

عربي 中文 Français Русский עברית

## FOREWORD

## HISTORY

The question of Palestine before the United Nations  
The Plan of Partition and end of the British Mandate  
The 1967 and 1973 wars

Palestinian refugees in Lebanon  
Growing recognition of Palestinian Rights by the General Assembly

Intifada (The Uprising), 1987-1993  
Search for a peaceful settlement and the role of the United Nations  
Human rights in the occupied Palestinian territory  
Socio-economic achievements of the Palestinian people, 1993-present

## ISSUES IN A PERMANENT SETTLEMENT OF THE QUESTION OF PALESTINE

Palestine refugees  
Israeli settlements in the occupied Palestinian territory  
The status of Jerusalem

## FOR FURTHER READING

**Brochure DPI/2157/Rev.1**

# The Question of Palestine &

# the United Nations



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# Foreword

The United Nations has been seized with the question of Palestine since 1947, when the General Assembly adopted resolution 181 (II). It provided for the establishment of an Arab State and a Jewish State in Palestine, with a special status for the holy city of Jerusalem. No other problem has engaged the attention of the world Organization as intensively or as extensively. From 1948 there have been wars, destruction, suffering and loss of lives of Palestinians and Israelis alike engaging the United Nations in a continuing search for a solution to the problem. Given the grave dangers that are evident to all, there is a vital need to revive efforts aimed at ensuring a comprehensive, just and lasting peace in the Middle East on the basis of United Nations Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002). However, a precondition for any progress in peace negotiations is cessation of all acts of violence, provocation, incitement and destruction. What is also needed is a clear commitment by all sides to honour all bilateral and international agreements, as well as United Nations resolutions.

In outlining a United Nations strategy for dealing with the conflict in the Middle East, the Secretary-General of the United Nations has laid out the following three separate, yet closely linked, core issues:

First, restoring security from terror and violence for both Israelis and Palestinians;

Secondly, addressing the urgent humanitarian needs of the Palestinian people in the occupied territories; and

Thirdly, promoting serious and accelerated negotiations towards a settlement.

There is growing recognition that unless the international community assume a direct and effective role on the ground, progress towards a negotiated settlement will not be sustained. In recent

months, the United Nations, the United States of America, the European Union and the Russian Federation have formed what is now known as the Quartet. All four have committed themselves to working with the Israelis and Palestinians, with the Arab Governments and the international community, to restore the hope of all the people in the region.

This book is a primer on the question of Palestine and the role of the United Nations. It sets out to explain some of the intricacies behind the spiral of violence in the Middle East and the legal framework under which a comprehensive, just and lasting peace could be established in the region.

The information contained in the book is up-to-date only as of October 2001. In the succeeding months, the litany of violence in the region further continued, causing more death and destruction. There have also been important diplomatic moves, including the formation of the Quartet. I invite the readers to follow these and other developments on the situation in the Middle East through the United Nations web site on the question of Palestine and its related links, including a comprehensive database, which provides users with full-text documents of the United Nations system relevant to the question of Palestine and the Arab-Israeli conflict in the Middle East since 1946. The web site also carries news and analysis of developments in the Middle East. You can access the web site at [http://www.un.org/partners/civil\\_society/m-qpales.htm](http://www.un.org/partners/civil_society/m-qpales.htm)

Shashi Tharoor  
Under-Secretary-General  
Department of Public Information

# Chapter 1

## THE QUESTION OF PALESTINE BEFORE THE UNITED NATIONS



Photo: United Nations

The League of Nations in session, 1922.

### **Palestine under League of Nations Mandate, 1922**

When the United Nations was founded on 24 October 1945, the territory of Palestine was still administered by the United Kingdom of Great Britain and Northern Ireland under a Mandate received in 1922 from the League of Nations.

Among the issues that had to be dealt with by the Mandatory Power was the question of a Jewish home in Palestine. Increasing Jewish immigration to Palestine following the Second World War was strongly opposed by the Arab inhabitants, who in the mid-1940s comprised about two thirds of the territory's population of 2 million. Faced with escalating violence, the United Kingdom decided, in February 1947, to bring the question of Palestine before the United Nations.

Drawing attention to “the desirability of an early settlement in Palestine”, the British Government asked that a special session of the General Assembly be called immediately in order to constitute and instruct a special committee to prepare a preliminary study on the question of Palestine for consideration by the Assembly at its next regular session.

### **First special session of the General Assembly, 1947**

At the first special session of the General Assembly, which began on 28 April 1947, a special committee on Palestine was established. Five Arab countries—Egypt, Iraq, Lebanon, Saudi Arabia and Syria—tried unsuccessfully to include in the agenda of the special session an item that would address “the termination of the Mandate over Palestine and the declaration of its independence”. The Jewish case was presented by the Jewish Agency for Palestine, while the Arab Higher Committee spoke for the Palestinian Arabs.

### **Creation of UNSCOP**

At the special session, the Assembly established the United Nations Special Committee on Palestine (UNSCOP), made up of 11 Member States, to investigate all questions relevant to the problem of Palestine and to recommend solutions to be considered by the General Assembly at the regular session in September 1947. During the course of its two-and-a-half-month investigation, the Special Committee went to Palestine, Lebanon, Syria and Trans-Jordan, and also visited the displaced-persons camps in Austria and Germany, which had been ravaged by the Second World War and had experienced the tragedy of the European Jews under Nazism.

While Jewish organizations cooperated with UNSCOP in its deliberations, the Palestinian leadership in the Arab Higher Committee decided not to participate, on the grounds that the United Nations had refused to address the question of independence and had failed to separate the issue of Jewish refugees from

Europe from the question of Palestine. The natural rights of the Palestinian Arabs were self-evident and should be recognized, it said, and could not continue to be subject to investigation.

The Jewish leadership maintained before UNSCOP that the issues of a Jewish State in Palestine and unrestricted immigration were inextricably interwoven. The Arabs, represented by the League of Arab States, sought the immediate creation of an independent Palestine west of the Jordan River.

UNSCOP completed its work on 31 August 1947, with the members agreeing on the question of terminating the Mandate, the principle of independence and the role of the United Nations. There was no consensus, however, on a settlement of the question of Palestine. The majority of the members of the Committee recommended that Palestine be partitioned into an Arab State and a Jewish State, with a special international status for the city of Jerusalem under the administrative authority of the United Nations. The three entities were to be linked in an economic union. The minority plan called for an independent federal structure comprising an Arab State and a Jewish State, with Jerusalem as the capital of the federation. Australia abstained from voting on either plan because it maintained that the recommendations exceeded the Committee’s terms of reference.

### Dividing Palestine: Two proposals

The Special Committee on Palestine considered in 1947 two proposals on the question of Palestine: the majority and minority proposals. Here are their main features:

#### The minority proposal: A federal State of Palestine

- “ The independent State of Palestine—The peoples of Palestine are entitled to recognition of their right to independence, and an independent federal State of Palestine shall be created following a transitional period not exceeding three years ...
- “ The independent federal State of Palestine shall comprise an Arab State and a Jewish State.
- “ During the transitional period, a constituent assembly shall be elected by the population of Palestine and shall formulate the constitution of the independent federal State of Palestine ...
- “ The attainment of independence by the independent federal State of Palestine shall be declared by the General Assembly of the United Nations as soon as the authority administering the territory shall have certified to the General Assembly that the constituent assembly referred to in the precedent paragraph has adopted a constitution ...
- “ There shall be a single Palestinian nationality and citizenship, which shall be granted to Arabs, Jews and others.
- “ Jerusalem, which shall be the capital of the independent federal State of Palestine, shall comprise, for purposes of local administration, two separate municipalities, one of which shall include the Arab sections of the city, including that part of the city within the walls, and the other the areas which are predominantly Jewish. ”

#### The majority proposal: Partition with economic union

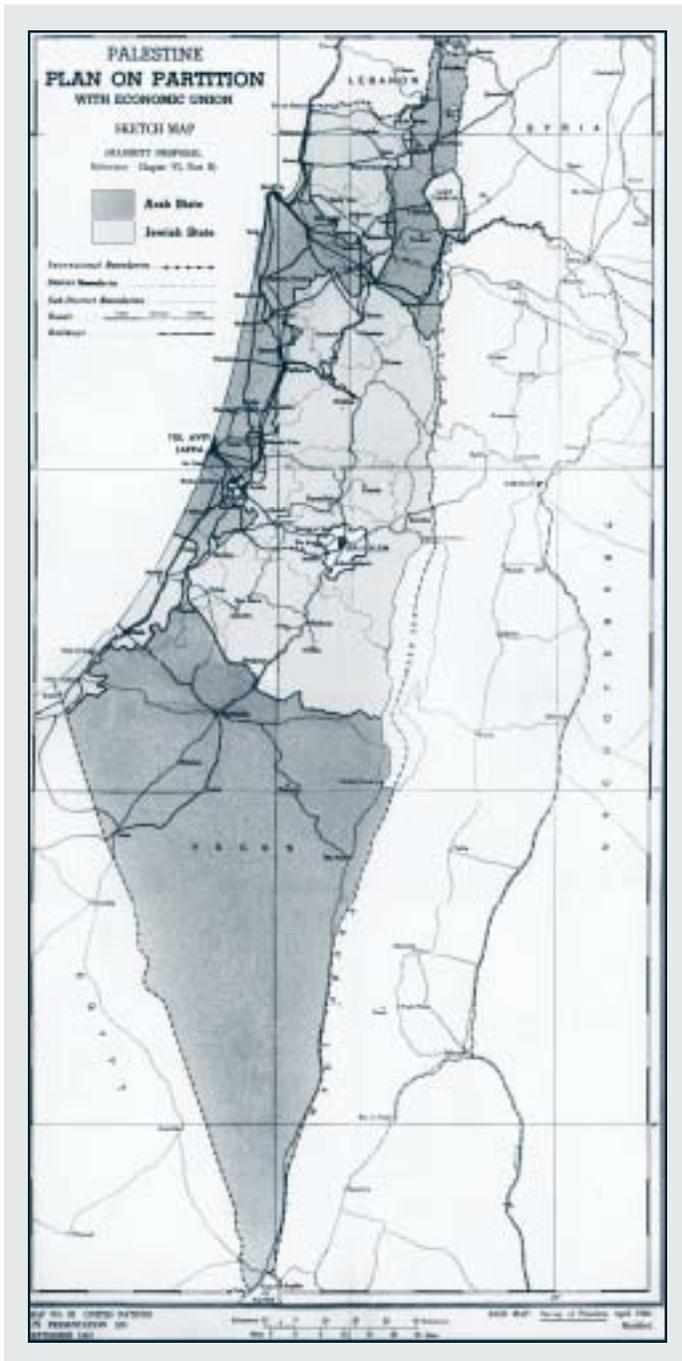
- “ Partition and independence—Palestine within its present borders, following a transitional period of two years from 1 September 1947, shall be constituted into an independent Arab State, an independent Jewish State, and the City of Jerusalem ...
- “ Independence shall be granted to each State upon its request only after it has adopted a constitution ... has made to the United Nations a declaration containing certain guarantees, and has signed a treaty creating the Economic Union of Palestine and establishing a system of collaboration between the two States and the City of Jerusalem.
- “ Citizenship—Palestinian citizens, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine, shall, upon the recognition of independence, become citizens of the State in which they are resident ...
- “ Economic union—A treaty shall be entered into between the two States. ... The treaty shall be binding at once without ratification. It shall contain provisions to establish the Economic Union of Palestine ...
- “ Population—The figures given for the distribution of the settled population in the two proposed States ... are approximately as follows:

	Jews	Arabs and others	Total
The Jewish State	498 000	407 000	905 000
The Arab State	10 000	725 000	735 000
City of Jerusalem	100 000	105 000	205 000

- “ In addition there will be in the Jewish State about 90,000 (Arab) Bedouins ...
- “ (Jerusalem)—The City of Jerusalem shall be placed under an International Trusteeship System by means of a Trusteeship Agreement which shall designate the United Nations as the Administering Authority. ”

# Chapter 2

## THE PLAN OF PARTITION AND END OF THE BRITISH MANDATE



Members of the Special Committee on Palestine (shown here with two United Nations officials).

The question of Palestine was brought before the General Assembly by the United Kingdom almost as soon as the United Nations came into being. An 11-member Special Committee on Palestine (UNSCOP) was formed at the first special session of the Assembly in April 1947. The majority of the committee members recommended that Palestine be partitioned into an Arab State and a Jewish State, with a special international status for the city of Jerusalem under the administrative authority of the United Nations.

## **The partition plan, 1947**

At its second regular session, after an intense two-month-long debate, the General Assembly, on 29 November 1947, adopted resolution 181 (II), approving with minor changes the Plan of Partition with Economic Union as proposed by the majority in the Special Committee on Palestine. The partition plan, a detailed four-part document attached to the resolution, provided for the termination of the Mandate, the progressive withdrawal of British armed forces and the delineation of boundaries between the two States and Jerusalem.

The plan included:

- \* The creation of the Arab and Jewish States not later than 1 October 1948;
- \* Division of Palestine into eight parts: three were allotted to the Arab State and three to the Jewish State; the seventh, the town of Jaffa, was to form an Arab enclave within Jewish territory;
- \* The international regime for Jerusalem, the eighth division, to be administered by the United Nations Trusteeship Council.

The plan also set out the steps to be taken prior to independence. It dealt with the questions of citizenship, transit, the economic union and a declaration to be made by the provisional government of each proposed State regarding access to holy places and religious and minority rights. By resolution 181 (II), the Assembly also set up the United Nations Palestine Commission to carry out its recommendations and requested the Security Council to take the necessary measures to implement the plan of partition.

The Jewish Agency accepted the resolution despite its dissatisfaction over such matters as Jewish emigration from Europe and the territorial limits set on the proposed Jewish State. The plan was not accepted by the Palestinian Arabs and Arab States on the ground that it violated the provisions of the United Nations Charter, which granted people the right to decide their

own destiny. They said that the Assembly had endorsed the Plan under circumstances unworthy of the United Nations and that the Arabs of Palestine would oppose any scheme that provided for the dissection, segregation or partition of their country, or which gave special and preferential rights and status to a minority.

## **End of the British Mandate**

The adoption of resolution 181 (II) was followed by outbreaks of violence in Palestine. As the situation deteriorated, the Security Council called for a special session of the General Assembly, which then met from 16 April to 14 May 1948. On 17 April, the Security Council called for the cessation of all military and paramilitary activities in Palestine, and on 23 April it established the Truce Commission to supervise and help bring about a ceasefire. For its part, the General Assembly relieved the Palestine Commission of its responsibilities and decided to appoint a mediator charged with promoting a peaceful settlement in cooperation with the Truce Commission. On 20 May, Count Folke Bernadotte, President of the Swedish Red Cross, was chosen as United Nations Mediator.

## **First Arab-Israeli war, 1948-1949**

On 14 May 1948, the United Kingdom relinquished its Mandate over Palestine and disengaged its forces. On the same day, the Jewish Agency proclaimed the establishment of the State of Israel on the territory allotted to it by the partition plan. Fierce hostilities immediately broke out between the Arab and Jewish communities. The next day, regular troops of the neighbouring Arab States entered the territory to assist Palestinian Arabs.

The fighting was halted after several weeks, through a four-week truce called for by the Security Council on 29 May 1948. The truce went into effect on 11 June and was supervised by the United Nations Mediator with the assistance of a group of inter-

national military observers, which came to be known as the United Nations Truce Supervision Organization (UNTSO). Despite the efforts of the Mediator, no agreement could be reached on an extension of the truce, and fighting broke out again on 8 July.

On 15 July 1948, the Security Council decided in a resolution that the situation in Palestine constituted a threat to the peace. It ordered a ceasefire and declared that failure to comply would be construed as a breach of the peace requiring immediate consideration of enforcement measures under Chapter VII of the United Nations Charter. In accordance with the resolution, the second truce came into force. By that time, Israel controlled much of the territory allotted to the Arab State by the partition resolution, including the western part of Jerusalem. Egypt and Jordan respectively administered the remaining portions of Gaza and the West Bank of the Jordan River (which included East Jerusalem, or the old city). More fighting took place in October 1948 and March 1949, during which Israel took over other areas, some allotted to the Arab State. In 1950, Jordan brought the West Bank including East Jerusalem formally under its jurisdiction pending a solution to the problem.

The hostilities also created a major humanitarian crisis, with almost 750,000 Palestinians being uprooted from their land and becoming refugees.

While in the middle of negotiations between the parties, Count Bernadotte was shot and killed on 17 September 1948 in the Israeli-held sector of Jerusalem. Ralph Bunche, of the United States of America, was appointed as Acting Mediator.

Between February and July 1949, under United Nations auspices, armistice agreements were signed between Israel, on the one hand, and Egypt, Jordan, Lebanon and Syria on the other. The agreements, which were similar in general content, accepted the establishment of the armistice as an indispensable step towards the restoration of peace in Palestine. They also made clear that the purpose of the armistice was not to establish or

recognize any territorial, custodial or other rights, claims or interests of any party.

In August of 1949, the Security Council called for UNTSO observers to supervise the armistice. In accordance with Council decisions, UNTSO observers remain stationed in the Middle East.

### **General Assembly resolution 194 (III): The right to return**

At its third regular session, on 11 December 1948, the General Assembly adopted resolution 194 (III), in which it delineated ways to resolve the Palestine problem. Following suggestions contained in the report prepared by Count Bernadotte for a solution to the increasingly intractable situation in Palestine, the Assembly declared that:

- \* Refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date;
- \* Compensation should be paid for the property of those choosing not to return.

The Assembly also called for the demilitarization and internationalization of Jerusalem and for the protection of, and free access to, the holy places in Palestine. Resolution 194 (III) also provided for the establishment of a three-member United Nations Conciliation Commission for Palestine, which was to assume the functions of the United Nations Mediator insofar as it considered necessary. It was instructed to assist the parties in achieving a final settlement on all outstanding questions and to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees. The Assembly subsequently named France, Turkey and the United States to the Commission.

The Conciliation Commission tried to resolve three major issues: the size of the territories, the refugees and the status of Jerusalem. Through separate talks with Arab States (Egypt, Jordan, Lebanon and Syria) and Israel at a conference in

Lausanne in April 1949, it obtained a protocol, signed separately by each side, agreeing to use the boundaries established in the partition resolution as a basis for discussion. However, the 1949 meetings of the Commission ended inconclusively, with the Arab States pressing for the refugees to be returned as a first step, and with Israel insisting that the territorial question be given priority.

Later efforts by the Commission to secure the return of the Palestinians and establish an international regime for Jerusalem were also unsuccessful. Since 1951, the Commission has tried to secure the complete release of Arab refugee bank accounts blocked in Israel. In 1964, it completed the identification of Arab refugee property, and it continues to maintain records relating to such property.

In periodic reports submitted to the General Assembly since 1952, the Commission has repeatedly stressed that its efforts to advance matters towards the implementation of resolution 194 (III) depend on substantial changes in the attitudes of the parties. The provisions of that resolution on the right of Palestinian refugees to return have been reasserted by the Assembly virtually every year since 1948.

Meanwhile, on 11 May 1949, Israel became a Member of the United Nations. In admitting Israel, the General Assembly specifically took note of Israel's declarations and explanations made earlier to the Assembly's Ad Hoc Political Committee regarding the implementation of resolutions 181 (II) and 194 (III). Those declarations and explanations referred, among other things, to the international regime envisaged for Jerusalem, the problem of Arab refugees and boundary questions.

## UN facts

### Israel joins the United Nations

Israel became a member of the United Nations on 11 May 1949. The preamble to the resolution admitting Israel to United Nations membership specifically referred to Israel's undertakings to implement General Assembly resolutions 181 (II) and 194 (III), the two resolutions that formed the centre of the Palestine issue in the United Nations:

- “ *Having received* the report of the Security Council on the application of Israel for membership in the United Nations,
- “ *Noting* that in the judgement of the Security Council, Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter,
- “ *Noting* that the Security Council has recommended to the General Assembly that it admit Israel to membership in the United Nations,
- “ *Noting furthermore* the declaration by the State of Israel that it ‘unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a Member of the United Nations’,
- “ *Recalling* its resolutions of 29 November 1947 and 11 December 1948 and taking note of the declarations and explanations made by the representative of the Government of Israel before the ad hoc Political Committee in respect of the implementation of the said resolutions,
- “ *The General Assembly,*
- “ *Acting in discharge* of its functions under Article 4 of the Charter and rule 125 of its rules of procedure,
- “ 1. *Decides* that Israel is a peace-loving State which accepts the obligations contained in the Charter and is able and willing to carry out those obligations;
- “ 2. *Decides* to admit Israel to membership in the United Nations.”

# Chapter 3

## THE 1967 AND 1973 WARS



Photo: United Nations

Security Council adopts resolution 242 (1967).

With the question of Palestine unresolved, an uneasy peace, punctuated by violence and acts of force, was maintained in the region from 1950 until 1967, when Israel came to occupy the entire area of the former British Mandate of Palestine.

### **Establishment of UNEF I**

Earlier, armed conflict had erupted in 1956, when, on 29 October, Israel began military operations against Egypt, joined later by France and the United Kingdom. In a politically charged atmosphere, Egypt nationalized the Suez Canal in July of that year. The crisis ended with a ceasefire called for by the General Assembly at an emergency special session, the eventual withdrawal of the invading forces and the deployment of the

United Nations Emergency Force (UNEF I)—the first United Nations peacekeeping force.

UNEF I was withdrawn in May 1967 at the request of Egypt, which had informed the Secretary-General that it would no longer consent to the stationing of the force on Egyptian territory and in Gaza. On 5 June 1967, hostilities broke out between Israel and Egypt, Jordan and Syria. By the time a ceasefire called for by the Security Council was accepted by the parties, Israel had occupied the Egyptian Sinai, the Gaza Strip, the West Bank including East Jerusalem and part of the Syrian Golan Heights.

After the ceasefire was secured, the Security Council adopted resolution 237 (1967), in which it called upon Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of the displaced persons. The Governments concerned were asked to respect scrupulously the humanitarian principles governing the protection of civilian persons in time of war contained in the Fourth Geneva Convention, of 1949. At its fifth emergency special session, convened after the fighting began, the General Assembly called upon Governments and international organizations to extend emergency humanitarian assistance to those affected by the war. The Assembly asked Israel to rescind all measures already taken and to desist from taking further action which would alter the status of Jerusalem.

### **Security Council resolution 242 (1967)**

Later that year, on 22 November, the Security Council unanimously adopted, after much negotiation, resolution 242 (1967), laying down principles for a peaceful settlement in the Middle East. The resolution stipulated that the establishment of a just and lasting peace should include the application of two principles:

- \* Withdrawal of Israel armed forces from territories occupied in the recent conflict; and
- \* Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territo-

rial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.

The resolution also affirmed the territorial inviolability of every State in the region and called for “achieving a just settlement of the refugee problem”.

Egypt and Jordan accepted resolution 242 (1967) and considered Israeli withdrawal from all territories occupied in the 1967 war as a precondition to negotiations. Israel, which also accepted the resolution, stated that the questions of withdrawal and refugees could be settled only through direct negotiations with the Arab States and the conclusion of a comprehensive peace treaty. Syria rejected the Council action, maintaining that the resolution had linked the central issue of Israeli withdrawal to concessions demanded from Arab countries. The Palestine Liberation Organization (PLO) strongly criticized the resolution, which it said reduced the question of Palestine to a refugee problem.

### **War of 1973 and Security Council resolution 338 (1973)**

In October 1973, war broke out again between Egypt and Israel in the Suez Canal area and the Sinai and between Israel and the Syrian Arab Republic on the Golan Heights. As fighting reached a critical stage, the Soviet Union and the United States jointly requested an urgent meeting of the Security Council. On 22 October, the Security Council adopted resolution 338 (1973), which reaffirmed the principles of resolution 242 and called for negotiations aimed at “a just and durable peace in the Middle East”. The ceasefire call was later confirmed in resolution 339 (1973) of 23 October, and the Secretary-General was requested to dispatch United Nations observers immediately.

However, as fighting continued in the region, President Anwar el Sadat of Egypt appealed directly to the Soviet Union and the United States to intervene with troops and enforce the ceasefire. While the Soviet Union agreed, the United States



## Security Council resolutions 242 and 338

Security Council resolution 242, adopted on 22 November 1967, and resolution 338, adopted on 22 October 1973, are considered basic instruments in all subsequent discussions of a Middle East peace settlement.

### 1) Security Council resolution 242 (1967) of 22 November 1967

*The Security Council,*

*Expressing its continuing concern with the grave situation in the Middle East,*

*Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,*

*Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,*

1. *Affirms* that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
  - (i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
  - (ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. *Affirms further* the necessity
  - (a) For guaranteeing freedom of navigation through international waterways in the area;

- (b) For achieving a just settlement of the refugee problem;
  - (c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;
4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Adopted unanimously at the 1382nd meeting.

### 2) Resolution 338 (1973) of 22 October 1973

*The Security Council,*

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
2. *Calls upon* the parties concerned to start immediately after the ceasefire the implementation of Security Council resolution 242 (1967) in all of its parts;
3. *Decides* that, immediately and concurrently with the ceasefire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

Adopted at the 1747th meeting by 14 votes to none.<sup>1</sup>

<sup>1</sup> One member (China) did not participate in the voting.

# Chapter 4

## PALESTINIAN REFUGEES IN LEBANON



Photo: United Nations

UN peacekeepers on duty in Southern Lebanon, 1978.

Lebanon increasingly became the focus of conflict in the Middle East in the mid- and late 1970s. Many of those who fled the northern and coastal regions of Palestine in 1948 had found refuge in camps around the Lebanese towns of Tyre, Sidon and Beirut. Another wave of Palestinians came in from Jordan in 1970, and unrest steadily increased in southern Lebanon. By early 1972, the situation along the Israeli-Lebanese border had deteriorated. Stating that it was retaliating against raids by Palestinian commandos into its territory, Israel attacked refugee camps in Lebanon. In April 1972, at the request of Lebanon, UNTSO set up a ceasefire observation operation along the border.

## **Israel invasion of Lebanon, 1978**

Israeli forces invaded southern Lebanon in March 1978, following a Palestinian commando raid into Israel. The Security Council called on Israel to withdraw its forces from Lebanese territory and, at the request of Lebanon, established the United Nations Interim Force in Lebanon (UNIFIL), with a mandate to confirm the withdrawal of Israeli forces, restore peace and security, and assist the Lebanese Government to re-establish its authority over the south of the country. However, when Israeli forces completed their withdrawal from Lebanon in June 1978, they handed over their positions in the border area, not to UNIFIL, but to Christian and associated militias supported by Israel.

Southern Lebanon remained volatile, with frequent exchanges of fire between the Christian militias and the Israeli forces on the one hand and armed elements of the PLO and the Lebanese National Movement on the other. Efforts by the United Nations and the United States led to a de facto ceasefire in July 1981, and the area remained generally quiet until May 1982. Then, following attacks on Israeli diplomats in London and Paris, Israel carried out air strikes against PLO targets in Lebanon. Fighting broke out once again between Israeli and PLO forces.

On 5 June, in resolution 508 (1982), the Security Council called for an immediate halt of all military activities within Lebanon and across the Israel-Lebanon border. The PLO reaffirmed its commitment to stop all military operations across the border, and Israel informed the Secretary-General that the Council's resolution would be brought before the Israeli Cabinet. The next day, 6 June, Israeli forces invaded Lebanon. UNIFIL positions in southern Lebanon were either overrun or bypassed. The Security Council, in resolution 509 (1982), reiterated its calls for a ceasefire and demanded that Israel withdraw its military forces "forthwith and unconditionally". The invasion continued, and eventually the Israeli forces reached and surrounded Beirut.

Continuing to meet in June, July and August of 1982, the Security Council demanded that Israel lift its blockade of Beirut so that civilians in the city could receive necessary supplies. It authorized the deployment of United Nations military observers, known as Observer Group Beirut, to monitor the situation in and around the city.

In August, during the siege of West Beirut by Israeli forces, France, Italy and the United States, at the request of the Lebanese Government, sent a multinational force to Beirut to assist in the orderly and safe departure of Palestinian armed personnel from Lebanon. The evacuation of Palestinian forces from the Beirut area was completed on 1 September 1982, and the multinational force was withdrawn over the next two weeks.

Tension increased greatly with the assassination, on 14 September 1982, of Lebanon's President-elect Bashir Gemayal. The next day, units of the Israeli forces moved forward into West Beirut. On 17 September, hundreds of Palestinian civilians, including women and children, were massacred in the refugee camps of Sabra and Shatila by Lebanese Christian militias, which had entered West Beirut with the Israeli forces. The Security Council condemned the "criminal massacre of Palestinian civilians in Beirut", and the Government of Lebanon requested the return of the multinational force.

Contingents from France, Italy and the United States, later joined by a small unit from the United Kingdom, went back to Beirut late in September 1982. The multinational force encountered serious obstacles in its task, and because of heavy casualties, Italy, the United Kingdom and the United States withdrew their personnel, followed by France early in 1984, thus ending the 19-month multinational effort.

In June 1983, clashes broke out in eastern Lebanon between different Palestinian factions, causing widespread suffering among Palestinian civilians. Then the focus of tension among Palestinians shifted to northern Lebanon around the city of Tripoli. An agreement was eventually reached between the par-

ties, which provided for a ceasefire and the evacuation of PLO Chairman Yasser Arafat and the armed elements of the PLO loyal to him. In response to a request by him, the Secretary-General decided, on humanitarian grounds, to authorize the flying of the United Nations flag on ships that would evacuate the PLO forces from Tripoli. The evacuation operation was carried out on 20 December 1983, and thousands of Palestinians sought refuge in Tunisia, Yemen and other countries.

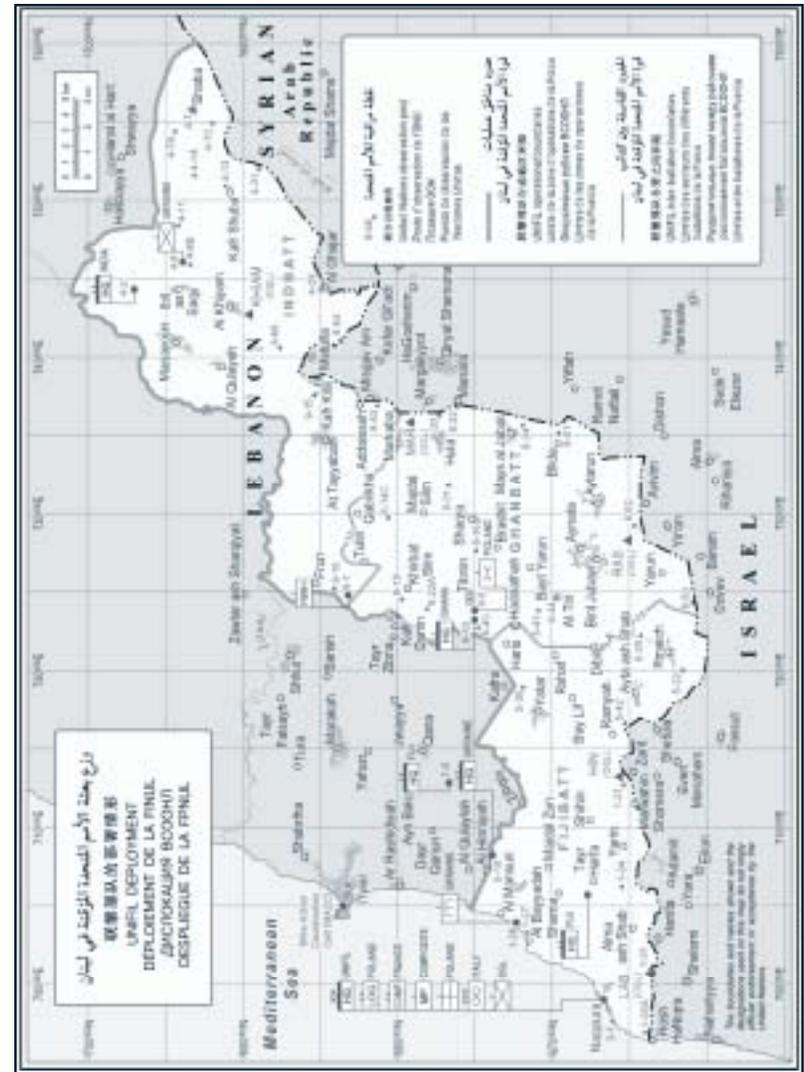
**Israel’s “security zone” in south Lebanon, 1985**

In January 1985, the Israeli Government announced that members of the Israel Defence Forces (IDF) would continue to operate in a “security zone” in southern Lebanon and act as advisers to the so-called “South Lebanon Army” (SLA). The IDF and SLA in southern Lebanon remained targets for attacks by groups opposed to the Israeli occupation. In 1993 and 1996, Israel carried out intense bombardments, causing many civilian casualties.

**Israeli withdraws from Lebanon, 2000**

On 17 April 2000, Israel informed the Secretary-General that it would withdraw its forces from Lebanon by July 2000 “in full accordance with Security Council resolutions 425 (1978) and 426 (1978)”. As a first step, the Secretary-General sent his Special Envoy, Terje Roed-Larsen (Norway), to meet with the Governments of Israel and Lebanon and concerned Member States in the region. United Nations cartographic, legal and military experts, accompanying Mr. Roed-Larsen, examined the technical issues related to the withdrawal.

On 2 May, the Government of Israel notified the Secretary-General that Israel had redeployed its forces in compliance with Security Council resolutions. A United Nations team of cartographers worked on the ground to identify a line to be adopted for the purposes of confirming the Israeli withdrawal (subsequently referred to as the “Blue Line”). On 16 June, the Secretary-General reported to the Council that Israel had with-



Map No. 4144 Rev. 5 United Nations  
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Cartographic Section

# Chapter 5

## GROWING RECOGNITION OF PALESTINIAN RIGHTS BY THE GENERAL ASSEMBLY



Photo: United Nations

Voting board in the General Assembly hall granting the Palestine Liberation Organization observer status, 22 November 1974.

On the question of Palestine, international attention during the 1950s and the early 1960s focused primarily on the problem of Palestinian refugees and interstate conflict. Following the 1967 war, the question of Palestine began to be understood in a broader political context. There was a resurgence of activity by Palestinians to achieve their national rights. The Palestine Liberation Organization (PLO), which had been established in 1964, adopted a new national charter in 1968. The document stated that the international community had so far failed to discharge its responsibility and called for continuing the fight to achieve Palestinian rights.

### **Reintroduction of the question of Palestine in the General Assembly agenda, 1974**

In December 1969, the General Assembly recognized that “the problem of the Palestine Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights”. In September 1974, 56 Member States proposed that “the question of Palestine” be included as an item in the General Assembly’s agenda. They pointed out that the question of Palestine and the status and fate of the Palestinian people had not appeared as a separate item before the Assembly for more than 20 years. Their proposal was accepted, and since then the question of Palestine has again been part of the Assembly’s agenda.

In a resolution adopted on 22 November 1974, the General Assembly reaffirmed the inalienable rights of the Palestinian people, which included the right to self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and property. The rights of the Palestinian people, as set forth by the Assembly in 1974, have been reaffirmed every year since.

### **Observer status for PLO, 1974**

Also in 1974, the General Assembly invited the PLO to participate in its proceedings with observer status, as representative of the Palestinian people. The observer status was later extended to cover all United Nations bodies.

Later, in its resolution 43/177 of 15 December 1988, the General Assembly acknowledged the proclamation of the State of Palestine made by the Palestine National Council. The Assembly reaffirmed the need to enable the Palestinian people to exercise sovereignty over its territory occupied since 1967. Also, the General Assembly decided that the designation “Palestine” should be used in place of the designation “Palestine Liberation Organization” in the United Nations system, without prejudice to the observer status and functions of the

Palestine Liberation Organization within the United Nations system.

Ten years later, in 1998, the General Assembly, in its resolution 52/250 of 7 July, decided to confer upon Palestine, in its capacity as Observer, additional rights and privileges of participation in the sessions and work of the General Assembly, as well as in United Nations and international conferences.

### **Creation of the Palestinian Rights Committee, 1975**

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, also known as the Palestinian Rights Committee, was established by the General Assembly in 1975. The Committee was asked to prepare a programme to enable the Palestinians to exercise their inalienable rights. In 1976, the Committee presented two sets of recommendations, one concerned with the Palestinians’ right of return to their homes and property; and the other with their rights to self-determination, national independence and sovereignty.

The Security Council discussed the recommendations but was unable to reach a decision owing to the negative vote of the United States, a permanent member of the Council. The Council considered the matter again on subsequent occasions, but adjourned each time without taking a decision. The recommendations were, however, endorsed by the General Assembly in 1976 and in subsequent years. The Assembly also requested the Committee to keep the situation relating to the question of Palestine under review and to report and make recommendations to the General Assembly or the Security Council. The Committee was also mandated to promote the greatest possible dissemination of information on its recommendations through non-governmental organizations and other appropriate means.

Throughout the 1980s and 1990s, the Committee followed the situation with regard to rights of the Palestinians and brought its findings before the General Assembly and the Security Council. Its programme of seminars, symposiums and

other activities helped increase awareness of the question of Palestine at the international level, and focused efforts on the need for achieving a peaceful settlement based on the exercise of the inalienable rights of the Palestinian people.

## UN facts

### **PLO is granted observer status**

The General Assembly, in a resolution adopted on 22 November 1974, invited the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly in the capacity of Observer.

*The General Assembly,*

*Having considered* the question of Palestine,

*Taking into consideration* the universality of the United Nations prescribed in the Charter,

*Recalling* its resolution 3102 (XXVIII) of 12 December 1973,

*Taking into account* Economic and Social Council resolutions 1835 (LVI) of 14 May 1974 and 1840 (LVI) of 15 May 1974,

*Noting* that the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, the World Population Conference and the World Food Conference have in effect invited the Palestine Liberation Organization to participate in their respective deliberations,

*Noting also* that the Third United Nations Conference on the Law of the Sea has invited the Palestine Liberation Organization to participate in its deliberations as an observer,

1. *Invites* the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;
2. *Invites* the Palestine Liberation Organization to participate in the sessions and the work of all international conferences convened under the auspices of the General Assembly in the capacity of observer;
3. *Considers* that the Palestine Liberation Organization is entitled to participate as an observer in the sessions and the work of all international conferences convened under the auspices of other organs of the United Nations;
4. *Requests* the Secretary-General to take the necessary steps for the implementation of the present resolution.

A/RES/3237(XXIX), 22 November 1974

# Chapter 6

## INTIFADA (THE UPRISING), 1987-1993



The children of Intifada, 1987-1993. A Palestinian youth at the Jalazone refugee camp, West Bank.

### **The intifada, 1987**

Conditions in the Palestinian territory of the West Bank and Gaza Strip, including Jerusalem, involving more than 20 years of military occupation, repression and confiscation of land, contributed to the eruption of a spontaneous uprising, the intifada, in December 1987. Palestinians from all walks of life—youth, merchants, labourers, women and children—joined massive demonstrations, economic boycotts, tax resistance and strikes, protesting the military occupation of their land and demanding national independence.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) followed the situation closely.

The Committee submitted reports on the severe measures—including the use of live ammunition against demonstrators and punitive beatings—adopted by the occupation authorities. Between 1987 and 1993, over 1,000 Palestinians were killed and tens of thousands injured. Thousands of Palestinians were detained, thousands transferred to prisons in Israel and many deported from the Palestinian territory. The reports described instances of maltreatment and torture in jail, lethal use of tear gas and excessive use of live ammunition, beatings and other severe measures. Israel also resorted to various forms of collective reprisal, such as demolition of houses, imposition of prolonged curfews and restrictive economic measures.

The educational system came to a halt when schools and universities were closed for extended periods and informal teaching arrangements were prohibited. Social services were curtailed and media and civil organizations outlawed. Tens of thousands of productive trees were uprooted and crops destroyed. Acts of violence and aggression by Israeli settlers increased in both scope and gravity, the reports said. In this situation, Palestinians attempted against all odds to overcome severe economic hardship through reliance on their community-based economy.

The Security Council, the General Assembly and the Secretary-General responded with deep concern to the measures taken by the occupation authorities against the intifada. From the outset of the uprising, beginning with Security Council resolution 605 (1987) of 22 December 1987, the question of means to ensure the safety and protection of Palestinians in the occupied territory in accordance with the (Fourth) Geneva Convention relative to the Protection of Civilian

Persons in Time of War of 12 August 1949 received special attention. In that resolution, the Security Council “strongly deplored the policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians”.

Following the adoption of its resolution 605 (1987), the Security Council adopted four resolutions specifically on the question of deportations of Palestinians from the occupied territory. In resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, and 641 (1989) of 30 August 1989, the Council called upon Israel to desist from deporting Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported.

In a presidential note dated 26 August 1988, the members of the Security Council said that they were gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths. The members of the Security Council considered that the situation in the occupied territories had grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East.

A number of measures initiated in the Security Council to ensure the safe protection of Palestinians in accordance with the Fourth Geneva Convention were not adopted, owing to a lack of consensus among the permanent members. However, on 20 December 1990, the Security Council unanimously requested the Secretary-General to make new efforts on an urgent basis to monitor and observe the situation of Palestinian civilians under Israeli occupation and urged Israel to apply the

Convention to all occupied territories. Israel has rejected the legal applicability of the Convention, while stating that it respects it de facto.

# Chapter 7

## SEARCH FOR A PEACEFUL SETTLEMENT AND THE ROLE OF THE UNITED NATIONS



Secretary-General Kofi Annan, who travelled to the Middle East in October 2000 and met with leaders of Israel and the Palestinian Authority, is looking out at the old city of Jerusalem from his hotel room.

United Nations efforts at reaching a negotiated settlement in the Middle East conflict and securing the inalienable rights of the Palestinian people, including the right to self-determination, have been guided by, among other things, two Security Council resolutions—resolution 242 (1967) and resolution 338 (1973). Even when negotiations were held outside the United Nations framework, either bilaterally or with the involvement of regional parties and international partners, these resolutions remained key terms of reference, agreed upon by all parties as the foundation on which just and durable peace could be built.

### **International Peace Conference, 1973**

Under United Nations auspices and the joint chairmanship of the Soviet Union and the United States, an International Peace Conference was convened in December 1973 in Geneva. Egypt, Israel and Jordan were represented in the Conference, but Syria refused to take part. After three meetings, the Conference adjourned indefinitely, but it agreed that work would continue through a Military Working Group.

The Working Group played an important role in reaching agreements on the disengagement of forces between Egypt and Israel in January 1974 and October 1975. It was also involved in the conclusion of a disengagement agreement between Israel and Syria in May 1974. These agreements were carried out with the assistance of two United Nations peacekeeping forces—UNEF II in the Egypt-Israel sector and the United Nations Disengagement Observer Force (UNDOF) in the Israel-Syria sector.

From 1974 to 1977, efforts were made at various levels to promote a resumption of the negotiating process. The Security Council repeatedly requested the parties to implement resolution 338 (1973). Calls for resuming the Geneva Peace Conference were also made by the General Assembly. Early in 1977, after a visit to the Middle East, the Secretary-General reported to the Security Council that fundamental differences between the parties had prevented agreement on the resumption of the Conference. The most immediate difficulty had been the question of the participation by the PLO, which had been rejected by Israel.

### **The Camp David Accords, 1978**

A new element in the Middle East situation was introduced in November 1977, when Egyptian President Anwar el-Sadat visited Jerusalem. Subsequently, direct negotiations between Egypt and Israel, with the United States as intermediary, led in September 1978 to the signing of two frameworks for peace

agreements, known as the Camp David Accords. Despite strong opposition from most of the other Arab States and the PLO, the Accords resulted in the signing of a peace treaty between the two countries in March 1979. The treaty led to the withdrawal of Israeli forces from the Sinai in April 1982.

On 1 September 1982, following the Israeli invasion of Lebanon and the evacuation of PLO fighters from Beirut, United States President Ronald Reagan called for self-government by the Palestinians of the occupied Palestinian territory in association with Jordan, saying that such an association offered the best opportunity for “a durable, just and lasting peace”. He also called for a freeze on the establishment of Israeli settlements. His peace initiative was based on the “land for peace” formula reflected in Security Council resolutions 242 (1967) and 338 (1973).

That same month, the Twelfth Summit Conference of the League of Arab States at Fez, Morocco, adopted a declaration calling for the withdrawal of Israel from territories occupied in 1967, the dismantling of Israeli settlements in the occupied Palestinian territory, reaffirmation of the Palestinian right of self-determination and establishment of an independent Palestinian State after a transition period under the control of the United Nations. The Fez Declaration also called for the Security Council to guarantee peace “among all States of the region, including the independent Palestinian State”. Later that year, the General Assembly welcomed the Arab peace plan.

### **The International Conference on the Question of Palestine, 1981**

Meanwhile, the General Assembly, concerned that a just solution to the question of Palestine had not been achieved, decided in 1981 to convene an international conference on the subject. The International Conference on the Question of Palestine took place at the United Nations Office in Geneva from 29 August to 7 September 1983. It was attended by representatives of 137 States—117 as full participants and 20 as Observers—as

well as by the PLO. This initiative did not receive full support: Israel, the United States and some other countries expressed their opposition to holding the Conference.

The Conference adopted by acclamation a Declaration on Palestine and approved a Programme of Action for the Achievement of Palestinian Rights. The Programme recommended measures to be taken by States, United Nations organs and intergovernmental and non-governmental organizations. The Conference considered it essential that an international peace conference on the Middle East be convened under United Nations auspices, with the participation, on an equal footing, of all parties to the Arab-Israeli conflict.

Later in 1983, the General Assembly welcomed the call by the Geneva Conference for an international peace conference on the Middle East. Throughout the 1980s, the Assembly reaffirmed, with increasing support, the call for convening the proposed conference.

In December 1988, the General Assembly, meeting at Geneva to hear a statement by PLO Chairman Yasser Arafat, expressed unprecedented support for the convening of the proposed peace conference. General Assembly resolution 43/176—adopted by 138 votes to 2, with 2 abstentions—called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination.

### **PLO's national executive committee meeting, Algiers, 1988**

The General Assembly meeting followed closely a significant meeting, in November 1988, of the Palestine National Council

(PNC) in Algiers. Following Jordan's disengagement in July 1988 of all legal and administrative ties with the West Bank, the PNC issued two ground-breaking documents. The first was a "political communiqué", which affirmed the determination of the PNC to reach a comprehensive political settlement on the question of Palestine within the framework of the Charter and the resolutions of the United Nations; the second was the Proclamation of the Independence of the State of Palestine, in which the PNC announced the establishment of the State of Palestine, with Jerusalem as its capital, under the provisions of international law, including General Assembly resolution 181 (II) of 1947, which had provided for the partition of Palestine into an Arab and a Jewish State.

The PLO had, with these two documents, in effect recognized the State of Israel. Mr. Arafat affirmed this explicitly during the meeting of the General Assembly in Geneva in December 1988, recognizing "the right of all parties concerned in the Middle East conflict to exist in peace and security" including the States of Palestine, Israel and other neighbours, according to Security Council resolution 242 (1967).

Several proposals were made in 1989. Israel adopted a peace initiative, which included elections, based on its previous positions; Egypt proposed principles in connection with a possible peace process and any resulting elections in the occupied Palestinian territory; United States Secretary of State James Baker laid out his own response to the Israeli plan, which contained four principles for advancing the Middle East peace process, principles based on Security Council resolutions 242 (1967) and 338 (1973), which did not admit either to Israeli retention of permanent control of the West Bank and the Gaza Strip or to an independent Palestinian entity. For its part the Security Council agreed, in a statement made by its President on 20 December 1990, that an international conference, at an appropriate time, should facilitate efforts to achieve a negotiated settlement and a lasting peace in the Arab-Israeli conflict.

### **The Peace Conference on the Middle East, Madrid, 1991**

By 1991, global changes such as the end of the cold war and the Gulf war and its aftermath also affected the Middle East situation. The negotiation process resumed in earnest in October 1991, with the convening of the Peace Conference on the Middle East in Madrid under the twin chairmanship of the United States and the Soviet Union (30 October–1 November), which brought together the parties to the conflict for the first time. A representative of the Secretary-General attended the Conference as an observer.

The Conference allowed for Israel's requirement for one-on-one negotiations while discussing for the first time the peace process in the format of an international conference. It created bi-lateral negotiation tracks for Israel and neighbouring Arab States (Lebanon, Jordan and Syria) and the Palestinians, who were included in a joint Jordanian-Palestinian delegation. In addition, simultaneous multilateral negotiations began in January 1992 on regional aspects of a variety of issues for all participants and other interested States. Issues included: arms control, regional security, water, environment, economic and regional development, and refugees.

The Secretary-General, reporting on the Madrid Conference, told the Security Council that although it was being conducted outside the United Nations framework, it had the support of all the parties concerned and had as its basis Security Council resolutions 242 (1967) and 338 (1973), both considered as cornerstones of a comprehensive peace settlement. In a tribute to the Madrid Conference, the Secretary-General described it as "historic".

### **UN joins multilateral peace talks as a full extraregional participant, 1993**

In 1992, the United Nations was invited by the co-sponsors, the Russian Federation (formerly the Soviet Union) and the United States, to take part in the multilateral negotiations as a full

extraregional participant. The Secretary-General in 1993 appointed Mr. Chinmaya Gharekhan as his special representative at the Middle East multilateral talks, with the task of coordinating the role of the United Nations in the Working Groups on Arms Control and Regional Security, Water, Environment, Economic and Regional Development, and Refugees.

The General Assembly, while welcoming the turn of events in the Middle East, reiterated its call for convening an International Peace Conference under United Nations auspices, which, it felt, would contribute to the promotion of peace in the region.

By mid-1993, it appeared that the bilateral talks had stalled on a variety of political and security issues. There seemed to be no progress in solving significant questions between the Israelis and, respectively, the Palestinians, Syria, Jordan and Lebanon. Unbeknown to all but a very few individuals, however, private talks between Israel and the PLO were taking place in Norway.

### **The "Oslo channel" and the "Washington handshake", 1993**

The Oslo channel, originally facilitated by Mr. Terje Roed-Larsen, at the time a private Norwegian citizen, together with a senior PLO official and an Israeli academic, late in 1992, progressed under the guidance of the late Norwegian Foreign Minister Johan Joergen Holst. The Oslo talks were brought to a conclusion late in August 1993, and the news of an Israeli-PLO agreement was broken to an amazed and hopeful world.

On 10 September 1993, Israel and the PLO exchanged letters of mutual recognition. The PLO recognized Israel's right to exist, and Israel recognized the PLO as the representative of the Palestinian people.

Three days later, on 13 September 1993, at a ceremony at the White House in Washington, D.C., in the presence of United States President Bill Clinton and Russian Foreign Minister Andrei V. Kozyrev, Israeli and PLO representatives signed the Declaration of Principles on Interim Self-

Government Arrangements (Oslo Accord). Following the signing, Israeli Prime Minister Itzhak Rabin and PLO Chairman Yasser Arafat shook hands.

The Accord stated, among other things:

- \* The aim of the Israeli-Palestinian negotiations was to establish a Palestinian Interim Self-Government Authority, the elected Council for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council resolutions 242 (1967) and 338 (1973).
- \* The issues of Jerusalem, refugees, settlements, security arrangements, borders, relations and cooperation with other neighbours, were deferred to the permanent status negotiations phase, which should start no later than the beginning of the third year of the interim period.

The General Assembly expressed full support for the Declaration and also stressed the need for the United Nations to play an active role in the peace process. It also urged Member States and the United Nations system to provide greater economic and technical assistance to the Palestinians.

### **Donors meet in Washington, D.C., 1993**

The Secretary-General, welcoming the positive developments in the region and underscoring the need for advancing the socioeconomic needs of the Palestinian people, formed a High Level Task Force on the Socio-Economic Development of the Gaza Strip and Jericho. It was asked to identify how the United Nations could expand its programme of assistance in the West Bank and Gaza Strip. The Task Force, which completed its work on 23 September 1993, highlighted the need to implement projects that would quickly make a visible improvement in the daily lives of Palestinians.

On 1 October 1993, over 40 donor countries and institutions, including the United Nations, participated at the Conference to Support Middle East Peace (Washington, D.C.)

and pledged \$2.4 billion over the next five years to finance social and economic development in the West Bank and Gaza Strip. In order to enhance the presence and involvement of the United Nations system during the transition process and to strengthen United Nations inter-agency cooperation, the Office of the United Nations Special Coordinator (UNSCO) in the occupied territories was established in June 1994, to be headed by Mr. Terje Roed-Larsen. He was succeeded by Mr. Chinmaya Gharekhan from 1996 to 1999.

UNSCO's mandate was manifold:

- \* Provide overall guidance to and facilitate coordination among United Nations programmes in the West Bank and Gaza Strip.
- \* Represent the United Nations at donor coordination meetings and assist the Palestinian Authority and donors in coordinating international donor assistance.
- \* Maintain contact with the many NGOs operational in the West Bank and Gaza Strip.
- \* Support the implementation of the Declaration of Principles at the request of the parties.
- \* Represent the Secretary-General at multilateral working groups set up under the Palestinian-Israeli Peace Accords.

In September 1999, UNSCO's mandate was reconfigured, and Mr. Roed-Larsen was reappointed as the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority. In addition to making appropriate preparation within the United Nations for enhancing United Nations development assistance in support of the peace process, the new Special Coordinator represented the Secretary-General with the concerned parties and the international community in all matters related to continuing United Nations support to all tracks of the peace process.

### **Israeli-Palestinian Interim Agreement, 1995**

On 4 May 1994, the Palestinians and Israelis concluded an agreement in Cairo for the first phase of implementation of the Declaration of Principles. On that date, the interim period formally began. Yasser Arafat, leader of the Palestine Liberation Organization and President of the newly created Palestinian Authority, returned to Gaza in July to take charge of the new administration.

Important progress was made during 1995, when the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip was signed on 28 September in Washington, D.C. The agreement provided for the dissolution of the Israeli civil Administration and the withdrawal of the Israeli military Government, with a scheduled transfer of powers and responsibilities to the Palestinian Interim-Self-Governing Authority. The new agreement also contained modalities for participation in the elections by the Palestinians of the West Bank, Jerusalem and the Gaza Strip, and included provision for international observation of the election process. These agreements represented a significant step forward in the implementation of the Declaration of Principles.

One of the main features of the accord was the division of the West Bank in the following three areas, each with varying degrees of Israeli and Palestinian responsibility:

- \* Area A consists of the seven major Palestinian towns, Jenin, Kalkiliya, Tulkarm, Nablus, Ramallah, Bethlehem and Hebron, in which Palestinians will have complete authority for civilian security.
- \* In area B, which comprises all other Palestinian population centres (except for some refugee camps), Israel will retain “overriding security responsibility”.
- \* In area C, which includes all settlements, military bases and areas, and state lands, Israel will retain sole security authority.

### **Rabin’s assassination, 1995**

In a tragic blow to the peace process, Israeli Prime Minister Yitzhak Rabin was assassinated on 4 November 1995 in Tel Aviv. The Secretary-General condemned the assassination. The General Assembly in a special meeting held on 5 November paid tribute to the slain Israeli leader.

In January 1996, the newly installed Palestinian Authority held its first democratic election to choose an 88-member Palestinian Council (PC). Yasser Arafat, chairman of PLO, was elected Chairman of the Palestinian Executive Authority (PA).

The peace process suffered severe setbacks in February and March 1996 when successive acts of terrorism, for which the military wing of Hamas claimed responsibility, killed about 55 Israelis and wounded another 100 or so. These acts were strongly condemned by the Security Council, which said the clear purpose of these “vile acts” was to undermine Middle East peace efforts. On 13 March 1996, the Secretary-General joined nine heads of State and nine heads of government at a Summit of Peacemakers in Sharm el-Sheikh, Egypt, to oppose acts of violence in the Middle East. In a joint statement, the leaders extended support to the continuation of the negotiating process, and to reinforce it politically and economically.

Prior to the Israeli election in May 1996, negotiations on the permanent status agreement between the parties were formally launched. However, no progress had been made when violence erupted following the new Israeli Government’s decision to open an old tunnel under the Al-Aqsa Mosque. After the Security Council on 27 September 1996 called for immediate cessation and reversal of acts that aggravated the situation, negotiations on permanent status were resumed in October 1996.

Earlier, on 4 September, Israeli Prime Minister Benjamin Netanyahu met with Mr. Yasser Arafat for the first time at Erez crossing point between Israel and the Gaza Strip. At the request of both sides, the United Nations and Norway had facilitated the talks between the parties. The meeting, which was facili-

tated by the United Nations and Norway at the request of both parties, had been preceded by intensive contacts and mediation to finalize a framework agreement on the future of negotiations. It was reported that the two leaders agreed that outstanding issues like the redeployment in Hebron, the closure on the West Bank and Gaza Strip, and the Palestinian airport would be discussed in joint steering committees.

### **The Hebron Protocol, 1997**

In January 1997, Israel and the Palestinian Authority signed the Hebron Protocol concerning the redeployment of the Israeli Defence Forces (IDF) in Hebron. The Protocol also created a timetable for further redeployment of IDF in the West Bank and for the resumption of the permanent status negotiations. The same year in March, Israel approved a plan for the first redeployment in the West Bank.

The next two years saw very little progress in the peace process. Increasingly concerned at the deteriorating situation, the General Assembly reconvened its tenth emergency special session on 17 March 1998 to discuss “illegal Israeli actions in occupied East Jerusalem and the rest of the Palestinian territory”. The session was first convened in April 1997 and met twice in resumed sessions in July and November of that year. The Assembly expressed its concern at the persistent violations by Israel of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (the Fourth Geneva Convention) and reiterated its call to the High Contracting Parties to the Convention to convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem.

### **The Conference on the Fourth Geneva Convention, 1999**

The General Assembly increasingly urged the consideration of measures for international protection of Palestinian civilians. It

has continued to keep the situation under review and at its tenth emergency special session called for the convening, on 15 July 1999, of a conference on measures to enforce the Fourth Geneva Convention.

That meeting, for which the Assembly had set a target date not later than February 1998, was not convened. Following Switzerland’s suggestion to initiate a dialogue on implementing the Convention, a closed meeting between Israel and the PLO was convened in Geneva in June 1998. In October 1998, a meeting of experts of the High Contracting Parties to the Convention took place. Despite these consultations, a consensus on holding the conference could not be reached. (When that conference finally took place in Geneva on 15 July 1999, it lasted for only one day. In a statement issued at the end of the conference, the participating High Contracting Parties reaffirmed the applicability of the Fourth Geneva Convention to the occupied Palestinian territory, including East Jerusalem. The Conference adjourned on the understanding that it would convene again in the light of consultations on the development of the humanitarian situation in the field.)

### **The Wye River Memorandum, 1998**

The peace process showed new signs of life in late 1998. After eight days of talks at Wye River, Maryland, United States, Israel and the Palestine Liberation Organization signed the Wye River Memorandum in Washington, D.C., on 23 October 1998. The agreement, signed by Prime Minister Benjamin Netanyahu of Israel and President Yasser Arafat of the Palestinian Authority, in the presence of President Bill Clinton of the United States and King Hussain of Jordan, outlined the following elements:

- \* Israel would withdraw its troops from 13 per cent of West Bank land and transfer 14.2 per cent of West Bank land from joint Israeli-Palestinian control (Area B) to Palestinian control (Area A).
- \* Both sides would immediately resume permanent status negotiations.

- \* The Palestinian Authority would take actions to combat terrorism.

The Secretary-General described the Wye River Memorandum as a promising development. The General Assembly, in a resolution adopted on 2 December 1998, also voiced its full support for the peace process and expressed hope that the Memorandum would be fully implemented. The agreement was further supplemented in 1999 with the signing of an interim agreement leading to further redeployment of Israeli troops from the West Bank, agreements on prisoners, the opening of safe passage between the West Bank and Gaza, and resumption of negotiations on permanent status issues.

On 30 November 1998, representatives from some 50 countries pledged at a meeting in Washington, D.C., more than \$3 billion to build infrastructure and increase economic development in areas controlled by the Palestinian Authority.

After a new Israeli Government headed by Ehud Barak took over in May 1999, hopes for continued negotiations were renewed. On 4 September 1999, Israel and the Palestinian Authority signed the Sharm el-Sheikh Memorandum on the Implementation Timeline of Outstanding Commitments of Agreements Signed and the Resumption of Permanent Status Negotiations. This was followed by partial release of Palestinian prisoners, opening of the southern safe passage between the West Bank and the Gaza Strip and further redeployment of Israeli troops from areas of the West Bank.

### **The Camp David talks, 2000**

In July 2000, United States President Bill Clinton invited the leaders of Israel and the Palestinian Authority for peace talks at Camp David, Maryland. The summit ended inconclusively, with the two sides unable to reach an agreement on the final status issues. Both sides, however, renewed their commitment to continue negotiations with a view to concluding an agreement as soon as possible.

With peace talks stymied, the situation on the ground quickly deteriorated.

### **The "Al-Aqsa intifada", 2000-2001**

At the end of September 2000, a new wave of protests and violence began in the occupied Palestinian territory after the leader of the opposition in Israel (later Prime Minister), Ariel Sharon, visited the Temple Mount/Haram al-Sharif in Jerusalem on 28 September. At least 50 persons were reported killed and some 1,500 injured, most of them Palestinians, as a result of five days of continuing clashes between Israelis and Palestinians. In the first week of October, at least another six Palestinians were killed by Israeli forces in sporadic incidents of violence in Jerusalem and other parts of the occupied Palestinian territory.

This new wave of violence soon came to be known as the "Al-Aqsa intifada", named after the mosque at the centre of the Palestinian protest.

The Security Council, alarmed at the dramatic escalation, condemned, by resolution 1322 (2000), the latest wave of violence in the Middle East and the excessive use of force against the Palestinians. It also urged Israel to abide by the Fourth Geneva Convention and called for an immediate resumption of peace talks. The Palestinian Rights Committee, which met in October to review the situation, reiterated its position that the United Nations should continue to exercise its permanent responsibility towards all the aspects of the question of Palestine, until the inalienable rights of the Palestinian people were fully realized.

To explore urgent means to end the cycle of violence and to revive the peace process, the Secretary-General visited the region in October 2000 and met with leaders of Israel and the Palestine Authority as well as with other leaders of the region. He also attended a summit meeting in Sharm el-Sheikh, Egypt, on 16 and 17 October 2000, jointly chaired by President Mubarak of Egypt and President Clinton of the United States. The summit

produced understandings in three vital areas: security cooperation and other measures to end the confrontation, a committee of fact-finding to inquire into the recent tragic events and how to prevent their recurrence, and renewing the peace process.

Secretary-General Kofi Annan, in his November 2000 report on the situation in the Middle East, noted that by then more than 230 people had been killed and many others suffered injuries. "The tragic situation has made abundantly clear to all sides that the cause of peace can only be damaged by excessive use of force, indiscriminate violence or terror", the Secretary-General said.

The General Assembly, in a resolution adopted on 1 December 2000, expressed full support for the peace process. It expressed hope that the process would lead to the establishment of a comprehensive, just and lasting peace in the Middle East. It also stressed the need for commitment to the principle of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973), and the need for the immediate and scrupulous implementation of the agreements reached between the parties, including the redeployment of Israeli forces from the West Bank.

The parties met again, in Taba, Egypt, in January 2001. Although considerable progress was reported to have been made, the parties were unable to conclude an agreement before negotiations had to end owing to imminent Israeli elections for both the Prime Minister and Parliament.

In February 2001, a new Government headed by Ariel Sharon took over in Israel, declaring its willingness to continue negotiations while indicating that it would not to be bound by previous agreements between Israel and the Palestinian Authority. Violence continued unabated in the occupied Palestinian territory. Secretary-General Kofi Annan, addressing the Committee on the Exercise of the Inalienable Rights of the Palestinian People on 1 March 2001, described the crisis as "a human tragedy and a source of grave concern for the future".

The parties, in his words, faced several crises at once:

- \* First, a security crisis, with a litany of violence, destruction and death;
- \* Second, an economic and social crisis, with growing unemployment and poverty, border closures, restrictions and measures which deprive the Palestinian Authority of necessary financial resources;
- \* Third, a crisis of confidence, with rising fear, despair and anger in the street and plummeting faith in the peace process.

The United Nations Security Council met in March 2001 to consider suggestions for establishing a UN observer presence in the occupied Palestinian territory to provide protection for Palestinian civilians. When a draft proposing the Council's readiness to set up such a mechanism was put to vote on 27 March 2001, nine countries voted in favour and one against, with four abstentions.

In the succeeding months, violence continued, with unprecedented numbers of deaths and injuries on both sides. In a hopeful sign, a fact-finding report was released by the Sharm El-Sheikh Fact-Finding Committee ("the Mitchell Committee") on 21 May. The five-member international committee, headed by former U.S. Senator George Mitchell, had been appointed by U.S. President Clinton following the summit in Sharm El-Sheikh. The report, among other things, called for:

- \* An immediate ceasefire;
- \* A freeze on Jewish settlement construction;
- \* Denunciation of terrorism;
- \* Resumption of peace talks.

Welcoming the Mitchell report the same day, Secretary-General Kofi Annan said it should allow the parties to take steps for a ceasefire, confidence-building measures and, eventually, a return to the table. "I hope this opportunity will not be wasted, and that they [the parties] will seize it as a moment to step back from the precipice and try and end the violence in the region", the Secretary-General said.

Members of the United Nations Security Council also voiced their full support for Secretary-General Kofi Annan's efforts to resume dialogue among the parties to the Middle East conflict and expressed their backing for the Mitchell report. In a statement, made after a closed-door briefing by the Secretary-General on 22 May 2001, the Council President said the members welcomed the publication of the Mitchell Committee report and the positive reactions to the report from the parties. The Council members appealed to the parties to give serious consideration to the committee's recommendations, and called on them immediately to begin the steps required to implement those recommendations, including on confidence-building measures.

# Chapter 8

## HUMAN RIGHTS IN THE OCCUPIED PALESTINIAN TERRITORY



Photo: UN/2118/E/Nadja Groux

Today's Palestinian children face uncertain future.

*“The current cycle of violence between Palestinians and Israelis has seen hundreds killed and thousands wounded, the great majority of them Palestinians. Poverty and unemployment have skyrocketed. Blockades and closures have paralysed the Palestinian economy, isolated the West Bank and Gaza and prevented the delivery of medicine, food and fuel. Collective punishment has cast a pall of anger and despair over the already tense Occupied Palestinian Territory. Israelis, too, have seen high hopes turn to fear.”*

*Secretary-General Kofi Annan, April 2001*

Concern for the human rights of the civilian population in the territories occupied by Israel during the 1967 war was first expressed by the Security Council in resolution 237 (1967), in which, among other things, it recommended to the Governments concerned the scrupulous respect of the humanitarian principles contained in the 1949 Fourth Geneva Convention.

In December 1968, the General Assembly established a three-member Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories and asked it to submit reports whenever the need arose. The Israeli Government has, since the very beginning, refused to allow the Special Committee to visit the occupied territory to conduct its mandated investigations. It has maintained that the resolution establishing the Special Committee was discriminatory in character and attempted to prejudge allegations the Special Committee was supposed to investigate.

Since 1970, the Special Committee has submitted to the General Assembly annual reports, complemented since 1989 by two additional periodic reports. Without direct access to the occupied Palestinian territory, the members decided to base their reports on interviews, conducted during visits to the neighbouring States, with individuals having first-hand experience of the human rights situation in the occupied Palestinian territory.

The reports have documented the human rights situation in the occupied territories, including incidents linked to the intifada (1987-1993), administration of justice, treatment of detainees, treatment of Palestinian civilians, measures affecting fundamental freedoms and the activities of Israeli settlers violating international law.

They have affirmed that, especially over the last two decades, Israel has continued its policy of de facto annexation through such measures as establishing or expanding settlements, confiscating property, transferring Israeli citizens to the occupied territories, deporting Palestinians from the territories and encourag-

ing or compelling Palestinians to leave their homeland. Such actions, the reports stated, have violated the obligations of Israel as a State party to the Fourth Geneva Convention.

### **CHR Special Rapporteur on human rights violations is appointed, 1993**

In February 1993, for the first time, the United Nations Commission on Human Rights decided to appoint a Special Rapporteur on human rights violations in the occupied Arab territories, including Palestinian territories. In September 1993, Mr. René Felber, the former President of Switzerland, was appointed Special Rapporteur. He was invited to visit the occupied Palestinian territories in January 1994—the first person with an official mandate from the Commission on Human Rights allowed to do so—and was able to talk freely with the persons he had wished to see. In his January 1994 report, the Special Rapporteur called on both Israeli and Palestinian authorities, as a matter of priority, to “take measures to contain the violence, which may pose the most serious threat to the peace process”.

On 25 February 1994, the killing of some 30 Palestinian worshippers in the Mosque of Ibrahim in Hebron by an Israeli settler, following attacks against settlers by Palestinians, was universally condemned and caused great concern for the future of the peace process, renewing calls for some form of international protection for Palestinians.

Reacting to the massacre, the Security Council on 18 March 1994 called for measures to guarantee the safety and protection of Palestinian civilians throughout the occupied territories, including a temporary international or foreign presence. Strongly condemning the massacre, the Council called upon Israel to continue to take measures, including the confiscation of arms, to prevent illegal acts of violence by Israeli settlers.

Against the backdrop of rising violence in the region, the current Special Rapporteur on human rights violations in the occupied Arab territories, Mr. Giorgio Giacomelli, visited the

occupied Palestinian territory in 1999 and submitted his report to the Commission on Human Rights in March 2000. In his report, Mr. Giacomelli noted that Israeli occupation forces frequently carried out punitive demolitions of Palestinian homes. The enjoyment of fundamental human rights and freedoms by the Palestinians in the occupied territory was also severely curtailed by measures such as closures, which separate parts of the occupied territory, including East Jerusalem, from each other as well as from Israel. Such closures had been systematically imposed since 1993, Mr. Giacomelli noted.

The report also noted:

- \* The Israeli General Security Service (GSS) had used torture systematically during the interrogation of Palestinians suspected of security offences.
- \* After the withdrawal and redeployment of the Israeli army from the major Palestinian cities in the West Bank in 1995, all Palestinian political prisoners were transferred from the occupied territories to Israel, in violation of article 76 of the Fourth Geneva Convention.
- \* The practice of administrative detention, without charges or trial, had also continued. However, there had been a reduction in the number of administrative detainees.

The Special Rapporteur recognized that the purpose of protection enshrined in humanitarian law, in particular in the Hague Regulation and the Fourth Geneva Convention, as of March 2000 had not been served. He concluded:

*“The recommendation ... cannot be but that of a rigorous implementation of the letter and spirit of the relevant international norms, which implies the reversal of illegal trends, correction and, where appropriate, restitution”.*

### **Economic impact of occupation**

Repeated crises and related violence have had a severe economic impact on the lives of Palestinians in the occupied territory.

According to a report issued by the United Nations Special Coordinator for the Middle East and Peace Process covering the period from 1 October 2000 to 31 January 2001, the combination of border closures, internal movement restrictions and the closing of the international borders constituted the most severe and sustained set of movement restrictions imposed on the occupied Palestinian territories since the beginning of the occupation in 1967. Citing a field survey conducted by the Palestinian Central Bureau of Statistics, the Special Coordinator noted, “On average, the direct economic losses were estimated at 50.7 per cent of GDP produced in the period October–November 2000”.

### **HRC High Commissioner’s visit to the occupied territories, 2000**

In November 2000, Mrs. Mary Robinson became the first United Nations High Commissioner for Human Rights to visit the occupied territory. This followed a resolution adopted at the fifth special session of the Commission on 19 October 2000 requesting the High Commissioner to undertake an urgent visit to the occupied territory to take stock of the violations of the human rights of the Palestinian people by Israel.

In her report, submitted on 29 November 2000, Mrs. Robinson noted that the human rights situation in the Palestinian territory was bleak. “The most persistent allegation brought to the attention of the High Commissioner was that Israeli security forces have engaged in excessive force, disproportionate to the threat faced by their soldiers.” To disperse the demonstrations, the High Commissioner noted, the Israeli military authorities had used live ammunition, rubber-coated steel bullets and tear gas, all of which had resulted in deaths and injuries amongst the Palestinians. Heavier weapons had also been used, including rockets fired by infantry and from helicopters. Armoured vehicles and heavy machine guns had been deployed throughout the Gaza Strip and the West Bank.

The report made several recommendations, including:

- \* The construction of new settlements should cease, and those settlements located in the midst of heavily populated Palestinian areas should be removed;
- \* All cases of use of lethal force on both sides should be investigated and subjected to the processes of justice in order to avoid impunity;
- \* All holy sites and their access by all faiths should be respected;
- \* The Israeli authorities should ensure freedom of movement of international and national staff of UN agencies and facilitate access by them to those in need of assistance.

The United Nations Commission on Human Rights, which met at its fifty-seventh session in April 2001, expressed grave concern “at the deterioration of the human rights and humanitarian situation in the occupied Palestinian territories”. It condemned “the disproportionate and indiscriminate recourse to force, which cannot but aggravate the situation and increase an already high death toll”. The Commission also called upon Israel “to desist from all forms of violation of human rights in the occupied Palestinian territory, including East Jerusalem, and other Arab territories, and to respect the bases of international law, the principles of international humanitarian law, its international commitments and the agreements it signed with the Palestine Liberation Organization”.

### Economic impact of occupation

Since 1989, in the case of Gaza, and since 1993, for the West Bank, Palestinians seeking to enter Israel or East Jerusalem for any reason—including transit between the West Bank and Gaza—have been required to apply for a permit from the Israeli military authorities. This general closure and permit policy has had a serious impact on the Palestinian economy and society.

Year	Total days of border closure	Holidays and weekends during border closures	Effective border closure days	Lost days as a percentage of potential work days
1993	26	9	17	6.1
1994	89	25	64	23.10
1995	112	28.5	83.5	29.93
1996	121	31.5	89.5	31.91
1997	79	22	57	20.54
1998	26	11.5	14.5	5.21
1999	16	9	7	2.53
2000	75	23	52	18.81

Source: “The impact on the Palestinian economy of confrontations, mobility restrictions and border closures, 1 October 2000–31 January 2001”, Office of the United Nations Special Coordinator ([www.unsco.org](http://www.unsco.org)).

# Chapter 9

## SOCIO-ECONOMIC ACHIEVEMENTS OF THE PALESTINIAN PEOPLE, 1993-PRESENT



Photo: United Nations

Palestinian girls at an UNRWA school.

### **Building a public administration under the Palestinian Authority**

One of the aims of the Declaration of Principles on Interim Self-Government Arrangements (Oslo Accord), signed by Israeli Prime Minister Yitzhak Rabin and PLO Chairman Yasser Arafat on 13 September 1993, was to establish a Palestinian Interim Self-Government Authority with an elected legislative council for the Palestinian people in the West Bank and the Gaza Strip.

With the additional signing in Cairo on 4 May 1994 by Prime Minister Rabin and Chairman Arafat of the Agreement on the Gaza Strip and Jericho Area, the transitional period envi-

sioned in the Oslo Accord began. On 17 May Israel transferred control of daily administration in the Gaza Strip and Jericho to the Palestinian Authority after 27 years of Israeli occupation.

The establishment of the Palestinian Authority (PA) as the governing body of Gaza and Jericho gave the Palestinian people the opportunity to develop their own governing institutions for the first time. In 1996, elections were held for the Palestinian Legislative Council (PLC) as well as for President of the PA. The PLC was given the authority to draft legislation, including the Basic Law, which provides for a system based on free-market principles, the right to private ownership of property, independent dispute resolution and the rule of law.

With the help of the United Nations, international donors and non-governmental organizations, the PA has established government ministries for health, education, economy and trade, culture, environment, finance, social affairs, and other institutional elements of a State. Unfortunately, the physical separation of the West Bank and Gaza has necessitated the establishment of duplicate capacities in the respective territories.

Despite the complicated political environment, considerable efforts and resources have been spent on the economic and social development process in the occupied Palestinian territory, including:

- \* Legal and institutional development;
- \* Capacity-building;
- \* Infrastructural development;
- \* Creation of an enabling environment for the growth and development of the private economy;
- \* Development of the rural economy and municipalities;
- \* The signing of trade agreements;
- \* The construction of the Gaza Airport;
- \* The development of international trade;
- \* Skills training for the workforce.

Citing security threats from the West Bank and Gaza Strip, Israel has repeatedly closed the border crossings from Gaza and

the West Bank into Israel. One impact of this measure is to impede the flow of Palestinian workers to their jobs in Israel, with negative ramifications for the Palestinian economy.

### **Social and economic achievements of the Palestinian people resulting from the peace process**

The transformation from the Israeli Civil Administration to the Palestinian National Authority has had an enormous impact on Palestinian society in the West Bank and Gaza. The period since mid-1994 has seen the establishment of the PA, with the creation of governmental ministries concerned with all political, economic and social aspects of Palestinian life.

### **The role of the United Nations in social and economic development since the start of the peace process**

In June 1994, Secretary-General Kofi Annan appointed Terje Roed-Larsen of Norway as his Special Coordinator in the occupied territories to serve as a focal point for all United Nations economic, social and other assistance. Ambassador Roed-Larsen was appointed to provide overall guidance to and facilitate coordination among the United Nations programmes and agencies to ensure an integrated and unified approach to economic and social development, which has included:

#### **Infrastructure and natural resource management**

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme (UNDP) and the World Health Organization (WHO) have all been involved in projects designed to improve sewage, drainage and water supply systems, guaranteeing a clean water supply to thousands of residents. UNRWA also continued its peace implementation programme, an initiative launched in 1993, which as of July 2001 included 243 current or future projects oriented toward infrastructure and improvement of employment and socio-economic conditions.

UNDP completed several major infrastructure projects, including the rehabilitation of 70 clinics and primary health care centres in remote areas throughout the West Bank and the restoration of water supply distribution networks to Jericho and Hebron. UNDP worked closely with the donor community and the Ministry of Justice in order to finalize the designs for a new courthouse in Nablus. In addition, UNDP launched a project for the construction of the south wing of the Gaza International Airport.

The International Maritime Organization (IMO) is implementing a project of technical assistance to the PA for the establishment of a maritime administration. IMO is also assisting the PA in securing the funds necessary for the construction of the Gaza seaport. A children's library is currently being established in Bethlehem by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

### **Institutional capacity-building**

The Office of the United Nations High Commissioner for Human Rights (UNHCHR) provided a range of training courses, documentation and materials for Palestinian Police Force commanders, officers and trainers, as well as for NGOs.

The United Nations Population Fund (UNFPA) facilitated technical assistance and funding, for the purpose of a census, to the Palestinian Central Bureau of Statistics.

UNESCO developed phase II of its project entitled "Capacity-building and training on environmental planning and management".

UNDP is supporting the Palestinian gateway project, implemented by the World Bank, which will improve access of the public and private sectors to information and communication technologies.

The International Atomic Energy Agency (IAEA) provided assistance to the PA in the form of expert services, training and equipment.

The International Labour Organization (ILO) assisted the Ministry of Labour and employers' and workers' organizations in capacity-building and establishing a national strategy for the protection of workers from occupational hazards.

The United Nations Environment Programme (UNEP) provided support to representatives of the PA allowing them to participate in meetings covering environment and natural resource management.

The United Nations Children's Fund (UNICEF) provided considerable training for the carrying out of a health survey in 2000.

### **Human resources and social development**

**Education:** UNRWA was the largest United Nations contributor in the education sector. In addition to regular in-service training programme for education staff, the educational sciences faculty at the Ramallah training centres offered pre-service training leading to a first university degree for 600 trainees. UNICEF was active through the implementation of its basic education programme. UNESCO provided a range of technical assistance to the Ministry of Education. The "Palestinian school-net project", supported by UNDP, will connect thousands of students to the vast educational resources available on the Internet.

**Health:** The 238-bed European Gaza Hospital, a joint project between UNRWA, the European Union and the PA, became fully operational in October 2000 and was handed over to the Palestinian Ministry of Health. In cooperation with the Ministry of Social Affairs, UNICEF provided training to nursery teachers in 12 districts in psychosocial health, first aid and evacuation. A significant development in the UNICEF health and nutrition project was the first local production of iodized salt. This was achieved in cooperation with the Ministries of Health, Supplies, Trade and Industry.

**Social welfare:** The World Food Programme (WFP) concentrated its development activities on poverty alleviation and social relief interventions, including the “Protracted relief and recovery operation”, which began in June 2000, for the alleviation of the effects of the economic crisis in the occupied Palestinian territory on the most vulnerable groups of the Palestinian non-refugee population, covering more than 100,000 people. UNDP’s ongoing efforts to alleviate poverty were marked in 2000 by the initiation of the “Palestinian participatory poverty assessment”, which will provide the methodological instruments necessary for the Ministry of Planning and International Cooperation to implement the poverty alleviation programme, also supported by UNDP.

**Human rights:** UNICEF supported the Ministry of Education in introducing parallel education as a preventative strategy against child labour. Several training workshops on the Convention on the Rights of the Child were held for teachers and social workers. UNICEF also provided technical and financial assistance for the drafting of the first Palestinian child rights charter. The United Nations Development Fund for Women (UNIFEM), through its women’s human rights programme, provided support to initiatives from Palestinian NGOs on violence against women.

**Women:** The United Nations Development Fund for Women (UNIFEM) continued to implement projects aimed at building the capacity of the interministerial commission for the advancement of women, the General Union of Palestinian Women and the NGO network to implement their mandate according to the Beijing Platform for Action. UNRWA promotes credit to women through its solidarity group lending programme, which provides loans solely to women-owned microenterprises.

**Productive sectors:** The productive sectors include industry, tourism, agriculture and income-generating activi-

ties, to a large extent involving the private sector. UNDP is involved in activities supporting rural and economic development, environmental protection and agricultural production. UNESCO has been involved in several initiatives designed to safeguard cultural heritage, including the second phase of a project for the conservation of the Qasr Hisham Palace and its mosaics and the provision of equipment for protecting the archaeological site of Jericho. The United Nations Industrial Development Organization (UNIDO) continues its integrated support programme for Palestinian industry, including creating and training a team of experts from the Ministry of Industry and the Palestinian Federation of Industries in the identification, assessment and selection of pilot enterprises for industrial upgrading. An agreement was reached with the PA for establishing an industrial investment promotion unit within the Ministry of Industry.

### **Social progress under the PA**

**Women:** The social effects of the peace process have had a particularly significant impact on the lives of women and the activities of women’s organizations. One of the first significant questions was the release of Palestinian female prisoners in 1995.

Palestinian women, who played an active role during the first intifada, have remained involved since the establishment of the PA. Women’s organizations and human rights groups drafted a bill of women’s rights following the release of the Palestinian Draft Basic Law and focused on procedural and administrative law important for its implementation. Women activists undertook a legal analysis of existing laws from a gender perspective and a review of their implementation, which was included in a handbook for legal literacy training.

Palestinian women discussed which models or mechanisms for addressing women’s issues would be most appropriate in the future government. They debated whether the recently created Women’s Affairs Bureau should be an integrated part of the PA

or a separate body. The Women's Affairs Technical Committee, set up by the PA, became a forum for the concerns expressed by women's NGOs and dealt with the mainstreaming of gender issues in development policies. A Gender Mainstreaming Department was established within the Ministry of Planning.

For the Palestinian elections on 20 January 1996, women's organizations undertook their own preparations. According to the Central Election Commission, 49 per cent of the registered voters were women. Among the 676 candidates for the 88-seat legislative council, there were only 28 women (4 per cent). The sole opponent to PLO Chairman Arafat in the election for President of the Executive Authority of the Palestinian Council was a woman, Ms. Samiha Khalil of Ramallah. Five women, representing 5.6 per cent, were elected to the Palestinian Council.

**Education:** All of the measures employed by the Palestinian Central Bureau of Statistics (PCBS) indicate a steady increase in the number of students, teachers and schools since the start of the PA regime. However, with the continuing political crisis, that progress has been placed in serious jeopardy. The combination of domestically collected revenues, donor assistance and extensions of credit has been critical in ensuring that the PA can continue to provide education and pay the salaries of public employees. Even with such generous assistance, however, the Authority has been forced to operate on a shoestring, given the overall decline in tax revenues due to the crisis and the continued lack of tax revenues that have been collected by Israel but not transferred to the Authority. Also, many Palestinian children and youth have seen their schooling disrupted by systematic restrictions on movement imposed by Israel and are now unable to reach their schools on a regular basis.

### **Economic progress under the PA**

Since 1994, many of the pieces in the economic and social development mosaic have been created by the PA in cooperation with the United Nations, the World Bank and other international

bodies. In particular, the presentation of the first three-year Palestine Development Plan in 1998 marked a major milestone in the development of the PA. The parties in the development process have also made significant contributions to private sector development in the form of credit, industrial zone development, research, technical assistance and vocational training. However, as UNSCO's 1998 *Special Report on the West Bank and Gaza Strip Private Economy* noted, greater political stability would relieve the pressure on the PA's budget and allow more resources to be allocated to public investment rather than public consumption to mitigate the social consequences of closures.

As a small, open economy with limited natural resources, long-term development depends on significant export activity and reliance on its human resources. Thus the development of a trade infrastructure and freer access to regional markets via border crossings are needed. This would allow the West Bank and Gaza to activate and benefit from the free trade agreements with the European Union, the United States and neighbouring countries and to improve employment prospects. Greater export activity would stimulate growth in economic activities not directly involved in export, such as construction and many services. Political stability, and freer movement, would also permit the better utilization of cultural assets through tourism.

The research of the Palestinian Central Bureau of Statistics indicated that since the start of the peace process, there had been a steady increase in labour-force participation and a decrease in total unemployment rate, until the last quarter of 2000, when due to the heightened political crisis and increased border closures, both of those trends were dramatically reversed.

While the crisis had obviously eroded the benefits reaped from development efforts since 1994, less apparent was how the economy would recover and how long that would take. The crisis had diverted the donor community's attention away from development projects that were designed to improve the economy's supply capacity for emergency job creation and budgetary

support, noted the 4 October 2001 United Nations Conference on Trade and Development (UNCTAD) report on the Palestinian economy. The PA budget deficit was expected to reach \$524 million in 2001, or around 25 per cent of the year's emergency budget, and its debt obligations had also risen notably.

Earlier in the year, the United Nations Special Coordinator, Terje Roed-Larsen, had already announced the key findings of an updated report on the social and economic impact of the continuing conflict and closure policy. His report estimated that the Palestinian economy had suffered GDP losses of over \$900 million since the onset of the crisis. In addition, there had been labour income losses of over \$240 million. The total loss is estimated at \$1,150 million: 20 per cent of the projected GDP for the year 2000. Also, infrastructure damage, the cost of caring for over 11,000 injured Palestinians, fiscal losses and other effects of the closures caused losses of additional hundreds of millions of dollars.

Finally, it is important to note in relation to previous periods of crisis and recovery, that the depth and longevity of the present crisis is unprecedented. In September 2000, the Palestinian economy had finally turned the corner from the previous episode of crisis-induced economic downturn after three years of recovery. Even if political resolution arrived swiftly and brought with it a full lifting of movement restrictions and resumption of "normal" economic life, genuine economic recovery would take considerable time, substantial resources and sustained policy attention from all stakeholders in Palestinian economic and social development.

### **Human rights under the PA**

The Palestinian Authority had declared its commitment to the protection of human rights throughout its area of control. However, in both his 1997 and 1999 reports, the Special Rapporteur of the United Nations High Commission on Human Rights on Extrajudicial, Summary or Arbitrary Executions,

Bacre Waly Ndiaye, said that it had been brought to his attention that in certain detention centres in Gaza and the West Bank systematic torture and ill-treatment were alleged to be taking place. Despite the fact that investigations were said to have been conducted in some of these cases, the findings and conclusions of the investigations were never published. Members of the Palestinian Preventive Security Service and the naval police, as well as members of the intelligence service, appeared to have been involved in the reported cases of deaths in custody. In addition, the Special Rapporteur reported that in some cases, even when those responsible for the deaths had been brought to justice, information regarding the circumstances of the persons' deaths had not been made public. He further noted that the PA was reported to have imposed death sentences after proceedings in which the defendants did not fully benefit from the rights and guarantees for a fair trial contained in the pertinent international instruments.

On the other hand, in his survey on the rule of law development in the territories under PA control in 1999, Chinmaya R. Gharekhan, United Nations Special Coordinator in the Occupied Territories, reported that during the past five years, the international effort to provide developmental support to the West Bank and the Gaza Strip had increasingly focused on strengthening the Palestinian legal sector and justice system.

Attention to this sector had come amidst a growing recognition on the part of the international community, as well as Palestinian legal institutions and civil society, of the importance that the rule of law plays in ensuring the sustainability of many other forms of developmental assistance.

Despite the enormous obstacles arrayed against economic and social progress due to the continuing political crisis, the peace process had led to impressive gains in all areas of Palestinian life. However, it would appear that without a genuine peace based on existing United Nations resolutions, future progress will inevitably be limited.

# Chapter 10

## PALESTINE REFUGEES



The 1948 hostilities witnessed thousands of Palestinians fleeing their homes in Palestine to take refuge in the West Bank, Gaza Strip and neighbouring Arab countries. For several years, tents like this one in Jalazone camp near Ramallah, West Bank, were the only “homes” many Palestinian refugees had. Today, the landscape has changed and the tents have been replaced by shelters, which have water and sewerage systems.

### **A nation of refugees**

The hostilities that accompanied the establishment of the State of Israel in 1948 led to the flight of some 750,000 refugees from Palestine. Most of these refugees fled to the West Bank, then held by Jordan, to the Gaza Strip, held by Egypt, and to Lebanon, Syria, Jordan and even further afield. The Arab-Israeli war of 1967 led to yet another displacement, this time of more than 500,000 Palestinians, nearly half of whom were refugees uprooted for a second time.

The General Assembly adopted, in November 1948, its first resolution on providing assistance to Palestine refugees. In response to a report by acting mediator Ralph Bunche that “the situation of the refugees is now critical”, it established the United Nations Relief for Palestine Refugees (UNRPR). During its brief existence, UNRPR channelled emergency assistance to refugees from Palestine through international voluntary agencies.

On 11 December 1948, the General Assembly declared in resolution 194 (III) that refugees wishing to return to their homes should be permitted to do so at the earliest practicable date and that those choosing not to return should be compensated for their property. The resolution established the Conciliation Commission for Palestine, which was requested, among other things, to facilitate the refugees’ repatriation, resettlement and economic and social rehabilitation. Efforts by the Commission to secure the return of the Palestinians have been unsuccessful.

### **Creation of UNRWA, 1949**

As hopes for the immediate return of refugees to their homes faded, the General Assembly made more lasting arrangements. In December 1949, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to succeed UNRPR and to carry out refugee-related activities in collaboration with local governments.

In May 1950, UNRWA, from its then headquarters in Beirut, took over operations put together by international voluntary agencies. In the first few years of its work, UNRWA concentrated on providing immediate relief in the form of food, shelter and clothing. It has adjusted its programme over the years in keeping with the changing needs of the refugees.

Today, there are over 3.9 million Palestine refugees registered with UNRWA. The Agency continues to provide education, health care, relief assistance and social services in Jordan, Lebanon, Syria, the West Bank and Gaza Strip. Agency services include elementary and preparatory schooling; vocational and

technical training; comprehensive primary health care, including family health; assistance towards hospitalization; environmental health services in refugee camps; relief assistance to particularly needy households; and developmental social services for women, youth and persons with disabilities. Those services are for the most part provided directly to beneficiaries by the Agency, parallel to the public sector services provided by local authorities to their own constituents. In addition, the Agency operates income-generation programmes that give loans to micro- and small enterprises and carries out a wide range of infrastructure projects and other activities. Where appropriate and feasible, refugees participate in the cost of Agency services by means of voluntary contributions, co-payments, self-help schemes, volunteer efforts and participation fees. UNRWA is the largest United Nations operation in the Middle East, employing some 22,000 persons, nearly all of whom are Palestine refugees, and operating or supporting some 900 facilities.

In carrying out its mandate, UNRWA works in cooperation with host Governments, the Palestinian Authority, other United Nations agencies, local and international non-governmental organizations, and the World Bank. The Agency is seen by the refugees as a symbol of the international community’s commitment to the refugees until the problem is resolved. Its mandate is renewed regularly by the General Assembly.

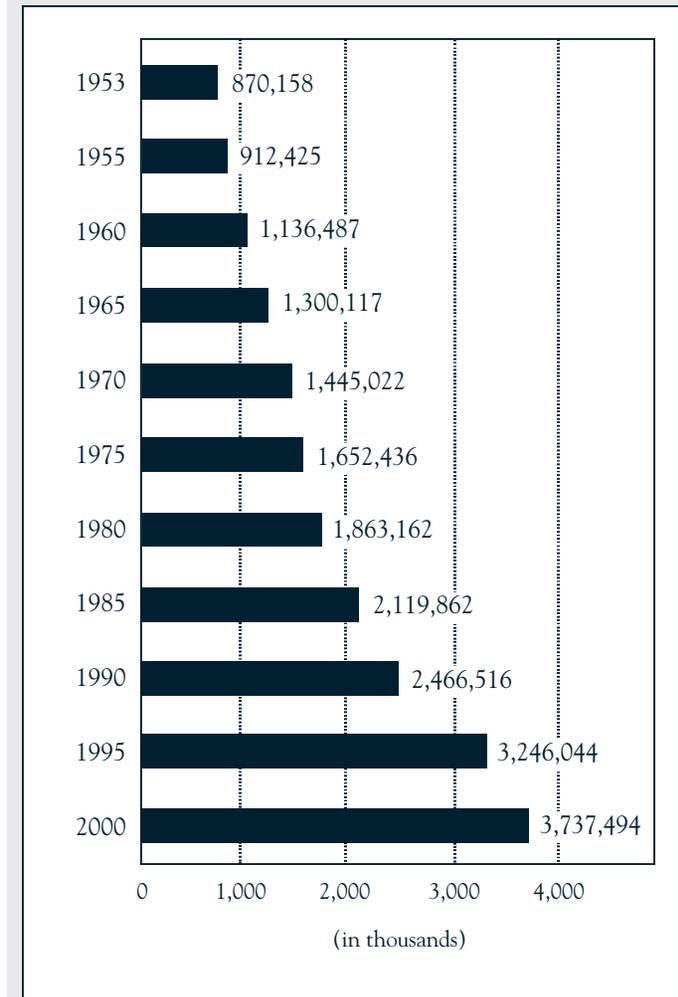
The headquarters of UNRWA, which was in Beirut until 1978, and then in Vienna for 18 years, returned to the Middle East in the mid-1990s. The relocation of the headquarters to Gaza in 1996, decided by the Secretary-General and endorsed by the General Assembly, was seen as a means to demonstrate the commitment of the United Nations to the peace process.

Nearly all of the funding for UNRWA comes from voluntary contributions. As of 2000, UNRWA’s largest donors were the United States, the European Commission, the United Kingdom and Sweden. Other major donors include the Scandinavian countries, Japan and Canada. A small portion comes from non-

governmental organizations and concerned individuals. In recent years, UNRWA has faced a growing financial deficit, seriously affecting its ability to serve the Palestinian refugees. In the 1970s, UNRWA used to spend about \$200 per registered refugee per year. Today, that amount is about \$70. According to UNRWA Commissioner-General Peter Hansen, this amounts to less than 20 cents a day per registered refugee to provide direct education, health, relief and social services. In an urgent appeal for increased assistance from donors, made in March 2000, Mr. Hansen said UNRWA's financial situation had reached rock bottom owing to a crippling financial deficit. Unless the deficit was covered, the international community risked losing a key stabilizing factor in the region and an important vehicle for delivering emergency assistance, he cautioned.

UN facts

**Registered Palestinian refugees, 1953-2000**



Source: UNRWA.

# Chapter 11

## ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORY



Photo: United Nations

For nearly four decades Palestinians have remained a deprived people, most of them living makeshift lives away from ancestral soil. A whole generation has grown and matured, with many knowing nothing other than life in the refugee camps. The painting reveals a child's view of such a life.

### **United Nations opposition to Israeli settlement policy, 1979**

Since the early 1970s, Israel has established settlements in the Palestinian and other Arab territories it occupied in 1967. In 1979, action was taken by the Security Council and the General Assembly regarding the establishment of Israeli settlements in the occupied Palestinian territory, in contravention of international law—the 1949 Fourth Geneva Convention—and United Nations resolutions. In resolution 446 of 22 March 1979, the Security Council determined that the policies and practices of Israel resulting in the establishment of settlements in the

Palestinian and other Arab territories occupied since 1967 had no legal validity and constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. Through the same resolution, the Council established a Commission consisting of three of its non-permanent members—Bolivia, Portugal and Zambia—to examine the situation relating to settlements in the occupied territories, including Jerusalem. Despite repeated appeals, the Commission was unable to obtain, in the fulfilment of its mandate, the cooperation of the Government of Israel.

In its report of 12 July 1979 the Commission addressed the consequences of the Israeli settlement policy for the local Arab population, such as the displacement of the Arab population, seizure of land and water resources, destruction of houses, banishment of persons and continuous pressure to emigrate in order to make room for new settlers, as well as drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population, which changed profoundly the geographical and demographic nature of the affected territories in violation of the Fourth Geneva Convention.

A second report of the Commission was submitted to the Security Council on 4 December 1979. In the conclusions contained in the report, the Commission reiterated that Israel's policy of settlement, pursued in spite of Security Council decisions and appeals, was incompatible with the pursuit of peace in the area. In its third report, dated 25 November 1980, the Commission reaffirmed the entirety of the conclusions contained in its two previous reports and also focused on Israel's exploitation of natural resources in the occupied territories. This report was never considered by the Security Council.

In the late 1990s, the General Assembly convened its tenth emergency special session on the basis of resolution 377 A (V) of 3 November 1950, entitled "Uniting for peace". The attention of the Assembly was drawn particularly to a recent decision by the Israeli Government to start building Israeli settlements in

East Jerusalem's Jabal Abu Ghneim and other districts, which was considered an illegal act. At that meeting, the Assembly, in a resolution adopted on 25 April 1997, requested the Secretary-General "to monitor the situation and to submit a report on the implementation of the present resolution, within two months of its adoption, in particular on the cessation of the construction of the new settlement in Jabal Abu Ghneim and of all other illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory".

In his report of 26 June 1997 the Secretary-General stated that, according to the information available to the United Nations, as of 20 June 1997 Israel had not abandoned its construction of a new Israeli settlement at Jabal Abu Ghneim.

#### **HCR Special Rapporteur on settlements, 2000**

According to a report on the situation of human rights in the Palestinian territories, submitted on 15 March 2000 by the Special Rapporteur of the Commission on Human Rights, Israel had confiscated since 1967 an estimated 60 per cent of the West Bank, 33 per cent of the Gaza Strip and approximately 33 per cent of the Palestinian land in Jerusalem for public, semi-public and private use in order to create Israeli military zones, settlements, industrial areas, elaborate "bypass" roads and quarries, as well as to hold "State land" for exclusive Israeli use. The findings of the Special Rapporteur's report, which was written after extensive on-site visits to the occupied Palestinian territory, included:

- \* Israel then maintained 19 settlements in Gaza, 158 in the West Bank and at least 16 in occupied Jerusalem.
- \* In 1999 alone, Israel established 44 new settlement outposts in the West Bank.
- \* Israeli occupation forces frequently carried out punitive and violent demolitions of Palestinian homes for lack of permits as well as forcible evictions of entire villages. Since 1987, 16,700 Palestinians (including 7,300 children) had lost their homes in this way.



# Chapter 12

## THE STATUS OF JERUSALEM



Photo: AP/Wide World Photos

The General Assembly and the Security Council have called upon Israel not to alter the physical, demographic and institutional status of Jerusalem (Al Quds in Arabic).

### **The UN plan for Jerusalem, 1947**

General Assembly resolution 181 (II) of 29 November 1947 on partition envisaged a demilitarized Jerusalem as a separate entity under the aegis of the United Nations Trusteeship Council, which would draft a statute for Jerusalem and appoint a Governor. A legislature would be elected by universal adult suffrage. This statute would remain in force for 10 years and would then be duly examined by the Trusteeship Council, with citizens' participation through a referendum.

The ensuing hostilities prevented implementation of the resolution. Israel occupied the western sector of the Jerusalem area, and Jordan occupied the eastern sector, including the walled Old City. Thus, there came into existence a de facto division of Jerusalem.

The General Assembly, however, by resolution 194 (III) of 11 December 1948, reaffirmed both the principle of internationalization and existing rights. The Arab States, refusing to recognize Israel, did not accept it. Israel also ignored the resolution and moved to extend its jurisdiction to that part of Jerusalem which it had occupied. On 23 January 1950, Israel declared Jerusalem its capital and established government agencies in the western part of the city. Jordan, for its part, moved to formalize its control of the Old City; however, Jordanian legislation indicated that this action did not prejudice the final settlement of the Palestinian issue.

### **Israel's occupation of East Jerusalem, 1967**

The war of June 1967 radically changed that situation. As a result of the war, Israel occupied East Jerusalem and the West Bank. Since then, a number of demographic and physical changes have been introduced, and both the General Assembly and the Security Council, in several resolutions, have declared invalid the measures taken by Israel to change the status of Jerusalem. Security Council resolution 252 (1968) in particular is explicit in this regard. In it, the Council considered "that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status". Israel was urgently called upon "to rescind all such measures already taken and to desist forthwith from taking any further action which tend to change the status of Jerusalem". The Security Council has reaffirmed these two positions many times.

When Israel took steps to make a united Jerusalem its capital, the Security Council on 30 June 1980 adopted resolution

476 (1980) urgently calling on Israel, the occupying Power, to abide by this and previous Security Council resolutions and to desist forthwith from persisting in the policy and measures affecting the character and status of the Holy City of Jerusalem.

After Israel's non-compliance with the resolution, the Council, on 20 August, adopted resolution 478 (1980), in which it reiterated its position that all actions altering the status of the city were null and void, and called upon States that had established diplomatic missions in Jerusalem to withdraw them. The General Assembly also considered Israel's action to be a violation of international law that did not affect the continued applicability of the Fourth Geneva Convention. This understanding, affirmed by the Assembly in December 1980, has been reaffirmed in subsequent years.

During the 1980s, United Nations resolutions dealt with the Jerusalem issue in the wider context of the inadmissibility of the acquisition of territory by force and the applicability of the Fourth Geneva Convention to the Palestinian territory occupied by Israel since 1967. East Jerusalem has been considered, by both the General Assembly and the Security Council, as part of the occupied Palestinian territory.

As the international community and in particular the Security Council continued to follow with concern developments affecting the question of Palestine, an important action was taken by the Council through resolution 672, adopted on 12 October 1990 following the violence that took place in Jerusalem at Haram Al-Sharif, where the Al-Aqsa mosque, the third holiest shrine in Islam, is situated. The Council, after condemning "especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life", called upon Israel "to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to all the territories occupied by Israel since 1967".

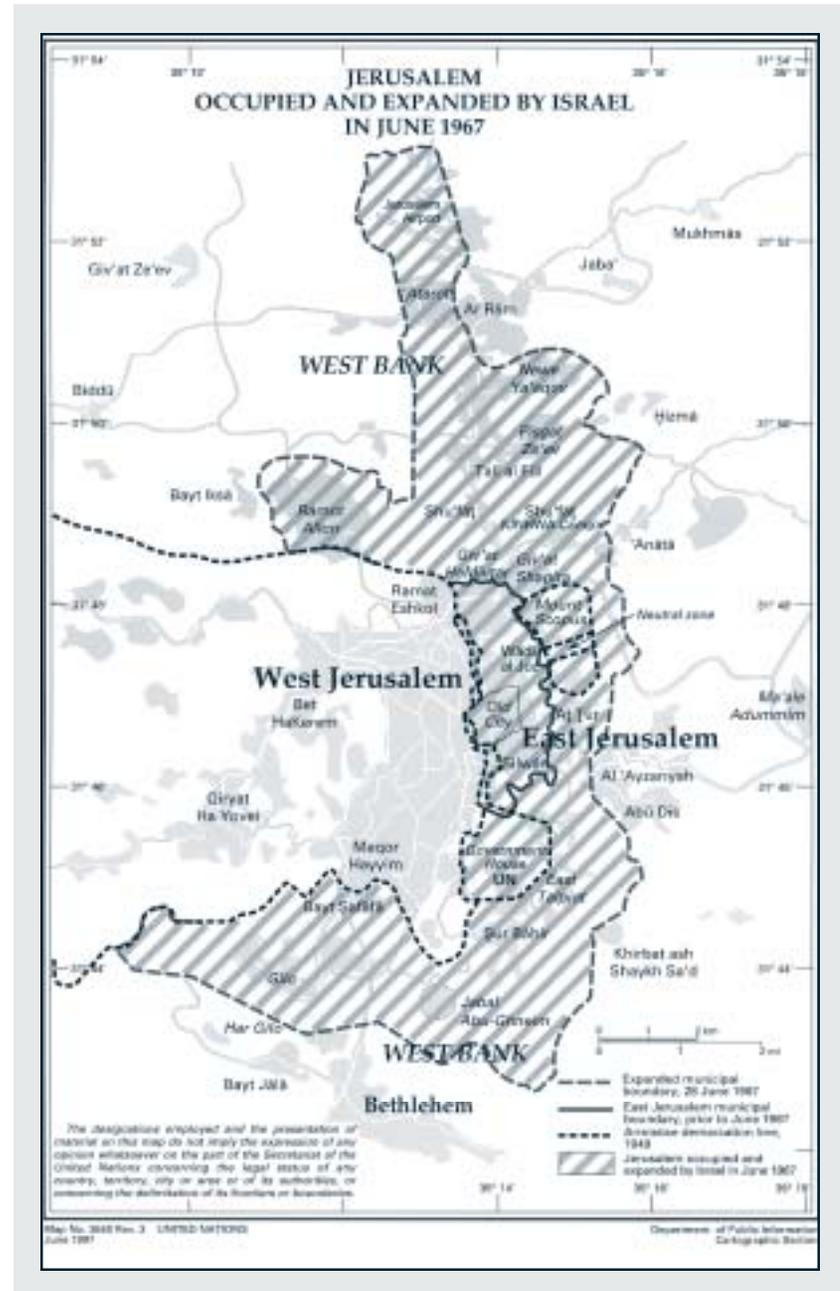
The applicability of the Fourth Geneva Convention to Jerusalem was reaffirmed by the Security Council on 20 December 1990, when it expressed grave concern at the deteriorating situation in "all the Palestinian territories occupied by Israel since 1967, including Jerusalem", and called on Israel to abide by it.

Since 1997, the tenth emergency special session of the General Assembly has been resumed several times. At the resumed emergency session held in February 1999, the Assembly affirmed its support for the Middle East peace process on the basis of the relevant Security Council resolutions and for the principle of land for peace. Recalling its relevant resolutions, including resolution 181 (II) (the Partition Plan) and those of the Security Council, the Assembly reaffirmed that the international community, through the United Nations, has a legitimate interest in the question of the city of Jerusalem and the protection of its unique spiritual and religious dimension. It further reaffirmed the continued invalidity of all actions taken by Israel, the occupying Power, that have altered or purported to alter the character, legal status and demographic composition of Jerusalem.

**New settlements in East Jerusalem, 1999**

In May 1999, the Israeli Government approved a plan to enlarge the area of the settlement of "Maaleh Adumim", east of Jerusalem, by over 1,300 hectares (3,250 acres), forming a continuous strip of settlements. According to the 1999 report of the Palestinian Rights Committee submitted to the fifty-fourth session of the General Assembly, once completed, the number of settler households in the settlement would increase by an estimated 25 per cent.

The General Assembly, in a resolution adopted on 9 February 1999, reiterated that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character, legal status and demographic composition of Occupied East Jerusalem and the rest of the occupied Palestinian territory, were null and void and had no validity whatsoever.



The General Assembly revisited the question of Jerusalem at its fifty-fifth session. In a resolution adopted on 1 December 2000, the Assembly determined that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem was illegal and, therefore, null and void. The Assembly also deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980).

These statements and resolutions, as well as many others adopted by United Nations bodies, international organizations, non-governmental organizations and religious groups, demonstrate the continuing determination of the international community to remain involved in the future of Jerusalem. They also show the great concern over the delicate status of the peace process and the unanimous desire that no actions be taken that could jeopardize that process.

## **Publications**

- \* *The Origins and Evolution of the Palestine Problem, 1917-1988*, United Nations, New York, 1990.
- \* *The Question of Palestine, 1979-1990*, United Nations, New York.
- \* *The Status of Jerusalem*, United Nations, New York.
- \* *For the Rights of the Palestinians* (the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People), United Nations, New York, 1997.
- \* *Teaching about Palestine*, United Nations, New York, 1990.

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## **Videos**

- \* *Palestine: 1890s-1990s*. Traces chronologically the evolution of the question of Palestine. 34 min., 1994. Available in Arabic, English, French and Spanish.
- \* *Palestinian portraits*. The film focuses on successful Palestinian professionals living in exile. 22 min., 1987. Available in English.
- \* *About the United Nations: Palestine*. A young reporter talks to both Israelis and Palestinians and looks at the historical background of the conflict. 19 min., 1990. Available in English, French and Spanish.

To find out more about UN videos or to order copies, please contact: Audio-Visual Promotion and Distribution, Department of Public Information, United Nations, Room S-805A, New York, NY 10017; tel.: (212) 963-6982/6939; fax: (212) 963-6869; e-mail: [audio-visual@un.org](mailto:audio-visual@un.org)

## **Resources on the Internet**

**UNISPAL:** The United Nations Information System on the Question of Palestine (UNISPAL) is a comprehensive database, providing users with full-text documents of the United Nations system relevant to the question of Palestine and the Arab-Israeli conflict in the Middle East since 1946. UNISPAL is posted at the UN home page (*www.un.org*), which also carries news and analysis of developments in the Middle East.

*www.un.org/Depts/dpa/qpal/UNISPAL.htm*

**UNRWA:** The UNRWA site covers latest news, emergency appeals, and special reports on its activities among 3.9 million registered Palestinian refugees. The site also includes a large photo collection, covering the question of Palestine as it has evolved since 1922.

*www.unrwa.org*

**UNDP:** UNDP's site on its programme of assistance to the Palestinian people covers information on current activities.

*http://192.115.229.1/*

**UNSCO:** UNSCO is the Office of the United Nations Special Coordinator for the Middle East Peace Process. Site includes fact sheets, periodic reports on Palestinian economy and reports on the impact of recent confrontations and border closures on the Palestinian economy.

*www.arts.mcgill.ca/mepp/unsco/unfront.html*

**To find out more about the question of Palestine and the United Nations, please contact:**

Palestine, Decolonization and Human Rights Section, Department of Public Information, United Nations, S-994, New York, NY 10017, tel.: (212) 963-4353; fax: (212) 963-2218; e-mail: *fahmawi@un.org*