

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

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-FOURTH SESSION

SUPPLEMENT No. 35 (A/34/35)



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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.

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LETTER OF TRANSMITTAL

/Original: French/
/17 October 1979/

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 3 of resolution 33/28 B.

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 and later enlarged to 23, 1/ was established by the General Assembly in resolution 3376 (XXX) on 10 November 1975. Its first report, 2/ submitted to the General Assembly at its thirty-first session, contained the recommendations of the Committee designed to enable the Palestinian people to exercise its inalienable rights as recognized and defined by the General Assembly.
2. The Committee's recommendations were first endorsed by the General 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 at its thirty-second 3/ and thirty-third 4/ sessions, the Committee retained its recommendations unchanged, and on each occasion they were again endorsed by the General Assembly which reviewed and renewed the mandate of the Committee.
4. The recommendations, however, have not yet been acted upon by the Security Council, and neither have they been implemented.

II. MANDATE OF THE COMMITTEE

5. The present Mandate of the Committee was specified in paragraph 9 of General Assembly resolution 33/28 A, paragraphs 2 and 3 of resolution 33/28 B, paragraph 2 of resolution 33/28 C, and paragraphs 1 (a) and 1 (c) of resolution 32/40 B.
6. These stated respectively that the General Assembly (a) authorized and requested the Committee, in the event that the Security Council failed to consider or to take a decision on the Committee's recommendations by 1 June 1979, to consider that situation and to make the suggestions it deemed appropriate; (b) requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the General Assembly or to the Security Council as may be appropriate; (c) 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 such representation would be considered by it to be appropriate and to report thereon

1/ The Committee is composed of the following members: Afghanistan, Cuba, Cyprus, German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, Laos, 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).

4/ Ibid., Thirty-third Session, Supplement No. 35 (A/33/35 and Corr.1).

to the General Assembly at its thirty-fourth session and thereafter; (d) authorized the Committee to provide the necessary guidelines to the Special Unit on Palestinian Rights in preparing studies and publications; (e) the General Assembly requested that the Special Unit should organize, in consultation with the Committee, commencing in 1978, the annual observance of 29 November as the International Day of Solidarity with the Palestinian People.

III. ORGANIZATION OF WORK

A. Election of officers

7. At its 36th meeting, on 16 February 1979, the Committee unanimously re-elected the following officers:

Chairman: Mr. Médoune Fall (Senegal)
Vice-Chairman: Mr. Raúl Roa Kouri (Cuba)
Mr. Mir Abdul Wahab Siddiq (Afghanistan)
Rapporteur: Mr. Victor J. Gauci (Malta)

At its 42nd meeting, the Committee unanimously elected Mr. Abdul Hadim Tabibi (Afghanistan) as Vice-Chairman in place of Mr. Mir Abdul Wahab Siddiq (Afghanistan) whose term of duty in New York had expired.

B. Participation in the work of the Committee

8. 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 again welcomed in that capacity Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania, the Syrian Arab Republic, Viet Nam, the League of Arab States and the Palestine Liberation Organization, which continued in 1979 to participate in the work of the Committee.

9. At its request, Algeria also participated in the work of the Committee as an observer from 10 May 1979.

C. Re-establishment of the Task Force

10. The Committee once again unanimously decided that the Task Force which it had established 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 action which the Committee 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 9 of General Assembly resolution 33/28 A

11. The General Assembly, in paragraph 8 of its resolution 33/28 A, urged the Security Council once again to consider and to take as soon as possible a decision on the recommendations of the Committee endorsed by the General Assembly. In paragraph 9 of the same resolution the General Assembly authorized and requested the Committee, in the event that the Security Council failed to consider or to

take a decision on those recommendations by 1 June 1979, to consider that situation and to make the suggestions it deemed appropriate.

12. In accordance with this mandate, on 13 March 1979 the Chairman of the Committee addressed a letter (S/13164) to the President of the Security Council drawing his attention to paragraph 8 of General Assembly resolution 33/28 A. He also reiterated the fundamental principles which had guided the members of the Committee in formulating its recommendations. Those principles were:

(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.

13. The Chairman also conveyed the Committee's conviction that concrete action by the Security Council on the basis of the implementation of the Committee's recommendations would undoubtedly lead to the achievement of tangible progress towards the solution of the question of Palestine; the Chairman stressed that the need for such action had become increasingly urgent in view of the illegal measures recently taken by the Israeli Government for the establishment of additional settlements in the Occupied Arab Territories, whereby Israel continued its violation of United Nations resolutions and the Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War. 5/

14. Subsequently, since no action had been taken by the Security Council and the deadline of 1 June 1979 mentioned in the resolution was approaching, following a decision of the Committee in May 1979, its Acting Chairman initiated consultations with the President of the Security Council in order to urge early action by the Council.

15. As a result of these consultations, the President of the Security Council addressed a letter dated 24 May 1979 to the Chairman of the Committee advising him that members of the Security Council were following the matter with great attention and agreed to holding a meeting of the Council at an early date.

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

16. The Security Council considered the question of Palestine at its meetings on 29 June, 27 July, 23 and 24 August 1979. In the course of the discussion, statements were made, inter alia, by the Chairman, the Rapporteur and seven members of the Committee. At the end of the meeting of 24 August, the President announced that the Council would continue consideration of the item at a later date to be agreed on after consultations amongst the members of the Council. A draft resolution drawn up by the Committee as a preliminary step by the Security Council on the question of Palestine was presented in the Council by Senegal on behalf of the Committee and will be considered when the Council next meets on this item. It was considered appropriate not to press the resolution to a vote and to take the matter for consideration at the Sixth Conference of Heads of State or Government of Non-Aligned Countries in Havana, Cuba, in September 1979.

17. In the light of the decision by that Conference at Havana that an emergency special session of the United Nations General Assembly should be convened in the event that the Security Council failed to act because of lack of unanimity among the permanent members of the Council, and the fact that the Co-ordinating Bureau of the Non-Aligned Countries in New York had been entrusted with the task of acting in co-ordination with the Committee to call for such an emergency special session at the appropriate time, the Committee is of the view that, while keeping the situation in the Middle East as it relates to the question of Palestine under constant observation, it should await further developments on the question of Palestine in the Security Council and take note of views expressed at the thirty-fourth session of the General Assembly before making its suggestions for action to be taken under the terms of paragraph 9 of General Assembly resolution 33/28 A.

B. Action taken in accordance with the terms of paragraphs 2 and 3 of General Assembly resolution 33/28 B

1. Reaction to developments in the Occupied Territories

18. Referring to several press reports based on official documents of the United States Department of State which confirmed that cases of torture and inhuman treatment had occurred in the Occupied Territories, the Chairman of the Committee addressed a letter (A/34/83) on 9 February 1979 to the Secretary-General expressing concern over the recurrence of systematic repressive measures by the Israeli authorities against the Palestinian people in the Occupied Territories.

19. In the same letter the Chairman also expressed concern that the Government of Israel was continuing to establish new settlements in the Occupied Territories, and to enlarge existing settlements, in violation of United Nations resolutions, thereby aggravating an explosive situation and further complicating any prospects for settlement of the Middle East situation.

20. The Committee continued to keep the situation in the Occupied Territories under constant review and on three other occasions through its Chairman or Acting Chairman expressed (S/13291, A/34/238, S/13322 and A/34/258-S/13384) to the President of the Security Council and the Secretary-General its concern over the establishment by Israel of new settlements in the territories occupied in 1967, over the repressive measures taken against the Palestinian people in those territories, and over Israel's refusal to withdraw from those territories in violation of basic principles of international law, the United Nations Charter and General Assembly and Security Council resolutions.

21. In addition, on 2 March 1979 the Acting Chairman of the Committee addressed a letter (S/13132) to the President of the Security Council expressing the Committee's concern over reports of the Government of Israel's policy of systematic repression of Palestinian people in the Occupied Territories. He suggested that these practices be considered when the Security Council met, in response to the official request from Jordan, to consider the erosion of the status of Jerusalem due to the policies of the Israeli occupation authorities in the occupied Palestinian and other territories.

22. The Vice-Chairman of the Committee and several members participated in the discussion in the Security Council when this question was considered. The Committee noted with satisfaction that, at the end of the discussion, the Security Council adopted resolution 446 (1979) whereby it established a Commission of three members of the Security Council to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

23. When that Commission was established, the Committee assured it of its fullest co-operation and assistance and on 30 April 1979 the Bureau of the Committee attended a meeting of the Commission at which the Chairman made known the Committee's views on action that might be taken by the Commission.

24. Among the Commission's findings was evidence that the Government of Israel was engaged in a wilful, systematic and large-scale process of establishing settlements in the Occupied Territories and that, in the implementation of this policy, it had shown disregard for basic human rights, including in particular the right of the refugees to return to their homeland.

25. The Commission also considered that the pattern of that policy was causing profound and irreversible changes of a geographical and demographic nature in those territories, including Jerusalem, and that those changes were of such a nature as to constitute a violation of the Fourth Geneva Convention of 12 August 1949 and of the relevant decisions adopted by the United Nations.

26. The Committee welcomed the report of the Commission (S/13450) when it was issued in July 1979. The Committee noted that the Commission had sought the co-operation of Israel in carrying out its mandate but, like the Committee, had met with the same attitude of non-co-operation.

27. The Committee also noted that, within the Commission's more limited terms of reference, its conclusions and recommendations bore out those of the Committee, and, in particular, confirmed the inalienable right of the Palestinians to return to their homeland.

28. The Committee further noted that - as it had always maintained, and as the Security Council had determined in resolution 446 (1979) - the Commission reaffirmed that "the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East".

29. Participating in the Security Council's consideration of the report, the Acting Chairman of the Committee expressed the Committee's appreciation of the fact that the Commission created by the Security Council had obtained an understanding of the question which was identical to that of the Committee which had been created

by the General Assembly, and that the Commission's conclusions and recommendations - within the limits of its mandate - were fully in accord with the conclusions and recommendations of the Committee. He expressed the Committee's hope that the recommendations of the Commission would be endorsed by the Security Council as a first step towards the endorsement of the Committee's recommendations when those were later considered by the Council. He also stressed the fact that the Committee had in previous years often drawn the attention of the Security Council to Israel's continuous settlement policies, and that those policies were obstacles to peace which called for urgent action by the Security Council.

30. The Committee noted that the Security Council adopted resolution 452 (1979) by a vote of 14 in favour, none against and 1 abstention, thereby endorsing the recommendations of the Commission. On 1 August 1979, the Chairman of the Committee addressed letters (A/34/395-S/13482) to the President of the Security Council and to the Secretary-General expressing his deep concern at the fact that, in explaining the United States abstention in the vote on resolution 452 (1979) the representative of the United States of America had, at the 2159th meeting, declared that his delegation had abstained because "the resolution, like the recommendations of the Commission which this resolution accepts and incorporates goes beyond the question of settlements to deal with such matters as Jerusalem". The Chairman went on to express the Committee's concern that that statement could carry implications of Jerusalem and its environs being treated as distinct from Arab territories occupied by Israel since 1967, which would appear to constitute a divergence from the long-standing position of the United States of America. The Chairman stated also that such a development would have far-reaching repercussions and would be a matter of serious concern to the Committee.

31. In reviewing the situation in Jerusalem the Committee considered the steps being taken by the Government of Israel to have Jerusalem recognized as its capital. In this connexion, the Committee endorsed the decision taken by the Group of Arab States to oppose these Israeli moves. The Committee also noted that the Islamic Conference had set up a Special Committee to deal with the matter. The Committee also noted that the sixth Non-Aligned Summit meeting at Havana had appealed to members of the non-aligned movement to take firm measures, including severance of economic and diplomatic relations, against countries which, formally or by implication, recognized the City of Jerusalem as the capital of Israel.

32. On 19 September 1979, the Committee authorized its Chairman to address letters to the Secretary-General and the President of the Security Council and to issue a statement condemning Israel's most recent violation of the Fourth Geneva Convention of 1949 when the Government of Israel rescinded a law which had hitherto prohibited Israeli citizens and organizations from purchasing land in the illegally occupied Arab territories. In his letters (A/34/492-S/13544) and in his statement issued as a press release, the Chairman expressed the Committee's serious concern over this latest evidence of Israel's determination to strengthen its illegal presence in the occupied Arab territories in flagrant violation of international law, world public opinion, the United Nations Charter and General Assembly and Security Council resolutions and the Fourth Geneva Convention of 1949. He conveyed also the Committee's strong feeling that urgent action should be taken to arrest these developments and to secure Israel's early withdrawal from the occupied territories, since the continuation of these Israeli policies could only exacerbate tension in the area and endanger international peace and security.

2. Review of events relating to the Middle East

33. In reviewing events which had taken place on the Middle East question, the Committee felt that it should recall once more the detailed and phased recommendations which it had made on the inalienable rights of the Palestinian people, which the General Assembly had endorsed at its last three sessions as a basis for the solution of the question of Palestine.

34. 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. In this connexion, the Committee noted that one of the important developments in the area, the signing of a Peace Treaty between Egypt and Israel, had been concluded and outside the framework of the United Nations, but that the Committee's mandate included the right to pin-point those elements which should form the basis for the exercise of the inalienable rights of the Palestinian people. Accordingly, on 29 March 1979 the Committee authorized its Chairman to convey to the Secretary-General and the President of the Security Council its views on recent developments pertaining to the Middle East.

35. In his letters (A/34/155-S/13210) the Chairman recalled the principles on which the Committee's recommendations were based, and conveyed the Committee's regrets that these principles which had been endorsed by the General Assembly, had not been taken into account in recent negotiations. He conveyed also the Committee's concern at recent moves, the consequences of which were hardly favourable for the implementation of the inalienable rights of the Palestinian people, or addressed themselves in a sufficiently concrete way to the Palestinian problem which is acknowledged by the United Nations as the core of the Middle East conflict.

3. Action taken by other organizations

36. The Committee was informed that its Chairman had participated in the Islamic Conference held in Fez, Morocco, from 8 to 12 May 1979 and that several resolutions adopted by that conference were relevant to the Committee's work. It was observed that the Organization of African Unity, at its Summit Meeting in Monrovia, Liberia, from 17 to 20 July 1979, had reviewed its stand on the Palestinian question. It had condemned all partial agreements and separate treaties which constituted a flagrant violation of the rights of the Palestinian people and the principles enshrined in the Charter of the United Nations and of the Organization of African Unity.

37. It was observed further that the Heads of Government of Commonwealth countries at their meeting held at Lusaka from 1 to 7 August 1979, had emphasized that a just and permanent peace in the Middle East could only be achieved on the basis of a fully comprehensive solution which upheld the legitimate rights of the Palestinian people, including their right to a homeland. At that meeting, the Commonwealth members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People had drawn particular attention to the Committee's recommendations, and most Heads of Government had recognized that the Palestine Liberation Organization was the only legitimate representative of the Palestinian people struggling justifiably for an independent Palestinian State.

38. The Committee also took note of the fact that the Commission on Human Rights had, as one of its first acts at its thirty-fifth session in February 1979, sent a telegram to the Government of Israel expressing its deep concern about the systematic torture practised by Israel against Palestinian detainees and about the policies of repression and collective punishment pursued by the Israeli Occupation Forces against the Palestinian people in Palestine and in the Occupied Arab Territories. It further called upon the Government of Israel to cease forthwith these practices which were in violation of the Geneva Convention of 1949. The Committee noted also that the Commission had adopted resolutions condemning these Israeli policies and practices and that the Economic and Social Council had subsequently, on 10 May 1979, adopted a resolution commending the Commission on Human Rights for its vigilance in this regard and requesting it to pursue its efforts and to continue to take appropriate measures.

39. The Committee welcomed the fact that the Conference of Heads of State or Government of Non-Aligned Countries held at Havana from 3 to 7 September 1979 had expressed its appreciation of the Committee's work as a positive contribution to the search for a just solution to the Palestinian problem, and had reaffirmed its support for the decisions and proposals of the Committee.

40. That Conference had also expressed its regret that the Security Council had not yet taken any decision on the Committee's recommendations endorsed by the General Assembly and had reiterated its request to the Security Council to study the recommendations and adopt them. As stated in paragraph 17 above, the Conference had entrusted its Co-ordinating Bureau in New York, acting in co-ordination with the Committee, to call for an emergency special session of the General Assembly at the appropriate time if the Security Council failed to act on the implementation of the Palestinian people's inalienable national rights because of a lack of unanimity among the permanent members of the Council.

4. Attendance at Conferences

41. In accordance with paragraph 3 of resolution 33/28 B which, inter alia, authorized the Committee to seat delegations or representatives to international conferences where such representation would be considered appropriate, the Committee decided to accept invitations and to send representatives to several important conferences during 1979.

42. The Committee was represented at a seminar convened by the Finnish-Arab Friendship Society in Helsinki on 30 January 1979; at a conference organized by the World Peace Council's Presidential Committee to celebrate the 30th Anniversary of the International Peace Movement and the foundation of the World Peace Council, from 25 to 27 April 1979 in Prague; at an international conference of Solidarity with the Palestinian People organized by the World Peace Council in Basel, Switzerland, from 4 to 6 May 1979; at a conference sponsored by the Palestine Human Rights Campaign in Chicago, United States of America, from 18 to 20 May 1979; at a symposium on Human Rights and Fundamental Freedoms in the Arab World organized by the Union of Arab Jurists in Baghdad from 18 to 21 May 1979; at the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries held in Colombo from 4 to 9 June 1979; at the meeting of Heads of State of the Non-Aligned Countries held at Havana from 29 August to 7 September 1979; at the Conference on Palestine Human Rights and Peace organized by the Palestine Human Rights Campaign in Washington, D.C., from 21 to 25 September 1979, and at the Conference on National

Rights of the Palestinian People in the Middle East organized by the Colloquio Internazionale di Roma from 24 to 26 September 1979 in Rome.

43. The Committee was of the view that such attendance was of extreme importance in furthering the aims and objectives of the Committee and fulfilling its mandate. On every occasion the Committee's representatives found evidence of a considerable understanding of and sympathy for the problem of the Palestinian people as well as an interest in the work of the Committee and in the United Nations action on the question. At each meeting copies of the studies prepared by the Special Unit on Palestinian Rights were widely distributed.

44. Every opportunity was also taken by members of the Committee, particularly the members of its Bureau to make known the work of the Committee and its recommendations at other international conferences in which they participated.

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

45. 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 in preparing its publications. In paragraph 2 of resolution 33/28 C, the General Assembly requested the Secretary-General to ensure that the Special Unit continued to discharge its tasks in consultation with and under the guidance of the Committee.

46. In carrying out this mandate the Committee suggested to the Special Unit several themes on which it might prepare pamphlets during 1979.

47. The Committee reviewed the bulletins issued periodically by the Special Unit on Palestinian Rights and suggested that these could contain an element of editorial comment introducing the events reported on in those bulletins.

48. The Committee also noted that the studies and bulletins prepared by the Special Unit were receiving the widest possible dissemination.

49. The Committee expected that the film, which the Department of Public Information had commenced preparing in 1978, would be ready for screening on 29 November 1979, when the United Nations commemorated the International Day of Solidarity with the Palestinian People.

50. The Committee observed that last year there had been an enthusiastic response from a large number of countries to the invitation to observe the International Day of Solidarity. Consequently it recommended that the observance of Solidarity Day should follow the same pattern as it did in 1978 and that the main feature in New York would be 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 would be made. Messages received from Heads of State or Governments would be read out at the meeting.

51. 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 intended to commemorate the Day. The Secretary-General was requested further to instruct the

Director-General of the United Nations Office at Geneva once more to observe the commemoration of the Day. 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

52. Keeping in mind the actual developments in the Middle East, the Committee unanimously decided once more to reiterate the validity of the recommendations it had made to the thirty-first session of the General Assembly, which the Assembly had repeatedly endorsed at its thirty-first, thirty-second and thirty-third sessions. These recommendations are again annexed to the present report, their validity undiminished by the passage of time, their urgency highlighted by events.

53. The Committee draws the attention of the General Assembly to its considered opinion that the Camp David Accords, to the extent that they did not take into account the inalienable rights of the Palestinian people and were negotiated without the participation of the Palestine Liberation Organization, the representative of the Palestinian people, contravened paragraph 4 of General Assembly resolution 33/28 A of 7 December 1978.

54. The Committee considered that a continuation of its efforts would contribute to a wider understanding of the just cause 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.

55. It also maintained its view 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, especially since the recommendations contained are the basic principles relating to the problem of Palestine within the Middle East situation. As indicated in section IV.A of the present report, the recommendations and the urgency of their implementation had repeatedly been brought to the attention of the Security Council.

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 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.

* 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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