadequate; and (ii) increased contacts with non-governmental organizations and the convening of symposia and meetings for non-governmental organizations in different regions in order to heighten awareness of the facts relating to the question of Palestine.

III. ORGANIZATION OF WORK

A. Election of officers

11. The Committee, at its 98th meeting, on 9 January 1984, decided to re-elect the following officers:

Chairman: Mr. Massamba Sarré (Senegal)
Vice-Chairmen: Mr. Raúl Roa-Kouri (Cuba)
Mr. Mohammed Farid Zarif (Afghanistan)
Rapporteur: Mr. Victor J. Gauci (Malta)

12. The Committee, at its 105th meeting, on 18 September 1984, elected by acclamation Mr. Oscar Oramas Oliva (Cuba) as Vice-Chairman in place of Mr. Raúl Roa-Kouri (Cuba) who had departed from New York on another assignment for his country.

B. Participation in the work of the Committee

13. As in previous years, the Committee, at its first meeting of the year, reconfirmed that all States Members of the United Nations and Permanent Observers to the United Nations desiring to participate in the work of the Committee as observers could do so.

14. During 1984 the Committee again welcomed in that capacity all the States and organizations that had participated in the preceding year. 6/ The Committee also welcomed the participation of Lebanon in the work of the Committee as an observer from 18 September 1984. As in previous years, the Committee decided to invite the Palestine Liberation Organization (PLO) to participate in the work of the Committee as an observer, to attend all its meetings, and to make observations and proposals for the consideration of the Committee.

15. In view of the critical situation of Palestinians in the occupied territories, especially after the Israeli invasion of Lebanon, the Committee also authorized its Chairman, at its 99th meeting, on 22 February 1984, to address a letter to the Secretary-General requesting him to invite all States Members of the United Nations to participate more actively in the work of the Committee. The Secretary-General was also asked to direct the attention of all Member States to the call for the convening of an international peace conference on the Middle East.

16. Because of the importance attached by the Committee to the proposed conference, a letter to that effect was sent on 22 February 1984 to the Secretary-General; it was transmitted to Member States on 12 March 1984.

C. Re-establishment of the Working Group

17. The Committee, at its 99th meeting, decided that the Working Group, originally created in 1977, should be re-established and constituted as before, on the understanding that any member or observer could participate in its proceedings. 7/

IV. ACTION TAKEN BY THE COMMITTEE

- A. Action taken in accordance with paragraphs 3 and 5 of General Assembly resolution 38/58 A
- 1. Review of the situation relating to the question of Palestine and efforts to implement the recommendations of the Committee

18. In terms of its mandate, the Committee kept the situation in Palestine constantly under review and continued to exert all efforts to promote the implementation of its recommendations.

19. Accordingly, in response to a series of events which directly affected the inalienable rights of the Palestinian people, the Committee authorized its Chairman and Acting Chairman, on several occasions, to communicate its grave concern to the Secretary-General and to the President of the Security Council.

20. Those communications, for the most part, dealt with practices and policies of the Israeli Government which, in the opinion of the Committee, were not only in direct contravention of international law and of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, 8/ but were also contrary to the spirit of General Assembly and Security Council resolutions on the subject and contradictory to the recommendations of the Committee itself.

21. The communications thus expressed concern over the continuing Israeli occupation of the Palestinian and Arab territories and its policies of establishing illegal Jewish settlements in the occupied Palestinian territories, the confiscation of Arab-owned land and widespread and frequent violation by Israel of the rights of the Palestinian people. The communications also draw attention to reported plans of the Israeli Government to apply its legislation to the occupied territories. They also expressed the constant concern of the Committee over Israeli actions affecting the lives and well-being of Palestinians living as refugees in Lebanon.

22. Those Israeli actions led the Committee, in addition to its letters of protest, to urge as a priority matter the re-activation of the Commission established by the Security Council under its resolution 446 (1979) to examine the situation relating to Israeli settlements in the Arab and Palestinian territories occupied since 1967. The Committee pointed out that the latest report of the Commission had been adopted as far back as 25 November 1980, but had still not been considered by the Security Council, despite persistent urging by the Committee.

23. In its previous reports, the Committee drew the attention of the international community to the extent of the measures taken by the Government of Israel in establishing and enlarging settlements in the occupied territories, notwithstanding the illegality of such action, the censure of international opinion and the decisions of the United Nations. The Committee noted that there had been public and parliamentary questioning of such policies within Israel itself. The Committee recalled that both the General Assembly and the Security Council had declared such actions to be illegal.

24. During the year under review, the Committee noted that according to a study prepared for the Economic and Social Council which contained information supplied by the Jordanian authorities (see A/39/233-E/1984/79, para. 8), by the end of 1983, Israel had expropriated 47.4 per cent of the West Bank territory. Israeli sources have asserted that Israel now controls between 50 and 60 per cent of the land in the occupied territories. Of the expropriated land, 26 per cent has been allocated to Israeli settlements. Estimates based on Israeli and Palestinian data indicate that, by now, almost all of the Jordan Valley's potentially cultivable land has been expropriated for new Israeli settlements.

25. The impact of Israeli policies in the occupied territories has been particularly evident in so far as national resources are concerned, especially water (see A/39/326-E/1984/111, paras. 40 and 41). In effect, restrictive measures have been imposed on the Palestinian population of the area requiring that usage of water be maintained at 1967 levels. On the other hand, preferential treatment has been reported to be practised by the occupying authorities in supplying water to Israeli settlers (see A/39/233-E/1984/79, para. 11).

26. The Committee also noted that, in relentless pursuit of its policy, Israel continues to establish settlements that limit or impair the expansion and growth of Palestinian towns and villages. In a new development, Israel has initiated the establishment of an urban settlement in the very centre of Hebron, as detailed in the letter from the Chairman of the Committee to the Secretary-General (A/39/116-S/16366). Similar action has also been taken in Jerusalem.

27. There is at the same time an overall annual decline in residential construction in towns and villages of the occupied territories (see A/39/233-E/1984/79, paras. 12-14). New construction of housing barely covers the need resulting from the natural increase in population. For many years, no low-income housing has been publicly subsidized. In addition, punitive demolition of houses continues at an accelerated rate; this is made worse by a new measure of sealing houses or rooms with concrete. Absence of construction to replace dilapidated and substandard housing, together with restrictive policies of the occupying authorities concerning building permits and transfer of funds from abroad, is expected to worsen the serious housing condition.

28. Longer-term trends are ominous. According to document A/39/233-E/1984/79, paragraph 15, present indications are that the Israeli Government will continue to establish settlements in the occupied territories aiming at a projected minimum of 100,000 Israelis in such settlements by 1987 and 190,000 by the year 2010. The numbers exclude Israelis in East Jerusalem and other Palestinian localities incorporated into the city immediately after the 1967 war.

29. The Committee notes and stresses in particular that the same document, in paragraphs 19 and 20, draws attention to the conflict and confrontation, often leading to violence, that has resulted from this persistent Israeli settlement policy. The settlers form a privileged class, have the support of the administering authorities and the Government of Israel, are permitted to carry firearms and have often resorted to the use of these firearms to harass and terrorize Palestinian people, thus becoming a force of oppression against these Arabs. The report points out that the system appears to be designed to attract Israeli settlers and to compel the Palestinians to leave the territories.

30. The Committee notes from the report that, despite the fact that the settlers are there in violation of the fourth Geneva Convention, they are enabled by the occupying authorities to pursue their activities within the occupied territories without hindrance. On the other hand, Palestinian people are subjected to frequent curfews which restrain their activities. In addition, Palestinians in the occupied territories, even those in refugee camps, have been subjected to frequent harassment, mostly because of their justified resistance to the objective of Israel to relocate them elsewhere, so as to undermine Palestinian defense of their just cause.

31. The Committee also notes that security checks carried out by the Israeli occupation authorities, including soldiers, police and settlers, at any time of day or night against the Arab population in the occupied territories have become a routine practice. The resulting tension is further exacerbated by the fact that Palestinians are subject to the jurisdiction of military courts, against which there is no appeal. Additionally, frequent closing of Arab schools and universities has severely disrupted academic life.

32. Confrontation has extended even to places of religious worship; more recently, violent acts were attributed to Jewish terrorist groups intending to damage or destroy Islamic holy places. Other desecration has taken place under the guise of archaeological excavation.

33. Apart from social considerations, it should be added that the policies designed to promote, protect and develop the illegal settlements have had a direct economic effect on the Palestinian population resulting in severe structural changes in the economy of the occupied territories (see A/39/233-E/1984/79, paras. 16-18).

34. These changes have diminished the importance of the agricultural sector, but without the corresponding development of an industrial base. There has been a relative lack of employment opportunity in the occupied territories, with consequent daily commuting to Israel by the Palestinian labour force. Furthermore, production of goods has been reoriented towards those that can be sold to and through Israel, while Palestinian consumption is met by increased imports from Israel.

35. The net result is that the economic policies of the occupying Power have created a situation of total dependence of the economies of the West Bank and Gaza, by controlling their production and reducing their capacity to create employment in such a manner as to diminish their potential for independent economic development.

36. The Committee wishes to bring forcefully to the notice of the General Assembly all these details, which are accurately reported examples of Israeli actions which are seriously affecting the daily lives of the Palestinian people and are clearly in violation of the relevant provisions of the Geneva Conventions.

37. After the increased tension occasioned by the Israeli invasion of Lebanon, the Committee deplored the action taken by the Israeli occupation forces in entering the Ein El-Helweh Palestinian refugee camp outside Sidon on 15 May 1984. Subsequent events resulted in violence and loss of life and, as a result, the Security Council met on 21 May 1984 to consider the matter. The President of the Council announced at the conclusion of that meeting that consideration of the item would be continued at a later date.

38. The Committee also noted that the Security Council met on 29, 30 and 31 August and on 4 and 6 September 1984 to consider all practices and measures taken by the Israeli occupying authorities in southern Lebanon, the western Beqaa and the Rashaya region. The Council did not adopt a draft resolution submitted by Lebanon owing to the negative vote of a permanent member of the Council.

2. Reaction to developments affecting the inalienable rights of the Palestinian people

(a) Communications to the Secretary-General and the President of the Security Council

39. In further pursuit of its mandate, the Committee, through its Chairman, transmitted, as occasion demanded, several letters on matters of urgency to the Secretary-General and to the President of the Council.

40. On 4 November 1983, the Chairman drew attention to the decision of the Israeli authorities to close down Bethlehem University for two whole months (A/38/569-S/16126), partly because of an exhibition given at the University, entitled "Palestinian Heritage" which, according to the occupying authorities, contained "inflammatory" material.

41. Student council members responsible for the exhibition were arrested. On announcing the closing of the University, the co-ordinator of Israeli activities in the West Bank stated that Israel intended "to respond with extreme severity in the future to any manifestation of breaches of order" in the occupied territories.

42. In the light of that development, the Chairman, expressing the view of the Committee, stressed that such a repressive Israeli policy could only aggravate the extremely tense situation in the occupied Palestinian Arab territories and thereby increase the threat to international peace and security in the region.

43. On 18 November 1983, the Chairman expressed the deep concern of the Committee regarding the Israeli arrest of two Israeli Arabs on the grounds that they were "in breach of security law" for having attended the Geneva International Conference on the Question of Palestine and having met with representatives of the Palestine Liberation Organization in working sessions of the Conference (A/38/595-S/16171).

44. Expressing concern that similar action might be taken against other participants from Israel in the Conference, the Chairman protested against that discriminatory action which amounted to an act of intimidation, since the two persons arrested were merely pursuing their legitimate activities on behalf of their non-governmental organizations at a Conference organized under the aegis of the United Nations.

45. The Chairman urged that the Committee's concern be conveyed to the Israeli authorities and that any restriction placed on the two persons arrested be lifted. That matter was taken up later by the Chairman in his letter of 24 February 1984.

46. On 24 February 1984, in follow-up action regarding the arrest of the two Israeli Arabs by the Israeli authorities, the Chairman pointed out that, although both persons concerned were subsequently released from custody, their movements had been restricted to their home towns for a period of six months. The

Chairman again protested against that action and urged the Secretary-General to convey the Committee's concern to the Israeli authorities (A/39/117-S/16373).

47. On 9 January 1984, the Chairman of the Committee referred to current discussion in the Israeli Knesset on two proposed new laws that would extend Israeli legislation into the occupied West Bank and the Gaza Strip (A/39/70-S/16261).

48. The Chairman pointed out that the Committee understood from reliable reports that an amendment to one of the laws had gone so far as to authorize the Israeli occupying authorities to impose the application of Israeli legislation in a number of cases with the purported aim of replacing Jordanian legislation in the occupied West Bank. The Chairman also drew attention to reports that a new provision had been approved which authorized the Israeli Minister for Justice to apply civil and criminal laws in the occupied territories subject to approval of the constitutional sub-committee of the Knesset, but without the approval of that body.

49. The Chairman expressed the Committee's belief that such measures were indicative of one more step in the Israeli process of annexing the occupied territories and discriminating against the Palestinian people, and that such measures were to be considered in flagrant violation of the principles of international law and the innumerable resolutions of the Security Council on the question. The Chairman reaffirmed that appropriate and vigorous measures should be taken without delay to protect the legitimate rights of the Palestinians living in the occupied territories.

50. On 6 February 1984, the Acting Chairman of the Committee referred to an attempt to desecrate the holiest Moslem shrine in Jerusalem - the Dome of the Rock and Al-Aqsa Mosque, which is considered the third most sacred place in Islam, after Makkah and Al-Madinah (A/39/99-S/16327).

51. The attempted destruction occurred on 27 January 1984, but was fortunately foiled by Arab guards. According to the accounts of both the police and Moslem leaders, a Moslem guard, aware of the intrusion, appealed for help. As policemen arrived, two intruders fled, leaving behind explosives and hand grenades purportedly issued by the Israeli Army.

52. The Acting Chairman pointed out that, over recent months, many such instances of explosives placed at entrances to churches and mosques had been reported. He urged that the attention of members of the General Assembly and the Security Council be drawn to those events, which had raised the concern even of Israeli leaders.

53. In his letter of 23 February 1984, the Chairman of the Committee again took up the matter of the Israeli policy of establishing Jewish settlements in the occupied territories (A/39/116-S/16366). He pointed out that, despite representations made in his previous letter of 18 July 1983 (A/38/306-S/15880), it had been reported that "the Government of Israel is determined to renew the Jewish presence in Hebron and will help rebuild its old Jewish Quarter" and that "even if the Hebron Arabs did oppose such a presence it would not alter the Government's objectives of renewing the Jewish Quarter in Hebron".

54. The Chairman added in his letter that despite a reported freeze on settlements in what the Israeli Government had termed "Judea" and "Samaria", the corner-stone

of yet another new settlement, to be called "Ganei Modiin", had been laid on 19 January 1984 in the "Benjamin" region, as the area between Ramallah and Nablus is now termed by Israel. He reiterated the Committee's concern over the Israeli settlements policy.

55. On 26 March 1984, the Acting Chairman of the Committee referred to still further reports that yet another new settlement, named Eruvin, had been established on 4 March 1984 in the Gush Etzion region to the north of the Arab town of Hebron (A/39/157-S/16442).

56. The Acting Chairman also referred to two confidential plans prepared with the object of developing what has been termed "greater Jerusalem". In effect, this would result in three new Israeli centres being established around Jerusalem.

57. On a related matter, the Acting Chairman referred to reports of the proposed expansion of the municipal limit of the city of Jerusalem to the north-east areas of the West Bank, so as to provide land for the city's industrial growth.

58. In a letter dated 19 April 1984, the Acting Chairman of the Committee reiterated the Committee's concern at the action taken by the Government of Israel to complete its plan to make Jerusalem the capital of Israel (A/39/201-S/16493). He recalled Security Council resolution 478 (1980) of 20 August 1980, which had called upon those States that had transferred their diplomatic missions to Jerusalem to withdraw such missions from the Holy City.

59. The Committee reaffirmed that withdrawal of diplomatic missions from Jerusalem reflected the concern of Governments for the sentiment and opinion of the vast majority of the international community, as well as respect for decisions of the Security Council.

60. In this connection, the Acting Chairman drew attention to a report that the Government of El Salvador had officially transferred its embassy in Israel from Tel Aviv to Jerusalem. In consequence, the reported move by the Government of El Salvador was regretted by the Committee as detrimental to a satisfactory solution of the question of the status of the Holy City and contrary to the spirit of Security Council and General Assembly resolutions on the subject.

61. On 16 May 1984, the Acting Chairman of the Committee drew attention to news items regarding an Israeli search operation which had taken place the day before at the Ein El-Helweh Palestinian refugee camp outside Sidon in Lebanon, with subsequent casualties and arrests among the Palestinian refugees and destruction of property.

62. He expressed the belief of the membership of the Committee that it was unconscionable that the Israeli army of occupation should have taken such action against refugees (A/39/263-S/16568).

63. On 25 June 1984, the Chairman referred to still further action taken by Israel of establishing three new settlements in its continuing process of annexing the occupied territories of the West Bank. The Chairman also drew attention to a report that the Israeli Minister for Finance had approved an additional budget of 1.5 billion shekels to be invested in new settlements in the Gaza Strip on lands belonging to Arabs (A/39/329-S/16646).

64. In a letter addressed to the Secretary-General on 8 August 1984 (A/39/403), the Chairman drew attention to a number of United Nations reports detailing the effects of the Israeli occupation on the enjoyment of the political, social, economic and cultural rights of the Palestinian people and on its opportunities for development. To the letter were annexed the relevant reports prepared by the International Labour Office, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization.

(b) Action taken within the Security Council

65. In addition to transmitting letters on matters of urgency to the Secretary-General and the President of the Security Council, the Committee, through its Chairman, participated in activities of the Council when matters relating to the inalienable rights of the Palestinian people, or violation of those rights, were considered.

66. On 11 November 1983, following informal consultations of the Security Council in which the Chairman of the Committee was involved, the President of the Council read out a statement (S/16142).

67. The statement expressed the profound concern of Council members at recent and current developments in northern Lebanon, which had caused and were still causing widespread suffering and loss of human lives. The members appealed to all parties concerned to exercise the utmost restraint and freely seek to attain, and to respect, an immediate cessation of hostilities, to settle their differences exclusively by peaceful means and to refrain from the threat or use of force.

68. Appreciation was expressed for the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the International Committee of the Red Cross (ICRC) in providing emergency humanitarian assistance to Palestinian and Lebanese civilians around the city of Tripoli. Members of the Security Council would continue to follow the situation in Lebanon with the greatest attention.

69. Subsequently, on 23 November 1983, the Security Council, without debate, unanimously adopted a resolution on the events taking place in northern Lebanon (resolution 542 (1983)).

70. In that resolution, the Security Council deplored the loss of human life caused by those events and reiterated its call for the strict respect for the sovereignty, political independence and territorial integrity of Lebanon within its internationally recognized boundaries.

71. The parties concerned were requested to accept a cease-fire immediately and to observe scrupulously the cessation of hostilities. They were also invited to settle their differences exclusively by peaceful means and to refrain from the threat or use of force.

72. The parties concerned were also asked to comply with the provisions of that resolution which requested the Secretary-General to follow the situation, to consult with the Government of Lebanon and to report to the Council. Tribute was again paid to UNRWA and ICRC in providing emergency humanitarian assistance to Palestinian and Lebanese civilians.

73. In pursuance of that request, the Secretary-General submitted a report to the Security Council on 21 December 1983 (S/16228), in which he referred to a request by the Chairman of the Executive Committee of the Palestine Liberation Organization (PLO) regarding the departure of the armed elements of PLO from Tripoli. The Secretary-General recalled that, in his statement of 3 December (S/16194), during consultations of the Security Council, he had informed the Council of his decision to authorize the flying of the United Nations flag alongside the national flag of the country concerned on the ships which would evacuate the armed elements of PLO from Tripoli. That decision was taken on purely humanitarian grounds to facilitate the resolution of a situation which had already cost many innocent lives and caused great destruction. The evacuation would involve some 4,000 men carrying personal weapons only. After consultations with the members of the Security Council on 3 December 1983, the President of the Council confirmed that the Secretary-General's statement had the support of the members of the Council (S/16195).

74. In a letter dated 21 December 1983 (S/16230) the Permanent Representative of Greece informed the Secretary-General that, in response to a request made by the Chairman of the Executive Committee of the Palestine Liberation Organization, the Hellenic Government had decided, for humanitarian reasons, to make five vessels available to him for transporting Palestinian forces from the Lebanese port of Tripoli to Democratic Yemen, Yemen, Tunisia and Algeria. The operation had been conceived and carried out in collaboration with the French Government after consultations with the other Governments concerned. The Greek vessels flew the United Nations flag in addition to the national flag throughout the operation. The evacuation operation had taken place on 20 December and had been carried out successfully.

75. On 26 January 1984, following consultations held on that date, the President of the Security Council issued a statement (S/16293) regarding legislation then under consideration by the Israel Knesset.

76. In his statement, the President of the Council noted a letter dated 11 January 1984 on that matter from the Permanent Representative of Israel (S/16269). The President recalled previous resolutions stressing the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, 8/ and urged that no steps be taken which could lead to further aggravation of tension in the area.

77. On 21 May 1984, at the request of the Arab Group contained in a letter dated 17 May 1984 from the Permanent Representative of Kuwait to the United Nations (S/16569), the Council met to consider "the most recent act of aggression committed by Israel against the refugee camp of Palestinians at Ein El-Helweh in South Lebanon".

78. The Chairman of the Committee intervened in the debate and stated that the very fact that the Security Council and the General Assembly had met so often to consider the question of Palestine and related events in Lebanon was confirmation of the international community's deep concern. He added that the Israeli operation carried out on 15 and 16 May 1983 was a flagrant violation of human rights as defined in the Charter of the United Nations and of the Universal Declaration of Human Rights.

79. The Chairman said that the Committee had noted that, taking advantage of the tragedy in Lebanon, Israel was trying to silence the Palestinians who were

legitimately protesting against the occupation of their territory and was pursuing its illegal plans to annex the West Bank and Gaza in defiance of international law and world public opinion. He noted that that policy of annexation had even been condemned by a certain section of Israeli public opinion which had the merit of understanding that Israel's security lay in dialogue with the parties concerned, rather than in annexation of territory.

80. Stressing the importance of convening an international peace conference on the Middle East, the Chairman said that such a Conference would have beneficial effects on the whole region, and particularly on Lebanon, whose unity and territorial integrity must be safeguarded. Faced with the constant worsening of the situation in the region, the Security Council had the duty and responsibility to take appropriate measures to put an end to those tragic events and to bring about the renewal of the policy of dialogue among all the parties concerned.

81. At the conclusion of the meeting, the President of the Security Council said that further discussion of the item would take place at a later date.

82. In response to an urgent request by the Permanent Representative of Lebanon dated 24 August 1984 (S/16713), the Security Council met on 29, 30 and 31 August and on 4 and 6 September 1984 to consider all practices and measures taken by the Israeli occupying authorities in southern Lebanon, the western Begaa and the Rashaya region.

83. In the course of the debate, the Chairman of the Committee stated that it was the duty and the responsibility of the Security Council to take all appropriate steps to save Lebanon from imminent disintegration. He reiterated that the framework for peace in the region had been defined by the General Assembly in its resolution 38/58 C which called for the convening of an international peace conference on the Middle East. He drew attention to the encouraging replies received to that proposal and to the fact that the international community as a whole supported a just and comprehensive settlement of the Middle East question, as shown by the decisions adopted by several recent intergovernmental and non-governmental meetings.

84. The Security Council had before it a draft resolution sponsored by Lebanon (S/16732), by which the Council would have reiterated its call for strict respect for the sovereignty, independence, unity and territorial integrity of Lebanon within its internationally recognized boundaries. The Council would also have affirmed that the provisions of the fourth Geneva Convention of 1949 applied to the territories occupied by Israel in southern Lebanon, the western Begaa and the Rashaya district and would have called upon Israel to respect strictly the rights of the civilian population in those areas, in compliance with that Convention.

85. Because of the negative vote by a permanent member, the Security Council did not adopt the draft resolution.

(c) Other action relating to the question of Palestine

86. The Committee noted that on 30 July 1984 the Union of Soviet Socialist Republics, in its declared desire to contribute to the establishment of peace in the Middle East, put forward proposals on a Middle East settlement and ways of reaching it, (see A/39/368-S/16685). The principles of this settlement comprised, inter alia:

(a) The inadmissibility of the capture of foreign lands through aggression and, consequently, the return of all the territories occupied by Israel since 1967 to the Arabs, the dismantling of the settlements established by Israel in those territories and the inviolability of borders between Israel and its Arab neighbours;

(b) The guarantee in practice of the inalienable rights of the Palestinian people, whose sole legitimate representative is the PLO, to self-determination and to the establishment of its own independent State on the Palestinian lands - the West Bank of the River Jordan and the Gaza Strip - which could be handed over by Israel for a short transitional period, not exceeding a few months, under United Nations control; the Palestinian State would itself determine the nature of its relations with neighbouring countries, including the possibility of forming a confederation; the opportunity for the Palestinian refugees to return to their homes or receive appropriate compensation for the property left behind by them;

(c) East Jerusalem should be returned to the Arabs and become an inalienable part of the Palestinian State;

(d) The right of all States in the region to a secure and independent existence and development should be effectively guaranteed, with, of course, full reciprocity;

(e) An end should be put to the state of war, and peace should be established between the Arab States and Israel;

(f) International guarantees of the settlement.

87. It was stressed by the proponent of the proposals that the only right and effective way of ensuring a radical solution to the Middle East problem was through collective efforts with the participation of all parties concerned, in other words, through talks within the framework of an international conference on the Middle East specially convened for the purpose. The proposals also contained provisions concerning the aims of such a conference, its participants and the organization of work.

88. The Soviet Union appealed to all parties to the conflict to act on the basis of a sober assessment of each other's legitimate rights and interests, and to all other States not to hamper, but to contribute to, the quest for such a settlement.

89. The Committee noted with satisfaction that those proposals conformed on major points with its own long-standing recommendations and constituted, inter alia, a positive response by the Soviet Union towards the appeal contained in paragraph 98 of the Committee's report of last year. 9/

3. Attendance at conferences

90. In accordance with its mandate, the Committee was represented at the Fourteenth Islamic Conference of Foreign Ministers, held at Dhaka, Bangladesh, from 6 to 11 December 1983; the fourth summit meeting of the Islamic Conference, held at Casablanca from 16 to 19 January 1984; the Sixth Congress of the Afro-Asian Peoples' Solidarity Organization, held at Algiers from 27 to 30 May 1984; the Conference of Arab Solidarity with the Struggle for Liberation in Southern Africa, held at Tunis from 7 to 9 August 1984; and the International Dialogue on the United Nations and the Peace Forces, held at Geneva from 10 to 12 September 1984.

4. Action taken by the Movement of Non-Aligned Countries, United Nations bodies, regional and other organizations

91. The Committee continued to follow with great interest action taken by other organizations on matters relevant to its work. Action taken in 1983 after the Committee had submitted its report 9/ to the thirty-eighth session of the General Assembly was duly noted and appreciated.

92. This action included: the statement of the Al-Quds Committee at its eighth meeting held in New York, 30 September 1983; the paragraphs on the Middle East and Palestine in the Final Communiqué adopted at the Meeting of Ministers and Heads of Delegations of the Non-Aligned Countries to the thirty-eighth session of the General Assembly, held in New York from 4 to 7 October 1983 (see A/38/495-S/16035, annex, paras. 47-57); the communiqué issued following the co-ordinating meeting of the Ministers for Foreign Affairs of the Organization of the Islamic Conference, held in New York on 10 October 1983 (A/39/236-S/16535, annex); the paragraphs adopted in the Final Communiqué of the Commonwealth Heads of Government meeting on the Middle East, held at New Delhi from 23 to 29 November 1983; the resolutions and the paragraphs on the question of Palestine of the final declaration adopted at the Fourteenth Islamic Conference of Foreign Ministers, held at Dhaka, Bangladesh, from 6 to 11 December 1983 (see A/39/133-S/16417, annexes I and IV); and the twelfth session of the Presidium of the Afro-Asian Peoples' Solidarity Organization, held at Nicosia, Cyprus, from 13 to 15 December 1983.

93. Action relevant to the work of the Committee undertaken by other organizations in 1984 included meetings held by: the Fourth Islamic Summit Conference on the Palestine Question and the Situation in the Middle East; the Ministers of Information of Non-Aligned Countries; the Commission on Human Rights at its fortieth session; the Ministers of Foreign Affairs of States Members of the European Economic Community; the seventy-first Inter-Parliamentary Conference; the Al-Quds (Jerusalem) Committee and the Economic and Social Council at its second regular session, as indicated in paragraphs 94-124 below.

(a) The Fourth Islamic Summit Conference

94. The Fourth Islamic Summit Conference was held at Casablanca from 16 to 19 January 1984. At that time, the Conference adopted several resolutions relating to the question of Palestine (see A/39/131-S/16414 and Corr. 1, annex II).

95. By its resolution 1/4-P (IS), the Conference reaffirmed that a just peace in the region could only be achieved on the basis of complete and unconditional withdrawal by Israel from all the occupied Arab territories, and on the recovery by the Palestinian people of their inalienable national rights.

96. The Conference reaffirmed that Al-Quds al-Sharif, the capital of Palestine, was an integral part of the occupied Palestinian territory and that Israel must unconditionally and totally withdraw from it and restore it to Arab sovereignty. It was further reaffirmed that no solution could be considered as comprehensive, just and acceptable unless the PLO participated in its formulation as an independent party on equal footing with the other parties concerned.

97. The Conference called upon member States to work collectively for the adoption of a new Security Council resolution which would provide explicitly for the withdrawal of Israel from all the occupied Palestinian and Arab territories,

including the City of Al-Quds al-Sharif, and safeguard the inalienable national rights of the Palestinian people, including their right to return to their homeland and to achieve self-determination in accordance with United Nations resolutions, particularly resolution 3236 (XXIX), and the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

98. By resolution 2/4-P (IS) on the city of Al-Quds al-Sharif, the Fourth Islamic Summit Conference urged all countries to refrain from dealing with the occupying authorities in any way that could be exploited as a recognition and acceptance of Al-Quds al-Sharif as the capital city of Israel.

(b) Conference of Ministers of Information of Non-Aligned Countries

99. A meeting of the Conference of Ministers of Information of Non-Aligned Countries was held at Jakarta from 26 to 30 January 1984. At that time, the Ministers agreed to support the Department of Public Information of the United Nations Secretariat, particularly in expanding publication and audio-visual coverage of facts and of developments pertaining to the question of Palestine and the struggle of the Palestinian people to attain and exercise its inalienable rights (see A/39/139-S/16430, annex, sect. IV, para. 21).

100. The Ministers found it necessary to contribute towards increasing awareness by the international community of the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation and its negative effect on the economic development of the West Asian region as a whole (ibid.).

(c) Fortieth session of the Commission on Human Rights

101. At its fortieth session, held from 6 February to 16 March 1984, the Commission on Human Rights adopted five resolutions dealing with the situation in the occupied Arab territories, including Palestine (1984/1 A and B, 1984/2, 1984/3, 1984/11 and 1984/20). 10/

102. In resolution 1984/1 A, the Commission strongly condemned Israeli policies and practices, administrative and legislative measures to promote and expand the establishment of settler colonies in the occupied territories, as well as the following specific aspects:

"(a) The annexation of parts of the occupied territories, including Jerusalem;

"(b) The continuing establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and the transfer of an alien population thereto;

"(c) The arming of settlers in the occupied territories to commit acts of violence against Arab civilians, and the perpetration of acts of violence by these armed settlers against individuals, causing injury and death and wide-scale damage to Arab property;

"(d) The arming of settlers in the occupied territories to strike at Muslim and Christian religious and holy places;

"(e) The evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, and the denial of their right to return;

"(f) The confiscation and expropriation of Arab property in the occupied territories and all other transactions for the acquisition of land involving Israeli authorities, institutions or nationals on the one hand, and inhabitants or institutions of the occupied territories on the other;

"(g) The destruction and demolition of Arab houses;

"(h) Mass arrests, collective punishments, administrative detention and ill-treatment of the Arab population, the torture of persons under detention and the inhuman conditions in prisons;

"(i) The pillaging of archaeological and cultural property;

"(j) The interference with religious freedoms and practices as well as with family rights and customs;

"(k) The systematic Israeli repression against cultural and educational institutions, especially universities, in the occupied Palestinian territories, closing them or restricting and impeding their academic activities 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 and by the expulsion of numerous faculty members of several universities for refusing to sign statements containing political positions, in flagrant defiance and disregard of their right to academic freedom;

"(l) The illegal exploitation of the natural wealth, water and other resources and the population of the occupied territories;

"(m) The dismantling of municipal services by dismissing the elected mayors as well as the municipal councils and forbidding Arab aid funds."

103. In its resolution 1984/1 B, the Commission reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War was applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem, and expressed its deep concern at the consequences of Israel's systematic refusal to apply that Convention.

104. In its resolution 1984/2, the Commission called upon Israel to rescind forthwith its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, and firmly emphasized the overriding necessity of the total and unconditional withdrawal by Israel from all Palestinian and Syrian territories occupied since 1967, including Jerusalem, which was an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East.

105. In its resolution 1984/3, the Commission condemned Israel for its persistence in developing the colonization of the occupied territories, including Jerusalem, which aimed at changing their demographic composition, institutional structure and status.

106. In its resolution 1984/11, the Commission strongly condemned anew Israel's responsibility for the large-scale massacre in the Sabra and Shatila refugee camps, which constituted an act of genocide, and expressed its grave concern that, until a just and equitable solution to the problem of Palestine had been implemented, the Palestinian people would be exposed to grave dangers such as the appalling massacre perpetrated in the Sabra and Shatila refugee camps.

107. In its resolution 1984/20, the Commission urged Israel to release immediately not only all those civilians arbitrarily detained since its invasion and continued occupation of Lebanese territories, but also those whom Israel rearrested and detained again in Ansar Camp, thereby violating the agreement on the exchange of prisoners concluded with ICRC in November 1983.

(d) Declaration by the Ministers for Foreign Affairs of the States members of the European Economic Community

108. On 27 March 1984, at Brussels, the Ministers for Foreign Affairs of the Ten States members of the European Economic Community adopted a declaration on the question of the Middle East (see A/39/161-S/16456, annex).

109. The Ministers recognized the need for a settlement guaranteeing peace among all States of the region which should include the right to existence and security of all these States, including Israel. The declaration also stated that all the parties concerned had conceded that settlement must take account of the legitimate rights of the Palestinian people. In the view of the Ten, that would entail acceptance of the right of the Palestinian people to self-determination, with all that that implied.

110. The declaration further stated that it had been universally acknowledged that all the problems which existed between Israel and its neighbours must be resolved in accordance with the principles recognized by the international community, including non-recourse to the use of force and non-acquisition of territory by force. That meant that, in accordance with Security Council resolutions 242 (1967) and 338 (1973), Israel must put an end to the territorial occupation which it had maintained since the conflict of 1967. A negotiated settlement would require the continuing and independent expression of the will of the Palestinian people, and the PLO must be associated with the negotiations.

111. The Ten States members of the Community expressed concern at the collapse of the hopes engendered in September 1982 by certain converging and promising peace initiatives and they declared that the absence of all progress towards a negotiated solution since then had exacerbated antagonism and entrenched the positions of those who favoured confrontation.

112. The declaration also noted that certain recent developments, such as the meeting of the Islamic Conference in Casablanca and the resumption of dialogue between Jordan and the Palestinians, had been encouraging.

113. The Ten requested all parties to re-examine their positions with a view to reducing the gap between them, taking particularly into account elements contained in the Reagan Plan and in the Fez Declaration. They also called upon the Government of Israel to put an end to its policy of establishing settlements in the occupied territories, and undertook to support any constructive step which might be initiated by the parties concerned.

(e) The seventy-first Inter-Parliamentary Conference

114. At its seventy-first Conference, held at Geneva from 2 to 7 April 1984, the Inter-Parliamentary Union adopted a resolution entitled "Escalation of the dangers threatening international peace and security in the Middle East region".

115. The resolution declared all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem and the Golan Heights, to be illegal and in violation of international law and of the relevant resolutions of the United Nations and the Inter-Parliamentary Union. The resolution strongly deplored any political, economic, financial, military and technical support to Israel that encouraged Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of Arab territories.

116. In addition, the resolution condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly in southern Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures which were in violation of the Charter of the United Nations, the principles of international law and the relevant international conventions.

117. The Inter-Parliamentary Union reaffirmed its full support for the Arab and Palestinian peoples under the leadership of the PLO, and rejected all agreements and arrangements which violated the inalienable rights of the Palestinian people to return to their homeland and to self-determination and the establishment of their own sovereign Palestinian State in Palestine.

(f) The Al-Quds (Jerusalem) Committee of the Organization of the Islamic Conference

118. At its special session held at Fez, Morocco, on 19 and 20 April 1984, the Al-Quds (Jerusalem) Committee adopted a final communiqué (see A/39/257-S/16562, annex).

119. The final communiqué stated that the Committee had examined Israel's various attempts to exert pressure on different countries to transfer their embassies from Tel Aviv to Al-Quds. In the view of the Committee, such a transfer on the part of Costa Rica and El Salvador impinged upon Arab rights and violated international law. In addition, the Committee had examined the moves being made in order to obtain a decision for the transfer of the Embassy of the United States of America to Al-Quds.

120. In its final communiqué, the Al-Quds (Jerusalem) Committee recommended that it be left to its Chairman to preside over a delegation and to proceed to the United States of America, in order to undertake necessary contacts with the United States Administration. Contacts should also be made with the permanent members of the Security Council in order to gain their support.

121. The Committee also recommended that all relations with Costa Rica and El Salvador should be severed, in compliance with Islamic resolutions calling upon all member States to break relations with any country that had decided to transfer its embassy to Al-Quds, or had recognized that city's annexation by Israel, or its status as Israel's capital.

122. The communiqué also recommended the adoption of a unified Islamic stand aimed at explaining to any country that Islamic States would implement the resolutions of the Third Islamic Summit, namely, resolution 1/3 C, paragraph 2, of the Al-Quds (Jerusalem) Committee special session, held at Casablanca from 16 to 18 April 1980.

(g) Second regular session of the Economic and Social Council

123. At its second regular session of 1984, the Economic and Social Council considered the provision of economic and social assistance to the Palestinian people by the appropriate agencies and organizations of the United Nations system. The Council, in particular, reviewed the results of an inter-agency meeting which was held pursuant to General Assembly resolution 38/145 to develop a co-ordinated programme of assistance and ensure its implementation, with the participation of the PLO, the Arab host countries and relevant intergovernmental and non-governmental organizations.

124. In its resolution 1984/56 of 25 July 1984, the Council drew the attention of the international community, the United Nations system and intergovernmental and non-governmental organizations to the need to ensure that their aid to the occupied Palestinian territories was disbursed only for the benefit of the Palestinian people and was not used in any manner to serve the interests of the Israeli occupation authorities. The Council requested the competent bodies of the United Nations system to intensify their efforts, in co-operation with the PLO, to provide economic and social assistance to the Palestinian people and requested that such assistance in the Arab host countries should be rendered in co-operation with the PLO and with the consent of the Arab host Government concerned.

B. Action taken in accordance with paragraphs 2 and 3
of General Assembly resolution 38/58 B

125. The Committee had intended to hold three regional seminars on the question of Palestine during 1984, in Europe, Africa and Latin America. The Committee decided, however, that the European and African seminars should be combined and that the Latin American Seminar should be postponed until early 1985.

126. Accordingly, the ninth United Nations regional Seminar on the Question of Palestine took place in Tunis from 14 to 17 August 1984 at a critical time in the efforts of the United Nations to advance the prospects of a solution. The report of that important seminar is annexed to the present report (see annex III).

127. The Committee once more had occasion to confirm the importance of seminars and its conviction that, given the collective contributions of academicians, parliamentarians and other opinion-makers at such events, the seminars had considerable influence in promoting wide-ranging and more objective understanding of the Palestinian question and in urging governmental action for a just solution, as for instance called for at the Tunis Seminar.

128. The Committee noted with appreciation that, in further compliance with General Assembly resolution 38/58 B, the Division for Palestinian Rights of the Secretariat continued to prepare, update and distribute studies on matters relating to the question of Palestine.

129. In pursuit of the objective of further increasing its contacts with non-governmental organizations, the Division for Palestinian Rights, under the guidance of the Committee, organized a North American non-governmental organization symposium on the question of Palestine. This symposium was held at United Nations Headquarters from 25 to 27 June 1984, as the first in a series of non-governmental symposiums and international meetings held in response to General Assembly resolution 38/58 B.

130. More than 60 organizations and some 20 panelists participated in the North American symposium. The Committee noted with appreciation that the symposium concluded its work by the adoption of a declaration, which is annexed to the present report (see annex IV).

131. An international non-governmental organization meeting on the question of Palestine was held at Geneva from 20 to 22 August 1984 with the participation of 102 organizations and 26 panelists. The Committee noted with appreciation the resolution adopted at the meeting, which is annexed to the present report (see annex V).

132. The International Day of Solidarity with the Palestinian People was duly observed by the United Nations on 29 November 1983 at its Headquarters in New York and at the United Nations Office at Geneva. The Committee noted with appreciation that the day had been equally commemorated in many capitals in 1983.

133. By resolution 38/58 E of 13 December 1983, the General Assembly requested the Department of Public Information of the Secretariat, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to: (a) disseminate all information on the activities of the United Nations system relating to Palestine; (b) expand publications and audio-visual coverage of the facts and developments pertaining to the question of Palestine; (c) publish newsletters and articles in its relevant publications on Israeli violations of the human rights of the Arab inhabitants of the occupied territories, and organize fact-finding missions to the area for journalists; (d) organize regional encounters for journalists; (e) disseminate appropriate information on the results of the International Conference on the Question of Palestine.

134. The Committee noted with appreciation that the Department of Public Information continued to disseminate information on the activities relating to Palestine within the United Nations system through articles, press releases, newsletters and pamphlets. In particular, that Department had issued a newsletter in Arabic, English, French and Spanish covering the content and outcome of the International Conference on the Question of Palestine.

135. Another pamphlet containing the Declaration and Programme of Action adopted by the Conference, as well as information on attendance and the texts of relevant resolutions adopted subsequently at the thirty-eighth session of the General Assembly, had been issued in all the official languages of the United Nations. In addition, the UN Chronicle reported extensively on the consideration given to the question of Palestine by the General Assembly at its thirty-eighth session.

136. Further coverage of the Palestine question was presented in radio news programmes which were broadcast in the official languages of the United Nations and in many other languages. The question of Palestine was also the subject of special feature programmes.

137. A fact-finding news mission to the Middle East was also organized. A team of 10 prominent journalists and media representatives from around the world visited Tunisia, Egypt, Jordan and the Syrian Arab Republic from 23 April to 11 May 1984.

138. The purpose of the mission was to provide an opportunity for members of the team to acquaint themselves with first-hand and in-depth information regarding the various aspects of the Palestinian question. The mission received extensive media coverage in all the countries it visited and participants published numerous articles on their return to their home countries.

139. The Committee noted with appreciation that the first in a series of regional journalists' encounters on the question of Palestine was held at Vienna, Austria, from 4 to 7 June 1984. The objective of the encounter was to promote a better understanding of the question among leaders of the media by bringing them together with experts on the subject for brief, informal discussions.

140. Accordingly, 17 high-level European journalists from the press, radio and television media participated in the encounter. The journalists were impressed by

the high calibre of the panelists and by the informal and candid character of the presentations made. It was their belief that the encounter, which they found useful, informative and interesting, had greatly increased their knowledge of the subject. A similar encounter for African journalists was held at Arusha, United Republic of Tanzania, from 28 to 31 August 1984.

141. The United Nations information centres throughout the world held activities in connection with the observance of Solidarity Day. The centres continued to make available to the public Department of Public Information publications on the question of Palestine as well as publications prepared for, and under the guidance of, the Committee.

142. In addition, the Department of Public Information continued to screen the films entitled "Palestinian people do have rights" and "Palestinians of 1983" in information centres. More than 100 copies of the films have been distributed in four languages to all information centres and offices of the United Nations Development Programme.

VI. ACTION TAKEN BY THE SECRETARY-GENERAL IN ACCORDANCE
WITH PARAGRAPHS 5, 6, 7 AND 8 OF GENERAL ASSEMBLY
RESOLUTION 38/58 C

143. Paragraph 5 of the Geneva Declaration on Palestine, 4/ endorsed by the General Assembly in its resolution 38/58 C, recommended that an International Peace Conference on the Middle East be convened on the basis of the principles of the Charter of the United Nations and the relevant resolutions of the United Nations, with the aim of achieving a comprehensive, just and lasting solution to the Arab-Israeli conflict, an essential element of which would be the establishment of an independent Palestinian State in Palestine.

144. Accordingly, the Secretary-General was requested, in consultation with the Security Council, urgently to convene the Conference. General Assembly resolution 38/58 C invited the Security Council to facilitate the organization of the Conference and also requested the Secretary-General to report on his efforts no later than 15 March 1984. It was further decided that the report of the Secretary-General on the subject would be considered by the General Assembly at its thirty-ninth session.

145. The Committee noted that, in his interim report of 13 March 1984 (A/39/130-S/16409), the Secretary-General reviewed action taken regarding the proposed Conference, including a letter addressed by him on 9 March 1984 to the 15 members of the Security Council, as well as to those Governments which were directly involved in the Arab-Israeli conflict but were not members of the Security Council, and to the PLO.

146. The Committee further noted that replies to the Secretary-General's letter of 9 March 1984 had been received from the Governments concerned and from the PLO. 11/

147. On 4 May 1984, in a letter addressed to the Secretary-General (A/39/234-S/16531), the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People conveyed the Committee's appreciation for the contacts which the Secretary-General had initiated on the convening of an International Peace Conference on the Middle East.

148. In the course of his letter, the Chairman stressed the substantive significance of the support given to the recommendations of the Committee. The recommendations had been formulated free from the pressure of events and, on the basis of consensus, they not only respected all previous decisions of the United Nations, but also went further by prescribing a comprehensive formula for a peaceful and fair solution.

149. Although those recommendations had yet to be acted upon, mainly because the protagonists themselves had adhered to positions which made it difficult to reach agreement on fundamental principles, they now had gained quasi-universal acceptance, especially as recently amplified by the International Conference on the Question of Palestine held at Geneva in August and September 1983.

150. The Chairman said that a new, resolute approach to the problem was necessary, and such was the purpose of the proposed Conference called for in General Assembly resolution 38/58 C.

151. On behalf of the Committee, he expressed the belief that the Conference would represent an important and overdue step forward, and he urged co-operation by all concerned so as to ensure a positive outcome in the common interest.

152. The Committee further noted that in his additional report (A/39/13G/Add.1-S/16409/Add.1), the Secretary-General stated that, from the replies he had received and the discussions he had held with the Governments and authorities concerned, it was evident that the convening of the proposed Conference would require, in the first place, the agreement in principle of the parties directly concerned, as well as the United States of America and the Union of Soviet Socialist Republics to participate in the Conference. The Secretary-General also stated that it was clear from the replies of the Governments of Israel and the United States that they were not prepared to participate in the proposed Conference.

153. The Committee noted that the Secretary-General would continue to follow the questions closely and to keep Member States informed of further developments.

154. The Committee nevertheless expressed regret over the negative attitude of Israel and the United States and decided to maintain its efforts for the earlier convening of its proposed Conference, while urging the understanding and co-operation of all concerned for the resolution of a problem fundamental to the maintenance of international peace and security, and involving a clear case of the application of the inalienable rights of the Palestinian people to self-determination.

VII. RECOMMENDATIONS OF THE COMMITTEE

155. The Committee is increasingly convinced that positive action by the Security Council to act on the Committee's recommendations would advance prospects for a just and lasting peace in the Middle East; it recalls that those recommendations are solidly founded on fundamental and internationally-recognized principles relating to the problem of Palestine, the core of the conflict.

156. The Committee, therefore, once more unanimously reiterates the validity of the recommendations and annexes them to the present report (annex I). It also recommends that the General Assembly should again renew its urging of the Security Council to take positive and overdue action on those recommendations.

157. The Committee also reaffirms the validity of the recommendations adopted by the International Conference on the Question of Palestine, held at Geneva in August and September 1983, which are annexed to the present report (see annex II).

158. The Committee believes that it should consolidate its efforts to increase awareness and understanding of its recommendations, which are specifically designed to enable the Palestinian people to attain its inalienable rights, as well as to achieve peace in the Middle East, with due regard for the concerns of all the parties to the conflict in the region. In this connection, it is encouraged by the better understanding of those recommendations which is now increasingly evident in all regions of the world.

159. The Committee feels that, at this critical juncture, a concentrated effort to find a just solution to the question of Palestine and to end the unacceptable plight of the Palestinian people is long overdue.

160. The Committee is convinced that the International Peace Conference on the Middle East, recommended by the General Conference and endorsed in General Assembly resolution 38/58 C, will provide an opportunity for all parties concerned to participate in negotiations which should lead to a just solution of the problem. The Committee, therefore, strongly recommends that international action should henceforth concentrate on the preparations necessary for the convening of this Conference and contribute to its successful and peaceful outcome.

Notes

1/ The Committee is composed of the following members: Afghanistan, Cuba, Cyprus, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukrainian Soviet Socialist Republic and Yugoslavia.

2/ Official Records of the General Assembly, Thirty-first Session, Supplement No. 35 (A/31/35).

3/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35); ibid., Thirty-third Session, Supplement No. 35 (A/33/35 and Corr.1); ibid., Thirty-fourth Session, Supplement No. 35 (A/34/35 and Corr.1); ibid., Thirty-fifth Session, Supplement No. 35 (A/35/35 and Corr.1); ibid., Thirty-sixth Session, Supplement No. 35 (A/36/35); ibid., Thirty-seventh Session, Supplement No. 35 (A/37/35 and Corr. 1); and ibid., Thirty-eighth Session, Supplement No. 35 (A/38/35).

4/ Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I, sect. A.

5/ Ibid., chap. I, sect. B.

6/ The observers of the Committee are as follows: Algeria, Czechoslovakia, Ecuador, Egypt, Iraq, Jordan, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Nicaragua, Niger, Syrian Arab Republic, United Arab Emirates, Viet Nam, League of Arab States, Organization of the Islamic Conference and Palestine Liberation Organization.

7/ Current membership of the Working Group is as follows: Malta (Chairman), Afghanistan, Cuba, German Democratic Republic, Guinea, Guyana, India (alternate Chairman), Pakistan, Senegal, Tunisia, Turkey, Ukrainian Soviet Socialist Republic and, as representative of the people directly concerned, the Palestine Liberation Organization.

8/ United Nations, Treaty Series, vol. 75, No. 973, p. 287

9/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 35 (A/38/35).

10/ See Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14-E/CN.4/1984/77), chap. II.

11/ The replies received from Governments were circulated in the following documents: A/39/130-S/16409 and Add.1; A/39/202-S/16494; A/39/208-S/16503; A/39/214-S/16507; A/39/216-S/16509; A/39/217-S/16510; A/39/218-S/16511; A/39/219-S/16512 and Corr.1; A/39/222; A/39/224-S/16517; A/39/225-S/16518; A/39/227-S/16523; A/39/231-S/16527; A/39/235-S/16533; A/39/238-S/16543; A/39/255-S/16557; A/39/259-S/16565; A/39/275-S/16584; A/39/287-S/16602; A/39/416-S/16708.

Recommendations of the Committee endorsed by the General Assembly
at its thirty-first session a/

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. The 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 exercise 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:

- (i) 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;
- (ii) The resources of the International Committee of the Red Cross (ICRC) 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:

- (i) 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);
- (ii) Palestinians not choosing to return to their homes should be paid just and equitable compensation as provided for in Assembly resolution 194 (III).

III. The 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 of 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 an 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.

Notes

a/ Official Records of the General Assembly, Thirty-second Session, Supplement No. 35 (A/32/35).

ANNEX II

A. Geneva Declaration on Palestine a/

In pursuance of General Assembly resolutions 36/120 C of 10 December 1981, ES-7/7 of 19 August 1982 and 37/86 C of 10 December 1982, an International Conference on the Question of Palestine was convened at the United Nations Office at Geneva from 29 August to 7 September 1983 to seek effective ways and means to enable the Palestinian people to attain and to exercise their inalienable rights. The Conference was opened by the Secretary-General of the United Nations, Javier Pérez de Cuéllar, and presided over by the Minister for Foreign Affairs of Senegal, Moustapha Niassé.

* * *

1. The Conference, having thoroughly considered the question of Palestine in all its aspects, expresses the grave concern of all nations and peoples regarding the international tension that has persisted for several decades in the Middle East, the principal cause of which is the denial by Israel, and those supporting its expansionist policies, of the inalienable legitimate rights of the Palestinian people. The Conference reaffirms and stresses that a just solution of the question of Palestine, the core of the problem, is the crucial element in a comprehensive, just and lasting political settlement in the Middle East.

2. The Conference recognizes that, as one of the most acute and complex problems of our time, the question of Palestine - inherited by the United Nations at the time of its establishment - requires a comprehensive, just and lasting political settlement. This settlement must be based on the implementation of the relevant United Nations resolutions concerning the question of Palestine and the attainment of the legitimate, inalienable rights of the Palestinian people, including the right to self-determination and the right to the establishment of its own independent State in Palestine and should also be based on the provision by the Security Council of guarantees for peace and security among all States in the region, including the independent Palestinian State, within secure and internationally recognized boundaries. The Conference is convinced that the attainment by the Palestinian people of their inalienable rights, as defined by General Assembly resolution 3236 (XXIX) of 22 November 1974, will contribute substantially to the achievement of peace and stability in the Middle East.

3. The Conference considers the role of the United Nations in the achievement of a comprehensive, just and lasting peace in the Middle East to be essential and paramount. It emphasizes the need for respect for, and application of the provisions of the Charter of the United Nations, the resolutions of the United Nations relevant to the question of Palestine and the observance of the principles of international law.

4. The Conference considers that the various proposals, consistent with the principles of international law, which have been presented on this question, such as the Arab peace plan adopted unanimously at the Twelfth Arab Summit Conference (see A/37/696-S/15510, annex), held at Fez, Morocco, in September 1982, should serve as guidelines for concerted international effort to resolve the question of Palestine. These guidelines include the following:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the right to return, the right to self-determination and the right to establish its own independent State in Palestine;

(b) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to put an end to Israel's occupation of the Arab territories, in accordance with the principle of the inadmissibility of the acquisition of territory by force, and, consequently, the need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose and reject such Israeli policies and practices in the occupied territories, including Jerusalem, and any de facto situation created by Israel as are contrary to international law and relevant United Nations resolutions, particularly the establishment of settlements, as these policies and practices constitute major obstacles to the achievement of peace in the Middle East;

(e) The need to reaffirm as null and void all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, including the expropriation of land and property situated thereon, and in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel;

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, the sine qua non of which is the recognition and attainment of the legitimate, inalienable rights of the Palestinian people as stated in subparagraph (a) above.

5. In order to give effect to these guidelines, the Conference considers it essential that an international peace conference on the Middle East be convened on the basis of the principles of the Charter of the United Nations and the relevant resolutions of the United Nations, with the aim of achieving a comprehensive, just and lasting solution to the Arab-Israeli conflict, an essential element of which would be the establishment of an independent Palestinian State in Palestine. This peace conference should be convened under the auspices of the United Nations, with the participation of all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics, and other concerned States, on an equal footing. In this context the Security Council has a primary responsibility to create appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and to carry out the accords of the international peace conference.

6. The International Conference on the Question of Palestine emphasizes the importance of the time factor in achieving a just solution to the problem of Palestine. The Conference is convinced that partial solutions are inadequate and delays in seeking a comprehensive solution do not eliminate tensions in the region.

B. Programme of Action for the Achievement of Palestinian Rights

The International Conference on the Question of Palestine agreed that no effort should be spared to seek effective ways and means to enable the Palestinian people to attain and exercise their rights in Palestine in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights b/ and the principles of international law. The Conference, taking into consideration the Geneva Declaration on Palestine (see sect. A above), recommended the following Programme of Action.

"I

The International Conference on the Question of Palestine recommends that all States, individually or collectively, consistent with their respective constitutions and their obligations under the Charter of the United Nations and in conformity with the principles of international law, should:

(1) Recognize the great importance of the time factor in solving the question of Palestine;

(2) Intensify efforts for the establishment of an independent Palestinian State within the framework of a comprehensive, just and lasting settlement to the Arab-Israeli conflict in accordance with the Charter of the United Nations, the relevant United Nations resolutions and the guidelines of the Geneva Declaration on Palestine;

(3) Consider the continued presence of Israel in the occupied Palestinian and other Arab territories, including Jerusalem, as exacerbating instability in the region and endangering international peace and security;

(4) Oppose and reject, as a serious and continuing obstacle to peace, the expansionist policies pursued by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and in particular the alteration of the geographic nature and demographic composition, and the Israeli attempt to alter, through domestic legislation, the legal status of those territories, and all the measures taken in violation of the Geneva Convention relative to the Treatment of Prisoners of War, c/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, d/ both of 12 August 1949, and of the Hague Regulations of 1907, e/ such as the establishment and expansion of settlements, the transfer of Israeli civilians into those territories and the individual and mass transfers therefrom of the Arab Palestinian population;

(5) Refrain from providing Israel with assistance of such a nature as to encourage it militarily, economically and financially to continue its aggression, occupation and disregard of its obligations under the Charter and the relevant resolutions of the United Nations;

(6) Not encourage migration to the occupied Arab territories until Israel has put a definitive end to the implementation of its illegal policy of establishing settlements in the Palestinian and other Arab territories occupied since 1967;

(7) Fully comply with the relevant resolutions of the United Nations and its specialized agencies on the Holy City of Jerusalem, including those which reject Israel's annexation of Jerusalem and its declaration of that city as its capital;

(8) Undertake universal efforts to protect the Holy Places and urge Israel to take measures to prevent their desecration;

(9) Consider ways and means of meeting the threat that Israel poses to regional security in Africa in view of Israel's disregard of United Nations resolutions, and its close collaboration with the apartheid régime in the economic, military and nuclear fields, thereby contributing to the continued illegal occupation of Namibia and enhancing the régime's repressive and aggressive capacity;

(10) Encourage, through bilateral and multilateral contacts, all States, including Western European and North American States which have not done so, to welcome all peace initiatives based on the recognition of the inalienable rights of the Palestinian people, which were also welcomed by Chairman Yasser Arafat in his address to the International Conference on the Question of Palestine;

(11) Seek and develop ways and means to enable the Palestinian people to exercise sovereignty over their national resources;

(12) Express concern that Israel debars Palestinians from economic activity and access to national resources on Palestinian territory, in consistent violation of General Assembly resolutions on the right of the Palestinians to permanent sovereignty over their national resources;

(13) Declare null and void and counter such measures and practices applied by Israel in the occupied Palestinian and other Arab territories, including Jerusalem, as the annexation and the expropriation of land, water resources, and property and the alteration of the demographic, geographic, historical and cultural features thereof;

(14) Undertake measures to alleviate the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation of their territories since 1967;

(15) Consider contributing or increasing special contributions to the proposed budgets, programmes and projects of the relevant organs, funds and agencies of the United Nations system that have been requested to provide humanitarian, economic and social assistance to the Palestinian people, with particular reference to:

(a) General Assembly resolution 33/147 of 20 December 1978 and the appeal of the Governing Council of the United Nations Development Programme at its thirtieth session for additional special contributions amounting to at least \$8 million during the third programming cycle (1982-1986) aimed at helping to meet the economic and social needs of the Palestinian people; f/

(b) The proposed programme budget of the United Nations Conference on Trade and Development for the biennium 1984/85 regarding the establishment within the United Nations Conference on Trade and Development of a special economic unit, g/ as requested by that Conference at its sixth session at Belgrade; h/

(c) Establishing a special legal aid fund to assist Palestinians in securing their rights under conditions of occupation, i/ in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

(16) Ensure that the United Nations Relief and Works Agency for Palestine Refugees in the Near East can meet the essential needs of the Palestinians without interruption or any diminution in the effectiveness of its services;

(17) Review the situation of Palestinian women in the occupied Palestinian and other Arab territories and, in view of their special hardships, urge the Preparatory Committee of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held at Nairobi in 1985, to include this item on the agenda of the Conference;

(18) Review, if they have not yet done so, in conformity with their national legislation, their economic, cultural, technical and other relations with Israel, and the agreements governing them with the aim of ensuring that these regulations and agreements will not be interpreted or construed as implying in any way recognition of any modification of the legal status of Jerusalem and of the Palestinian and other Arab territories occupied by Israel since 1967, or an acceptance of Israel's illegal presence in those territories;

(19) Recognize that the process of enabling the Palestinian people to exercise its inalienable rights in Palestine is a significant contribution to the restoration of the rule of law in international relations;

(20) Assure the observance of the stipulations provided in General Assembly resolution 181 (II) guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, speech, publication, education, assembly and association;

(21) Express concern that the laws applicable in the occupied Arab territories have been totally eclipsed by a plethora of military orders that have been designed to establish a new "legal régime" in violation of the Hague Regulations of 1907, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

(22) Act in accordance with their obligations under existing international law, in particular with regard to the Geneva Conventions of 1949 which require States Parties to respect and to ensure respect for those Conventions in all circumstances, and in particular ensure the respect by Israel for the Geneva Conventions of 1949 in the occupied Palestinian and other Arab territories;

(23) Express concern that the Palestinians and other Arabs in the occupied territories are deprived of juridical and other kinds of protection, that they are victims of repressive legislation, involving mass arrests, acts of torture, destruction of houses, and the expulsion of people from their homes, acts which constitute flagrant violations of human rights;

(24) Recognize the necessity that Palestinian and Lebanese prisoners detained by Israel be accorded the status of prisoners of war in accordance with the Geneva Convention relative to the Treatment of Prisoners of War of 1949, c/ if combatants, or in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, d/ if civilians;

(25) Strive for the adoption of international measures so that Israel will implement in the West Bank and Gaza the provisions of the Hague Regulations of 1907

and the Geneva Convention relative to the Protection of Civilian Persons, in the light of Security Council resolution 465 (1980);

(26) Recognize, if they have not yet done so, the Palestine Liberation Organization as the representative of the Palestinian people and establish with it appropriate relations;

(27) Encourage, in conformity with their national legislations, the formation of national committees in support of the Palestinian people;

(28) Encourage the observance of 29 November as the International Day of Solidarity with the Palestinian People, in a most effective and meaningful way;

(29) Request the General Assembly at its thirty-eighth session to designate a Year of Palestine, to be observed at the earliest possible time, taking into consideration the factors necessary to ensure its effective preparation for the purpose of galvanizing world-wide public opinion and support for further implementation of the Geneva Declaration on Palestine and the Programme of Action.

"II

The International Conference on the Question of Palestine stresses the obligation of all Member States, under the Charter of the United Nations, to enable the United Nations through an expanded and more effective role to fulfil its responsibility for achieving a solution to the question of Palestine. To this end:

"A

States participating in the Conference invite the Security Council, as the organ with primary responsibility for the maintenance of international peace and security:

(1) To suppress continuing and growing acts of aggression and other breaches of the peace in the Middle East which endanger peace and security in the region and the world as a whole;

(2) To take prompt, firm and effective steps and actions to establish an independent sovereign Palestinian State in Palestine through the implementation of the relevant United Nations resolutions, by facilitating the organization of the international peace conference on the Middle East, as called for in paragraph 5 of the Geneva Declaration on Palestine (see sect. A above), and by creating in this context the appropriate institutional arrangements on the basis of relevant United Nations resolutions in order to guarantee and carry out the accords of the international peace conference, including the following:

(a) Taking measures consistent with the principle of the inadmissibility of the acquisition of territory by force to ensure Israel's withdrawal from the Palestinian and other Arab territories occupied since 1967, including Jerusalem, with a specific timetable;

(b) Undertaking effective measures to guarantee the safety and security and legal and human rights of the Palestinians in the occupied territories pending the

withdrawal of the Israeli forces from the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

(c) Subjecting those territories, following the withdrawal of Israel, to a short transitional period, under the supervision of the United Nations, during which period the Palestinian people would exercise its right to self-determination;

(d) Facilitating the implementation of the right to return of the Palestinians to their homes and property;

(e) Supervising elections to the constituent assembly of the independent Palestinian State in which all Palestinians shall participate, in exercise of their right to self-determination;

(f) Providing, if necessary, temporary peace-keeping forces in order to facilitate the implementation of subparagraphs (a) to (e) above.

"B

Meanwhile the Security Council is also invited to:

(1) Take urgent action to bring about an immediate and complete cessation of such Israeli policies in the occupied territories and, in particular, the establishment of settlements as have been determined by the Security Council to have no legal validity and as a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East;

(2) Consider urgently the reports of the Commission established under its resolution 446 (1979) of 22 March 1979, which examined the situation concerning settlements in the Arab territories occupied since 1967, including Jerusalem, and to reactivate the above-mentioned Commission;

(3) Initiate action to terminate Israel's exploitative policies which go against the indigenous economic development of the occupied territories, and to compel Israel to lift its restrictions on water use and well-drilling by Palestinian farmers as well as its diversion of West Bank water resources into the Israeli water grid systems;

(4) Keep under its constant attention the actions committed by Israel against the Palestinian people in violation of the stipulations provided for in relevant General Assembly resolutions, in particular the stipulations of resolution 181 (II) of 29 November 1947 guaranteeing to all persons equal and non-discriminatory rights and freedoms;

(5) Consider, in the event of Israel's persistent non-compliance with the relevant United Nations resolutions which embody the will of the international community, appropriate measures in accordance with the Charter of the United Nations, to ensure Israel's compliance with these resolutions.

"C

(1) Taking into account the recommendations of the five regional preparatory meetings of the International Conference on the Question of Palestine j/ and United

Nations resolutions concerning economic and social assistance to the Palestinian people, the Secretary-General of the United Nations is requested to convene a meeting of the specialized agencies and other organizations associated with the United Nations, as well as representatives of the Palestine Liberation Organization and of those countries which are hosts to Palestinian refugees and other potential sources of assistance to develop a co-ordinated programme of economic and social assistance to the Palestinian people and to ensure its implementation.

(2) The meeting should also look into the most effective inter-agency machinery to co-ordinate and sustain and intensify United Nations assistance to the Palestinian people.

"D

The dissemination of accurate and comprehensive information world wide and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State. To these ends:

(1) The United Nations Department for Public Information, in full co-operation and constant consultations with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, should:

(a) Co-ordinate all information activities of the United Nations system on Palestine through the Joint United Nations Information Committee;

(b) Expand publications and audio and visual coverage of the facts and of developments pertaining to the question of Palestine;

(c) Publish newsletters and articles in its respective publications on Israeli violations of human rights of the Arab inhabitants in the occupied territories and organize fact-finding missions for journalists to the area;

(d) Organize regional encounters for journalists;

(e) Disseminate appropriate information on the results of the International Conference on the Question of Palestine;

(2) The relevant organizations of the United Nations system should organize meetings, symposia and seminars on topics within their terms of reference and relating to specific problems of the Palestinian people by establishing closer liaison with non-governmental organizations, the media and other groups interested in the question of Palestine.

"III

The International Conference on the Question of Palestine, convinced of the important role of world-wide public opinion in resolving the question of Palestine, and in the implementation of the Declaration and Programme of Action, urges and encourages:

- (1) Intergovernmental and non-governmental organizations to increase awareness by the international community of the economic and social burdens borne by the Palestinian people as a result of the continued Israeli occupation and its negative effects on the economic development of the West Asian region as a whole;
- (2) Non-governmental organizations and professional and popular associations to intensify their efforts to support the rights of the Palestinian people in every possible way;
- (3) Organizations such as those of women, teachers, workers, youths and students to undertake exchanges and other programmes of joint action with their Palestinian counterparts;
- (4) Women's associations, in particular, to investigate the conditions of Palestinian women and children in all occupied territories;
- (5) The media and other institutions to disseminate relevant information to increase public awareness and understanding of the question of Palestine;
- (6) Institutions of higher education to promote the study of the question of Palestine in all its aspects;
- (7) Various jurists' associations to establish special investigative commissions to determine the violations by Israel of the Palestinians' legal rights and to disseminate their findings accordingly;
- (8) Jurists to initiate with their Palestinian counterparts consultations, research and investigations on the juridical aspects of problems affecting the southern African and Palestinian struggles, in particular the detention of political prisoners and the denial of prisoner-of-war status to detained members of the national liberation movements of southern Africa and Palestine;
- (9) Parliamentarians, political parties, trade unions, organizations for solidarity and intellectuals, particularly in Western Europe and North America, to join their counterparts in other parts of the world in giving their support, where it has not been done, to an initiative which would express the desire of the international community to see the Palestinian people at last living in their own independent homeland in peace, freedom and dignity."

Notes

- a/ See Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983 (United Nations publication, Sales No. E.83.I.21), chap. I.
- b/ See General Assembly resolution 217 A (III).
- c/ United Nations, Treaty Series, vol. 75, No. 972, p. 135.
- d/ Ibid., No. 973, p. 287.

Notes (continued)

e/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

f/ See Official Records of the Economic and Social Council, 1983, Supplement No. 9 (E/1983/20).

g/ A/C.5/38/4, para. 8 (c).

h/ Recommendation 146 (VI) of 2 July 1983 of the United Nations Conference on Trade and Development.

i/ Recommendation 19 of the Latin American Regional Preparatory Meeting, Managua, Nicaragua, 12-15 April 1983 (A/CONF.114/2).

j/ African region, A/CONF.114/1; Latin American region, A/CONF.114/2; Western Asian region, A/CONF.114/3; Asian region, A/CONF.114/4; European region, A/CONF.114/5.

ANNEX III

Report of the ninth United Nations Seminar on the Question of Palestine, held at Tunis from 14 to 17 August 1984

1. With the kind consent and assistance of the Government of Tunisia and in accordance with General Assembly resolution 38/58 B, the ninth United Nations Seminar on the Question of Palestine was held in the Palais du Congrès, Tunis, Tunisia, from 14 to 17 August 1984.
2. The "Inalienable rights of the Palestinian people" was the Seminar's central theme.
3. Eight meetings were held at which 19 panelists presented papers on various aspects of the question of Palestine. The frank and open discussion which followed the presentations of the papers afforded participants an opportunity to engage in a wide-ranging examination of important aspects of the question and to focus particular attention on means for the attainment of the inalienable rights of the Palestinian people.
4. The large attendance at the meetings reflected both the importance attached to the problem and the widespread interest in finding a just and lasting solution for the unacceptable plight of the Palestinian people.
5. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented at the Seminar by a delegation consisting of Mr. Massamba Sarré (Senegal), Chairman of the Committee and leader of the delegation; Mr. Victor J. Gauci (Malta), Rapporteur of the Committee; Mr. Vladimir F. Skofenko (Ukrainian Soviet Socialist Republic); Mr. Mohamed Lessir (Tunisia); Mr. Cheikh Sylla (Senegal) and Mr. Zehdi L. Terzi (Palestine Liberation Organization). Mr. Victor J. Gauci acted as Rapporteur of the Seminar.
6. Mr. Massamba Sarré, Chairman of the Committee, in his opening remarks, referred to the long-standing importance devoted to the question of Palestine by the United Nations and to the impressive support for the recommendations made by the Committee which was established in 1976. He also drew attention to the Committee's encouraging success in its persistent efforts to provide objective information on the subject and its conviction that, when the facts were known and understood, the way to a just solution would be facilitated.
7. Stressing the Committee's concern about the time factor, he pointed out that events on the spot had proved time and time again that delay only made the search for a solution more difficult. It was therefore all the more regrettable that progress towards the convening of the International Peace Conference on the Middle East was being obstructed, since a conference could prove to be a major breakthrough in the situation. The Secretary-General of the United Nations was to be commended for his efforts in that direction and it behoved all States to extend every support to him. The Seminar could be a spur to such efforts.
8. In that connection he also referred to the discernible positive evolution of Western European thought on the question of Palestine and the necessity to devote particular attention to Europe in an attempt to promote among Western European Governments a better appreciation of the Committee's recommendations. For that

reason, an attempt had been made to have at the Seminar as many European policy makers and parliamentarians as possible, while maintaining an equitable geographic distribution.

9. The Committee considers that the best forum in which to work for a solution remains the United Nations, particularly the Security Council. Unfortunately, Israel's attitude in rejecting United Nations resolutions and its policy towards the Palestinians and its Arab neighbours, as well as its actions in Jerusalem and concerning the establishment of settlements in the occupied territories, have greatly exacerbated tensions and placed formidable obstacles to a peaceful solution of the question.

10. Addressing the opening meeting, Mr. Mahmoud Mestiri, Secretary of State for Foreign Affairs of Tunisia, stated that Tunisia had always stood for international legality and remained convinced that the United Nations provided the natural framework for the solution of the Palestinian question. Its decisions and recommendations offered the elements necessary to achieve a durable solution.

11. In contrast to Israel's adamant refusal to respond positively to any proposal for peace, the Arab States and the Palestine Liberation Organization had amply demonstrated their desire for peace by their ready acceptance of any peace initiative based on justice and law.

12. Tunisia considered that the Fez Plan, based as it was on international legality as borne out by United Nations resolutions, particularly United Nations General Assembly resolution 181 (II) of 27 November 1947, coincided with President Bourguiba's ideas and included the essential principles for a just and durable solution to the problem.

13. The opening session was addressed by Mr. Adnan Omrane, Under-Secretary-General of the League of Arab States, Mr. Seydou Traore, on behalf of the United Nations Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples, Mr. Mamadou Kante, Executive Secretary of the Organization of African Unity, Mr. Alfred Jassnowski on behalf of the United Nations Special Committee against Apartheid, Mr. Yin Dexin, Chargé d'Affaires of China, Mr. Boris L. Kolokolov, Vice Minister of Foreign Affairs of the Russian Soviet Federative Socialist Republic (Union of Soviet Socialist Republics), Mr. Hussein Mecharrafa, Ambassador in charge of Egyptian interests in Tunisia.

14. At the same meeting, Mr. Chafiq Al-Hout, member of the Central Committee of the Palestine National Council and leader of the delegation of the Palestine Liberation Organization, outlined the current situation of the Palestinian people and conveyed to the United Nations and the Seminar the thanks of his organization for the efforts being made on behalf of the Palestinian people.

15. Messages addressed to the Seminar were received from the Foreign Minister of India and the Foreign Minister of Sri Lanka.

16. The Seminar also received a message from the Chairman of the Executive Committee of the Palestine Liberation Organization, Mr. Yasser Arafat, conveyed by Mr. Chafiq Al-Hout, leader of the delegation of the Palestine Liberation Organization (PLO). The text of the message is attached to the report (see appendix to the present annex).

17. Five panels were established to consider different aspects of the central theme "The inalienable rights of the Palestinian people". These panels and their panelists were as follows:

I. The role of the United Nations and other forums and organizations in the search for peace in the Middle East:

Panelists: Dr. Jozsef BIRO (Hungary), former Minister and Member of Parliament; Dr. Mohammed Hassan EL-ZAYYAT (Egypt), Member of Parliament, former Minister for Foreign Affairs; Mr. Alex KOROMA (Sierra Leone), Member of Parliament; Mr. Albrecht KONECNY (Austria), Member of Parliament; Mr. Ernie ROSS (United Kingdom), Member of Parliament; Mr. Abdoulaye SACKO (Mali), Member of Parliament; Dr. Ibra Mamadou WANE (Senegal), Member of the National Assembly, former Minister of Education.

II. The International Peace Conference on the Middle East (General Assembly resolution 38/58 C), the need for such a Conference; efforts and prospects to promote a successful outcome, and benefits thereof:

Panelists: Mr. Klaas de VRIES (Netherlands), Member of Parliament; Mr. Jean-Claude RAHAGA (Madagascar), Member of Parliament; Mr. Azouz REBAI (Tunisia), Member of Parliament; Dr. Ingo SCHOENFELDER (German Democratic Republic), Lecturer, Karl Marx University; Mr. Vasily G. SOLODOVNIKOV (Union of Soviet Socialist Republics), Chairman of the Russian Palestinian Society; Mr. Redzo TERZIC (Yugoslavia), Member of Parliament.

III. African and European co-operation in seeking effective measures to enable the Palestinian people to attain and exercise its inalienable rights:

Panelists: Mr. Lasse BUDTZ (Denmark), Member of Parliament; Mr. Claude DEJARDIN (Belgium), Member of Parliament.

IV. The role of the Palestine Liberation Organization in the social, cultural, economic and political development of the Palestinian people and in the attainment of its political objectives:

Panelist: Mr. Khalid EL-HASSAN (Palestinian), Chairman, Foreign Affairs Committee of the Palestine National Council.

V. The status of the Holy City of Jerusalem:

Panelists: Mr. Bulent AKARCALI (Turkey), Member of Parliament; Mr. Abdelwahab BOUHDIBA (Tunisia), Professor, University of Tunis; Mr. Jerzy PIOTROWSKI (Poland), Member, Polish Institute of International Affairs.

18. The Seminar decided that, in view of the depth of analysis contained in the papers presented at the Seminar and in accordance with previous practice, the papers presented by the panelists should be published in full by the United Nations, together with the report of the Seminar. It was felt that that would be another valuable contribution towards a more objective appraisal of the question of Palestine.

19. On the day preceding the opening of the Seminar, the Chairman of the Executive Committee of the PLO, Mr. Yasser Arafat, received the Committee delegation and the panelists and engaged in a frank and cordial discussion. In the course of the discussion, the Chairman of the PLO reaffirmed his faith in, and support of, the efforts of the United Nations in promoting a peaceful solution, and again reiterated his support of all United Nations resolutions on the question of Palestine. He also confirmed the solidarity of the Palestinians in the occupied territories behind the PLO in their struggle for genuine self-determination. That had been confirmed in two successive public opinion polls held in the occupied territories in October and December 1983, when 93 per cent and 95 per cent of the Palestinians polled had declared unequivocal support for the PLO.

20. The Chairman also explained in detail the repression and taxation without representation to which the Palestinian people were being subjected in the occupied territories of the West Bank and the Gaza Strip, as well as the efforts being deployed by Israel to deny the Palestinian people financial aid channelled through international institutions.

21. The Seminar was in full agreement that the overdue necessity of finding a just solution to the question of Palestine was the main issue deserving priority consideration in the actual complex situation. Indifference to that fundamental aspect had kept the Middle East in turmoil for many decades but it had now reached the forefront of international concern.

22. History demonstrated that controversial international problems could not be solved by force. Israel's belligerent policy of illegal occupation of lands, its attacks on refugee camps, its many-faceted usurpation of the rights of the Palestinian people, its inflexible attempts to intimidate Palestinian resistance, to suppress development of Palestinian indigenous economic and cultural resources and its blatant attempts to consolidate and perpetuate its occupation by establishing illegal settlements and imposing its legislation on the occupied territories in a manner designed to change the sociological and demographic nature of the territories were therefore doomed to prolong conflict and insecurity in a sensitive region.

23. The role of the United Nations was irreplaceable in the search for a solution to that problem. The success of the Organization depended on its Member States. If they did not respect their commitments and did not act in conformity with the principles and purposes of the Charter of the United Nations, the effectiveness of the Organization would necessarily be limited.

24. The United Nations had inherited the problem of Palestine as soon as it was established. It now provided a forum in which all parties to the Arab-Israeli conflict could participate in negotiations. Over the years, the United Nations had drawn up the basic and widely supported principles on which a comprehensive, just and lasting solution should be based. Peace and security for all peoples and States in the region could be ensured only if those basic principles were unanimously and unreservedly observed in practice.

25. The United Nations had also established the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which had drawn up, by consensus, a set of recommendations solidly based on international law, United Nations resolutions and on the principles of justice, morality and equity. Their impartiality and objectivity could not be questioned. The fact that they provided

a solid basis for the solution of the problem was confirmed by the inclusion of the main features of those recommendations in all the most acceptable proposals put forward in recent years.

26. Those recommendations, therefore, repeatedly endorsed by ever increasing majorities in the General Assembly, undoubtedly retained their validity. It was unfortunate that lack of unanimity still prevented the Security Council from taking the necessary action to implement them. It was emphasized that that obstacle should be overcome.

27. Israel's continued illegal occupation of Arab territories, its total disregard for the rights of the Palestinian people, as well as its refusal to recognize the PLO as the representative of the Palestinian people, were major obstacles to a peaceful solution to the problem.

28. At the widely attended International Conference on the Question of Palestine, held in August and September 1983, in which for the first time in history over 100 non-governmental organizations had also participated, a proposal had been adopted that an international peace conference on the Middle East should be convened, under the auspices of the United Nations, in which all parties to the conflict, including the PLO, as well as the United States of America and the Union of Soviet Socialist Republics, would participate. That proposal had subsequently been endorsed by the General Assembly and consultations had been undertaken by the Secretary-General with a view to implementing it.

29. The majority of the international community regarded the convening of such an international peace conference on the Middle East as an urgent necessity. That had been reflected not only in the United Nations but in the decisions of many other intergovernmental organizations such as the League of Arab States and the Non-Aligned Movement. However, the opposition of Israel and the United States of America to the convening of the conference, and their consistent attempts to hold separate talks outside the framework of the United Nations, had so far proved an impediment to the holding of the conference. Israel preferred to seek "negotiating partners" who would not act in the interests of the Palestinian people but would enable Israel to maintain and to consolidate its hold on territories it had already occupied illegally by the use of force.

30. Among the many proposals advanced to eliminate the stalemate, the most recent was the new initiative of the Soviet Union which, it was pointed out, had the support of the community of Eastern European countries. The Soviet objective in putting forward proposals for a Middle East settlement was aimed at ending the deadlock, while conforming with the views of the United Nations and taking into account the fundamental interests of all the parties involved in the conflict.

31. The Seminar recognized that the proposed international conference, as envisaged by the United Nations, would be an important step forward and that Western Europe's special ties with the United States of America placed it in a specially favourable position to exert persuasive efforts to that end, both at the governmental level and through the creation of public opinion everywhere and, particularly, in the United States of America and Israel. Encouraging signs in this direction could already be detected.

32. Some avenues for further action were identified. In particular, stress was laid on the evident evolution in the attitude of Western European countries towards

positive recognition of the inalienable legitimate rights of the Palestinian people, including the right to self-determination with all that it entails.

33. The importance was pointed out of noting the increasing interest and concern shown in Western European political evolution on the question of Palestine over the last decade, particularly as reflected in the Socialist International, the Council of Europe, the European Assembly, the Western European Union, as well as in the Inter-Parliamentary Union and in the British Commonwealth of Nations.

34. That positive evolution was certainly due to a better perception in Western European circles of the consequences of the Middle East conflict on the security of Europe, giving rise to the necessity of a concrete development in Euro-Arab dialogue. This dialogue remained, however, prejudiced by the absence of a policy for a just and durable peace in the Middle East.

35. A community of interests, particularly on reciprocal security, prejudiced by the Middle East conflict, demanded the practical application of planned Euro-African co-operation, notably through inter-parliamentary efforts.

36. Mediterranean non-aligned countries were increasingly aware of the repercussions on their security posed by the unresolved Palestine question within the Middle East conflict. For the first time, they were due to meet at ministerial level in order to concert views and identify common efforts to bring out a lessening of tension and wider co-operation in attempting to resolve regional problems, of which the Palestine question was among the most important.

37. All those convergent efforts required persistence, factual information and mutual support. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People kept track of all those efforts, and was able to provide all necessary information and co-ordination. It was suggested that the legal, economic and political implications of the agreement between the European Economic Community and Israel in relation to products from the occupied territories could be investigated.

38. The overall objectives of the proposed international conference should be to achieve a comprehensive, just and lasting solution to the conflict: comprehensive, in terms of recognizing the question of Palestine as the core of the Middle East conflict; just, by ensuring respect for the rights and security of all parties to the conflict as prescribed by international law, and lasting, by eliminating the main causes of tension.

39. The view was expressed that the conference should culminate in the signing of a treaty or number of treaties embracing the following organically interrelated components: the withdrawal of the Israeli troops from all Arab territories, including Jerusalem, occupied since 1967; implementation of a programme for the exercise by the Palestinian people of its inalienable rights, including its right to the creation of its own State; establishing a state of peace and ensuring the security and independent development of all States in the region. Simultaneously, international guarantees for the observance of the terms of such a settlement should be drawn up and adopted.

40. It was logical that the conference should be held within the framework of the United Nations, or under its auspices, since that Organization was entrusted with ensuring collective security and promoting international co-operation, and because its Charter provided the guidelines for the rule of law in international relations.

41. Moreover, it had a specific responsibility vis-à-vis the Middle East conflict and the question of Palestine, since the emergence of the State of Israel, as well as the legitimacy of the Palestinian people's demands for the establishment of its own independent State, could be traced back to General Assembly resolution 181 (II) of 29 November 1947. In addition, the United Nations had defined and reaffirmed the inalienable rights of the Palestinian people and accorded the PLO observer status.

42. In order to introduce peace and stability in the region and to resolve the question of Palestine and thereby end the Arab-Israeli conflict, all States Members of the United Nations and leaders of world public opinion should intensify their efforts to promote the convening of an international peace conference on the Middle East. The positive attitude towards peace efforts shown by the PLO was considered by the Seminar to be a timely and encouraging sign.

43. In so far as the African States were concerned, they had consistently supported the cause of the Palestinian people and the Arab resistance to Israel's aggression. There was a close similarity with the situation in southern Africa. Like South Africa, Israel constituted a danger to Africa as much as to the Arab world in view of its close economic and military ties with South Africa. An inter-parliamentary commission could also be established to investigate the collaboration between Israel and South Africa.

44. The Seminar regarded the question of Jerusalem as an important aspect on the agenda of the United Nations. Al-Quds al-Sharif was a unique city sacred to three monotheistic religions, and its status was specifically provided for in United Nations resolutions.

45. Since 1967, Israel had not only proceeded with the transformation of the city's demographic composition, physical features, institutional structure and historic character by establishing settlements, by annexation and enlargement of the municipal boundaries of the city, but also by taking other measures in violation of the city's legal status. In addition to excavation around the Haram al Sharif of the Al-Aqsa Mosque and the Dome of the Rock, Israel had perpetrated various acts of desecration and sacrilege against those and other holy places. Those unfortunate developments had provoked universal indignation.

46. Israel's adoption of the Basic Law which declared Jerusalem as its eternal capital in July 1980 had caused great abhorrence and revulsion throughout the world and resulted in international condemnation of Israeli policies. That was reflected in the decision of the Security Council, which censured Israel in the strongest terms and affirmed that the enactment of the Basic Law constituted a violation of international law and was null and void and must be rescinded forthwith.

47. Unfortunately, in further defiance of international law and United Nations resolutions, Israel still persisted in pursuing its policy of occupation, aggression, expansion and the establishment of illegal settlements in Jerusalem. Furthermore, it was a matter of concern that, in spite of Security Council resolution 478 (1980), two countries had transferred their embassies from Tel Aviv to Jerusalem. Such action condoned Israel's annexation and seriously eroded the international community's commitment to the special status of Jerusalem. It was stressed that the matter should be considered within the general context of the question of Palestine as an international issue in its own right.

48. The Seminar emphasized the need for objective reporting of the facts relating to the question of Palestine and called upon the mass media in all regions of the world to play their part actively and continuously in promoting the exercise of the inalienable rights of the Palestinian people, including the right to self-determination and to its own independent State, as a step towards an early, just and lasting settlement of the Middle East conflict.

49. The Seminar also emphasized the need for greater unity and a consistent effort to reach consensus to promote conviction through dialogue, and for action by individual countries to conform to their public declarations in defending inalienable human rights and in upholding the principle of the self-determination of all peoples, not least the Palestinian people, who had been struggling valiantly for the attainment of their recognized rights for decades.

50. The Seminar heard a summary of the impressive organizational structure and of the activities of the PLO, its role in the economic, social and political life of the Palestinian people and its efforts to defend its rights.

51. The establishment of the PLO had marked the first step towards the recovery by the Palestinian people of their identity through their common resolve to defend their rights. It embodied a Palestinian entity representing the people and constituting a parliament and Government in exile.

52. The PLO instilled in the masses of its people an awareness of their national rights and of the need to recover the rights with a view to the achievement of peace based on justice. The development of democratic modes of conduct in all relations within the PLO constituted a progressive achievement which ensured that an independent Palestinian State would be a true example of democracy, and would have no difficulty in exercising executive functions.

53. The PLO also had to deal with the economic and social problems of the Palestinian people in exile and under occupation. In spite of the dispersion of its people, the restrictions imposed on their economic, social and political activity and other limitations imposed by financial considerations, the PLO provided comprehensive guidance and, as far as possible, the necessary infrastructure for its people. An example of its success in that regard was the fact that the Palestinian people enjoyed the highest educational standards in the third world and indeed rivalled the educational levels of many developed countries.

54. It could be said that the PLO had faced up to the complex situation arising from its obligations towards its people by combining social, economic and political development within the framework of its struggle to recover the national rights of the people of Palestine.

55. The Seminar was of the opinion that the real role and structure of the PLO should be given the widest possible publicity, in order to dispel the misconceptions about the PLO often erroneously propagated by the news media.

56. Having taken note of the difficulties experienced by the PLO in the realization of its economic and social objectives, the Seminar launched an appeal to all the countries of the world to strengthen the bilateral and international co-operation with the PLO so as to ameliorate the economic, social, health, educational and other conditions of Palestinians living in the occupied territories.

57. In addition, the Seminar also launched an appeal to all parliamentarians throughout the world to intensify their national actions so as to enable people to better understand the realities of the question of Palestine.

58. The Seminar took note with appreciation of the statement released to the press by members of the Executive Committee of the Parliamentary Association for Euro-Arab Co-operation who participated in the Seminar as panelists. It agreed unanimously that the text of the statement should be annexed to the report.

59. At the closing session, Mr. Farouq Qaddoumi thanked the participants for the concern shown and solidarity expressed for the plight of the Palestinian people and the valuable contribution they had made to advance further the search for a solution of the problem.

60. The Seminar concluded its work with the expressions of appreciation to the Government of Tunisia for the gracious welcome and hospitality extended to the participants and for the facilities provided, which had contributed to the success of the Seminar.

Appendix

Closing message from Chairman Yasser Arafat

1. On the conclusion of the ninth United Nations Seminar on the Question of Palestine, I have pleasure in conveying to you, on behalf of our Palestinian Arab people and my fellow members of the Executive Committee of the Palestine Liberation Organization, my warmest revolutionary greetings as an expression of our great appreciation for the honourable stand that you have taken and for the diligent endeavours that you have made in preparing the papers, in examining the facts of the question of Palestine and the injustice that has befallen our people, and in the serious discussions which have characterized the meetings of this Seminar.
2. Having closely followed the work of the Seminar, it is with great appreciation that we have observed the profundity of the studies submitted, the manifestly earnest manner in which the meetings have been conducted, and the evident desire of the distinguished participants to ensure the triumph of truth and to dispel the confusion and misrepresentation surrounding the terrible injustice to which our Palestinian Arab people have been subjected through their expulsion from their homeland in 1948, the loss of their national identity, and the denial of their inalienable rights to their national territory. In this connection, we must express our high esteem for the painstaking efforts made by the authors of the papers submitted. We must also emphasize the important role that the European and African parliamentarians participating in this Seminar can play within their national parliaments in support of the established rights of the Palestinian people to its national territory by encouraging their colleagues and Governments to promote the Palestinian cause by explaining the justice of that cause and by clearly advocating the right of the Palestinian people to return to its land, to the exercise of self-determination and to the establishment of its independent national State.
3. We also wish to reiterate in this forum the commitment of the Palestine Liberation Organization to the resolutions of the United Nations and our sincere hope that international legitimacy will play a more effective role in the achievement of a solution to the question of Palestine and in the restoration of peace in the region of the Middle East. We condemn all of the attempts that are being made to obstruct the role of the United Nations and to detract from the prestige and effectiveness of that Organization since we are well aware of the grave dangers that those counter-productive actions entail for peace and security not only within our region but throughout the world as a whole.
4. Our struggling people are still suffering the disastrous consequences of the successive wars that the Zionist enemy has launched against them and in which use has been made of the most modern devices for mass slaughter and destruction produced by the American military arsenal. Our people are also being subjected to the most odious forms of repression and persecution within occupied Palestine whose Islamic and Christian holy places are being desecrated. Attempts are being made to change the demographic and historical character of the city of Jerusalem, and the Government of the enemy is supporting terrorist groups by providing them with funds and weapons, thereby encouraging them to launch attacks against the Palestinian Arab population with a view to driving them from their homes and expropriating their lands and water resources in order to establish Zionist settlements. Furthermore, our people outside occupied Palestine are suffering from the bitter

torment experienced by displaced refugees living in camps and other places of exile and from the anguish of being unable to return to their homeland. Notwithstanding these sufferings, however, and also as a result thereof, our people are yearning for the achievement of peace in Palestine, the land of peace, through the establishment of their independent Palestinian State so that they can contribute to the enhancement of human civilization and use their scientific abilities and creative human capacities to play their natural role in promoting the prosperity and happiness of the human race on this planet.

5. These noble aspirations of our people cannot be realized, nor can peace and stability be achieved in our region, unless the American Administration and the Government of Israel renounce their policy of aggression and recognize our people's inalienable national rights, including their right of return, their right to self-determination, and their right to the establishment of their independent national State. Consequently, we believe that the convening of an international peace conference on the Middle East, under the auspices of the United Nations, is the only way to secure the triumph of international legitimacy, to safeguard the established rights of our people, and to ensure security, peace and stability in our region.

6. We now call upon you, my dear friends, to use your high standing and influence with the peoples and Governments of your countries to give increased momentum to the peaceful endeavours and initiatives that are being made in favour of the established national rights of our people.

7. In conclusion, I reiterate my gratitude and appreciation for your noble endeavours in support of the just Palestinian cause and wish you every success.

Revolution until Victory

ANNEX IV

North American Non-governmental Organization Symposium
on the Question of Palestine

(United Nations Headquarters, New York, 25-27 June 1984)

The North American Declaration

1. We wish to thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights for making this meeting possible.
2. As non-governmental organizations (NGOs), we are particularly grateful to the United Nations for the creation of an NGO liaison staff function and for the provision of annual NGO meetings.
3. We, the representatives of 60 NGOs represented at the North American NGO Symposium on the Question of Palestine, held from 25 to 27 June 1984 at the United Nations Headquarters in New York, call upon the peoples and Governments of the United States and Canada to take definitive steps to secure a comprehensive, just and lasting peace in the Arab-Israeli conflict, the core of which is the question of Palestine.
4. We wish to voice our support for the United Nations, especially its work to achieve a just and lasting solution to the question of Palestine through the implementation of relevant resolutions.
5. We are of the opinion that there exists an international consensus on the elements of such a peace which is reflected in the relevant resolutions and documents of the United Nations and the positions of the majority of the States Members of the United Nations as expressed in the 1983 Geneva Declaration on Palestine (see annex II above).
6. Recent polls have shown that this international consensus is paralleled by an emerging consensus among the peoples of Canada and the United States of America for such a just peace. The peoples of our two nations are increasingly recognizing that Palestinians, like Israelis, constitute a nation and are endowed with an inalienable right to national self-determination and statehood within historic Palestine. This right means the right to return to Palestine, the right to be represented by their chosen representatives, the Palestine Liberation Organization (PLO), and the right to live securely in peace with all the neighbouring States, including Israel.
7. We believe that it is imperative that steps towards peace be taken immediately, since the de facto annexation of the West Bank (including Jerusalem) and Gaza by the Government of Israel is proceeding rapidly and threatens to destroy the possibility of a peace based on the mutual recognition of the rights of Palestinians, as well as Israelis, to national self-determination. We call upon the Government of the United States to declare unequivocally that the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War a/ applies to all territories occupied by Israel in and after 1967 and to secure Israeli compliance with the Convention, as the United States is required to do by the terms

of the Convention. We are aware that the United States Government and, consequently, the American taxpayer, give more United States aid to Israel than to any other country. Much of it is in the form of grants which do not need to be repaid. This money permits Israel illegally to build and expand existing settlements.

8. It is our belief that all the parties to the conflict should come together in an international peace conference on the Middle East, as called for by the International Conference on the Question of Palestine of August 1983 and as endorsed by the General Assembly in its resolution 38/58 C. It is essential that the conference be inclusive and be attended by representatives of Israel and the Palestinians, the PLO, those Arab States parties to the conflict, the United States and the Soviet Union. Just as General Assembly resolution 181 (II) of November 1947 recognized the right of both peoples to self-determination and statehood, so now should the States Members of the General Assembly reiterate these principles as the basis for a negotiated peace under the auspices of the United Nations.

9. With the intent to further this goal of a just and lasting peace, we, representatives of non-governmental organizations, will work towards the following, and urge our respective Governments of Canada and the United States to take similar action:

(a) Call upon the Governments of Canada and the United States for the recognition of the right and just struggle of the Palestinian people under their sole and legitimate representative, the PLO;

(b) Promote the Palestinian right of self-determination and the convening of an international peace conference under the auspices of the United Nations;

(c) Work towards an immediate freeze on the construction and expansion of Jewish settlements in the occupied territories;

(d) Promote the reduction of militarization of this highly volatile region, by refraining from supplying weapons and other means of war. The threat of a third world war and the possibility of a nuclear disaster cause great concern;

(e) Take concrete steps to preserve and protect the human rights of all persons living in Israel and in all territories occupied by Israel;

(f) Provide protection and assistance to Palestinians who are victims of dispossession and oppression, particularly women and children;

(g) Ensure academic freedom and freedom of cultural expression in the occupied Palestinian and other Arab territories, including Jerusalem, with particular attention to the function of universities in these areas;

(h) Urge meetings between religious groups, women's organizations, labour unions, peace groups, human rights groups and other NGOs with their Israeli and Palestinian counterparts;

(i) Facilitate dialogue among North American Muslims, Christians and Jews concerning the moral and theological basis for a lasting peace in the Middle East;

(j) Encourage meetings between Palestinians and progressive Jewish peace forces within and outside Israel in the hopes of furthering peace and mutual understanding;

(k) Work towards the elimination of discriminatory restrictions on visas for Palestinian leaders to visit the United States and Canada, since such communications among Palestinians, progressive Israelis and the public of the United States and Canada are ingredients in a peaceful resolution of the conflict;

(l) Urge that all American and Canadian NGOs working for peace with justice in the Middle East be accorded the full protection of their rights to freedom of expression and association without fear of surveillance, interception of mail, surreptitious entry, or harassment by the Governments of the United States or Canada, in the light of the deplorable Security Bill recently passed by the House of Commons in Canada and the various proposed "anti-terrorist" bills presently posing serious threats to the civil liberties and rights of Canadians and Americans working in support of various human rights struggles;

(m) Work to initiate, particularly among North American women's organizations, a co-ordinated campaign of support on behalf of Palestinian women at present imprisoned and under town and house arrest because of their social and political activities;

(n) Urge NGOs to raise the issue of the inalienable rights of the Palestinian people in the course of the upcoming electoral campaigns in the United States and Canada;

(o) Urge that the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) continue to provide its services to the Palestinians without any decrease or diminution. Cognizant of its mandate, we urge the United Nations to re-evaluate and update the UNRWA regulations as to which families and women receive aid. Further, we urge that Governments increase their financial support of UNRWA;

(p) Promote the dissemination of the speech made by Chairman Yasser Arafat at the International Conference on the Question of Palestine in September 1983.

10. We urge the United Nations to:

(a) Include, in the mandate of the NGO liaison function of the Division for Palestinian Rights, work on the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women, to be held at Nairobi, 1985. This should facilitate inclusion and full participation of Palestinian women in that Conference;

(b) Assist the North American NGO community in the establishment of a clearinghouse for information on the question of Palestine;

(c) Continue the development of a bimonthly North American calendar of NGO activities and facilitate its wide dissemination;

(d) Produce a comprehensive directory of all NGO organizations working on this issue, including those that have not participated in any United Nations activities;

(e) Co-ordinate the development of a guide to resources, "how to" expertise and action-oriented networking, including the development of a telephone tree for the communication of urgent information.

11. We in turn will create ways for better communication among ourselves and for dissemination of our collective resources, hoping that the formation of North American public opinion can be a joint NGO/United Nations venture.

12. We urge the publication of the proceedings of this Symposium, including the North American Declaration and the statements of the panelists, by the United Nations.

13. We urge the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to convey this resolution to the General Assembly at its thirty-ninth session as part of the Committee's report.

Notes

a/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

International Meeting of Non-governmental Organizations
on the Question of Palestine

(Geneva, 20-22 August 1984)

Resolution of non-governmental organizations

1. We wish to thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights for making this meeting possible and without whose invaluable assistance our success would have been impaired.
2. As non-governmental organizations (NGOs) we are particularly grateful to the United Nations for the creation of an NGO liaison staff function and for the provision of annual NGO meetings and symposia on the question of Palestine.
3. We consider that the meeting of so many non-governmental organizations as a consequence of United Nations resolution 38/58 C of 13 December 1983 is essential to the increase of international awareness of the question of Palestine.
4. We, the representatives of 98 NGOs represented at the International NGO Meeting on the Question of Palestine, held from 20 to 22 August 1984 at the United Nations Office at Geneva, call upon all the peoples and all the Governments to take definitive steps to secure a comprehensive, just and lasting peace in the Arab-Israeli conflict, the core of which is the question of Palestine.
5. We wish to voice our support for the United Nations, especially its work to achieve a just and lasting solution to the question of Palestine through the implementation of all relevant United Nations resolutions.
6. We express our concern for the lack of protection of the Palestinian refugees through a United Nations agency, and urge the General Assembly to extend the mandate to the United Nations High Commissioner for Refugees to include Palestinian refugees.
7. We reaffirm our support and our commitment to work for the implementation of the 1983 Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights.
8. We decide to establish an interim Co-ordinating Committee on Palestine for NGOs as a positive development to further liaison between NGOs and the Committee on the Exercise of the Inalienable Rights of the Palestinian People through the Division for Palestinian Rights. The names of the organizations on the interim Co-ordinating Committee are attached. a/ We request the Committee to ensure that at next year's conference a session shall be devoted to enabling the NGOs to decide on the future structures for their co-operation with the Committee and the Division.
9. Since the United Nations has set aside 29 November each year as the International Day of Solidarity with the Palestinian People, we call upon all NGOs to express on that day, by all means available to them, solidarity with the Palestinian people in their struggle for self-determination and statehood.

10. We call on the Committee through the Division to disseminate the publicity material, posters and information to all NGOs well in advance of 29 November to ensure that the preparation of our activities can be concluded by September each year.

11. Non-governmental organizations have decided to launch a campaign to collect signatures from the peoples of the world in support of an international peace conference on the Middle East, as called for by the International Conference on the Question of Palestine of August and September 1983 and as endorsed by the General Assembly in its resolution 38/58 C. It is essential that the conference be inclusive and be attended by the representatives of Israel and the Palestine Liberation Organization, those Arab States parties to the conflict, the United States of America and the Union of Soviet Socialist Republics. Just as General Assembly resolutions recognize the right of both peoples to self-determination and statehood, so now should the States Members of the General Assembly reiterate these principles as the basis for a negotiated peace under the auspices of the United Nations.

12. Non-governmental organizations accept responsibility to promote within their own countries support for this international conference and agree to raise this with their own Governments.

13. We call upon the Committee, through the Division, to assist the non-governmental organizations in this most important endeavour by providing administrative facilities and support in order to ensure the success of this petition, which will be launched on 29 November 1984 culminating on 29 November 1985 and then will be presented to all the parties involved.

14. We call upon the Committee through the Division to campaign actively in order to bring new organizations, especially from those areas of the world that were not represented at Geneva into the work of solidarity in support of the Palestinian people and into the family of NGOs.

15. We call upon the Committee, through the Division, further to strengthen the network of women working for a just, comprehensive and lasting peace in the Middle East. We call for a wide exchange of information, including with the representatives of the Palestine Liberation Organization (General Union of Palestinian Women), with special focus on the situation of Palestinian women in preparation for the NGO forum in Nairobi in 1985.

16. We call upon the Committee, through the Division, to facilitate co-operation and co-ordination of NGOs on a regional basis. NGOs from the EEC region have envisaged during this conference an organization in the near future.

17. Non-governmental organizations regard as a priority the publication and early distribution of a comprehensive report including all the recommendations for action made by the panelists and the participants at the International NGO Meeting on the Question of Palestine, held at Geneva from 20 to 22 August 1984, and we call upon the Committee, through the Division, to accept this responsibility. Such a report should be made available no later than 30 October 1984.

18. We call upon the Committee, through the Division, to provide the international NGO community with a clearinghouse for information on the question of Palestine.

19. We call upon the Committee, through the Division, to provide a comprehensive resource guide and directory of all NGOs working on this issue, including those that have not participated in any United Nations activities.

20. We call upon the Committee, through the Division, to expand the bulletin of the United Nations Division for Palestinian Rights to include a regular section on NGO activity and information.

21. We call upon the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to convey the resolution and report of the International NGO Meeting on the Question of Palestine, held at Geneva from 20 to 22 August 1984, to the General Assembly at its thirty-ninth session as part of the Committee's report.

Notes

a/ The following organizations are members of the interim Co-ordinating Committee: Israeli Council for Israeli-Palestinian Peace (Israel); Democratic Front for Peace and Equality (Israel); Law in the Service of Man (West Bank); Palestine Human Rights Campaign (United States of America); National Council of Churches of Christ (United States of America); Trade Union Friends of Palestine (United Kingdom); French NGO Committee (France); Soviet Afro-Asian Solidarity Committee in Association with Soviet Committee of Friendship and Solidarity with the Arab People of Palestine (Union of Soviet Socialist Republics); International Jewish Peace Union; Parliamentary Association for Euro-Arab Co-operation; Arab Lawyers Union; Middle East Council of Churches in Collaboration with the World Council of Churches; World YWCA; International Commission of Jurists; World Peace Council.

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