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

HISTORICAL BACKGROUND OF THE QUESTION OF PALESTINE
IN THE UNITED NATIONS 1947-1975

The question of Palestine before the United Nations

1947-1948

The question of Palestine was first brought before the United Nations when on 2 April 1947 the United Kingdom delegation requested that the question of Palestine be placed on the agenda of the next regular session of the General Assembly and, further, that a special session of the General Assembly be summoned as soon as possible for the purpose of constituting and instructing a special committee to prepare for the consideration of the question by the Assembly at its next regular session.

Shortly thereafter, five Member States (Egypt, Iraq, Syria, Lebanon and Saudi Arabia) requested the inclusion of an additional item in the agenda of the Special Session entitled "The termination of the mandate over Palestine and the declaration of its independence."

The General Committee of the Assembly rejected the inclusion of the item submitted by the Arab States. Hence the sole item on the agenda at the Special Session was that submitted by the United Kingdom Government: "Constituting and instructing a special committee to prepare for the consideration of the question of Palestine at the second regular session." The item was referred to the First Committee of the Assembly for its consideration.

By resolution 104 (S-I) the General Assembly decided also that the First Committee should grant a hearing to the Jewish Agency for Palestine. After discussion, the First Committee decided to grant a hearing to the Arab Higher Committee, a decision which the General Assembly, by resolution 105 (S-I) declared to be a correct interpretation of its intention.

Accordingly, representatives of the Jewish Agency for Palestine and the Arab Higher Committee presented their views with regard to constituting and instructing the Special Committee which might be created by the Assembly.

At the hearing in the First Committee the representative of the Jewish Agency for Palestine stated "A generation ago the international community of the world, of which the United Nations today is the political and spiritual heir, decided that the Jewish people should be given the right long denied, the opportunity to reconstitute its national home in Palestine ... No international community has cancelled or ever questioned that right ... I have spoken of 'the Jewish people' and 'the Jewish national home'. In drafting the terms of reference of the Committee of Inquiry which you are to appoint and in all the committee's future investigations, these, in my judgment, should be regarded as the key terms and basic concepts."

The representative of the Arab Higher Committee appearing before the First Committee stated, "We come to you, the representatives of the organized community of nations, in the full assurance that your consensus will support us in our struggle to hold that which is dearest to our people's heart: the national right to self-determination which stands as the basis for your Charter..."

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Tracing the history of Palestine prior to the First World War when it was a part of the province of Syria within the Ottoman Empire, the representative of the Arab Higher Committee said, "Notwithstanding the enjoyment of full political rights, the Arabs wished to establish a purely Arab state independent of the Ottoman Empire ... The allied Governments" (during the First World War) "encouraged the struggle of the Arabs for independence ... in particular, the United Kingdom made several pledges for the recognition and establishment of Arab independence ... One of the matters which the Special Committee to be set up will, therefore, have to investigate will be the various pledges given to the Arabs before and after the Balfour Declaration with regard to the recognition of their independence ... I wish to emphasize, however, that the claims of the Arabs for termination of the Mandate and recognition of their independence does not rest on promises or pledges. The Arabs of Palestine are not claiming their country on pledges made to them for it belongs to them. Nor are the Arabs claiming their independence on assurances; they are entitled to such independence as their natural and inalienable right."

The report of the First Committee, including its final resolution concerning the composition and terms of reference of the Special Committee on Palestine, was discussed by the General Assembly at its 77th, 78th and 79th plenary meetings.

These recommendations were adopted by the General Assembly in resolution 106 (S-I) by a vote of 45 for and 7 against with 1 abstention.

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Honduras, Iceland, India, Iran, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States of America, Uruguay, Venezuela, Yugoslavia.

Against: Afghanistan, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Turkey.

Abstaining: Siam.

Absent: Haiti, Philippine Republic.

Opposition to the resolution was based mainly on the absence of any reference to independence in the terms of reference of the Committee. For example, at the 78th plenary meeting of the General Assembly, the representative of Syria stated, "We cannot admit that Palestine should not be granted its independence. We have voted against the terms of reference of the Special Committee because no mention was made in the terms of reference to the word 'independence' ... We ask that the provisions of the Covenant of the League and the provisions of the Charter of the United Nations be the basis of any solution to be found for Palestine and nothing else."

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United Nations Special Committee on Palestine

The United Nations Special Committee on Palestine, established by resolution 106 (S-I), met from 27 May to 3 September 1947 at New York, Jerusalem, Beirut and Geneva. A 10-member sub-committee spent one week investigating the problem of Jewish displaced persons and refugees in Austria and Germany.

The Arab Higher Committee refused to collaborate with the Special Committee and its reasons for so doing were stated in a cable to the Secretary-General: the refusal of the United Nations to include the item "Termination of the Mandate and the declaration of the independence of Palestine" in the agenda of its Special Session and the omission of these words in the terms of reference of the Committee; secondly, the failure to distinguish the Jewish world refugee problem from the Palestine problem; and thirdly, replacing the interests of the inhabitants of Palestine by world religious interests, although these were not the subject of contention - furthermore, that the national rights of the Palestine Arabs were self-evident and could not continue to be subject to investigation but deserved to be recognized on the basis of principles of the United Nations Charter.

Second regular session of the General Assembly: Ad Hoc Committee on the Palestine Question

The Special Committee submitted a report (document A/364) to the Assembly at its second regular session containing 12 general recommendations unanimously agreed to for a solution of the question of Palestine. The main recommendations were that the mandate for Palestine should be terminated and that independence should be granted to Palestine at the earliest practicable date. During the transitional period ending 1 September 1949 the administrative authority for Palestine should be responsible to the United Nations.

Seven members of the Special Committee (Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay) recommended a plan for the partition of Palestine into an Arab State and a Jewish State bound together by an economic union. The City of Jerusalem, including Bethlehem, was to be placed under trusteeship, with the United Nations as the Administering Authority. During the transitional period Palestine would be administered by the present Mandatory Power under the auspices of the United Nations, either alone or assisted by one or more Members of the United Nations. During that period 150,000 Jewish immigrants would be admitted.

Three members of the Committee (India, Iran, Yugoslavia) recommended a plan for the establishment within three years, of an independent federal state comprising an Arab State and a Jewish State under a federal government.

One member of the Committee (Australia) did not express its support of either plan.

At its second regular session the General Assembly established an Ad Hoc Committee on the Palestine Question on which all members of the Assembly were entitled to representation.

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During the general discussions, the Ad Hoc Committee heard statements from the representatives of the Arab Higher Committee, who rejected the recommendations of the Special Committee on Palestine and advocated the establishment in the whole of Palestine of an Arab State "which would protect the legitimate rights and interests of all minorities". The representative of the Jewish Agency for Palestine stated that the Agency was ready to accept with some modification the majority plan of the Special Committee.

At its 19th meeting, the Ad Hoc Committee established (a) a Conciliation Group entrusted with the task of bringing together the parties; (b) Sub-Committee 1 to draw up a detailed plan based on the majority proposal of the Special Committee; (c) Sub-Committee 2 to draw up a detailed plan for the recognition of Palestine as an independent unitary State.

The Chairman of the Ad Hoc Committee, who was also the Chairman of the Conciliation Group, informed the Committee that the efforts of the Conciliation Group had not been fruitful.

The report of Sub-Committee 1 recommended the adoption of a draft resolution embodying a plan of partition with economic union, following in its general lines the proposal of the majority of the Special Committee on Palestine. It proposed also a Commission of five members to be appointed by the General Assembly to be sent to Palestine to perform under the guidance of the Security Council the functions assigned to it by the General Assembly.

The report of Sub-Committee 2 recommended the adoption of three draft resolutions: (a) that, before the General Assembly recommended a solution of the Palestine question, it should request the International Court of Justice to give an advisory opinion on certain legal questions arising from the problem, including questions concerning the competence of the United Nations to recommend or enforce any solution contrary to the wishes of the majority of the people of Palestine; (b) that a statement of the problem of Jewish refugees and displaced persons on an international basis should be recommended; (c) that a provisional government, representative of the people of Palestine, should be created.

While the draft resolution of Sub-Committee 1 embodying the plan of partition with economic union was adopted with various amendments and included in the report of the Ad Hoc Committee, the proposals of Sub-Committee 2 were not accepted by the Ad Hoc Committee

At the 128th plenary meeting of the General Assembly the Assembly considered the report of the Ad Hoc Committee and adopted resolution 181 (II) of 29 November 1947 on the future government of Palestine by 33 votes in favour, 13 against with 10 abstentions.

In favour: Australia, Belgium, Bolivia, Brazil, Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Iceland, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela.

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Against: Afghanistan, Cuba, Egypt, Greece, India, Iran, Iraq, Lebanon
Pakistan, Saudi Arabia, Syria, Turkey, Yemen.

Abstaining: Argentina, Chile, China, Colombia, El Salvador, Ethiopia,
Honduras, Mexico, United Kingdom, Yugoslavia.

At the same meeting the General Assembly elected Bolivia, Czechoslovakia, Denmark, Panama and the Philippines as members of the United Nations Palestine Commission charged with implementing the resolution. It also authorized the Secretary-General to draw from the Working Capital Fund a sum not to exceed \$2,000,000 for the purposes set forth in the last paragraph of the resolution on the future government of Palestine.

The Arab members who participated in the debate opposed adoption of the resolution.

The representative of Yemen argued that the partition plan was illegal, being contrary to the United Nations Charter and unjust, since it imposed an institution upon a country without its consent. Furthermore, he said it was unworkable.

The representative of Egypt thought that it was clear that the General Assembly was not competent to impose any solution in the matter. In the Ad Hoc Committee only 25 of the 57 Members of the United Nations had supported the partition plan. If the General Assembly's resolution was passed, he reiterated that it would be taken for what it was: a mere recommendation addressed to the Egyptian Government. His delegation's position was that it would like to be enlightened by an opinion from the International Court of Justice.

The representative of Saudi Arabia suggested that it was tyrannical that an international organization was intervening to partition a country in order to present a part of it to the aggressor.

The representative of Syria stated that among those who had approved the plan for dividing Palestine into two independent states, there was perhaps no-one who had really taken into account the legal side of the question. He said no plan had ever been more contrary to logic or to social, political or economic laws.

The representative of Lebanon felt that the fact that there was no other plan before the Assembly was not a reason for adopting a plan which did not convince it.

The representative of Iraq stated that the General Assembly was being asked to vote upon a plan which had not given the least consideration to the Arab point of view, and that it was most partial and unjust since it had been drafted by a Sub-Committee which contained no neutral members.

The United Nations Palestine Commission

In its second monthly progress report to the Security Council, dated 15 March 1948 the Commission established by resolution 181 (II) concluded that in

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view of the policy of the Mandatory power not to co-operate in the implementation of the plan adopted by the General Assembly, a satisfactory co-ordination of the plans of the Commission with those of the Mandatory power were precluded. The Mandatory power had informed the Palestine Commission that it would not regard favourably a decision of the Commission to go to Palestine earlier than two weeks before the date of termination of the Mandate but had agreed that the Commission might send a few members of its staff to make arrangements for it with the Palestine Government.

On 2 April 1948 the Commission, taking note of Security Council resolution 43 (1948) of 1 April, which called for a truce in Palestine and requested the Secretary-General to convoke a special session of the General Assembly to consider further the question of the future government of Palestine, decided to continue its work on the understanding that all its decisions would be subject to final action by the forthcoming special session.

The second special session of the General Assembly (16 April-14 May 1948)

The General Assembly had before it the Palestine Commission's report of its activities up to 10 April 1948.

During discussion in the First Committee of a draft Trusteeship Agreement proposed by the United States, the representatives of the Arab Higher Committee and of the Arab States said they were prepared to discuss in detail a draft Trusteeship Agreement upon clarification of the essential points and upon receipt of an assurance that resolution 181 (II) would not be implemented. The representative of the Jewish Agency rejected the draft Trusteeship Agreement as contrary to that resolution and as ignoring the legitimate rights and aspirations of the Jewish people in Palestine for independence. Following further discussion, the General Assembly adopted resolution 186 (S-2) by 31 votes in favour to 7 against with 16 abstentions.

By this resolution the General Assembly appointed a United Nations Mediator on Palestine to assure the protection of the Holy Places and to promote a peaceful adjustment of the future situation of Palestine.

1948-1949

Action by the Security Council

The first truce ordered by the Security Council in its resolution 50 (1948) of 29 May 1948 went into effect on 11 June and was to expire on 9 July 1948.

In early July, the United Nations Mediator, Count Folke Bernadotte addressed urgent appeals to both Jews and Arabs for a prolongation of the truce, but though accepted by the Provisional Government of Israel, the appeals were rejected by the Arabs, and hostilities were resumed.

The Mediator, reporting to the Security Council, stated that suggestions for a solution which he had presented to both parties on 28 June 1948 had not been

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acceptable either to the Jews or to the Arabs; that, for the time being he had exhausted all the powers at his disposal, and it was for the Council to adopt measures to put an end to the renewed hostilities in Palestine. In his opinion, orders for an immediate cease-fire and for the demilitarization of Jerusalem were indispensable. In addition, the Arab refugees who had fled from the Jewish occupied areas should be given assurances of the possibility of returning to their homes.

A draft resolution presented to the Security Council by the United States of America calling upon the parties concerned to cease fire was opposed by the representative of Egypt on the grounds that the truce had been working in favour of the Jews and that the only constructive attitude would be to offer the Arabs a friendly hand by presenting truce conditions that would be acceptable to both parties.

However, an amended text of the draft resolution was adopted by 7 votes to 1 (Syria) with 3 abstentions (resolution 54 (1948)).

On 18 September 1948 the Security Council was informed by its President of the assassination on the previous day of the United Nations Mediator on Palestine, Count Folke Bernadotte. By resolution 59 (1948), the Security Council requested the Provisional Government of Israel to give an account of the progress made in the investigation concerning the assassination of Count Bernadotte.

Action by the General Assembly at its third regular session

In his report the late Mediator had suggested that unless both parties arrived at a solution, certain territorial modifications should be made in the plan envisaged in resolution 181 (II) and that a Commission should be established with a view to assisting the parties concerned to arrive at a final settlement of the questions outstanding between them.

The representative of the Provisional Government of Israel in his statement rejected the main conclusions contained in the Mediator's report and the representative of the Arab Higher Committee and the representatives of all the Arab States stated that the recommendations of resolution 181 (II) and the conclusions of the progress report were equally unacceptable.

The First Committee, however, adopted a draft resolution endorsing the conclusions contained in the progress report and establishing a Conciliation Commission to assist the parties to arrive at a settlement based on those conclusions.

This draft resolution was adopted by the General Assembly with amendments by 35 votes to 15 with 8 abstentions (resolution 194 (III)).

In favour: Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Siam, Sweden, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay, Venezuela, Argentina, Australia, Belgium, Brazil, Canada, China, Colombia, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Iceland.

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Against: Iraq, Lebanon, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Yugoslavia, Afghanistan, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Egypt.

Abstaining: India, Iran, Mexico, Bolivia, Burma, Chile, Costa Rica, Guatemala.

Resolution 194 (III) provided for the creation of a three-member Conciliation Commission which would inter alia assume any necessary functions previously assigned to the Mediator and carry out specific functions and directives which it might be given by the General Assembly or the Security Council.

Amongst other decisions, the resolutions provided, with regard to refugees, that those who wished to return home and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.

Security Council resolution 66 (1948) of 29 December 1948

Meanwhile, fighting on a large scale had broken out in the Negev area and the Security Council by its resolution 66 (1948) of 29 December called upon both parties to order an immediate cease-fire and to implement without delay resolution 61 (1948) of 4 November 1948.

On 7 January 1949 the Security Council Committee on the Palestine Question considered the report of the Acting Mediator, Dr. Ralph Bunche, which stated that both Egypt and Israel had accepted a proposal providing for a cease-fire.

Armistice negotiations began on the island of Rhodes and on 25 January the Egyptian and Israeli representatives signed a general cease-fire agreement covering all elements of their military and paramilitary forces. Six weeks later Egypt and Israel signed a general armistice agreement.

On 1 March 1949 the Hashemite Kingdom of Jordan and Lebanon signed general armistice agreements with Israel and this was followed in July 1949 by the signing of the general armistice agreement by Syria and Israel.

The United Nations Conciliation Commission for Palestine

The United Nations Conciliation Commission for Palestine established by General Assembly resolution 194 (III) invited the Arab and Israeli Governments to send delegations to Lausanne to exchange views so as to make possible the achievement of concrete and positive results. The Commission reported however that it had not found it possible to engage them directly in negotiations under its auspices because the Arab delegations had always insisted that such negotiations should be carried out en bloc, whereas the Israeli delegation had deemed it preferable to discuss each question separately with the State or States immediately concerned.

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On 12 May 1949 in Lausanne both parties signed separately with the Commission, a protocol accepting as a basis for their discussions with the Commission, a map showing the territory attributed to the Arab and Jewish States by General Assembly resolution 181 (II). Under the terms of the protocol the interested delegations agreed that their exchange of views with the Commission would bear upon the territorial adjustments necessary to achieve the various objectives of the General Assembly resolution of 11 December 1948 as regards refugees as well as territorial and other questions.

In its second report the Commission stated that for Jerusalem the Arab delegations showed themselves in general prepared to accept the principle of an international régime for the Jerusalem area. The Israeli Government on the other hand accepted without reservation an international régime for, or the international control of, the Holy Places in the City but could not accept the establishment of an international régime for the City of Jerusalem.

Regarding repatriation of refugees the Arab delegations were unanimous in requesting as a first step the acceptance by the Government of Israel of the principle set forth in General Assembly resolution 194 (III) concerning the repatriation of refugees who wished to return to their homes and live at peace with their neighbours. On the other hand the Arab delegations were not yet able to discuss with the Commission the question of the resettlement of the refugees. To this end only two concrete proposals had been submitted: one by the delegation of Israel concerned the inhabitants and refugees in the Gaza area, the other submitted by the Arab delegations concerned the repatriation of refugees coming from the territories now under Israeli control, allotted to the Arabs under the Partition Plan. Neither of these proposals was acceptable to the other party, and a further proposal with regard to territorial questions submitted by Israel was considered equally unacceptable.

The Commission in its third report concluded that its immediate problem consisted in linking together negotiations on refugees and those on territorial questions, and to that effect it endeavoured to lead the Arab States to negotiate on territorial questions and to suggest to the State of Israel that it must contribute in a substantial manner to the resolution of the refugee problem.

The admission of Israel to the United Nations

(a) The question before the Security Council

By a letter dated 29 November 1948 (S/1093) to the Secretary-General, the Foreign Minister of the provisional Government of Israel applied on behalf of his Government for membership in the United Nations. A declaration of acceptance of the obligations contained in the Charter was submitted with the letter. The Security Council considered the application at its 383rd meeting on 2 December 1948.

Though some objections were raised to the application on the grounds that it was premature since the First Committee was at that time still discussing the future of Palestine and the State of Israel still had to prove the compliance

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with the recent resolutions of the Security Council regarding the truce and armistice, the application was referred to the Committee on the Admission of New Members. This Committee reported on 7 December 1948 that it did not then possess the information necessary to enable it to come to a decision.

At the 384th meeting on 15 December 1948, the representative of France proposed that the Committee on the Admission of New Members should reconsider the matter in view of resolution 194 (III) adopted by the General Assembly on 11 December.

That view was opposed by the representative of Syria who considered that there was nothing new in the resolution which could help the Committee come to a final decision. Pointing out that the Security Council had followed the principle that no military or political advantage should be gained by either party during the period of truce or armistice, the Syrian representative considered that a resolution admitting the membership of the Jews would represent a great political advantage gained by them during the truce. He contended that the debate in the General Assembly had indicated that the proclamation of the Jewish State in Palestine had not been accepted and approval of the application under discussion at that stage would destroy and frustrate the activities and chances of success of the Conciliation Commission which had been established. He therefore submitted a draft resolution which sought to request an advisory legal opinion of the International Court of Justice.

The United Kingdom also introduced a draft resolution which sought to postpone consideration of the application, and a similar draft resolution seeking to postpone for one month the consideration of the application was introduced by France on the same day.

Though these draft resolutions were not adopted, the Israeli application for admission to membership in the United Nations did not receive the recommendation of the Security Council since there were only 5 votes in favour, 1 against (Syria) and 5 abstentions.

However, in February 1949 the application was renewed by Israel.

The representative of Egypt considered that taking action on the application would not only be untimely but would be an affront to humanity. He said the Jews were driving three quarters of the people of Palestine from their homes and there were many other considerations contending against accepting the Jewish application. He added that the people of the Middle East could hardly have great confidence in and reverence for the United Nations if that application was accepted.

However, at its 414th meeting on 4 March 1949 the Security Council adopted a draft resolution recommending the admission of Israel by 9 votes to 1 (Egypt) with 1 abstention (United Kingdom).

(b) The question before the General Assembly

At its 207th plenary meeting on 11 May 1949, the General Assembly considered the report of its Ad Hoc Political Committee and the accompanying draft resolution

on the question of the application of Israel for admission to membership. The Committee had voted on a draft resolution proposing that action on the admission of Israel should be postponed until the fourth session of the General Assembly. That proposal had been rejected by 25 votes to 19 with 12 abstentions and another recommending admission had been adopted by 33 votes to 11 with 13 abstentions.

In making that recommendation to the General Assembly the Committee considered that its adoption would be of benefit to the State of Israel which had reached maturity and was in a position to enjoy certain rights and to assume certain obligations. The Committee also felt that the Arab States would benefit from the admission of Israel to membership in the United Nations. The Arab States however had strongly opposed Israel's application.

The representative of Iraq questioned the validity of the Security Council's vote on the grounds that one of its permanent members had abstained and suggested that the General Assembly should consult the International Court of Justice on the matter of the Security Council's recommendation.

On the question of Arab refugees he remarked that the representative of the applicant State had given no reply which might help to solve that problem, and on the status of Jerusalem and the Holy Places had clearly been in opposition to General Assembly resolution 194 (III). He maintained also that the replies of the representative of that State as well as the behaviour of his Government with regard to the relevant decisions of the General Assembly led to the conclusion that Israel had not fulfilled and still did not fulfil the requirements of Article 4 of the Charter. Furthermore, he asked whether the Assembly was satisfied that the applicant State had definite boundaries within which it exercised its jurisdiction.

Similar views were expressed by the representatives of Egypt, Syria and Lebanon.

The representative of Yemen stated that the United Nations had sanctioned the invasion of Palestine by immigrants. By admitting Israel it would be offering shelter to a group which had not only imposed its rule by force on the people of Palestine, but which had also driven from their homes almost a million of those people.

The representative of Saudi Arabia was of the opinion that it would be unwise to admit an artificially created State with a record of systematic aggression and flagrant violation of the basic principles of the Charter. The Zionists had driven from their homes some 900,000 Arabs and had committed atrocities not unlike those perpetrated by the Nazis.

At the conclusion of the debate the General Assembly adopted resolution 273 (III) by a vote of 37 in favour, 12 against and 9 abstentions.

In favour: Union of Soviet Socialist Republics, United States of America,
Uruguay, Venezuela, Yugoslavia, Argentina, Australia, Bolivia,
Byelorussian Soviet Socialist Republic, Canada, Chile, China,

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Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, France, Guatemala, Haiti, Honduras, Iceland, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Ukrainian Soviet Socialist Republic, Union of South Africa.

Against: Yemen, Afghanistan, Burma, Egypt, Ethiopia, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria.

Abstaining: United Kingdom, Belgium, Brazil, Denmark, El Salvador, Greece, Siam, Sweden, Turkey.

The representative of Israel, having been invited to take his seat, stated that the admission of Israel was the consummation of the people's transition from political anonymity to clear identity, from inferiority to equal status, from mere passive protest to active responsibility, from exclusion to membership in the family of nations. He went on to state that the fact that Israel's rapid integration in the international structure was due to a deliberate decision of the United Nations had far-reaching implications. He said Israel's organic connexion with the United Nations had combined with its own compelling interest in dictating its course of action in international affairs - a course of undivided loyalty to the Charter of the United Nations and of consecration to the cause of peace. He went on to state that Israel extended a hand of true friendship to all peace-loving nations and pledged its co-operation, under the auspices of the United Nations, in the preservation and defence of universal peace and progress.

1949-1950

Further efforts towards a general settlement

(a) Action by the Security Council

In July 1949 the United Nations Acting Mediator submitted to the Security Council his final report relative to the status of the armistice negotiations and the truce in Palestine. In that report he informed the Security Council that with the conclusion of the armistice agreements, the truce had become obsolete and the mission of the Mediator had been fulfilled. He suggested that the Council might, in accordance with General Assembly resolution 194 (III), terminate or transfer to the Conciliation Commission for Palestine such functions as the Mediator retained in Security Council resolutions.

On the basis of these suggestions and observations, the Security Council duly adopted resolution 73 of 1949.

(b) The fourth regular session of the General Assembly

At this session the General Assembly adopted resolution 302 (IV) by which it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

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UNRWA was to be concerned exclusively with the provision of relief to refugees and with the establishment of works projects designed to transfer refugees from relief to wage paying work that would contribute to the economy of the countries which participated in the programme. The questions of repatriation, resettlement and compensation for the refugees was the concern of the United Nations Conciliation Commission for Palestine.

The General Assembly also adopted resolution 303 (IV) by 38 votes to 14 with 7 abstentions. In this resolution the Assembly restated its intention that Jerusalem should be placed under a permanent international régime which should envisage appropriate guarantees for the protection of the Holy Places, both within and outside Jerusalem and to confirm certain specific provisions of resolution 181 (II).

1950-1968

During the years 1950-1968 the question of Palestine was dealt with largely in the United Nations only in so far as it related to the work of the United Nations Conciliation Commission, the United Nations Relief and Works Agency of Palestine and the Near East and the maintenance of the armistice agreements.

The outbreak of hostilities in June 1967 and the occupation by Israel of territories beyond its borders brought back the question of the Middle East as an urgent matter before the Security Council and the General Assembly.

Security Council resolutions 234 (1967), 235 (1967) and 236 (1967) dealt with the cease-fire and the discontinuance of all military activities.

Resolution 237 (1967), adopted unanimously on 14 June 1967, called on Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities.

It also recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian personnel in time of war contained in the Geneva Convention of 12 August 1949.

The fifth emergency special session of the General Assembly adopted resolution 2252 on 4 July 1967 inter alia considered that essential and inalienable human rights should be respected even during the vicissitudes of war and repeated the provisions of Security Council resolution 237. This resolution was adopted by a vote of 116 in favour, none against and 2 abstentions (Cuba, Syria).

Resolution 2253 (ESV) of 4 July 1967 called upon Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem.

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This resolution was adopted by a vote of 99 in favour, none against and 20 abstentions.

Resolution 2254 (ESV) of 14 July 1967 deplored Israel's failure to implement Assembly resolution 2253 (ESV) and reiterated its call to Israel to desist forthwith from taking any action which would alter the status of Jerusalem. This resolution was adopted by a vote of 99 in favour, none against and 18 abstentions.

By its resolution 2257 (ESV) of 18 September 1967 the General Assembly decided to place on the agenda of its twenty-second regular session as a matter of high priority the question of the agenda of its fifth emergency special session.

Action by the Security Council

On 22 November 1967 the Security Council adopted unanimously resolution 242 (1967). Apart from statements in explanation of their attitudes toward the resolution by members of the Council, which are summarized in document A/7201, such statements were made also by Syria, Jordan, the United Arab Republic and Israel.

The Republic of Syria stated that its delegation could not accept the terms of the resolution because, among other things, the essential issue of withdrawal was made subject to concessions to be imposed on the Arab countries, because it was silent on the systematic violation of the cease-fire resolutions and the rejection by Israel of resolutions concerning the status of Jerusalem and the return of the new refugees since 5 June, and because it ignored the various resolutions on the Palestinian Question and the right of the Palestinian people to self-determination.

The representatives of the United Arab Republic and Jordan reaffirmed that the essential step towards peace was the full withdrawal of the Israeli forces from all the territories occupied in the June conflict.

The representative of Israel stated that it was now understood as axiomatic that movements from the cease-fire lines could be envisaged only in the framework of a just and lasting peace. The central affirmation of the adopted resolution was the need for such a peace based on secure and recognized boundaries. There was a clear understanding that it was only within the establishment of permanent peace that secure and recognized boundaries, mutually agreed by the parties, that the other principles could be given effect. He said he would communicate to his Government for its consideration nothing except the original English text of the resolution as it had been submitted on 16 November.

The General Assembly

The item "The situation in the Middle East" was on the agenda of the twenty-second session but was not considered at that session.

It was included in the agenda of the General Assembly at its twenty-third session too, but at the closing plenary meeting on 21 December 1968 the President announced that his consultations with various delegations had given him to

understand that it was the general feeling that the item should be deferred until the next regular session.

However, acting on the report of the Third Committee, the General Assembly, by its resolution 2443 (XXIII) of 19 December 1968, established a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

Amongst its preambular paragraphs, it noted "resolution I on respect for and implementation of human rights in occupied territories, adopted by the International Conference on Human Rights on 7 May 1968, in which the Conference inter alia: (a) expressed its grave concern at the violation of human rights in Arab Territories occupied by Israel, (b) drew the attention of the Government of Israel to the grave consequences resulting from the disregard of fundamental freedoms and human rights in occupied territories, (c) called upon the Government of Israel to desist forthwith from acts of destroying homes of the Arab civilian population inhabiting areas occupied by Israel and to respect and implement the Universal Declaration of Human Rights and the Geneva Convention of 12 August 1949 in occupied territories, affirm the inalienable rights of all inhabitants who had left their homes as a result of the outbreak of hostilities in the Middle East to return home, resume their normal life, recover their property and homes, and rejoin their families according to the provision of the Universal Declaration of Human Rights".

The resolution was adopted by 60 votes in favour, 22 against and 30 abstentions.

1969-1975

At the twenty-fourth session of the General Assembly when the report of the United Nations Relief and Works Agency for Refugees in the Near East was considered, the General Assembly adopted resolution 2535 (XXIV) of 10 December 1969. The resolution consisted of three parts. The first preambular paragraph of 2535 B (XXIV) read as follows: "Recognizing 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,". Operative paragraph 1 read as follows: "Reaffirms the inalienable rights of the people of Palestine."

This resolution (2535 B (XXIV)) was adopted by a vote of 48 votes in favour, 22 against, with 47 abstentions. The voting was as follows:

In favour: Hungary, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mongolia, Morocco, Nigeria, Pakistan, Poland, Romania, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan, Syria, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Afghanistan, Albania, Algeria, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Ceylon, China, Congo (Brazzaville), Cuba, Cyprus, Czechoslovakia, Guinea.

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Against: Israel, Liberia, Malawi, Nicaragua, Panama, Paraguay, Rwanda, Swaziland, United States of America, Uruguay, Bolivia, Botswana, Canada, Chad, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Gabon, Gambia, Guatemala.

Abstaining: Honduras, Iceland, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Laos, Lesotho, Luxembourg, Madagascar, Mauritius, Mexico, Nepal, Netherlands, New Zealand, Niger, Norway, Peru, Philippines, Portugal, Sierra Leone, South Africa, Sweden, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, Upper Volta, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Burma, Cameroon, Central African Republic, Chile, Denmark, Ethiopia, Finland, France, Ghana, Greece, Guyana.

The representative of Israel, referring to resolution 2535 B (XXIV) stated inter alia: "the resolution must therefore be considered only for what it is: an expression of the known views of the Arab States and those who joined them in the vote".

The representative of Iraq stated: "My delegation for obvious reasons voted in favour of resolution B, which to a certain extent confirms the rights of the people of Palestine, their inalienable rights".

The representative of Saudi Arabia stated: "Should the people of Palestine regardless of whether they are Arabs, Jews, Chinese or what have you be denied their inalienable right as a people? That is the question. They have an inalienable right and that is the gist of resolution B which has just been adopted."

Resolutions 2672 C (XXV), 2792 D (XXVI), 2963 (XXVII) and 3089 D (XXVIII) all of which were adopted in connexion with the United Nations Relief and Works Agency for Palestine Refugees in the Near East reaffirmed that the people of Palestine were entitled to equal rights and self-determination in accordance with the Charter of the United Nations.

Action by the Security Council

Following the outbreak of hostilities in October 1973, the Security Council adopted resolution 338 (1973) of 22 October 1973 which called upon all parties to the fighting to cease all military activity immediately and to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts. It decided also that immediately and concurrently with the cease-fire, negotiations should start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East. This resolution was adopted by 14 votes to none, one member (China) not participating in the vote.

Action by the General Assembly at its twenty-ninth regular session

At its twenty-ninth session the General Assembly had the item "The Question of Palestine" included in its agenda. On 14 October 1974, the Assembly adopted resolution 3210 (XXIX) which, considering that the Palestinian people was the principal party to the question of Palestine, invited the Palestine Liberation Organization, the representative of the Palestinian people, to participate in the deliberations of the General Assembly on the question of Palestine in plenary meetings.

The resolution was adopted by 105 votes in favour, 4 against, with 20 abstentions. The voting was as follows:

In favour: Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Austria, Bahrain, Bangladesh, Bhutan, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka.

Against: United States of America, Bolivia, Dominican Republic, Israel.

Abstaining: United Kingdom of Great Britain and Northern Ireland, Uruguay, Australia, Barbados, Belgium, Burma, Canada, Colombia, Costa Rica, Denmark, Ecuador, Germany (Federal Republic of), Guatemala, Haiti, Iceland, Laos, Luxembourg, Netherlands, Nicaragua, Paraguay.

It also adopted resolution 3236 (XXIX) which inter alia reaffirmed the inalienable rights of the Palestinian people in Palestine including,

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

It also reaffirmed the inalienable right of the Palestinians to return to their homes and property from which they had been displaced and uprooted and called for their return.

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It emphasized that full respect for and the resolution of these inalienable rights of the Palestinian people were indispensable for the solution of the question of Palestine. The resolution was adopted by 89 votes in favour, 8 against, with 37 abstentions. The voting was as follows:

In favour: Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mongolia, Morocco, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone.

Against: United States of America, Bolivia, Chile, Costa Rica, Iceland, Israel, Nicaragua, Norway.

Abstaining: Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Australia, Austria, Bahamas, Barbados, Belgium, Canada, Colombia, Denmark, Ecuador, El Salvador, Fiji, Finland, France, Germany (Federal Republic of), Greece, Grenada, Guatemala, Haiti, Honduras, Ireland, Italy, Japan, Laos, Luxembourg, Malawi, Mexico, Nepal, Netherlands, New Zealand, Panama, Paraguay, Singapore.

At the same meeting the General Assembly adopted resolution 3237 (XXIX) which invited the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly and of all international conferences convened under the auspices of the General Assembly and of other organs of the United Nations in the capacity of observer. This resolution was adopted by a vote of 95 in favour, 17 against, with 19 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Bahrain, Bangladesh, Barbados, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Niger,

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Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Belgium, Bolivia, Canada, Chile, Costa Rica, Denmark, Federal Republic of Germany, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, Nicaragua, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Bahamas, Colombia, France, Greece, Haiti, Honduras, Jamaica, Japan, Laos, Malawi, New Zealand, Panama, Paraguay, Swaziland, Sweden, Thailand, Uruguay.

Action by the General Assembly at its thirtieth session

At its thirtieth session the General Assembly adopted resolution 3375 (XXX) which called for an invitation to the Palestine Liberation Organization to participate in the efforts for peace in the Middle East. This resolution was adopted by 101 votes in favour, 8 against, with 25 abstentions. The voting was as follows:

In favour: Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cape Verde, Chad, Chile, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal.

Against: Netherlands, Nicaragua, United Kingdom of Great Britain and Northern Ireland, United States of America, Costa Rica, Germany (Federal Republic of), Honduras, Israel.

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Abstaining: New Zealand, Norway, Paraguay, Swaziland, Sweden, Uruguay, Australia, Austria, Bahamas, Barbados, Belgium, Bolivia, Canada, Denmark, Dominican Republic, El Salvador, France, Guatemala, Haiti, Iceland, Ireland, Italy, Japan, Luxembourg, Malawi.

The General Assembly adopted resolution 3376 (XXX) by which it decided inter alia to establish a Committee on the Exercise of the Inalienable Rights of the Palestinian People composed of 20 members to be appointed by the General Assembly. The Committee was requested to consider and recommend to the General Assembly a programme of implementation designed to enable the Palestinian people to exercise the rights recognized in paragraphs 1 and 2 of Assembly resolution 3236 (XXIX) taking into account in the formulation of its recommendations for the implementation of that programme all the powers conferred by the Charter on the principal organs of the United Nations.

It was adopted by 93 votes in favour, 18 against, with 27 abstentions. The voting was as follows:

In favour: Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Equatorial Guinea, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Cape Verde, Chad, China, Congo, Cuba, Cyprus.

Against: Denmark, El Salvador, Fiji, Germany (Federal Republic of), Haiti, Honduras, Iceland, Israel, Luxembourg, Netherlands, Nicaragua, Norway, Swaziland, United Kingdom of Great Britain and Northern Ireland, United States of America, Belgium, Canada, Costa Rica.

Abstaining: Dominican Republic, Ecuador, Ethiopia, Finland, France, Gabon, Guatemala, Ireland, Italy, Ivory Coast, Japan, Lesotho, Liberia, Malawi, New Zealand, Paraguay, Portugal, Sierra Leone, Sweden, Uruguay, Australia, Austria, Bahamas, Barbados, Bolivia, Chile, Colombia.

Security Council debate of January 1976

Between 12 and 26 January 1976, the Security Council considered "The Middle East problem including the Palestinian question".

The views expressed on that occasion and the outcome of the debate are to be found in the following documents:

- (a) S/PV.1870 through S/PV.1879;
 - (b) S/11940; S/11942.
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