

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

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-SEVENTH SESSION

SUPPLEMENT No. 35 (A/37/35)



UNITED NATIONS

60 P.

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

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-SEVENTH SESSION

SUPPLEMENT No. 35 (A/37/35)



UNITED NATIONS

New York, 1982

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.

[12 October 1982]

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
LETTER OF TRANSMITTAL		v
I. INTRODUCTION	1 - 4	1
II. MANDATE OF THE COMMITTEE	5 - 7	2
III. ORGANIZATION OF WORK	8 - 18	3
A. Election of officers	8 - 9	3
B. Participation in the work of the Committee	10 - 13	3
C. Re-establishment of the Working Group	14 - 18	3
IV. ACTION TAKEN BY THE COMMITTEE	19 - 114	5
A. Action in accordance with paragraphs 2 and 3 of General Assembly resolution 36/120 A	19 - 102	5
1. Review of the situation relating to the question of Palestine and efforts to implement the recommendations of the Committee	19 - 23	5
2. Reaction to developments in the occupied territories	24 - 97	5
3. Attendance at conferences	98 - 100	15
4. Action taken by other organizations	101 - 102	15
B. Action taken in accordance with paragraphs 2 and 3 of General Assembly resolution 36/120 B	103 - 111	18
C. Action taken in accordance with paragraph 2 of General Assembly resolution 36/120 C	112 - 114	19
V. RECOMMENDATIONS OF THE COMMITTEE	115 - 119	20

ANNEXES

I. Recommendations of the Committee endorsed by the General Assembly at its thirty-first session	21
II. Report of the Fifth United Nations Seminar on the Question of Palestine held at United Nations Headquarters, New York from 15 to 19 March 1982	24

CONTENTS (continued)

Page

III.	Report of the Sixth United Nations Seminar on the Question of Palestine held at the Mediterranean Conference Centre, Valletta, Malta, from 12 to 16 April 1982	31
IV.	Report of the Seventh United Nations Seminar on the Question of Palestine held at the Centre International d'Echanges, Dakar, Senegal, from 9-13 August 1982	42

LETTER OF TRANSMITTAL

22 September 1982

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 3 of resolution 36/120 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, 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/ was submitted to the General Assembly at its thirty-first session and contained specific recommendations proposed by the Committee to enable the Palestinian people to exercise its inalienable rights, as previously 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 reports to the General Assembly at each of its subsequent sessions, 3/ the Committee retained its recommendations unchanged. On each occasion they were again endorsed by the General Assembly with renewed emphasis. After a thorough discussion of the Committee's report and an appraisal of the situation in Palestine, the General Assembly also reviewed and renewed the mandate of the Committee.
4. However, despite repeated urgings by the Committee, its recommendations have not yet been acted upon by the Security Council; neither have they been implemented. The situation in the occupied territories arising from Israeli practices remains extremely tense with frequent eruptions of violence and armed conflict. The latest Israeli invasion into Lebanon caused enormous loss of life and property.

II. MANDATE OF THE COMMITTEE

5. In specific terms the present mandate of the Committee was defined in paragraphs 2 and 3 of General Assembly resolution 36/120 A, paragraphs 2 and 3 of resolution 36/120 B and paragraph 2 of resolution 36/120 C.

6. By those paragraphs the General Assembly requested and authorized the Committee:

(a) 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 appropriate;

(b) To continue to exert all efforts to promote the implementation of its recommendations, to send delegations or representatives to international conferences where such representation was considered appropriate and to report thereon to the General Assembly at its thirty-seventh session and thereafter;

(c) To act as Preparatory Committee for the International Conference on the Question of Palestine, to hold sessions particularly for this purpose and to make recommendations regarding, inter alia, the site, scheduling of and participation in the Conference, and its provisional agenda.

7. By virtue of paragraphs 2 and 3 of resolution 36/120 B, the Secretary-General was requested:

(a) To ensure that the Special Unit on Palestinian Rights continued to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B and paragraph 2 (b) of resolution 34/65 D in consultation with the Committee and under its guidance;

(b) To provide the Special Unit with the necessary additional resources to accomplish its tasks and to expand its work programme, inter alia, through:

- (i) The organization of seminars in North America in addition to the regional seminars;
- (ii) More widespread dissemination of its publications in all the United Nations official languages;
- (iii) Translation of those publications into languages other than the official languages of the United Nations;

III. ORGANIZATION OF WORK

A. Election of officers

8. During January and early February 1982, the Committee retained unchanged its bureau from 1981, pending consideration of election of officers at its first meeting for 1982.

9. At its 76th meeting, on 11 February 1982, which was opened by the Secretary-General, the Committee decided to re-elect the following officers:

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

B. Participation in the work of the Committee

10. 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 Algeria, Egypt, Iraq, Jordan, the Libyan Arab Jamahiriya, Mauritania, Morocco, the Syrian Arab Republic, the United Arab Emirates, Viet Nam, the League of Arab States, the Organization of the Islamic Conference and the Palestine Liberation Organization, which continued in 1982 to participate in the work of the Committee.

11. In its consistent effort to encourage the contribution of all sectors of opinion to its work, the Committee once more authorized the Chairman - as it had done in 1976, 1977 and 1981 - again to request the Secretary-General to invite all States Members of the United Nations, members of the specialized agencies and regional intergovernmental organizations not already participating in the work of the Committee to do so if they so wished, either as observers or through transmission of oral or written suggestions and proposals which they considered useful to the work of the Committee.

12. As in the past, this invitation was to be brought to the particular attention of all States directly interested in the Middle East situation and to the members of the Security Council, especially its permanent members.

13. As a result, and at their request, Ecuador and Czechoslovakia also participated in the work of the Committee as observers from 31 March 1982 and 24 May 1982, respectively.

C. Re-establishment of the Working Group

14. The Committee once again unanimously decided that the Working Group 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.

15. The Committee decided to reconfirm the present membership of the Working Group: Malta (Chairman), Afghanistan, Cuba, German Democratic Republic, Guinea, Guyana, India, Senegal, Tunisia, and, as representative of the people directly concerned, the Palestine Liberation Organization. The Committee also accepted the principle of enlargement of the Working Group. In consequence, and at their request, Pakistan, Turkey and the Ukrainian Soviet Socialist Republic also participated from 21 January 1982, 30 March 1982 and 8 December 1981, respectively.

16. The Committee also decided that, in addition to the enlargement of the Working Group, three sub-groups should be established. The first of these sub-groups, together with the Special Unit, would monitor daily events in the occupied territories and, as appropriate, draft letters for signature and transmittal by the Chairman to the Secretary-General and the President of the Security Council.

17. The second sub-group would assist the Special Unit in the detailed work of organizing seminars.

18. The third sub-group would have the task of:

(a) Periodically reviewing, with the assistance of the Special Unit, progress made in the studies which had already been planned, and arrangements for reproducing those published in languages other than the official languages of the United Nations;

(b) Updating studies and the film produced by the Special Unit;

(c) Improving the organization of the Day of Solidarity with the Palestinian people.

IV. ACTION TAKEN BY THE COMMITTEE

A. Action in accordance with paragraphs 2 and 3 of General Assembly resolution 36/120 A

1. Review of situation relating to the question of Palestine and efforts to implement the recommendations of the Committee

19. In compliance with the request of the General Assembly in paragraphs 2 and 3 resolution 36/120 A, the Committee continued to keep the situation relating to the question of Palestine constantly under review and to exert all efforts to promote the implementation of its recommendations.

20. In consequence of a series of events, its Chairman was authorized on several occasions to express the grave concern of the Committee regarding practices and policies of the Israeli Government which, in the opinion of the Committee, were in direct contravention of international law, contrary to the spirit of General Assembly and Security Council resolutions, and contradictory to the Committee's recommendations.

21. These communications, in the main, dealt with illegal Israeli settlements in the occupied territories, the annexation of vast areas of Arab-owned land, other violation of the rights of the Palestinian people, and the Israeli invasion of Lebanon.

22. These practices, policies and violations by Israel led the Committee, in addition to its letters of protest, to express strong belief that 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 should be reactivated as a matter of priority.

23. It was recalled that the Commission had unanimously adopted its latest report on 25 November 1980, which had not yet been considered by the Security Council. The Committee consequently urged the Council to give immediate consideration to the report, and that its recommendations be acted upon with the utmost urgency (A/37/240-S/15120).

2. Reaction to developments in the occupied territories

(a) Emergency special session of the General Assembly

24. On account of the aggravated tension in the area, the Committee, in terms of its mandate, had recommended in 1980 the convening of an emergency special session of the General Assembly to consider the matter. This was held from 22 to 29 July 1980.

25. On that occasion, by 112 votes to 7, with 24 abstentions, the General Assembly requested and authorized the Secretary-General, in consultation, as appropriate, with the Committee, to take necessary measures towards implementation of the Committee's recommendations as a basis for the solution of the question of Palestine (resolution ES-7/2 of 29 July 1980).

26. Under the same resolution, the General Assembly decided to adjourn the session temporarily, and authorized the President of the regular session of the Assembly to resume its meetings upon request from Member States.

27. In consideration of further rapid and grave deterioration of conditions in the occupied territories, the seventh emergency special session was reconvened from 20 to 28 April 1982, following on a decision taken by Ministers of the Non-Aligned Countries at a meeting of the Co-ordinating Bureau, held in Kuwait from 5 to 8 April 1982.

28. At that resumed session, by a roll-call vote of 86 to 20, with 36 abstentions, the General Assembly, amongst other provisions, once more urged the Security Council to recognize the inalienable rights of the Palestinian people as defined in General Assembly resolution ES-7/2 and to endorse the recommendations of the Committee as had been done by the Assembly in its resolution 31/20 and in subsequent resolutions. The President of the regular session of the General Assembly was, furthermore, again authorized to resume meetings of the seventh emergency special session upon request from Member States (resolution ES-7/4 of 28 April 1982).

29. In his statement before the resumed emergency special session, the Chairman of the Committee regretted that the serious worsening of the situation in the region had not yet led the Security Council to take necessary steps. He recalled that, since the first adjournment of the emergency special session Israel had not only made claims to the occupied Arab and Palestinian territories but had proceeded to speed up the process of steady annexation of the occupied territories of the West Bank and the Gaza Strip.

30. The Chairman stressed that the recommendations previously endorsed by the General Assembly still formed the only framework in which the question of the Middle East, and more particularly the question of Palestine, could find a just and global solution.

31. The Committee expressed appreciation for the high level of attendance and participation in debate at the resumed session, and the wide-spread support extended for the attainment of the inalienable rights of the Palestinian people.

32. It was also gratifying that several Western European States had joined the overwhelming majority of the international community in censuring Israel regarding its settlements policy, violation of basic human rights and attempts to make Jerusalem its capital. Many of those Member States had also underlined the necessity of associating the Palestine Liberation Organization in any negotiations concerning the West Bank and Gaza.

33. The Committee recalled with appreciation the call of socialist countries to proceed with honest collective efforts aiming at an all-embracing, just and durable settlement in the Middle East, achieved within the framework of a specially convened international conference, under the aegis of the United Nations, and with the participation of all interested parties, including the Palestine Liberation Organization.

34. The Committee expressed satisfaction that the resumed emergency special session had gone far in alerting the attention of the international community to

Israeli contravention of General Assembly and Security Council resolutions and of generally accepted principles of international law.

35. In consequence of large-scale hostilities resulting from the illegal Israeli invasion and continued occupation of a large part of Lebanon in June 1982, the General Assembly was again requested to resume, for the second time in 1982, its seventh emergency special session from 25 to 26 June 1982.

36. At that session, by a recorded vote of 127 to 2, the General Assembly reaffirmed once again its conviction that the question of Palestine was the core of the Arab-Israeli conflict and that no comprehensive, just and lasting peace in the region would be achieved without the full exercise by the Palestinian people of its inalienable rights (resolution ES-7/5 of 26 June 1982).

37. In his statement before the resumed seventh emergency special session on 25 June, the Chairman of the Committee said that the regrettable situation which prevailed in Lebanon was but one of the aspects of the Middle East crisis, and its core problem, the question of Palestine. Failure to settle the latter question posed a serious threat to international peace and security.

38. The Chairman added that, if in the course of the session it should be possible to settle the situation which prevailed in Lebanon, two objectives would then have been achieved. Lebanon would have been saved from destruction and talks would have been initiated which might provide serious encouragement for still further discussion likely to lead to a definitive settlement of the Middle East question.

39. In that context, the Chairman reiterated that the following should be recalled: the recommendations made by the Committee regarding the withdrawal of Israel from all occupied Arab territories; the right of the Palestinian people to self-determination, independence and sovereignty without foreign interference; the return of all refugees to Palestine; the implementation by Israel of the Fourth Geneva Convention of 1949; and, finally the most important, the participation of the Palestine Liberation Organization, the sole representative of the Palestinian people in any discussion, negotiation or approach which might lead to determining the future of the Palestinian people.

40. On account of the ominous further deterioration of the situation and the inability of the Council to act, the seventh emergency special session was reconvened for the third time in 1982, from 16 to 19 August. During this resumed session the General Assembly adopted three resolutions.

41. By a recorded vote of 120 to 2, with 20 abstentions, the General Assembly called for the full exercise in Palestine of the inalienable rights of the Palestinian people to self-determination without external interference, and to national independence. The resolution also once again urged the Security Council, in the event of continued failure by Israel to comply with the demands contained in its resolutions 465 (1980), 508 (1982), 509 (1982), 515 (1982) and 518 (1982), to meet in order to consider practical ways and means in accordance with the relevant provisions of the Charter.

42. By the same resolution, the General Assembly once again called upon the Secretary-General to initiate contacts with all the parties to the Arab-Israeli conflict in the Middle East, including the Palestine Liberation Organization, the representative of the Palestinian people, with a view to convening an international

conference, under the auspices of the United Nations, to find concrete ways and means of achieving a comprehensive, just and lasting solution, conducive to peace in conformity with the principles of the Charter and relevant resolutions (resolution ES-7/6 of 19 August 1982).

43. By the second resolution, adopted by a recorded vote of 123 to 2, with 18 abstentions, the General Assembly decided to convene the International Conference on the Question of Palestine at the headquarters of the United Nations Educational, Scientific and Cultural Organization, in Paris, from 16 to 27 August 1983 (resolution ES-7/7 of 19 August 1982).

44. The General Assembly also decided, by the third resolution adopted by a recorded vote of 102 to 2, with 34 abstentions, to commemorate 4 June of each year as the International Day of Innocent Children Victims of Aggression.

45. In his statement before the resumed seventh emergency special session, on 16 August, the Chairman of the Committee, referring to the Israeli invasion of Lebanon, stressed that this operation, which had already resulted in thousands of Lebanese and Palestinian civilian victims, had been planned well in advance, designed to bring about a final solution to the Palestinian problem through the use of force. Thus the military operations conducted by Israel in Lebanon were another manifestation of the political war against the Palestine Liberation Organization.

46. The Chairman added that Israel continued to flout the fundamental principles contained in the Charter of the United Nations and to violate numerous resolutions of the same organization which had created the State of Israel. To fail to put an end to the tragedy in Lebanon would be tantamount to undermining once and for all the moral authority of the United Nations, in which mankind's collective hopes were vested for a world of peace and justice.

47. The Chairman recalled that the Organization itself had been considering the real context in which this tragedy could and should have to end, that is, the withdrawal of Israel from all the occupied Arab and Palestinian territories, including Jerusalem, and the restoration of the inalienable rights of the Palestinian people, including the creation of an independent State of its own homeland. In this context, the Chairman cited the recommendations of the Committee which had been adopted by the General Assembly in 1976 and repeatedly reconfirmed since then.

48. The Committee played a constructive role in drafting resolutions for consideration by the General Assembly.

(b) Communications with the Secretary-General and the President of the Security Council

49. In further pursuance of its mandate, in a letter dated 22 January 1982 (A/37/75-S/14844), the acting Chairman of the Committee drew the attention of the Secretary-General and the President of the Security Council to Israeli plans to evacuate all Palestinian Bedouins from a great swath of the Negev Desert.

50. It was pointed out that of approximately 40,000 Bedouins in the area, some 15,000 had been resettled in two large tracts of land near Beersheba. Another 6,000 were to be removed from an area where a new Israeli air base was planned and

an additional 19,000 throughout the rest of the desert were to be resettled under the Israeli Government's plans.

51. The Acting Chairman expressed the view of the Committee that it was vital to draw the attention of Israel to the dangers involved in these acts which could only further exacerbate the tensions in the area.

52. By letter dated 18 February 1982 (A/37/94-S/14879), the Committee Chairman expressed his concern at the latest developments regarding the closing of the Bir Zeit University, a matter previously brought to the attention of the Secretary-General and the President of the Security Council on 13 November 1981 (A/36/688-S/14754).

53. He cited reports that the Israeli Government had again ordered the closing of the University for a period of two months and recalled that this was the second occasion on which similar action had been taken over a four-month period. It was also reported that 50 students and teachers at the University had been arrested.

54. The Chairman reiterated the Committee's conviction that it was of the greatest importance that energetic action should be taken, particularly by the Security Council, to put an end to such repressive acts and policies which endangered international peace and security.

55. By letter dated 8 March 1982 (A/37/109-S/14897), the Committee Chairman appealed to the Secretary-General and the President of the Security Council to request decisive steps to protect the rights of the Palestinian people living in the occupied territories. This letter related to violations of human rights in the occupied Arab territories of the West Bank and Gaza; it related particularly to recently reported action by the Israeli authorities in the Jalazum Refugee Camp where youths were arrested without charge and held for interrogation for prolonged periods of time.

56. In a letter dated 24 May 1982 (A/37/240-S/15120), the Chairman again expressed the concern of the Committee regarding the repressive activities of Israeli authorities. He drew attention to Israeli action taken against Palestinian demonstrators exercising their right to protest against policies imposed upon them in the illegally occupied territories. He referred to reports which indicated that there had been an attack by Israeli soldiers against a girls' school and that new shooting incidents had taken place at the Dome of the Rock.

57. The Committee expressed its concern at the continuation of Israeli policy of establishing illegal settlements in the occupied territories in violation of the Fourth Geneva Convention of 12 August 1949 and United Nations resolutions.

58. In a subsequent letter dated 18 June 1982, circulated as document A/37/301-S/15244, the Chairman expressed the grave concern of the Committee regarding the decision of the Israeli authorities to dissolve the elected city council of two West Bank towns, Dura and Nablus. He again urged that the strictest respect for the resolutions of the United Nations should be ensured, in this case those aimed at enabling the Palestinian people to exercise its inalienable rights.

59. In a letter dated 9 July 1982 (A/37/339-S/15290), the Chairman again took up the matter of Bir Zeit University, stating that reports indicated that the Israeli Government once more had ordered its closure, this time because of students'

protests against the invasion of Lebanon. In the same communication, the Chairman pointed out that, according to reliable press reports, the lawfully elected Mayor of Djenin had been removed from office for refusing to meet the Israeli civilian governor of the occupied Palestinian territories.

60. By letter dated 14 September 1982 (A/37/449-S/15393), the Chairman referred to reports that the Israeli Government had allocated \$18.5 million to establish three new settlements in the illegally occupied West Bank and had announced its approval to establish still seven more. The letter pointed out that these 10 new settlements would bring the total number to 109, all of which were in violation of the Fourth Geneva Convention of 12 August 1949 and various related resolutions of the General Assembly and the Security Council, especially Council resolution 465 (1980).

61. In addition, the letter quoted reports concerning the shooting and killing of Arab youths by Israeli border police in the West Bank city of Nablus and near the town of Telkarim on 3 and 6 September, respectively. On behalf of the Committee, he reasserted once more the need for appropriate energetic measures without delay to protect the rights of the Palestinian inhabitants in the occupied territories.

62. On receipt of reports of the massacre of Palestinians committed in the Shatila and Sabra camps, the Chairman, in a letter dated 20 September 1982 (A/37/462-S/15410), expressed the extreme concern of the Committee at this atrocious action which was a direct consequence of Israel's invasion of Lebanon. He drew attention once again to the conviction of the Committee that such tragedies could have been avoided had the Security Council taken positive action on the recommendations of the Committee which have been repeatedly endorsed by the General Assembly.

63. The Chairman therefore urged in the strongest terms that appropriate action be taken by the Security Council without further delay to implement the Committee's recommendations.

(c) Action within the Security Council in relation to:

(i) The situation in the occupied territories

64. In addition to transmitting letters of protests and taking a leading role throughout the seventh special emergency session of the General Assembly, the Committee through its Chairman, participated in meetings of the Security Council called to consider the greatly deteriorating situation in the occupied Arab and Palestinian territories, and closely followed the proceedings.

65. The Council devoted five meetings between 24 March and 2 April 1982 to consideration of current Israeli activities and policies.

66. In his statement to the Security Council on 24 March 1982, the Chairman reiterated the recommendations of the Committee as presented to and adopted repeatedly by the General Assembly since its thirty-first session. He stressed that it was time for the Council to put these recommendations into effect. Any delay in carrying them out would only serve to increase tension in the area, as borne out by the cycles of violence which had been triggered off. Meanwhile the Security Council should also take all necessary measures to contain the events in El-Bireh where the elected Municipal Council had been disbanded.

67. On 2 April 1982, the Council proceeded to vote on a draft resolution under which the Security Council would have denounced Israeli measures imposed on the Palestinian population, such as dismissal of elected mayors by Israeli authorities, as well as violation of the liberties and rights of inhabitants of the occupied West Bank and the Gaza Strip; these actions followed the measures taken by Israel on the Golan Heights, which had been declared to be without legal validity by the Council.

68. The Council would have called upon Israel, the occupying power, to rescind its decision disbanding the elected Municipal Council of El-Bireh and its decision to remove the mayors of Nablus and Ramallah from their posts. It would also have reaffirmed that all the provisions of the Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War continued to apply in full. The resolution was not adopted, owing to the negative vote of a permanent member.

69. The Council met again on 13 April 1982 at the request of His Majesty King Hassan II of Morocco, in his capacity as Chairman of the Jerusalem Committee of the Islamic Conference, and Iraq, in its capacity as current Chairman of the Islamic Conference, to consider the very grave situation which had arisen from the attack against the holy sanctuary of the sacred Al-Aqsa Mosque and the Dome of the Rock in Jerusalem. Six meetings were held on this question. On 20 April, the Council proceeded to vote on a draft resolution which would have condemned the acts of sacrilege perpetrated within the precincts of Al-Haram Al-Shareef.

70. The resolution would have deplored any act or encouragement of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem. It would have called upon Israel, the occupying power, to observe and apply scrupulously the provisions of the Fourth Geneva Convention and the principles of international law governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the High Islamic Council in Jerusalem. The draft resolution again was not adopted owing to the negative vote of a permanent member of the Council.

(ii) The Israeli invasion of Lebanon

71. In reaction to the Israeli invasion of Lebanon in early June 1982, steps were taken by the Security Council and by the General Assembly to alleviate the deterioration of conditions and loss of human life. In the face of continuing suffering among Lebanese and Palestinian populations in southern Lebanon and west Beirut, the Committee, through its Chairman, availed itself of every opportunity to help bring an end to conflict and closely followed the debate in the Security Council.

72. At its 1st meeting, on 5 June, the Council unanimously adopted resolution 508 (1982) calling upon all parties to cease immediately and simultaneously all military activities within Lebanon and across the Lebanese-Israeli border. On 6 June, the Council unanimously adopted resolution 509 (1982) demanding that Israel withdraw its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon and that all parties observe the terms of resolution 508.

73. The Government of Lebanon and the Executive Committee of the Palestine Liberation Organization indicated their readiness to comply. The Government of Israel declined.

74. On 8 June, the Council, through the negative vote of a permanent member, failed to adopt a draft resolution by which it would have condemned Israel for not complying with the two previous Council resolutions 508 (1982) and 509 (1982).

75. On the same day, in a letter circulated as document A/37/274-S/15188, the Chairman of the Committee stated that if Israeli forces were not immediately and unconditionally withdrawn there was a great risk of the conflict spreading to the whole region. He appealed to the Secretary-General to request that decisive steps be taken forthwith by the Security Council to ensure that this explosive situation be brought to an immediate end.

76. In a subsequent letter dated 15 June, the Chairman referred to Israel's continued occupation of the greater part of Lebanon, the loss of human life, intense suffering and endless destruction. In the face of such Israeli action, it was essential that decisive steps be taken by the Security Council to put an end to the bloodshed and the threat to international peace and security. He expressed the Committee's strong belief that Israel should withdraw its forces immediately and unconditionally in accordance with Security Council resolutions 508 (1982) and 509 (1982). This letter was circulated as document A/37/288-S/15222.

77. After further consultation, the Council, on 19 June and 4 July, unanimously adopted resolutions 512 (1982) and 513 (1982) respectively. These called upon all parties to respect the rights of the civilian populations, to refrain from all acts of violence against these populations and to take all appropriate measures to alleviate human suffering. All parties were called upon to facilitate the dispatch and distribution of aid. Normal supplies of vital facilities were to be restored.

78. The Council, however, through the negative vote of a permanent member, failed to adopt a further draft resolution on 26 June, in which it would have requested all parties to observe an immediate cessation of hostilities throughout Lebanon. The same draft would also have demanded an immediate withdrawal of Israeli forces engaged around Beirut to a distance of 10 kilometres from the periphery of that city as a first step towards the complete withdrawal of Israeli forces from Lebanon, and the simultaneous withdrawal of the Palestinian armed forces from Beirut to the existing camps.

79. The armed conflict continued and intensified despite occasional agreements on a cease-fire. The Council consequently met on several occasions during the months of July and August. Resolutions 515 (1982) and 516 (1982) were unanimously adopted on 29 July and 1 August calling for cessation of military action and removal of restraints on the distribution of humanitarian aid. Other draft resolutions presented were not adopted, for lack of unanimity in the Council.

80. When the Council met again on 3 August, it had before it the report of the Secretary-General pursuant to its resolution 516 (1982) which recalled the assurances of the Palestine Liberation Organization and the Lebanese Government regarding their full co-operation in the deployment of United Nations observers in and around Beirut. The report also indicated that the Israeli Cabinet would discuss this matter on 5 August.

81. In a statement on behalf of Members of the Security Council, the President of the Council expressed serious concern regarding the prevailing high state of tension and the reports of military movements and continued outbreaks of firing

and shelling in and around Beirut. He stated that the Council considered it vital that the provisions of resolution 516 (1982) be fully implemented.

82. On 4 August, the Council, by 14 votes to none, with 1 abstention, adopted resolution 517 (1982) which called for the prompt return of Israeli troops around Beirut to their position held prior to the adoption of resolution 516 (1982); the Council decided to meet again to consider the report of the Secretary-General on the implementation of that resolution.

83. The Council further indicated that, in the event of the failure of any parties to the conflict to comply with the provisions of the resolution, the Council would then consider adopting effective ways and means in accordance with the provisions of the Charter. The Council also authorized the Secretary-General, as an immediate step, to increase the number of United Nations observers in and around Beirut.

84. At its meeting on 6 August, because of the negative vote of a permanent member, the Council failed to adopt a draft resolution calling upon States Members of the United Nations to refrain from supplying Israel with any weapons and from providing it with military aid until full withdrawal of Israel forces from all Lebanese territory has been accomplished.

85. The latest resolution on the question, 518 (1982), was unanimously adopted by the Council on 12 August. By that resolution it was demanded that Israel and all parties to the conflict observe strictly the terms of Security Council resolutions relevant to the immediate cessation of all military activities within Lebanon and, particularly, in and around Beirut.

86. The Council further demanded the immediate lifting of all restrictions on the city of Beirut in order to permit the full entry of supplies to meet the urgent needs of the civilian population. In addition, the Council requested United Nations observers in and around Beirut to report on the situation, and demanded that Israel co-operate fully in the effort to secure effective deployment of the observers. The Secretary-General was requested to report to the Council as soon as possible on the implementation of the resolution.

87. One additional draft resolution was also presented by Egypt and France to the Council on 29 July and given preliminary consideration at that time without being put to the vote. Its main provisions demanded an immediate and lasting cease-fire throughout Lebanon, departure of all non-Lebanese forces except those which would be authorized by the legitimate and representative authorities of Lebanon, and simultaneous withdrawal of Israeli and Palestinian forces from West Beirut. The draft resolution reaffirmed the right of all States in the region to existence and security, as well as the legitimate national rights of the Palestinian people, including the right to self-determination with all its implications (see S/15317 and S/PV.2384).

88. In introducing the draft resolution, the representative of Egypt stated, inter alia, that Egypt and France had embarked on this new initiative to help achieve a just, lasting and comprehensive, peaceful settlement not only for the extremely pressing crisis of Lebanon but also for the ever-chronic Middle East problem, a settlement fulfilling the rights of all States and peoples of the region to existence and security, to territorial integrity and sovereignty, and particularly the national legitimate rights of the Palestinian people to self-determination and to statehood in the West Bank and the Gaza Strip.

89. The representative of Egypt also drew attention to that part of the draft resolution calling for restoration of durable peace and security in the region within the framework of negotiations, on the understanding that the Palestinian people shall be represented in the negotiations and consequently that the Palestine Liberation Organization shall participate therein.

90. The Permanent Observer of the Palestine Liberation Organization, in a subsequent statement, observed that these and other elements mentioned by the representative of Egypt were constructive, and he expressed the hope that they would eventually be included in the draft resolution.

(d) Other action relating to the question of Palestine

91. Throughout the period of the conflict and independently of the action taken by the Council, the United States of America dispatched a special envoy to Lebanon, who conducted direct negotiations with the Governments of Israel and Lebanon. A negotiated cease-fire was finally secured on 20 August 1982, guaranteeing all the necessary safeguards for the Palestinians in Lebanon. The provisions of this agreement were precariously maintained for several days.

92. Subsequently, Israel violated both the cease-fire agreements and Security Council resolutions by its actions of 15 September which consolidated its position and extended its advance into Beirut, thus further endangering the safety of the Palestinians as evidenced by the massacre on 17 September 1982 of several hundred Palestinians in the refugee camps of Shatila and Sabra.

93. Subsequently, on 1 September, the President of the United States of America made detailed proposals, summarizing the position of his country regarding a comprehensive Middle East settlement which, in the view of the Government of the United States, would take into account the preoccupation of all parties and would respond to the legitimate rights of the Palestinian people.

94. On 9 September, the twelfth Arab Summit Conference, held at Fez (Morocco), concluded its second part by adopting an eight-point peace plan for the Middle East which reaffirmed the rights of the Palestinian people and called for the establishment of an independent Palestinian State, with Jerusalem as its capital. The Plan demanded the withdrawal of Israel from the territories captured during the 1967 war, including Arab Jerusalem, and the dismantling of all settlements established on those territories. The United Nations was called upon to oversee a transition period for the West Bank and Gaza for a few months with the Security Council guaranteeing peace among all States of the region, including the independent Palestinian State, and respect of these principles.

95. The Chairman, who had attended the Fez Summit Conference on behalf of the Committee reported on the results. The Committee noted with satisfaction the high degree of convergence between the proposals of the Fez Summit and the long-standing recommendations of the Committee.

96. The Committee took note of the six-point plan for a Middle East settlement presented on 15 September 1982 by L. I. Brezhnev, Chairman of the Presidium of the Supreme Soviet and General Secretary of the Central Committee of the Communist Party of the Soviet Union. The Committee noted with satisfaction that the plan agreed on major points with the recommendations of the Committee which had been repeatedly endorsed by the General Assembly.

97. The condition in the territories illegally occupied by Israel in the course of its aggressively expansionist policies remained. This is the situation which the Committee asks the General Assembly to consider thoroughly in the light of experience gained so far.

3. Attendance at conferences

98. In accordance with paragraph 3 of resolution 36/120 A, in which the General Assembly, inter alia, authorized the Committee to send delegations or representatives to international conferences where such representation would be considered appropriate, the Committee accepted several invitations in 1982.

99. In 1982 the Committee was represented at the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Palestine in Kuwait from 5 to 8 April; the sixth session of the Jerusalem Committee of the Organization of the Islamic Conference, at Ifrane, Morocco, from 6 to 9 May; Conference on Palestine organized by the League of Arab States, at Paris, from 11 to 15 May; the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, at Havana, from 30 May to 4 June; the International Council for Solidarity with the Palestinian People, at Basle, from 26 to 27 June; the Extraordinary Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Palestine, at Cyprus, from 15 to 17 July; the thirteenth Ministerial Meeting of the Islamic Conference, at Niamey, from 20 to 26 August; and the twelfth Summit Conference of the Arab League held at Fez, Morocco, from 6 to 9 September.

100. On each of these occasions, representatives of the Committee took the opportunity to make known the work of the Committee and its recommendations and to discuss ways and means of promoting the implementation of those recommendations. Conclusive evidence of considerable understanding of, and sympathy for, the problems of the Palestinian people as well as of interest in the work of the Committee and United Nations action on the question was again noted with appreciation and encouragement.

4. Action taken by other organizations

101. The Committee continued to follow with great interest action taken by other organizations on matters relevant to its work. Such action taken in 1981 after the Committee had submitted its report to the thirty-sixth session of the General Assembly, was duly noted and appreciated. This included: the resolution adopted at the 68th Conference of the Inter-Parliamentary Union held at Havana, from 15 to 23 September 1981; the communiqué of the meeting of the Ministers for Foreign Affairs of the States Members of the Organization of the Islamic Conference, held at United Nations Headquarters on 3 October 1981.

102. In 1982, action relevant to the work of the Committee undertaken by other organizations included that of the Commission on Human Rights, the Co-ordinating Bureau of the Non-Aligned Countries, the Islamic Conference, and the Committee Al-Qods (Jerusalem), as follows:

(a) Commission on Human Rights

At its thirty-eighth session held from 1 February to 12 March 1982 the Commission adopted resolutions in which it strongly condemned:

- (i) The annexation of parts of the occupied territories, including Jerusalem;
- (ii) The 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;
- (iii) The arming of settlers in the occupied territories to commit acts of violence against Arab civilians, the perpetuation of acts of violence by these armed settlers against individuals, causing injury and death and wide scale damage to Arab property;
- (iv) The evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, and the denial of their right of return;
- (v) 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;
- (vi) The destruction and demolition of Arab houses;
- (vii) 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;
- (viii) The pillaging of archeological and cultural property;
- (ix) The interference with religious freedoms and practices as well as with family rights and customs;
- (x) The systematic Israeli repression against universities in the occupied territories, restricting and impeding academic activities of Palestinian universities by subjecting selections of courses, text-books and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities;
- (xi) The illegal exploitation of the natural wealth, resources and population of the occupied territories.

The Commission also condemned the failure of Israel to acknowledge the applicability of the Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War, in Palestine and other Arab territories occupied since 1967.

The Commission furthermore determined that the persistent defiance by Israel of the resolutions and authority of the United Nations and the systematic violations of human rights in the occupied Arab territories, including Palestine, constitutes a continuing threat to international peace and security.

In addition, the Commission reaffirmed the basic principle that the future of the Palestinian people can only be decided with its full participation in all efforts, through its representative, the Palestine Liberation Organization. The Commission also expressed strong opposition to all partial agreements and separate treaties and declared that they had no validity in so far as they purported to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967, including Jerusalem (E/1982/12-E/CN.4/1982/30).

On 8 September the Sub-Commission on Prevention of Discrimination and protection of Minorities of the Commission on Human Rights adopted a draft resolution condemning Israel for its indiscriminate bombardment and destruction of Lebanese cities and Palestinian refugee camps.

(b) The Co-ordinating Bureau of the Non-Aligned Countries

- (i) The Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Kuwait from 5 to 8 April 1982, reaffirmed its position on the question of Palestine and the Middle East and adopted a plan of action for consideration by the resumed emergency special session. Its comprehensive recommendations are contained in document A/37/205-S/14990;
- (ii) The Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Havana from 30 May to 4 June 1982, expressed recognition and commendation of the work of the Committee and decided once again to urge the Security Council to adopt effective measures to implement the Committee's recommendations. The Ministers agreed to support fully the work of the Preparatory Committee for the International Conference on the Question of Palestine to be convened in accordance with General Assembly resolution 36/120 C (A/37/333-S/15278).
- (iii) The Extraordinary Meeting of the Co-ordinating Bureau of the Non-Aligned Countries on the Question of Palestine, held in Cyprus from 15 to 17 July 1982, adopted a communiqué and programme of action relating to the events in Lebanon. The Ministers, at that meeting, decided to request the President of the General Assembly to resume once more the seventh emergency special session not later than the end of August 1982. In addition, the Ministers called upon States Members of the United Nations to review the decision contained in resolution 36/120 C regarding the convening of an International Conference on the Question of Palestine. The Ministers proposed that the date of the Conference be advanced to 1983 (A/37/366-S/15327).

(c) The Thirteenth Islamic Conference of Foreign Ministers

The thirteenth Islamic Conference of Foreign Ministers, held at Niamey from 22 to 26 August 1982, reaffirmed its stand regarding the Palestinian question and the Middle East by adopting nine resolutions on the subject that extended solidarity with the just cause of Palestinian aspirations.

(d) The sixth session of the Al-Quds (Jerusalem) Committee

The sixth session of the Al-Quds (Jerusalem) Committee was held at Ifrane, Morocco, from 6 to 9 May 1982. The Committee reviewed the situation currently prevailing in Al-Quds and in Palestine and stressed the crime committed by the Zionist authorities, which deliberately murdered two Muslim believers in the precinct of the Al-Aqsa Mosque, seeking thereby to wipe out the Islamic heritage in Al-Quds and in occupied Palestine.

"The Committee," states the declaration, "then stressed the study of the reactions registered following that abominable crime, adding that some countries had taken up the Zionist allegations attributing those crimes to a single individual and not considering them as forming part of the policy of aggression adopted by Israel against the Holy Places.

The Committee renews its determination to continue its support and to mobilize all potentials for the restoration of the inalienable rights of the militant Palestinian people.

"The Al-Quds Committee," states the declaration, "adopted resolutions on support for the resistance of the Palestinian people inside the occupied territories and support for the PLO in its struggle for the restoration of their rights. It also adopted resolutions stressing the need to carry out political and information campaigns and took practical measures for the implementation of those resolutions. In addition, it adopted the resolutions of the Governing Board of the Al-Quds Fund."

B. Action taken in accordance with paragraphs 2 and 3 of General Assembly resolution 36/120 B

103. In paragraph 2 of resolution 36/120 B, the General Assembly requested the Secretary-General to ensure that the Special Unit on Palestinian Rights continued to discharge the tasks entrusted to it in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian people and under its guidance.

104. In paragraph 4 of resolution 36/120 B, the General Assembly requested the Secretary-General to take necessary action on the redesignation of the Special Unit on Palestinian Rights as the Division for Palestinian Rights in keeping with the political importance of its work and its expanded work programme. The Committee noted with appreciation that the Secretary-General had taken action accordingly.

105. The Committee expressed its strong conviction that the Special Unit had contributed extensively towards broadening general awareness and knowledge of the facts relating to the question of Palestine. The Committee noted with appreciation that action had been taken to provide the Special Unit with additional resources and to redesignate it as a Division in accordance with the request made by the General Assembly in paragraph 3 of resolution 36/120 B.

106. In accordance with paragraph 3 of resolution 36/120 B, three seminars on Palestinian Rights were organized in 1982. For the first time a North American Regional Seminar was organized in New York from 15-19 March 1982 in addition to regional seminars in Valletta, Malta, from 12 to 16 April and in Dakar, Senegal from 9 to 13 August.

107. It was the considered opinion of Committee members who attended these events that the collective contribution of the academicians, parliamentarians and other leading opinion makers participating in the seminars would serve to further understanding among the international community of the intricate and many-faceted issues that make up the Palestinian question.

108. The reports of the seminars held at New York, Valletta and Dakar, together with the programme for action and appeal for a Western European initiative in the Near East issued in Valletta are annexed to the present report. The Committee stresses the importance of these seminars and recommends that the Division for Palestinian Rights should continue to expand its efforts on the basis of the experience hitherto gained.

109. The Committee urges the Division on Palestinian Rights to devote increased attention to regions where impartial information on the question of Palestine is lacking so as to reform public opinion on this issue. These efforts should go beyond distribution of information material and include establishment of contacts with the media.

110. The Committee noted that, with the co-operation of the Department of Public Information and other units of the Secretariat, steps were being taken to produce a film on Palestinian rights and to provide copies of the photographic exhibit of Palestinian Rights installed at United Nations Headquarters for wider use by United Nations information centres. The Committee requested the Department of Public Information to expand its activities and coverage concerning the inalienable rights of the Palestinian people.

111. The Committee observed with appreciation that the International Day of Solidarity with the Palestinian People had been commemorated in many capitals in 1981 and recommended that observance of the Day in 1982 and subsequent years should follow the same pattern. It is expected that many Governments will once again observe the Day in an appropriate manner.

C. Action taken in accordance with paragraph 2 of General Assembly resolution 36/120 C

112. By paragraph 2 of General Assembly resolution 36/120 C, the Committee on the Exercise of the Inalienable Rights of the Palestinian People was authorized to act as Preparatory Committee for the International Conference on the Question of Palestine scheduled to be held no later than 1984 in accordance with paragraph 1 of the same resolution. The date was later changed to 16 to 27 August 1983.

113. A detailed report of activities concerning preparations for the Conference has been issued separately.

114. It is the hope of the Committee that the proceedings of the Working Group of the Preparatory Committee which are open to all States Members of the United Nations and Permanent Observers to the United Nations would be widely followed since it is the wish of the Committee to encourage universal participation in the International Conference on the Question of Palestine, the importance of which is evidenced daily by the alarming deterioration of conditions in the region.

V. RECOMMENDATIONS OF THE COMMITTEE

115. The Committee remains firm in its conviction that positive action by the Security Council on the Committee's recommendations would advance prospects for a just and lasting peace in the Middle East since the recommendations constitute the basic principles relating to the problem of Palestine, the core of the conflict. The Committee therefore unanimously decided once again to reiterate the validity of the recommendations as annexed to the present report (annex I).

116. The Committee regrets having to point out that in spite of repeated endorsement of these recommendations by the General Assembly, action has not been taken by the Secretary-General to implement those recommendations. The Committee is convinced that the repression of Palestinians in the occupied territories as well as the tragic events which occurred in Lebanon could have been avoided if the Security Council had taken timely and positive action on the Committee's recommendations. The Committee remains convinced that the situation in the entire Middle East region would benefit from the peaceful resolution of the Palestinian issue.

117. The Committee derives satisfaction in that the General Assembly, at its resumed seventh emergency special session, reaffirmed by a near unanimous vote, on 25 June 1982, its conviction that the question of Palestine is at the core of the Arab-Israeli conflict and that no comprehensive, just and lasting peace in the region will be achieved without the participation on an equal footing of all the parties to the conflict, including the Palestine Liberation Organization as the representative of the Palestinian people, and without the full exercise by the Palestinian people of its inalienable rights.

118. The Committee also feels that every effort should continue to be made to achieve a wider understanding of the just cause of the Palestinian people as a major contribution towards an equitable, lasting solution of the question of Palestine. In this connexion, the Committee lays great stress on the importance of universal participation in the International Conference on the Question of Palestine which is to take place in 1983.

119. The Committee stresses that this Conference will provide an overdue but unique opportunity for the international community to guide positive developments in the area and to ensure that it will be utilized to promote ways and means for effective exercise of the inalienable rights of the Palestinian people.

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 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;

ANNEX II

Report of the Fifth United Nations Seminar on the Question
of Palestine held at United Nations Headquarters, New York
from 15 to 19 March 1982

1. The Fifth United Nations Seminar on the Question of Palestine, with its central theme "The Inalienable Rights of the Palestinian People", took place at United Nations Headquarters in New York from 15 to 19 March 1982, in accordance with the terms of General Assembly resolution 36/120 B. Nine meetings were held, at which 20 panelists presented papers on various aspects of the Question of Palestine.
2. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation consisting of Mr. Massamba Sarré (Senegal), Chairman of the Committee; Mr. Raúl Roa-Kouri (Cuba), Vice Chairman; Mr. Victor J. Gauci (Malta), Rapporteur; Mr. H. Ott (German Democratic Republic); Mr. Natarajan Krishnan (India); and Mr. Zehdi L. Terzi, Permanent Observer of the Palestine Liberation Organization to the United Nations. Mr. Victor J. Gauci acted as Rapporteur of the Seminar.
3. The opening session of the Seminar, on 15 March 1982, was addressed by Mr. William B. Buffum, Under-Secretary-General for Political and General Assembly Affairs of the United Nations. In welcoming the participants on behalf of the Secretary-General, Mr. Buffum observed that efforts to find a just solution to the question of Palestine remained one of the main preoccupations of the United Nations; these efforts should be maintained since as long as the problem persisted it posed a threat to international peace and security. He expressed the hope that the Seminar would be a major contribution to future consideration of the question in the United Nations which was widely accepted as the framework within which a comprehensive solution had to be found.
4. At the same session, Mr. Massamba Sarré, Chairman of the Committee, gave a brief account of the Committee's work and stressed the importance of ensuring that all facts surrounding the question of Palestine reach the public so that a proper understanding of the issues would be achieved.
5. The opening session of the Seminar was also addressed by Mr. Natarajan Krishnan, Acting President of the United Nations Council for Namibia, Mr. Gervais Charles, Rapporteur of the United Nations Special Committee against Apartheid and Mr. Frank Owen Abdullah, Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.
6. A message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization was conveyed to the Seminar by Mr. Zehdi L. Terzi, Permanent Observer of the Palestine Liberation Organization.
7. The Seminar was attended by Mrs. Lucille Mair, Secretary-General designate of the International Conference on the Question of Palestine.
8. Seven 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:

- A. Panel I: The Nature and the Role of the Palestine Liberation Organization:
Mr. Khaled Abu Hudayb.
- B. Panel II: The Palestine Issue and North American Public Opinion:
Professor Thomas Naylor, Rev. Donald Wagner,
Dr. Philip Rivera.
- C. Panel III: The Palestine Question in the Context of Military Occupation:
Prof. Harold McDougal, Dr. Khaliq Nakhleh, Dr. Egbal Ahmed.
- D. Panel IV: Domestic and Strategic Influences in the Formation of
American and Canadian Policies:
Dr. Mordecai Briemberg, Prof. Mark Solomon, Mr. Jack O'Dell,
Miss Gail Pressberg.
- E. Panel V: The Fundamental Rights of the Palestinian People:
Prof. Jamal Nassar, Rev. Joseph L. Ryan, S.J.,
The Honourable Senator Heath Macquarrie.
- F. Panel VI: The Evolution of American and Canadian Policies on the
Question of Palestine:
Prof. Frank Epp, Prof. Paul Noble, Prof. John Quigley.
- G. Panel VII: The Role of the United Nations in Seeking Effective Measures
to Enable the Palestinian People to Attain and Exercise its
Rights:
Prof. Charlotte Teuber, His Excellency, Mr. Victor J. Gauci.

9. In view of the well-researched and in-depth analysis contained in the papers presented at the Seminar, and in accordance with established practice, the papers will be published in full by the United Nations, with the report of the Seminar, as a contribution to a wider understanding of the question of Palestine.

10. The presentation of papers at each meeting was followed by a lively, spontaneous and stimulating exchange of views. Discussion covered all aspects of the question of Palestine, particularly the rights of the people which, it was agreed, were being systematically and continuously violated by Israel.

11. It was consistently maintained that failure to resolve the Palestinian issue in accordance with various United Nations resolutions would only exacerbate the crisis and present an ever-increasing threat to international peace and security. The stability of the region, the attainment of an environment in which all inhabitants can live as a community and the achievement of peace depended directly upon the realization of the inalienable rights of the Palestinian people and its aspirations.

12. The Seminar was provided with a detailed account of the institutions of the Palestine Liberation Organization. It was noted that the Palestine Liberation Organization had wide-ranging and increasing responsibilities in the political, economic, social, educational and cultural fields.

13. It was observed that Israel was waging a total war to obliterate continuous Palestinian efforts to assert their rights, and among the most sinister aspects of its policy was the deliberate suppression of Palestinian institutions by Israel.

14. The Palestinian struggle for survival was also total and not limited to military activities. This fact had been underplayed in the media.

15. In order to propagate a more comprehensive and fair understanding of the real nature of the Palestine Liberation Organization, new links should be established which would make up for the failure of the mass media to report all the facts surrounding the issue as well as its tendency to present them with a bias against the Palestine Liberation Organization. Renewed efforts should be made to counter negative and unbalanced attitudes in North America. Diverse and strengthened efforts should be made to dispel the erroneous impression propagated by the media that the Palestine Liberation Organization was only a military organization bent on terrorism. Its activities in the economic, social, educational, cultural and welfare fields, if better known, would lead to a clearer understanding in North America and to the realization that the Palestine Liberation Organization provides a political platform as well as infrastructure for socio-economic progress of its people which constitutes the very essence of a State.

16. In brief, as its objective, the Palestinian Liberation Organization does not seek confrontation, but rather the co-operation of all peace-loving peoples.

17. In discussing the fundamental rights of the Palestinian people, the Seminar noted with appreciation that these rights had not only been defined by the United Nations but also regularly reaffirmed. Attention was drawn particularly to:

(a) General Assembly resolution 3236 (XXIX) which elaborated these inalienable rights; and

(b) General Assembly resolution 3210 (XXIX) which considered the Palestinian people to be a principal party to the question of Palestine and invited the Palestine Liberation Organization, the representative of the Palestinian people, to participate in the deliberations of the General Assembly on the question of Palestine.

Both these resolutions were emphasized in resolution ES-7/2 adopted by the General Assembly at its seventh emergency special session.

18. The Seminar was of the opinion that no deviation should be permitted from the rights recognized by these General Assembly resolutions, the most important being:

(a) The right of the Palestinians to return to their homes and property in Palestine, from which they have been forcibly displaced and uprooted;

(b) The right of the Palestinian people to self-determination without external interference;

(c) The right of the Palestinian people to establish their own independent and sovereign State in Palestine;

(d) The right to territorial integrity and national unity;

(e) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing in all efforts, deliberations and conferences on the question of Palestine and the situation in the Middle East within the framework of the United Nations.

19. It was agreed that the heart of the Middle East problem, the question of Palestine, inevitably will remain the central issue which must be resolved if peace was to be based on reason.

20. In this context, many elements in the Camp David Accords were pointed out, which, through the refusal to accept the Palestine Liberation Organization, the representative of the Palestinian people, as an equal partner in the negotiations, by attempting to determine the destiny of the Palestinian people in their absence, and by denying them their fundamental rights, violated United Nations resolutions. This aspect is particularly evident in the interpretation and implementation of the Accords by Israel.

21. In discussing the Palestinian issue and North American public opinion, after a detailed analysis of the more important factors involved, it was concluded that while there was gradual awareness building in the United States as to the Palestinian cause and their fundamental human rights, there was still major barriers which stood in opposition to Americans accepting the Palestinian cause as just and human.

22. There were additional violations of international law by Israel which featured in the discussions, particularly its bombings of Lebanon, its attack on the Iraqi nuclear reactor, subject though it was to International Atomic Energy Agency (IAEA) safeguards, and the annexation of the Syrian Golan Heights. In the course of the Seminar, it was noted with extreme concern that once again Israel had resorted to repressive measures by forcibly dismantling the elected municipal council of Al-Bireh, a town in the occupied territory lying to the north of Jerusalem. This arbitrary action had led to widespread unrest leading to casualties inflicted by the Israeli occupying forces.

23. Since only an elementary stage of awareness on the Palestinian question has been reached in the North American continent, there was a need for striking a positive responsive chord in order to gain a hearing. It was suggested that an increased and better organized campaign should be made on behalf of the Palestinian aspect on a variety of levels from churches to Arab-American groups to grass-roots organizing efforts. The role of the non-governmental organizations was considered as particularly relevant in this regard. This level of activity should consider both political and non-political initiatives.

24. The Seminar had the benefit of hearing, from a resident of the occupied West Bank, a first-hand account of the harsh living conditions imposed by Israel under its military occupation. The Seminar also greatly appreciated the impressions and conclusions drawn by impartial observers who had visited the West Bank and Gaza in recent times and seen for themselves the oppressive measures applied in the context of military occupation.

25. Particular mention was made of the occupation authority's military order No. 854 which placed crippling restrictions on higher education in the occupied territories through extensive censorship of teaching materials and restrictions on extracurricular programmes and events and on the freedom of movement of individual students and faculty members.

26. The conclusion was drawn that military order No. 854 was part and parcel of Israel's so-called "iron-fist" policy adopted in the wake of the Camp David accords and that it violated international law and The Hague Conventions. It was pointed out however that, far from submission, this military order had resulted in a renewal of Palestinian consciousness and resistance.

27. Nevertheless, an analysis of the statements made and plans announced by Israeli leaders made it clear that there was a very real danger that the West Bank and Gaza would be annexed by Israel and that the Arab inhabitants would either be exiled or reduced to living in reservations. It was contended that the world was at present starkly witnessing the final phases of Israeli attempts at the liquidation of Palestine.

28. Parallels were drawn between Israeli policies in Galilee occupied in 1948, and the West Bank which was occupied in 1967. It was shown that in both regions, good agricultural land - military occupation had been used to achieve the twin targets of land and people - on the one hand, the judaization through settlements, and on the other hand, depopulation by dispersal of the existing Arab inhabitants. The same considerations as applied to the West Bank, applied equally to the Gaza Strip.

29. In evaluating United States policy in the Middle East, in a detailed documented analysis, it was argued that, regionally and globally, the immediate consequences of the American-Israeli alliance was United States support for Israel's persistent assault upon Palestinian rights. A repeated tolerance for Israel's truculent activities in the region had been demonstrated over a period of time.

30. At the core of the policy was a military response to rising regional aspirations for self-determination and nationalization of resources. As part of that core was a continuing hostility to the Palestine Liberation Organization which is perceived by United States policy makers as the cornerstone of regional and external radicalization. In contrast, Western Europe showed growing signs of pressing for its own independent approach to the regional crisis, including a clear commitment to Palestinian self-determination.

31. It was maintained that there was a strong factual basis for attributing to the United States responsibility for violations by Israel of the rights of the Palestinians in the West Bank and Gaza since continued financial assistance to Israel had permitted persistence in those violations, of which the United States was fully aware and which the administration had frequently criticized.

32. Among the examples given were the United States reaction to the acquisition of the West Bank and Gaza and Israel's refusal to withdraw from those territories, as well as Israel's policy of illegal settlements in the occupied territories which, though condemned, could be continued because of the high level of funding by the United States that was indirectly used to finance the settlements. It was held that by pursuing this policy the United States was in breach of its international-legal obligations towards the Palestinian people.

33. There had been a long-term tendency in United States policy to make Palestine an exception from the traditional commitment to the universal principle of self-determination. This inconsistency could be traced to Israel's standing in American thought and politics and the consequent essentially irreconcilable commitment of succeeding administrations to that country.

34. The evaluation of Canadian policy on the question of Palestine was also traced, Canada's independent role in foreign policy was stressed, backed by well documented analysis. It was stated that Canada's interests in the Middle East stemmed basically from various considerations but that it was only in times of crisis that the situation attracted concentrated Canadian attention. The view was expressed that there was a distinct pro-Israeli leaning in Canada's attitude and policies, mainly due to conceptions of legitimacy held by the political élite, the structure of interests of the Government and the views of allies, all of which basically pointed in the same direction and led Canadians to lose sight of the Palestinians as a people with an identity and national consciousness.

35. An important ingredient in the development of Canadian popular and government opinion was the strength and efficiency of a number of pro-Israel lobbies and pressure groups. It was noted, however, that there was in Canada a slow awakening sense of co-responsibility for the current situation in the area and a broadening recognition of its inequities and iniquities. There had been a growing perception of the aims of Israel. Much of this awareness was the result of the intransigence of Israel, no less than an increased sensitivity to the fate and state of the Palestinians. Slight though the improvement had been there were discernibly some prospects for even-handedness in Canada's approach to the problem of the Middle East. The West Bank and Gaza had been identified as clearly defined territory in which the Palestinians had a right to a homeland.

36. It was noted that a possible means of alerting the North American public to Israel's denial of Palestinian self-determination would be to draw parallels between the status of Namibia and the status of Palestine. Both Palestine and Namibia are former League of Nations Mandates, and are at present occupied by racist régimes. The alertness of the North American public to the problem of South Africa's illegal occupation of Namibia could facilitate their understanding of Israel's illegal occupation.

37. The Seminar traced and emphasized the important role of the United Nations as the framework within which a settlement of the question of Palestine could be found. The Organization had a responsibility to seek effective measures to put an end to Israel's illegal occupation and policies and practices, and to provide a solution which respected the resolutions of the United Nations. The longer an equitable solution was delayed, the more complex and intractable became the problem.

38. The question of Palestine fell squarely within the ambit of the United Nations, which inherited the problem at the very beginning of its existence. The Committee on the Exercise of the Inalienable Rights of the Palestinian People had been given the mandate to draw up a programme of implementation to enable the Palestinians to exercise their inalienable rights. This the Committee had done after thorough analysis of the problem, after soliciting opinions from all concerned, and after having reviewed opinions previously expressed on the question.

39. The Committee's recommendations have been repeatedly endorsed by the General Assembly but not yet implemented because of the negative vote of one of the permanent members in the Security Council.

40. The Committee's recommendations advocated a just and peaceful solution based on United Nations resolutions and international law, which would guarantee the inalienable rights of the Palestinian people. Progress was still awaited. The

Committee has, therefore, been authorized to promote implementation of its recommendations through dissemination of information and energetic insistence on keeping the cause of the Palestinians at the forefront of attention of the international community within and outside the United Nations.

41. The task had proved to be a difficult one because the adverse campaign of media misinformation relentlessly continued. The Committee has striven to redress the distortions and misinterpretations on the issue of Palestine.

42. The international character of the Holy City of Jerusalem attracted frequent reference. It was stressed that Israel's decision to annex Jerusalem and to move its capital to that City had been condemned and declared null and void by the international community. It was emphasized that Israel's legislation and its actions on Jerusalem should never be accepted by the international community.

43. In view of the ongoing repression by Israel in the occupied territories, the Committee also has to monitor events and report violations as they occur.

44. The Committee had already gathered overwhelming support within the United Nations behind its recommendations. Action by the Security Council was still awaited. The Committee appreciated that there were still some obstacles to be overcome, but there was a noticeable shift even in the ranks of those influential countries which at the present time stood on the sidelines.

45. The Committee intended to solidify the support already gained and to encourage positive moves which would strengthen the momentum for an equitable solution. Many encouraging statements had been noted, and the principle of self-determination of peoples had received a boost in the Helsinki Final Act. The spirit of Helsinki was universal in its scope and application.

46. Reference was made to the International Conference on the Question of Palestine which was expected to take place not later than 1984. It was hoped that that conference would bring concrete results by climaxing the search for effective measures which would enable the Palestinian people peacefully to attain and exercise its inalienable rights. The United Nations should continue to make every effort and engage all related agencies to help in that effort - the achievement of an equitable, lasting solution to the plight of the Palestinian people.

47. The Seminar concluded its work with an expression by the Chairman of appreciation to the participants, especially the panelists who had, by their dedication and care in preparing their papers, contributed greatly to the success of the Seminar.

Report of the Sixth United Nations Seminar on the Question
of Palestine held at the Mediterranean Conference Centre,
Valletta, Malta, from 12 to 16 April 1982

1. The Sixth United Nations Seminar on the Question of Palestine with the title "The Inalienable Rights of the Palestinian People" as its central theme, was held at the Mediterranean Conference Centre, Valletta, Malta, from 12 to 16 April 1982, in accordance with the terms of General Assembly resolution 36/120 B. Eight meetings were held and 16 panelists presented papers on various aspects of the question of Palestine.
2. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation consisting of Mr. Massamba Sarré (Senegal), Chairman of the Committee; Mr. Victor J. Gauci (Malta), Rapporteur; Mr. Abdullah Kamil (Indonesia); Dr. Ferenc Somogyi (Hungary); Mr. Bechir Chebaane (Tunisia); and Mr. Zehdi L. Terzi, Permanent Observer of the Palestine Liberation Organization to the United Nations. His Excellency Mr. Victor J. Gauci acted as Rapporteur of the Seminar.
3. The Seminar was attended by Mrs. Lucille Mair, Secretary-General Designate of the International Conference on the Question of Palestine.
4. The opening session of the Seminar on 12 April 1982 was convened in the distinguished presence of the Acting-President of the Republic of Malta, The Honourable Dr. Daniel Micallef and was addressed by The Honourable Dr. Alex Sceberras Trigona, Minister for Foreign Affairs and Culture of the Republic of Malta.
5. The Minister outlined the justified struggle of the Palestinian people for self-determination and stressed the recognition and support, including diplomatic accreditation to the Palestine Liberation Organization, given by Malta to their cause. Over many years the Palestinian people, despite many disappointments, continue to place their faith in the United Nations. This faith deserves to be rewarded with an equitable and peaceful outcome for the legitimate rights of the Palestinian people.
6. The role of the United Nations in disseminating objective information on the Palestine issue was also outlined; the Seminar in Valletta was considered an important forerunner to active European involvement in the search for an equitable solution. It was necessary to investigate the constraints that so far have prevented Western Europe from making its effective contribution to a constructive Middle East policy.
7. The Venice Declaration, which spoke forthrightly of the rights of the Palestinian people and its representation, was an important element in European involvement, but the hopes raised in that Declaration have not yet been fulfilled. The Valletta Seminar could serve to consolidate progress and to identify new avenues to pursue, so that progress will no longer be delayed.
8. At the same opening session. Mr. Massamba Sarré, Chairman of the Committee, gave a brief account of the Committee's work. He also highlighted Europe's role in the shaping of history, as well as in the formation of world opinion. In this

context, he emphasized the importance of the Seminar as one approach in helping to ensure that the rights of the Palestinians would be implemented.

9. The tragic violence perpetrated in Jerusalem by Israeli soldiers reported on that same day was a grim reminder of the constant deterioration of the situation and the consequent need for a new momentum in the search for a solution. The Seminar immediately decided to send a telegram to the President of the Security Council and another to the Chairman of the Palestine Liberation Organization, Mr. Arafat, deploring the Israeli action.

10. A message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization was conveyed to the Seminar by Mr. Mourad Essa Bahloul, Representative of the Palestine Liberation Organization in Malta.

11. A message from the Secretary-General of the League of Arab States, Mr. Chedli Klibi, was conveyed to the Seminar by his personal representative to the Seminar, Mr. Youssef Al-Fayoumi.

12. The Seminar was graced by the presence of His Eminence Msgr. Hilarion Capucci, Archbishop of Jerusalem who addressed an inspiring message to the Seminar. He emphasized the essentially humanitarian nature of the problem of the Palestinians which should call for a universally positive response. The Palestinians wanted recognition as a people, entitled to their own nation and to their flag, thus attaining their inherent dignity, and liberty as any human person.

13. Six panels were established so as to consider different aspects of the central theme "The Inalienable Rights of the Palestinian People". These panels and their panelists were as follows:

(a) The Fundamental rights of the Palestinian people

The Hon. Mr. Andrew Faulds, M. P. (United Kingdom of Great Britain and Northern Ireland)

Senator Luigi Granelli, M.P. (Italy)

Mr. Vladimir Ivanovich Kesselyov (Union of Soviet Socialist Republics)

Dr. Vladimir S. Koshelev (Byelorussian Soviet Socialist Republic)

Dr. Jerzy Piotrowski (Poland)

(b) The Nature and the role of the Palestine Liberation Organization

Dr. Sami Musallam (Palestinian)

(c) Israeli settlements policies in the occupied Arab territories

Dr. Becir Meholjic (Yugoslavia)

Mr. Bela Szilagyi (Hungary)

(d) The Palestine issue and European public opinion

Mr. Charles Saint-Prot (France)

The Hon. Mr. Ernest Ross, M. P. (United Kingdom of Great Britain and Northern Ireland)

(e) The evolution of European attitudes and policies on the question of Palestine

Mr. Tiji de Clerq (Belgium)

Mr. Jean Le Drian (France)

Mr. Leonidas Kyrkos (Greece)

Dr. George Vella (Malta)

(f) The role of the United Nations and the search for effective measures to enable the Palestinian people to attain and exercise its rights

Mr. Marcel Dinu (Romania)

The Hon. Mr. Giancarlo Pajetta, M. P. (Italy)

Dr. Ingo Schoenfelder (German Democratic Republic)

14. In accordance with established practice, the opening statements and the papers presented by the panelists will be published in full by the United Nations, together with the report of the Seminar, as a further contribution towards objective appraisal of the question of Palestine.

15. The vigorous discussions which followed the presentation of papers at each meeting covered several aspects of the question of Palestine and helped further to elaborate on some of the points made by the panelists.

16. The Seminar agreed that a lasting and stable peace in the Middle East required the attainment by the Palestinian people of its inalienable rights. The continued occupation of Arab lands and the arrogant disregard of the rights of the Arab people of Palestine had made the Palestinian issue one of the most acute problems of our time requiring a political settlement on the basis of internationally recognized principles.

17. The United Nations has consistently reiterated and reaffirmed the inalienable rights of the Palestinian people, but these continued to be violated and their realization frustrated by Israel, in defiance of international public opinion and in violation of international law.

18. The Seminar noted that in addition to the non-aligned countries of Europe the Union of Soviet Socialist Republics and other Socialist European countries had consistently supported the inalienable rights of the Palestinians and had made constructive suggestions in attempts to enable the Palestinian people to exercise those rights.

19. Among these suggestions was the effort to renew the Geneva-Middle East Conferences, with the participation on an equal footing of the representatives of the Palestine Liberation Organization; the joint United States-Soviet Statement of October 1977; and the proposal by L. I. Brezhnev, Chairman of the Presidium of the Supreme Soviet and General Secretary of the Central Committee of the Communist Party of the Soviet Union for an honest, collective search for an all-embracing, just and realistic settlement in the Middle East. This could be done in the framework of a specially-convened international conference with the participation of all interested parties, including the Palestine Liberation Organization.

20. The European Economic Community more recently had adopted a constructive attitude on this issue and had endorsed the principle that recognition of the legitimate rights of the Palestinian people was one of the basic conditions for a lasting peace in the region, together with the need to provide international guarantees for the security of all the States in the region and the need to associate the Palestine Liberation Organization in the comprehensive peace negotiations.

21. It was felt that urgent and concerted action was required from the United States of America and members of the European Economic Community to be fully behind all international efforts to stop the Israeli process of acquisition of territory by force, which in itself was contrary to international law and presented a serious impediment to a peaceful solution of the problem.

22. Reference was also made to the proposals by Prince Fahd of Saudi Arabia which were considered as a possibility for initiating a dialogue among the interested parties.

23. The Seminar was of the view that there was a clear linkage between the right of Palestinians to self-determination and their right to return to Palestine. It felt that too often plans for recognition of the Palestinian people's right to self-determination were restricted in application to those Palestinians who had remained in Palestine under Israeli occupation, and no account was made for the return of Palestinian refugees. This omission did not apply to the recommendation by the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People.

24. The nature and representative role of the Palestine Liberation Organization was discussed in detail. It was pointed out that more States had recognized the Palestine Liberation Organization and have established relations with it than with Israel. It was incontestable that the Organization was more than a political party or liberation front - it was an institution which has the functions of a State and provides a national framework for different Palestinian mass organizations and individuals.

25. The question of Jerusalem and its importance was emphasized. Israel's decision to enact legislation proclaiming Jerusalem as its capital was regarded as one of the most serious indications of its insincerity in placing insurmountable obstacles against a comprehensive peace settlement. The attempt unilaterally to impose a juridical status of the Holy City, which is unique in its religious and universalist character, was in direct contradiction to international law and has implications well beyond the issue of Palestinian rights.

26. The Seminar was given a detailed account of the aggressively expansionist settlements policy continuously pursued by Israel, in violation of accepted international norms. In spite of the strong demonstration of world public opinion against this policy, it had gained added momentum since 1977. It was evident that the Israeli leadership had a double aim: to change the demographic structure of the area and reduce the proportion of the Arab population in Jerusalem.

27. Recent repressive measures, such as the dismissal of legally-elected mayors and the brutal repression of the spontaneous demonstrations of the inhabitants, increased tension and constituted a threat to international peace and, in particular, to the security of the Mediterranean region. It was clear that these policies were a further step in the preparations for a planned Israeli annexation of the occupied Palestinian Arab territories.

28. The host country notified the Seminar that in response to the appeal of His Majesty King Khalid of Saudi Arabia, it had temporarily closed its airports as a gesture of support and solidarity with the Arab and Moslem people, over the Israeli attack on the holy Al-Aqsa Mosque in Jerusalem and against unarmed Palestinian people.

29. In discussing European public opinion on the question of Palestine, it was stated that the media in Western Europe, though giving coverage to events in the Middle East, generally tended to convey a bias in their reportage on the Middle East conflict from the question of Palestine. When the Palestinian cause was referred to their legitimate armed struggle was often distorted as terrorism.

30. It was noted that there was evidence of manipulation of major sections of public opinion in Western Europe. This was made possible, on the one hand, by the existence of a powerful and influential group hostile to the Palestinian cause in particular and to the Arab people in general and, on the other hand, because of certain shortcomings in the field of information among the Arab information services.

31. A change was, however, noticeable over the past few years. The Palestinian cause was a just one, and, once heard, its conviction was irrefutable. The misinformation, or even "conspiracy of silence" was now being challenged in many Western European countries, within the influential ranks of church organizations, trade unions, academic and parliamentary institutions. In addition, the European disenchantment with the Israeli policies under the Likud Government was growing with each additional act of repression and intransigence.

32. The principal role of the media in projecting an image favourable to Israel was traced and its origins discussed. The Zionists are most influential in the domain of the media, which they mobilize to transform the fundamental nature of the problem, to subordinate the legitimate aspirations of Palestinians to Zionist designs and to the Jewish historical experience, and to disassociate the Palestinian cause from other national liberation movements. To counteract this, it was felt that attempts should be made to prove that any hostility towards Israeli policies had no relation to anti-semitism and that European security was in no way directly tied to Israeli politics.

33. In tracing the evolution of Western European policies and attitudes on the question of Palestine, the influence of the United States of America on these attitudes was stressed. It was suspected that even those Western European nations

which were more sympathetic to the plight of the Palestinians and were normally prepared to support them nevertheless felt reluctant to isolate the position of the United States and were awaiting the outcome of the policy review by the present United States administration.

34. It was noted that Israel relied heavily on United States aid and in particular on military aid, so as to maintain a quantitative and qualitative superiority over its Arab neighbours. This policy is also backed by some Western European countries, not only in economic aid but also in military assistance, in addition to the immigration of Jewish manpower into Israel from all over Europe and North America.

35. The new awakening on the issue dates back to 1973. The first solid counter-reaction took the form of the oil embargo, and this gave rise to a significant shift in attitudes. There has been a gradual shift noticeable in the official policy followed by Western European governments, and an even more pronounced change in public opinion, as evidenced by the many pro-Palestinian demonstrations and the formation of pro-Palestinian groups. This movement at the grass-roots level is gaining momentum; it needs to be fed with new information and encouraged to become more vocal.

36. It was suggested that there should be a sophisticated information campaign for a better understanding of the true Palestinian cause, at all levels of influence such as the media, trade unions, youth organizations, non-governmental organizations and religious institutions. This could include the production of a film which dramatizes the question of Palestine. The infrastructure and the means already exist and it was only a question of co-ordination and organization.

37. The United Nations role in the search for a solution to the problem of Palestine was reviewed and carefully analysed. It was maintained that the United Nations had a great responsibility to give effect to a solution stemming directly from the provisions of the United Nations Charter and from General Assembly resolution 181 (II) of 29 November 1947 and other relevant resolutions of the United Nations.

38. In reviewing the history of United Nations involvement in the question, it was noted that considerable progress had been made in the recognition of the political aspects of the legitimate Palestinian demands and in defining the basic principles for a settlement of the Middle East conflict and the Palestine issue through peaceful means.

39. While recognizing the limitations within which the United Nations worked, it was agreed that it was possible for the United Nations to make further progress on this issue through the continued efforts of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the International Conference scheduled to take place no later than 1984, and further action in the General Assembly and the Security Council and other United Nations bodies.

40. Such action could include, within the Security Council, the positive examination of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the adoption of a comprehensive resolution which would give recognition to the Palestinian peoples' inalienable rights and the right of all States in the region to exist in peace and within secure boundaries.

41. Within the General Assembly it was suggested that decisions should be adopted which would ensure that the International Conference on the Question of Palestine would find effective ways and means of achieving a comprehensive, just and lasting settlement of the problem.

42. In this connection it was recalled that the Co-ordinating Bureau of the Non-Aligned Movement had at its meeting in Kuwait in April 1982 called upon the Secretary-General to undertake at the earliest possible time, contacts with all parties to the Arab-Israeli conflict with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution. That meeting had also called upon the President of the General Assembly to resume the meeting of the seventh emergency special session on the question of Palestine no later than 20 April 1982.

43. The United Nations remained the only appropriate international framework capable of solving the problems of the Middle East and Palestine. Other partial agreements, such as the Camp David Accords negotiated outside the framework of the United Nations and without the participation of representatives of the Palestine Liberation Organization, made no effective provision for the exercise of the inalienable rights of the Palestinian people, thus complicating and retarding the prospects of a comprehensive solution.

44. The moral and political authority of the United Nations should be used to bring about an objective approach to the question of Palestine.

45. Gratitude was expressed to the panelists for the high quality and depth which characterized the studies they had submitted and which had generated so much stimulating debates.

46. A Programme of Action was adopted by the Seminar (appendix I) which also addressed an Appeal to Western European Governments for justice in Palestine (appendix II). A further Appeal for a Western European initiative in the Near East was addressed by the Western European participants in the Seminar (appendix III).

47. The Seminar concluded with the adoption of its report and with an expression of gratitude by the participants to the Government of Malta for permitting the Seminar to be held in Valletta, for the co-operation and generous assistance it had extended in the organization of the Seminar, for the interest it had taken in its proceedings and for the friendly atmosphere in which it was held.

Appendix I

Programme of Action

I

A sophisticated campaign should be launched in Western Europe to promote the Palestinian cause, and to do it at all levels - the media, trade unions, youth and women's organizations, non-governmental organizations and religious institutions. This could include the production of an information film which dramatizes the Palestinian question. Existing means and resources may be utilized to pursue this aim.

II

The Secretary-General of the United Nations is urged to ensure that the Special Unit on Palestine Rights concentrate its efforts on increasing its contacts throughout Europe by establishing closer liaison with non-governmental organizations, the media and the other groups interested in the question of Palestine, so as to organize one or more regional meetings on the question of Palestine, at an appropriate time to be agreed upon, which would give maximum publicity to the just cause of the Palestinian people and promote effective governmental action to achieve an equitable solution.

Appendix II

The Valletta Appeal to Western Europe for Justice in Palestine
Malta, 16 April 1982

We, the participants in the Sixth United Nations Seminar on the Question of Palestine,

Concerned at the situation in illegally-occupied Palestine,

Concerned also at the acts of repression frequently and currently perpetrated by Israel on the Arab inhabitants of these territories,

Concerned at the threat to peace in the area as a result of these acts,

Deploing Israel's continued refusal to abide by United Nations resolutions, its violation of international law and the Charter of the United Nations and its defiance of world public opinion,

Anxious to promote a just and peaceful solution,

Conscious of the potentially constructive role that Western Europe can, and has a moral responsibility to, play in promoting a resolution of the problem,

Convinced that an impartial consideration of the question of Palestine by all Governments would undoubtedly lead to the restoration of the legitimate rights of the Palestinian people and to a just solution of the question, thus remove existing tensions which constitute a threat to international peace and security,

Appeal to the Governmental organizations and people of Western Europe to urge their Governments urgently to adopt an impartial approach to the question of Palestine and to assume their proper role in restoring the legitimate rights of the Palestinian people on the basis of the recommendations of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People thereby promoting a peaceful solution to a problem which has endangered international peace and security for an entire generation.

Appendix III

Appeal for a Western European initiative in the Near East

For 35 years the situation of the Palestinian people has been constantly deteriorating: half of these people have been deprived of their lands and are living in the unacceptable condition of refugees; the other half are living under occupation and are the victims of repression, as is shown by the recent incidents in the West Bank area.

A defenceless people has been subjected to a veritable martyrdom, in violation of all the rules of international law and all the resolutions of the United Nations since 1947.

We, Europeans of all political and intellectual tendencies, who are participating in the Sixth United Nations Seminar on the Question of Palestine behind held in Malta, have the duty to declare that the situation imposed on the Palestinian people is intolerable and that it is time for a just solution to this problem to be found.

Europe should demand that the State of Israel put an end to its aggressive and expansionist policy and withdraw from all the occupied Arab and Palestinian territories. The exercise by the Palestinian refugees of their right to return should be guaranteed. Like all other peoples, the Palestinian people should have the right of exercising their inalienable right to self-determination within a sovereign State on the territory of their fatherland and on the soil of their ancestors.

In addition, talks towards the achievement of a just and lasting peace in the Near East should be opened with the participation of all the parties concerned, including the Palestine Liberation Organization, which is the sole and legitimate representative of the Palestinian people.

From Malta, we address an appeal to the parliamentarians, political parties, trade unions, organizations for solidarity and intellectuals of the European Community to give their support to an initiative which will express the desire of the European peoples to see the Palestinian people at last living in their own homeland in peace, freedom and dignity.

This initiative, which will include official recognition of the Palestine Liberation Organization as the sole representative of the Palestinian people, should be based on the United Nations resolutions in favour of recognition of the inalienable national rights of the Palestinians as constituting the basis for a just and lasting peace in the Near East. Only this global peace will guarantee the security of all the peoples and States of the region, and it remains the essential condition for security throughout the Mediterranean area.

Accordingly, the signatories invite all those forces that are concerned for justice and peace to organize a European Conference to be held in Athens in November 1982.

Malta, 15 April 1982

Signatories:

Tyl DECLERCQ, Christian-Democrat Senator from Belgium

Andrew FAULDS, Labour Member of Parliament from the United Kingdom of Great Britain and Northern Ireland

Luigi GRANELLI, Christian-Democrat Senator from Italy

Leonidas KYRKOS, Communist Deputy from the European Assembly (Greece)

Jean-Yves LE DRIAN, Socialist Deputy from France

Giancarlo PAJETTA, Communist Deputy from Italy

Ernie ROSS, Labour Member of Parliament from the United Kingdom of Great Britain and Northern Ireland

Charles SAINT-PROT, Chairman of the Committee for Peace in the Near East (France)

George VELLA, Labour Member of Parliament from Malta

Report of the Seventh United Nations Seminar on the Question of Palestine held at the Centre International d'Echanges, Dakar, Senegal, from 9-13 August 1982

1. The Seventh United Nations Seminar on the Question of Palestine with the title "The Inalienable Rights of the Palestinian People" as its central theme was held at the Centre International d'Echanges, Dakar, Senegal, from 9 to 13 August 1982. Seven meetings were held and 14 panelists presented papers on various aspects of the question of Palestine.
2. The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by a delegation consisting of Mr. Massamba Sarré (Senegal), Chairman of the Committee; Mr. John Aje (Nigeria); Mr. Cheick Cissé (Mali); Mr. André Tahindro (Madagascar); and Mr. Alexandros Vikis (Cyprus) who served as Rapporteur of the Seminar.
3. The Seminar was opened on 9 August 1982 by His Excellency Mr. Habib Thiam, Prime Minister of the Republic of Senegal on behalf of His Excellency Mr. Abdou Diouf, the Head of State of the Republic of Senegal. The Prime Minister expressed the great concern felt by the Government and people of Senegal regarding developments on the question of Palestine. For this reason, he declared, the President of the Republic of Senegal had welcomed the opportunity to provide the venue for the seminar. He reaffirmed Senegal's consistent support for the Palestinian people in its efforts to attain and exercise its rights. The failure to find a just, comprehensive and lasting solution for the problem of Palestine endangered international peace and security. In this context, Senegal once again called for Israel's withdrawal from all the territories it has illegally occupied, including the Holy City of Al Quds. He strongly condemned Israel's aggression in Lebanon. In the opinion of Senegal, the aspirations of a people or nation could not be destroyed by aggression. Senegal's participation in the United Nations Interim Force in Lebanon (UNIFIL) reflected its active interest and concern in the Middle East problem, in general, and in the question of Palestine, in particular.
4. At that session Mr. Massamba Sarré, Chairman of the Committee, gave an account of the Committee's work and referred to the tragic events in Lebanon in the months of June and July this year. He referred also to the repressive measures taken in the West Bank and Gaza by Israel which seemed to be the forerunner of annexation. He stressed that the slaughter in Lebanon could have been avoided if the Palestinians had been able to exercise their rights in their own land.
5. At the same session, a statement was made by Mrs. Lucille Mair, Secretary-General of the International Conference on the Question of Palestine, who stressed the need for the active participation of all countries in the Conference and in the preparatory activities connected with it.
6. Mr. Moncef el May, Political Counsellor of the Secretary-General of the League of Arab States conveyed to the Seminar a message from Mr. Chedli Klibi, its Secretary-General, who extended his greetings to the Seminar and drew attention to the severe loss of life in Lebanon of unarmed Lebanese and Palestinians, - caused by Israel's aggression. To remain silent in the face of such aggression would be tantamount to complicity in these acts. He appealed to all nations to unite in opposition to this aggression.

7. A message from Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization was conveyed by Dr. Adnan Abdel Rahim, his Special Representative to the Seminar. In this message, Chairman Arafat expressed his appreciation of the work of the Seminar which represented solidarity with the people of Palestine. He stated that Israel continues its destruction of Palestinian institutions established by both the Palestine Liberation Organization and the United Nations, and is responsible for over 30,000 deaths. He hoped that the Committee on the Exercise of the Inalienable Rights of the Palestinian People would help to reveal Israel's real aims. Peace could only be achieved when Palestinians could exercise their right to self-determination. He wished to assure the Seminar that the struggle continues and that the Palestinian people would never surrender.

8. His Excellency Abdel Haq Tazzi, Representative of His Majesty King Hassan of Morocco, Chairman of the Al Quds Committee addressed the Seminar on behalf of His Majesty and appealed to the world body to do everything necessary to compel Israel to withdraw from the Holy City and to preserve its status in accordance with the relevant United Nations resolutions.

9. The meetings of the Seminar were presided over by His Excellency Mr. Moustapha Niasse, Minister of State for Foreign Affairs, His Excellency Mr. Falilou Kane, Minister of State for Commerce and former Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and by Mr. Massamba Sarre, the present Chairman of the Committee. The closing session of the Seminar was addressed by Mr. Moustapha Niasse, Minister of State for Foreign Affairs who reaffirmed the position of Senegal on the situation in the Middle East and the question of Palestine.

10. During this Seminar, four panels of experts 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:

(a) The fundamental rights of the Palestinian people

Ms. Gay McDougall (United States of America); Dr. Alfred Moleah (South African); Mrs. Saturnin Soglo (Benin) and Dr. Seydou Madani Sy (Senegal)

(b) Israeli policies in the occupied Arab territories

Ms. Rita Giacaman (Palestinian); Mr. Ilan Halevi (Palestinian); and Mr. Maki N'Diaye (Mali)

(c) Africa and Palestine: Measures to promote solidarity and mutual support in the search for peace

Mr. Luis de Almeida (Angola); Mr. Aaron Shihepo (Namibian); Prof. Harold McDougall (United States of America); Dr. Alice Palmer (United States of America) and Mr. Babacar Sine (Senegal)

(d) The role of the Palestine Liberation Organization in the social, cultural, economic and political development of the Palestinian people

Mr. Mohammed Akbar Kherad (Afghanistan); and Dr. Adnan Abdel Rahim (Palestinian).

11. In accordance with established practice, the opening statements and the papers presented by the panelists will be published in full by the United Nations together with the report of the Seminar as a contribution to its objective appraisal of the question of Palestine and a wider understanding of the issues relating to it. The recommendations of the seminar are attached to the report.

12. The discussions which followed the presentation of papers at each meeting covered many aspects of the question of Palestine and elaborated on some of the points made by the panelists. The main points made in the papers and in the discussions demonstrated broad agreement amongst the participants over a wide range of issues relating to the realization of the inalienable rights of the Palestinian people which were systematically and continually violated by Israel. There was unanimity on the universal condemnation of these violations and of the moral, political and human issues arising therefrom.

13. The Israeli genocidal attack against the Palestinian people in Lebanon and the wanton massacre of Lebanese civilian populations since the month of June of this year gave ample proof of Israel's criminal intentions as well as of its determination to resort to genocide in order to achieve its expansionist aims. By its defiance of United Nations resolutions and violations of the Geneva Conventions of 1949, Israel had set itself above the law. The seminar was of the view that these developments demonstrate that there could be no resolution of the Middle East conflict until a just, comprehensive and lasting solution was found for the question of Palestine based on the exercise by the Palestinian people of its inalienable rights. It was further noted that the mere rhetorical support of the right of the Palestinian people to self-determination was no longer an adequate response to the situation. What was required was concrete action by States to urge the supporters of Israel, especially the United States of America, to compel Israel to conform to the will of the international community.

14. The Seminar was particularly concerned that Israel could exploit the events in Lebanon to annex the West Bank and Gaza. The Seminar felt it to be its duty to focus international attention on this possibility and the need to ensure that Israel did not further violate international law with impunity. Israel's acts of repression, which occurred with increasing frequency in the occupied Palestinian and Arab territories should be stopped.

15. In light of the recent Israeli aggression against the Palestinian and Lebanese people in Lebanon there was general agreement on the following:

(a) The refusal of successive United States administrations to accept the international consensus of condemnation of Israeli aggression and expansionism has encouraged Israel to pursue further its expansionist policies and to launch its genocidal military operation in Lebanon against the Palestinian and the Lebanese people;

(b) Serious questions were raised concerning the nature of the special relationship of the United States of America with the State of Israel and the responsibility and complicity of the United States administration in the situation created in Lebanon by the recent and continuing Israeli aggression;

(c) Israeli intransigence and aggressiveness was encouraged by the material, political and moral support it received from the United States. It was thus emphasized that all such support should immediately cease as it only encourages Israel;

(d) For the purpose of putting an end to Israel's genocidal operation in Lebanon, the Security Council was strongly urged to consider the imposition of sanctions against Israel;

(e) The participants in the seminar expressed their admiration at the bravery of the Palestinian and Lebanese defenders of Lebanon and extended their wholehearted support to the Palestine Liberation Organization and all the Lebanese patriotic forces;

16. When the fundamental rights of the Palestinian people were discussed, it was noted that there is a growing international consensus on the fundamental rights of the Palestinian people in spite of opposition by the State of Israel. The inalienable rights and fundamental principles which are a requisite for a just, comprehensive and lasting solution to the Palestine question are the following:

(a) The right of the Palestinians to return to their homes and property from which they had been displaced and uprooted;

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

(c) The right to establish an independent State in Palestine;

(d) 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;

(e) The implementation of these inalienable rights of the Palestinian people will contribute to a just solution of the Middle East crisis;

(f) 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 the General Assembly resolutions 3231 (XXIX) of 22 November 1974 and 3375 (XXX) of 10 November 1975 is indispensable to all efforts, deliberations, and conferences on the Middle East which take place under the auspices of the United Nations;

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

17. There is international consensus that the restitution of these rights is a sine qua non for establishing a just, comprehensive and lasting peace in the Middle East. Until these rights are attained, the Palestinian people will strive to regain them by all means at their disposal.

18. The participants at the seminar emphasized that the problem of Palestine could only be solved with the participation of the Palestinian people headed by the Palestine Liberation Organization, its sole and legitimate representative in any negotiations. It was stated that the Camp David Accords, by refusing to accept the Palestine Liberation Organization as an equal partner in the negotiations, by attempting to determine the destiny of the Palestinian people in their absence, and by denying them their fundamental rights, violated United Nations resolutions. The Israeli invasion of Lebanon is further evidence of the real intentions of Israel

and of the real content of the so-called "autonomy" offered to the Palestinians by the Camp David Accords.

19. In the discussion on Israel's policies in the occupied Arab territories, the participants noted that Israel was alone in holding that the Fourth Geneva Conventions of 1949 did not apply to the West Bank and Gaza, and the Syrian Golan Heights, the Arab territories it illegally occupies, and that constant and repeated violations of these Conventions continued daily. Israel's policy of settlements, collective punishments, administrative detention, expulsions and confiscation of land and water resources and the dismissal of duly elected mayors were clear examples of these violations.

20. The reports of Israel's treatment of Lebanese, Palestinian and others captured in the invasion of Lebanon and its refusal to grant them prisoner of war status are cause for deepest concern. The four Geneva Conventions of 1949 apply in their entirety to the conduct of hostilities by Israel in Lebanon. Captured combatants of the Palestine Liberation Organization must be treated as prisoners of war within the meaning of the Geneva Convention. At the very minimum, captured members of the Palestine Liberation Organization and other individuals affiliated with them, together with all Lebanese and Palestinian civilians detained, are entitled to the full panoply of protections set forth in the Fourth Geneva Convention for the protection of civilians and the customary international law of belligerent occupation.

21. Israel's policy in the occupied Arab territories was seen clearly as aimed at dispossessing the non-Jewish inhabitants of Palestine as a prelude to the annexation of the territories, in the path of the illegal annexation of the Syrian Golan Heights and of the city of Jerusalem. The dismissal of Palestinian elected municipal councils and the imposition of an Israeli so-called "civilian administration", as well as the so-called "village leagues" at its service clearly constitutes steps towards such an annexation.

22. The Seminar heard a detailed account of the role of women in the occupied territories. It was noted that, in spite of having to adjust to the effects of military occupation, women played a major part in inhibiting the destruction of the social and cultural infrastructure, in preserving the Palestinian identity and in preparing the way for the reconstruction of a Palestinian society. Furthermore, women's organizations worked not merely for the improvement of the status of women, but were mobilized for the struggle for national rights and to resist the occupation.

23. Along with the physical dispossession of their land and water resources, the Palestinian Arab inhabitants, both in the occupied territories and in Israel itself, face the unhappy prospect of having even their culture eroded by the imposition of discriminatory laws and practices, particularly the repeated and arbitrary closures of educational institutions. It was suggested that the United Nations and specialized agencies should take action to stop these practices. It was underlined that the Palestinian Arab citizens of the State of Israel have been subjected, since 1948, to systematic dispossession and discrimination, in violation of Israel's formal commitments.

24. The seminar was informed of the recent military order 973, introduced with the evident aim of exerting economic pressure on the Palestinian people. This order, promulgated on 9 July 1982, places yet further restrictions on the transfer of

funds into the occupied territories. This order is aimed at imposing further control on Palestinian political, economic, cultural and social life, thus compounding Palestinian dependency on and domination by the Israeli State.

25. Attention was drawn to the close parallels between the policies of Israel in its treatment of the Palestinians and the apartheid policies of South Africa. The denial of the right to self-determination, with its attendant subjection to alien and discriminatory rule was unfortunately the lot of Africans in South Africa and Namibia and of the Palestinians both within Israel and in the illegally occupied Arab territories.

26. In examining the contribution of Africa to the Palestinian cause, the seminar stressed that Africa's support for the cause was based on the sympathetic identification of a common struggle against imperialism, and colonialism as well as on solidarity with the Arabs for their support in the struggle of African nations against imperialism.

27. It was emphasized that for some time African-Americans have felt a sense of solidarity with the just struggle of the Palestinian people because of their common struggle against all forms of racism, including zionism. In view of the recognized bias of the western mass media, especially that of the United States, the seminar recommended that serious efforts should be made to present to the international public all the facts relevant to the question of Palestine in order that the issues would be viewed from a correct perspective. The seminar was heartened by a new awareness of the situation among the American people growing out of the Israeli invasion of Lebanon.

28. The seminar noted that the United Nations had repeatedly reaffirmed the fundamental rights of the Palestinian people and that it had for over 35 years attempted to find a solution for the problem of Palestine. The recommendations of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian people formed a firm basis for such a solution but had unfortunately not been implemented so far, since the Security Council had been unable to take positive action owing to the negative vote of a permanent member.

29. It was recommended that the Committee on the Exercise of the Inalienable Rights of the Palestinian People should take measures in order to ensure the continuation and intensification of United Nations support for the Palestinian people and ensure that the violations of the principles of the United Nations Charter and the resolutions of the General Assembly and the Security Council do not continue.

30. The participants consider that the present Israeli aggression and invasion of the sovereign State of Lebanon demands a response by the Security Council acting under Chapter VII of the United Nations Charter. The failure of the United Nations to take such measures would create a crisis of credibility similar to that faced by the League of Nations in the wake of fascist Italy's invasion of Ethiopia.

31. The seminar expressed its concern at the alarming financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) which threatened the closure of schools and, in fact, its entire mission owing to a lack of funds. It was recommended that the international community should assume the responsibility of aiding the Palestinian refugees and should ensure that UNRWA should have a special fixed budget to which Member States should

contribute on the same basis as their contributions to the budget of the United Nations and to which voluntary contributions should be possible.

32. The role of the Palestine Liberation Organization in the struggle of the Palestinian people was examined. It was noted that the organization had wide ranging responsibilities in the political, economic, social and cultural fields, and provided a political platform as well as infrastructure for socio-economic progress of its people. The United Nations agencies are urged to increase their aid to the Palestine Liberation Organization in its cultural and educational activities and enable the PLO to intervene actively in defining national goals within the curricula of UNRWA schools.

33. The success of the Palestine Liberation Organization in this area, and the fact that it constituted the foundation of a viable State had led Israel to wage a total war against it ever since it was formed. The massive military action in Lebanon was the latest manifestation of this attempt to obliterate the Palestine Liberation Organization.

34. Confidence was expressed in the Palestine Liberation Organization's ability to continue to be the focal point of the Palestinian people's struggle to exercise its inalienable rights, and to establish the Palestinian State as a factor for peace and stability in the region.

35. In concluding their work, the participants in the seminar expressed their gratitude to the Head of State of Senegal, His Excellency Mr. Abdou Diouf, for his directives which contributed to the seminar's success and reflected Senegal's commitment to the just cause of the Palestinian people. They warmly thanked the Government and people of Senegal for their assistance in holding the seminar.

APPENDIX

Recommendations

1. The Seminar recommends that the Committee on the Exercise of the Inalienable Rights of the Palestinian People should establish a working group composed of its members and experts to consider the utility and the viability of convening a War Crime's Tribunal to assess Israel's conduct of hostilities vis-à-vis the international laws and customs of war.
2. The Seminar urges the Committee to request the Secretary-General of the United Nations to demand that:
 - (a) Israel produce immediately a comprehensive list of all persons detained as a result of the invasion of Lebanon;
 - (b) The International Committee of the Red Cross be given full access to all facilities in which these detainees are being held;
 - (c) Those combattants and civilians be accorded the full panoply of protections of the Third and Fourth Geneva Conventions of 1949, respectively.
3. The members of the Seminar request the Committee to:
 - (a) Support efforts for sending delegations to investigate and assess the extent of damage brought by the Israeli invasion of Lebanon in both infrastructural and human terms;
 - (b) Recommend the co-ordination of activities, both in terms of investigation and programme implementation, between United Nations agencies and other agencies (governmental or voluntary) that are operating in the area;
 - (c) Recommend the intensification of efforts to channel adequate amounts of material resources and manpower so that families and the general population affected may be relieved as quickly as possible. Aid should include: rebuilding and fixing of settled areas, particularly West Beirut, Tyre, Sidon and all refugee camps; blood donations, food distribution, medical aid and rehabilitation for the injured.

All the above should be implemented in close association and co-ordination with the Palestine Liberation Organization.

4. The members of the Seminar request the Committee to:
 - (a) Support national institutions in the occupied territories in their economic, social and cultural development efforts, including research grants for Palestinians, allocation of funds to support productive projects and scholarships to train Palestinian manpower appropriately;
 - (b) Support educational institutions in the occupied territories through the allocation of funds, appropriate training of manpower, and most importantly, at present, join international educational institutions in

protesting the repeated closure of schools and universities, which constitute a form of collective punishment;

- (c) Recommend the initiation of a programme of investigative visits to the occupied territories by United Nations officials (formal and/or informal) so as to gain a better understanding of the depth and intensity of the problem of occupation as well as for co-ordination purposes.

All the above should be undertaken in close association and in co-operation with Palestinian national institutions, bodies or organizations.

5. The Seminar recommends that the ties, similarities, and even identity between zionism and apartheid be widely publicized, especially in Africa, the Caribbean, and African-American communities in the United States of America, that a special fund be established for such purpose and that non-governmental organizations be enlisted.

6. The Seminar recommends that the Committee undertake the necessary measures to establish a special fund for the dissemination of information on Palestinian rights and to invite contributions to be made to it by States Members of the United Nations. The special fund should be administered by a sub-committee of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and should be authorized to launch a programme of direct action so as to disseminate relevant information and make disbursements to the non-governmental organizations so that this information may reach specific constituencies.

7. The participants propose that the Committee on the Exercise of the Inalienable Rights of the Palestinian People recommend to the General Assembly that it invest the Committee with the powers, pursuant to General Assembly resolution, to issue travel documents to Palestinians which could serve in lieu of passports with States Members of the United Nations recognizing the resolution, and also to declare products extracted from land and water resources expropriated from Palestinians on the West Bank and Gaza Strip as contraband, to be seized in international commerce by any observing Member State, such products to be held in trust for the Palestinian people.



كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم . استعلم عنها من المكتبة التي تتعامل معها أو اكتب الى : الأمم المتحدة ، قسم البيع في نيويورك او في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经营处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
