

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

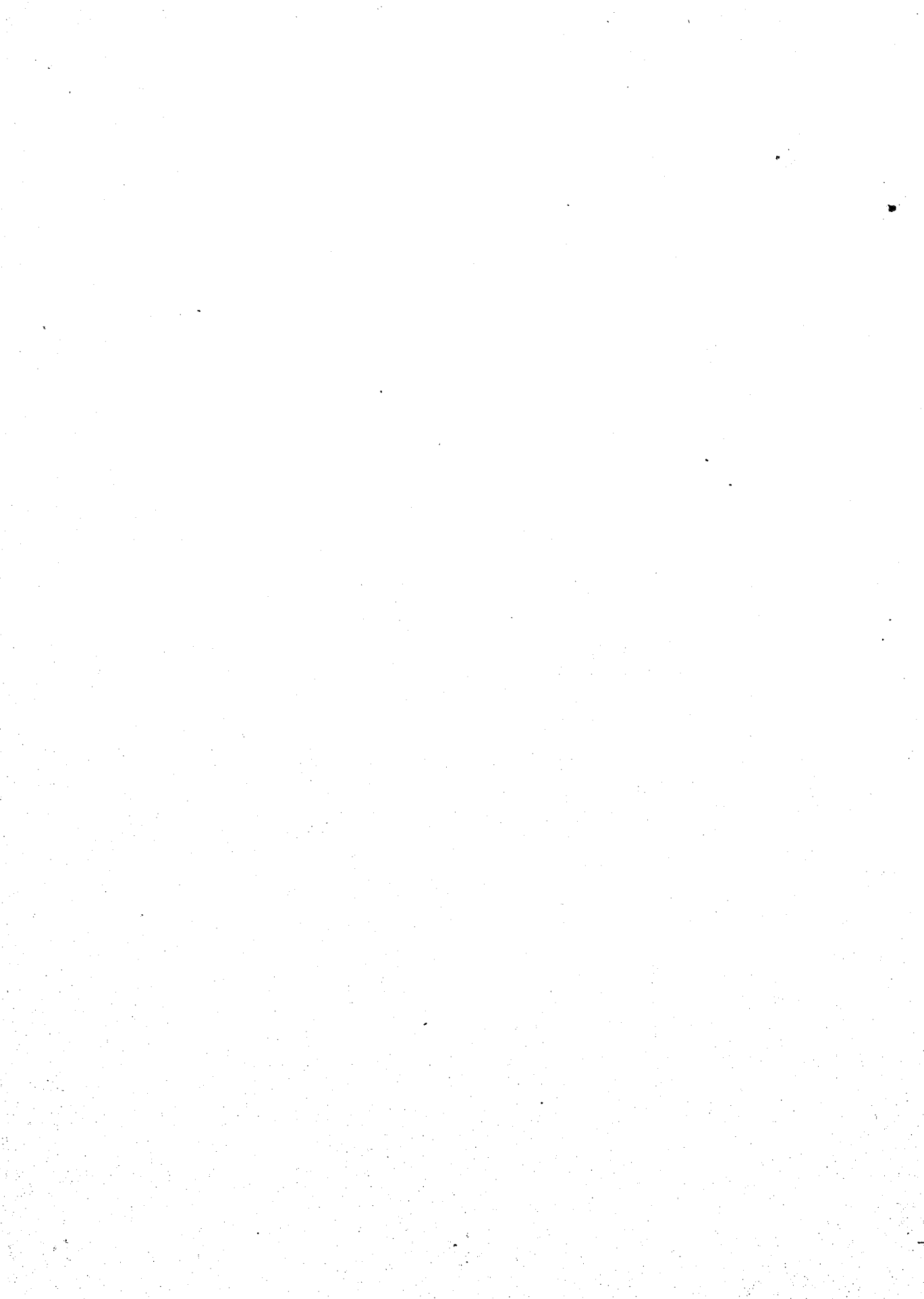
**GENERAL ASSEMBLY**

**OFFICIAL RECORDS: THIRTY - THIRD SESSION**

**SUPPLEMENT No. 35 (A/33/35)**



**UNITED NATIONS**



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New York, 1978

#### NOTE

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LETTER OF TRANSMITTAL

22 September 1977

Sir,

I have the honour to transmit to you 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 7 of resolution 32/40 A.

Accept, Sir, the assurances of my highest consideration.

(Signed) Médoune FALL  
Chairman of the Committee on the Exercise  
of the Inalienable Rights of  
the Palestinian People

His Excellency  
Mr. Kurt Waldheim  
Secretary-General of the United Nations

## I. INTRODUCTION

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian People, originally composed of 20 members, was established by the General Assembly in resolution 3376 (XXX) of 10 November 1975. The first report of the Committee was submitted to the General Assembly at its thirty-first session. 1/
2. In its resolution 31/20 of 24 November 1976, the General Assembly took note of the report of the Committee and endorsed the recommendations contained therein as a basis for the solution of the question of Palestine. Subsequently, by its decision 31/318 of 22 December 1976, the General Assembly enlarged the membership of the Committee by the addition of three new members.
3. In its report to the General Assembly at its thirty-second session, 2/ after having thoroughly analysed the comments made on the recommendations, and taking into account current events in the region, the Committee unanimously reaffirmed the validity of its recommendations endorsed by the General Assembly. It agreed that the date suggested for the withdrawal of Israeli occupation forces from territories occupied in 1967, although now passed, should be retained for its symbolic significance and as a timely reminder of the urgency of a peaceful solution under the auspices of the United Nations. It stressed also that an intensification of efforts was necessary to implement those recommendations with the minimum delay, and that the various sectors of the United Nations system should act in concert to promote their implementation by peaceful means.
4. In its resolution 32/40 A of 2 December 1977, adopted by 100 votes to 12 with 29 abstentions, the General Assembly took note of the report of the Committee and endorsed its recommendations as contained in paragraphs 43 and 44 of its report. The General Assembly also gave the Committee a new mandate.

## II. MANDATE OF THE COMMITTEE

5. The mandate was specified in paragraph 7 of resolution 32/40 A and paragraphs 1 (a) and 1 (c) of resolution 32/40 B. In paragraph 7 of resolution 32/40 A, the General Assembly authorized the Committee to continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where it considered such representation to be appropriate, and to report to the Assembly at its thirty-third session.
6. In paragraph 1 (a) of resolution 32/40 B the General Assembly authorized the Committee to provide the necessary guidelines to the Special Unit on Palestinian Rights, established in accordance with the terms of that resolution, in the

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

2/ Ibid., Thirty-second Session, Supplement No. 35 (A/32/35).

preparation of studies and publications relating to: (i) the inalienable rights of the Palestinian people; (ii) relevant resolutions of the General Assembly and other organs of the United Nations; (iii) the activities of the Committee and other United Nations organs, in order to promote the attainment of those rights.

7. In paragraph 1 (c) of resolution 32/40 B, the General Assembly requested that the Special Unit should organize, in consultation with the Committee, commencing in 1978, annual observance of 29 November as the International Day of Solidarity with the Palestinian People.

### III. ORGANIZATION OF WORK

#### A. Election of officers

8. At its 26th meeting, on 10 January 1978, the Committee unanimously re-elected the following officers:

Chairman: Mr. Médoune Fall (Senegal)

Vice-Chairman: Mr. Ricardo Alarcón Quesada (Cuba)  
Mr. Mir Abdul Wahab Siddiq (Afghanistan)

Rapporteur: Mr. Victor J. Gauci (Malta)

At the 31st meeting, on 14 June 1978, Mr. Raúl Roa Kouri (Cuba) was unanimously elected Vice-Chairman in place of Mr. Ricardo Alarcón Quesada (Cuba) who had left New York on another assignment for his country.

#### B. Participation in the work of the Committee

9. The Committee reconfirmed that those States Members of the United Nations and Permanent Observers to the United Nations which wished to participate in the work of the Committee as observers could do so, and it welcomed in that capacity Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania, the Syrian Arab Republic, the League of Arab States and the Palestine Liberation Organization, which continued in 1978 to participate in the work of the Committee.

10. At its request, Viet Nam also participated in the work of the Committee as an observer.

#### C. Establishment of a Task Force

11. The Committee unanimously decided that the Task Force established by it in 1977 should continue to function in order to facilitate the work of the Committee by: (a) keeping up to date with events which affect the work of the Committee and suggesting to the Committee action which it could usefully undertake, and (b) assisting the Committee in any other specific assignment related to its work. The following were reappointed members of the Task Force: Malta (Chairman), Afghanistan, Cuba, Guinea, Guyana, India, Senegal, Tunisia and, as representatives of the people directly concerned, the Palestine Liberation Organization.



#### IV. ACTION TAKEN BY THE COMMITTEE

A. Efforts to promote the implementation of its recommendations in accordance with paragraph 7 of General Assembly resolution 32/40 A

1. Contacts with the Security Council and consideration of possible action

12. In September 1977, after it had submitted its report to the General Assembly, the Committee authorized its Chairman to undertake the necessary consultations with the President of the Security Council with a view to convening at a suitable date a meeting of the Council on the question of Palestine. The Committee felt that this meeting should take place before the question of Palestine was taken up by the General Assembly at the thirty-second session. Accordingly, on 13 September 1977, the Chairman of the Committee addressed a letter 3/ to the President of the Security Council and commenced the necessary consultations.

13. The Security Council considered the question of Palestine at its 2041st meeting, on 27 October 1977. Those representatives who participated in the discussion supported the recommendations made by the Committee and endorsed by the General Assembly. At the conclusion of the discussion, the President of the Council announced that after prior consultation with members of the Council it had been agreed that the debate on this item should be adjourned for the present and that the next meeting would be fixed after consultations among members.

14. In paragraph 3 of its resolution 32/40 A, the General Assembly noted with satisfaction that, during the consideration of the report of the Committee by the Security Council on 27 October 1977, all members of the Council who participated in the discussion had reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement, in particular, of a just solution of the problem of Palestine on the basis of the attainment of the inalienable rights of the Palestinian people. In paragraph 4 of that resolution, the General Assembly urged the Security Council to take as soon as possible a decision on the recommendations endorsed by the General Assembly in its resolution 31/20. The Security Council is accordingly still seized of the question of Palestine and the Committee's recommendations.

15. It was strongly felt that there was a need for the Committee to restate its support for the inalienable rights of the Palestinian people and to bring to the attention of the President of the Security Council, the President of the General Assembly, the Secretary-General, the two Co-Chairmen of the Geneva Conference and all States directly concerned with the Palestinian question those points within its mandate which the Committee considered essential for a Middle East Settlement.

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3/ Official Records of the Security Council, Thirty-second year, Supplement for July, August and September 1977, document S/12399.

16. On 18 January the Chairman accordingly addressed letters to the President of the Security Council (A/33/55, annex III), <sup>4/</sup> the President of the thirty-second session of the General Assembly (A/33/55, annex II), the Secretary-General (A/33/54), the Co-Chairman of the Geneva Conference - the Permanent Representative of the United States and the Union of Soviet Socialist Republics - and to the Permanent Representatives of Egypt, Israel, Jordan, Lebanon and Syrian Arab Republic (A/33/55, annexes IV and V) recalling the following important principles:

(a) The question of Palestine is at the heart of the problem of the Middle East and no solution to that problem can be envisaged without taking into account the inalienable rights of the Palestinian people;

(b) The implementation of the inalienable rights of the Palestinian people of returning to their homes and property, of exercising their right of self-determination and independence and national sovereignty will contribute to a final solution of the Middle East crisis;

(c) The participation of the Palestine Liberation Organization, the representative of the Palestinian people, on an equal footing with all other parties on the basis of General Assembly resolutions 3236 (XXIX) and 3375 (XXX) is indispensable to all efforts, deliberations and conferences on the Middle East which take place under the auspices of the United Nations;

(d) The inadmissibility of the acquisition of territory by force and the consequent obligation for Israel to withdraw completely and quickly from all territory so occupied.

17. At the same time the Chairman recalled the fact that the Palestine National Council, at its meeting in Cairo in March 1977, had decided to consider the recommendations of the Committee endorsed by the General Assembly at its thirty-first session as a positive step towards the realization of the aspirations of the Palestinian people and their rights of return, self-determination and to independence and national sovereignty. The Palestine National Council had also declared that any agreement affecting the rights of the Palestinian people and concluded in its absence would be regarded as null and void. The Chairman added that the Permanent Observer of the Palestine Liberation Organization to the United Nations had, on instructions from the Executive Chairman of the Organization, reaffirmed that decision in the Committee.

18. In the light of tragic events which took place subsequently in Lebanon and the adoption of resolution 425 (1978) by the Security Council on 19 March 1978, the Committee authorized its Chairman to address the President of the Security Council unanimously associating itself with those provisions of Security Council resolution 425 (1978) which called upon Israel to cease immediately its military action against the territorial integrity of Lebanon and to withdraw forthwith all its forces from Lebanese territory. It felt also that it was imperative that the Security Council should take more energetic action to bring about the urgent establishment of peace in the Middle East through a positive response to the

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<sup>4/</sup> For the printed text, see Official Records of the Security Council, Thirty-third year, Supplement for January, February and March 1978, document S/12531.

General Assembly's recommendations on the question of Palestine. In his letter dated 20 March 1978, 5/ the Chairman also expressed his certainty that many innocent lives could have been spared if the Security Council had exercised its responsibilities and had made a positive contribution to the efforts aimed at advancing a settlement of the question of Palestine.

## 2. Review of events relating to the Middle East question

19. In reviewing events which had taken place on the Middle East question, initiated during the later months of 1977 and on which details of results have now been made public, the Committee felt that it should recall the detailed and phased recommendations which it had made on the inalienable rights of the Palestinian people, which the General Assembly had already endorsed, as a basis for the solution of the question of Palestine, in two successive sessions. These recommendations are contained as an annex to the report and are summarized in paragraphs 16 and 58.

20. The Committee deems it necessary to stress once again, in particular, that the participation of the Palestine Liberation Organization, the representative of the Palestinian people, is indispensable to a just and lasting settlement of the question of Palestine, which is at the heart of the Middle East conflict.

## 3. Action relating to recommendations of the Committee taken by other organizations

21. The Committee noted that the Ninth Islamic Conference of Foreign Ministers, held at Dakar in April 1978, the Council of Ministers of the Organization of African Unity, meeting at Khartoum in July 1978 and the Conference of Foreign Ministers of the Non-Aligned Countries, meeting at Belgrade in July 1978, had all strongly reaffirmed their support for the struggle to restore the inalienable rights of the Palestinian people and had called upon the Security Council to act on the Committee's recommendations. The Committee noted also that the World Conference to Combat Racism and Racial Discrimination meeting at Geneva from 14 to 25 August 1978 had in its Declaration expressed its grave concern over the continuing situation in the Middle East and had deplored Israel's refusal to comply with the relevant resolutions of the United Nations. That Conference had proclaimed its solidarity with the Palestinian people in its struggle for liberation and against racial discrimination and had voiced the hope that the Palestinian people would soon have the opportunity to exercise its inalienable right to self-determination.

## 4. Reaction to developments in the occupied territories

22. Referring to the reported reply of the Government of Israel to the Government of the United States of America in June 1978 concerning the future of the occupied territories, and to the clarification given by Mr. Moshe Dayan, Minister for Foreign Affairs of Israel quoted in the New York Times of 20 June 1978, the Chairman of the Committee addressed a letter (A/33/154) to the Secretary-General expressing the view

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5/ Ibid., document S/12614.

that the Israeli Foreign Minister's clarification that "the plan for autonomy in the occupied territories would be permanent and not a transitional phase to a separate Palestinian homeland" confirmed that Israel had no intention of honouring the resolutions of the United Nations which opposed the occupation of territories by force and recognized the inalienable rights of the Palestinian people affirmed by the General Assembly. He pointed out also that the clarification constituted a violation of the principle of self-determination and that it was clear that all the assurances given by the Israeli Government concerning the territories occupied in 1967 had been aimed at enabling Israel to evade its responsibilities and its obligations with respect to the United Nations and its Charter.

23. In March 1978, the Secretary-General drew the attention of the Committee to some petitions addressed to him by prominent Palestinians in the occupied territories. The Committee was convinced on the basis of the signatures appended to these documents that they represented the true sentiments and aspirations of the Palestinian people, irrespective of their place of residence. The Committee addressed a letter to the Secretary-General emphasizing the main elements put forth in those documents and requested that the letter be circulated as an official document of the General Assembly (A/33/165). The main elements were:

(a) The Palestine Liberation Organization is the sole legitimate representative of the Palestinian people and as such not only had the full right but was duty bound to express the views and attitudes of the Palestinian people;

(b) The rights of the Palestinian people as affirmed by various United Nations resolutions were not subject to bargaining;

(c) Palestinians in the occupied territories rejected any solution, regardless of its origin, which did not contain a clear recognition of the right of the Palestinian people to self-determination and to establish their own independent national state.

24. On 17 August 1978 on the instruction of the Executive Committee of the Palestine Liberation Organization, its Permanent Observer brought to the attention of the Chairman of the Committee that, on 15 August 1978, Palestinian prisoners and detainees in the occupied territories had begun a hunger strike to protest against their harsh and inhuman treatment by the occupation authorities. Quoting several examples of such ill treatment, the Permanent Observer urged the Chairman to take immediate and appropriate action to support the demands put forward by the prisoners, namely, that they be treated as prisoners of war and be given adequate medical care.

25. The Chairman of the Committee accordingly addressed a letter to the Secretary-General (A/33-218-S/12820) on 22 August 1978 requesting that appropriate action be taken by him to ensure that the demands put forward by the prisoners are accorded due attention. Similar letters were addressed also to the President of the Security Council and to the President of the Commission on Human Rights.

##### 5. Attendance at conferences

26. In accordance with paragraph 7 of resolution 32/40 A which, inter alia, authorized the Committee to send delegations or representatives to international

conferences where such representation would be considered by it to be appropriate, the Committee decided to accept invitations and to send representatives to several important conferences during 1978.

27. The Committee was represented at the World Conference for the Eradication of Racism organized by the World Peace Council in Basel from 18 to 21 May; the workshop organized by the Palestine Human Rights Campaign in Washington, D.C., on 21 May; the Week of Solidarity with the Anti-Imperialist Forces in the Middle East in Their Struggle for Peace and Social Progress, organized by the Solidarity Committee of the German Democratic Republic at Berlin from 5 to 11 June 1978 and the United Nations Conference to Combat Racism, held at Geneva from 14 to 25 August 1978.

28. The Committee was of the view that such attendance was of extreme importance in furthering the aims and objectives of the Committee and in fulfilling its mandate.

29. The opportunity was invariably taken of addressing these conferences and making known the work and recommendations of the Committee. Those who represented the Committee at these conferences reported that they were also able to establish contact with several international non-governmental organizations which also participated in these conferences. They found that there was evidently a considerable amount of understanding of and sympathy for the problem of the Palestinian people.

30. The Chairman also informed the Committee that he had had the opportunity to describe the Committee's work at a meeting in Jeddah of the Committee on Jerusalem of the Islamic Conference. Following his statement, it had been decided that a letter would be sent to the Committee for the Exercise of the Inalienable Rights of the Palestinian People thanking its members and commending them on their work.

#### 6. Other action taken by the Committee

31. At the first meeting of the Committee in 1978, the Permanent Observer of the Palestine Liberation Organization conveyed to the Committee the greetings of the Chairman of the Executive Committee of the Palestine Liberation Organization, Chairman Yasser Arafat, reaffirming his support for the recommendations contained in the Committee's report and endorsed by the General Assembly. The Chairman of the Committee accordingly sent a message (A/33/55, annex I) to Chairman Yasser Arafat thanking him for his message of good wishes and assuring him once more of the Committee's solidarity with the just cause of the Palestinian people and of its inalienable rights.

32. A message of greetings and good wishes was also sent by the Chairman of the Committee to the President of the Commission on Human Rights at the commencement of the thirty-fourth session of the Commission. In that message the Chairman expressed the Committee's interest in the deliberations on the question of the violation of human rights in the occupied territories, including Palestine, and the certainty that such discussions would draw once more the attention of all States and world public opinion to the General Assembly's recommendations concerning the implementation of the inalienable rights of the Palestinian people.

33. The Committee noted that the Commission on Human Rights had adopted four important resolutions dealing with the violations of human rights in the occupied Arab territories, including Palestine, and the right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation. It noted also that the Economic and Social Council subsequently adopted resolution 1978/24 by which, having considered the report of the Commission on Human Rights on its thirty-fourth session, it took note of the decisions of the Commission concerning the violation by Israel of human rights in the occupied territories; commended the Commission for its vigilance and its decisions on the protection of human rights in the occupied Arab territories, including Palestine; and requested the Commission to pursue its efforts for the protection of human rights in the occupied territories, including Palestine, and to continue to take appropriate measures in this respect.

34. On 22 April 1978, the Chairman of the Committee addressed (see A/S-8/PV.3) the eighth special session of the General Assembly convened to consider the financing of the United Nations Interim Force in Lebanon. In that statement he declared that the aim of Israel's invasion of Lebanon was the physical and moral destruction of the Palestinian people and breaking the will of a whole people. He declared that the Committee on the Exercise of the Inalienable Rights of the Palestinian People believed that the presence of United Nations forces should not be misused to solidify injustices and pursue a policy of oppression and occupation. On the contrary, it should impel the United Nations and particularly the Security Council to seek a lasting solution to the problem of Southern Lebanon; that problem could be solved only in the context of an over-all settlement making it possible for the Palestinian people to exercise their inalienable rights which had been recognized by the United Nations since 1947.

35. He recalled that the Committee had prepared recommendations that could not only enable the Palestinian people to exercise their rights but also assist in finding a solution to the Middle East conflict. Those recommendations had been endorsed by the United Nations General Assembly. The National Council of Palestine, the supreme body of the Palestinian people, had also approved them. Unfortunately, it had not been possible to implement them because of the immobility of the Security Council which had not yet taken a position on the question. He asserted the Committee's belief that the present situation allowed for no further delay, that it was imperative for the Security Council to act in a more decisive way to bring about a just and lasting settlement to the Middle East question. Otherwise a new cycle of violations and destruction could not only endanger international peace and security but also jeopardize any chances for a peaceful settlement. In the Committee's opinion a positive response to those recommendations would be an important step towards eliminating the danger of conflict in the Middle East, promoting a just and lasting peace and finally devoting large United Nations funds to profitable tasks, tasks more useful to the international community as a whole.

36. The Rapporteur of the Committee, addressing the special session of the General Assembly on the same day (see A/S-8/PV.2), maintained that the real issue before the Assembly was the fate of a dispossessed people who from time immemorial had worked hard, peaceably and with warm attachment to the land where they were born and in which they had toiled. It was high time that all members of the organization lived up to their responsibilities in accordance with the Charter. A just and lasting solution of the crisis in the Middle East was inconceivable except on the basis of Israel's unconditional and complete withdrawal from all the

Palestinian and Arab territories occupied since 1967 and recognition of the legitimate national rights of the Palestinian people, including the right to a State of their own, as well as the right of all the countries of the region to independence and security. Referring to the recommendations of the Committee, he reminded the Assembly that a prescription for peace had been drawn up and had won the endorsement of the international community and that endorsement had been reaffirmed a second time after more concentrated consideration by the General Assembly at its thirty-second session.

37. The Committee decided that it might follow up on the initiative it had taken in 1977 by inquiring of the competent bodies of the United Nations what action they had taken in pursuance of paragraph 5 of resolution 32/40 A which urged them to take necessary action, as appropriate, in accordance with the Committee's recommended programme of implementation.

38. In accordance with this decision the Chairman addressed a letter to the Secretary-General inquiring what the United Nations Conciliation Commission for Palestine and the United Nations Relief and Works Agency (UNRWA) might be able to do as preparatory work to implement the Committee's recommendations.

39. In his reply the Commissioner General of UNRWA indicated that, given the funds and the mandate, UNRWA would be competent to assume responsibility for the short-term logistical aspects of the return of any or all of the 311,000 (including natural increase since 1967) registered Palestinian refugees displaced as a result of the 1967 hostilities and now in east Jordan and the Syrian Arab Republic. Given both a proper mandate and adequate funds UNRWA could also handle the movement of an estimated 210,000 (including natural increase) other Palestinians displaced as a result of the 1967 hostilities and now in east Jordan.

40. With the co-operation of the Governments concerned, UNRWA was capable at short notice of providing, within its operational area, transport, a temporary staging centre or centres with feeding arrangements, clinics, a potable water supply and environmental sanitation, and control of identification of registered Palestine refugees. The Agency could not provide permanent housing or the kind of institutionalized education and health care it now provided the Palestine refugees, even if funds were available, unless adequate land for housing and installations were made available and 18 months' to two years' advance notice of resettlement were given to permit the necessary construction.

41. As for the second phase of the Committee's programme which deals with "the return to their homes of the Palestinians displaced between 1948 and 1967", the 1.7 million Palestine refugees registered with UNRWA were all in this category, assuming that those refugees displaced in 1967 would return, in the first phase, to the places outside Israel from which they were displaced.

42. Appropriately provided with authority and funds, UNRWA was capable of playing a role in this also, with regard to:

- (a) The identification of registered refugees;
- (b) Transport;
- (c) Overnight shelter, if required;

(d) Emergency feeding;

(e) Emergency medical care.

43. Most of the services could be provided for non-registered refugees if UNRWA were authorized to do so.

44. While UNRWA could render substantial short-term assistance to facilitate the return of refugees, in the event of a mass movement back to Palestine, the important considerations for the refugees were less likely to be what they will need in the short term but rather such fundamental concerns as jobs, permanent housing, education, and other social services of a continuing nature. Presumably these would be the responsibility of whatever governmental authority would then have control of the territory to which the refugees return.

45. In summary, given the authority, the funds and the co-operation of the Governments concerned UNRWA could be capable of providing the assistance referred to by the Committee, promptly, efficiently and economically.

46. The Conciliation Commission for Palestine in its reply referred the Committee to its reports to the thirty-first and thirty-second sessions of the General Assembly.

B. Action taken in accordance with paragraph 1 (a)  
of General Assembly resolution 32/40 B

47. The Committee noted that in compliance with paragraph 1 of General Assembly resolution 32/40 B the Secretary-General had established within the Secretariat a Special Unit on Palestinian Rights which would prepare, under the guidance of the Committee, studies and publications relating to the inalienable rights of the Palestinian people, relevant resolutions of the General Assembly and other organs of the United Nations and the activities of the Committee and other United Nations organs in order to promote the attainment of those rights. The Special Unit was also to promote for such studies and publications maximum publicity through all appropriate means. Paragraph 2 of that resolution requested the Secretary-General to ensure the full co-operation of the Office of Public Information and other units of the Secretariat in enabling the Special Unit on Palestinian Rights to perform its tasks.

48. In carrying out its mandate in accordance with this resolution the Committee suggested to the Special Unit several themes on which it might prepare studies during 1978. These were the right of return and how it should be applied and implemented in the case of the rights of the Palestinian people; the right of self-determination referred to in resolution 3236 (XXIX); the evolution and origins of the Palestinian problem, in particular how it had originally come before the United Nations and a critical and analytical study of all relevant resolutions on the question of Palestine which would be intended for specialists on the Palestinian question.

49. On the question of Bulletins which were to be issued by the Special Unit on Palestinian Rights, the Committee suggested that they should deal with relevant current events including those involving violations of rights in the occupied territories and should cover important statements and events in the region.



50. It noted that the Office of Public Information of the Secretariat had issued a pamphlet entitled "the Committee on the Exercise of the Inalienable Rights of the Palestinian People" which covered the work of the Committee from its inception in 1976 to June 1978.

51. The Committee participated also in drawing up the scenario for the film being produced by the Office of Public Information and made its suggestions and comments on what the perspectives, accuracy and objectivity of the film should be. It is expected that the film will be ready for screening on 29 November 1978, when the United Nations commemorates the International Day of Solidarity with the Palestinian People.

C. Action taken in accordance with paragraph 1 (c) of General Assembly resolution 32/40 B

52. The Special Unit on Palestinian Rights was requested by paragraph 1 (c) of resolution 32/40 B to organize, in consultation with the Committee, commencing in 1978, annual observance of 29 November as the International Day of Solidarity with the Palestinian People.

53. In laying down the guidelines for the observance of that Day the Committee recommended that Solidarity Day should be observed in New York by the holding of a special meeting of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to which all Member States should be invited and at which statements may be made by those whom the Committee considered should be invited to do so. Selected international non-governmental organizations were to be invited as well. Messages received from Heads of States or Governments would be read out at the meeting. The film produced by the Office of Public Information would have its premiere on that occasion and literature produced by the Special Unit, including a special issue of the Bulletin, would be distributed at the meeting. In addition, an exhibition of photographs and posters were to be arranged in the Visitor's Lounge of the United Nations Secretariat building during the week commencing Monday, 27 November 1978.

54. The Committee also requested the Secretary-General to draw the attention of all Member States, specialized agencies and other United Nations organs to the International Day of Solidarity and to inquire in what manner they intend to commemorate the Day. The Secretary-General was also requested to instruct the Director-General of the United Nations Office at Geneva to organize a special meeting in Geneva to commemorate the Day, to screen the film and to arrange an exhibition of photographs and posters. It is expected that many Governments, with the assistance of United Nations information centres, will observe the International Day of Solidarity with the Palestinian People in an appropriate manner.

V. RECOMMENDATIONS OF THE COMMITTEE

55. In the light of actual developments in the Middle East, the Committee unanimously decided to reiterate the validity of the recommendations it had made to the thirty-first session of the General Assembly, which the Assembly has already endorsed. These recommendations are annexed to the present report, their validity undiminished by the passage of time. The Committee agreed that, now more than

ever, the symbolic significance of the date suggested for the withdrawal of Israeli occupation forces from territories occupied in 1967 required that it be retained as a reminder of the urgency of a peaceful solution under the auspices of the United Nations particularly on the basis of resolutions unanimously adopted but not yet implemented. The Committee stresses that events over the past year have again indicated the urgency of a solution. Indeed, the Committee feels that, had a start been made on the implementation of the recommendations, conflict in the area might have been avoided.

56. The Committee considered that a continuation of its efforts would contribute to a wider understanding of the just causes of the Palestinian people and hence to the implementation of its recommendations, especially if the various sectors of the United Nations system continued to act in concert to promote their implementation by peaceful means.

57. The Committee was of the opinion that positive action by the Security Council on the recommendations endorsed by the General Assembly could create the necessary conditions for a just and lasting peace in the Middle East.

58. The Committee recommends that the General Assembly should urge the Security Council to be guided constantly by the basic principles relating to the problem of Palestine within the Middle East situation. These principles are:

- (a) The question of Palestine is at the heart of the problem of the Middle East and consequently no solution to the Middle East problem could be envisaged without taking into account the rights of the Palestinian people;
- (b) The realization of the inalienable rights of the Palestinian people to return to their homes and to self-determination, independence and national sovereignty would contribute to a solution of the crisis in the Middle East;
- (c) The participation of the Palestine Liberation Organization, the representative of the Palestinian people, on an equal footing with all 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 undertaken under the auspices of the United Nations.
- (d) The inadmissibility of the acquisition of territory by force and the obligation which devolved on Israel to withdraw completely and quickly from all territory so occupied.

ANNEX\*

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

I. BASIC CONSIDERATIONS AND GUIDELINES

59. The question of Palestine is at the heart of the Middle East problem, and, consequently, the Committee stresses 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.

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\* Previously issued as annex I of Official Records of the General Assembly, Thirty-second Session, Supplement No. 35 (A/32/35).

## 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 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 time-table 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.

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