

ES-7/1. Credentials of representatives to the seventh emergency special session of the General Assembly

B 2/

The General Assembly

Approves the second report of the Credentials Committee. 3/

21st plenary meeting
28 April 1982

ES-7/4. Question of Palestine

The General Assembly,

Having considered the question of Palestine at its resumed seventh emergency special session,

Noting with regret and concern that the Security Council, at its 2348th meeting, on 2 April 1982, and at its 2357th meeting, on 20 April 1982, failed to take a decision as a result of the negative votes of the United States of America,

Having heard the statement by the Head of the Political Department of the Palestine Liberation Organization, the representative of the Palestinian people, 4/

Convinced that the worsening situation in the Middle East and the failure to find a solution to this question pose a grave threat to international peace and security,

Deploping the repressive measures taken by the Israeli authorities in the illegally occupied Palestinian Arab territories, including Jerusalem,

Recalling the relevant United Nations resolutions pertaining to the status and unique character of the Holy City of Jerusalem, in particular Security Council resolutions 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980,

Affirming once more that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 5/ is applicable to all territories occupied by Israel since 1967, including Jerusalem,

2/ For resolution ES-7/1 A, see A/ES-7/14, sect. II.

3/ A/ES-7/13/Add.1.

4/ A/ES-7/PV.12, p. 16.

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

Noting with regret that, owing to the negative vote of one of its permanent members, the Security Council has, so far, failed to take a decision on the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People endorsed by the General Assembly in its resolutions 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A of 7 December 1978, 34/65 A of 29 November 1979, 35/169 A of 15 December 1980 and 36/120 D of 10 December 1981,

1. Reaffirms its resolutions ES-7/2 of 29 July 1980 and 3236 (XXIX) and 3237 (XXIX) of 22 November 1974 and all other relevant United Nations resolutions pertinent to the question of Palestine;

2. Reaffirms the fundamental principle of the inadmissibility of the acquisition of territory by force;

3. Reaffirms that all the provisions of the Hague Conventions of 1907 6/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, apply to all territories occupied by Israel since 1967, including Jerusalem, and calls upon all parties to these instruments to respect and ensure respect of their obligations in all circumstances;

4. Demands that Israel should comply with the provisions of Security Council resolution 465 (1980);

5. Further demands that Israel should comply with all United Nations resolutions relevant to the status and unique character of the Holy City of Jerusalem, in particular with Security Council resolutions 476 (1980) and 478 (1980);

6. Expresses its rejection of all policies and plans aiming at the resettlement of the Palestinians outside their homeland;

7. Condemns Israel, the occupying Power, for its:

(a) Failure to fulfil its obligations under the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

(b) Disbanding of the elected municipal council of El-Bireh;

(c) Dismissal of the elected mayors of Ramallah and Nablus;

(d) Violation of the sanctity of the Holy Places, particularly of Al-Haram Al-Shareef, in Jerusalem;

(e) Shooting and killing and wounding of worshippers in the precincts of Al-Haram Al-Shareef by members of the Israeli army on 11 April 1982;

(f) Repressive measures, including shooting at the unarmed civilian population in the occupied Palestinian territory and in the occupied Syrian Golan Heights, resulting in death and injury;

6/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

(g) Attacks against and interference with the functions of various civic and religious institutions in the occupied Palestinian territory, including Jerusalem, in particular educational institutions;

8. Condemns all policies which frustrate the exercise of the inalienable rights of the Palestinian people, in particular providing Israel with military, economic and political assistance and the misuse of the veto by a permanent member of the Security Council, thus enabling Israel to continue its aggression, occupation and unwillingness to carry out its obligations under the Charter and the relevant resolutions of the United Nations;

9. Urges all Governments which have not yet done so:

(a) To recognize the inalienable rights of the Palestinian people;

(b) To renounce the policy of providing Israel with military, economic and political assistance, thus discouraging Israel from continuing its aggression, occupation and disregard of its obligations under the Charter and the relevant resolutions of the United Nations;

(c) To act accordingly in all the organs of the United Nations;

10. Condemns the policies which encourage the flow of human resources to Israel, enabling it to implement and to proceed with its colonization and settlement policies in the occupied Arab territories;

11. Declares once again that Israel's record and actions confirm that it is not a peace-loving Member State and that it has carried out neither its obligations under the Charter nor its commitment under General Assembly resolution 273 (III) of 11 May 1949;

12. Calls again upon Israel, the occupying Power, to observe and apply scrupulously the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the principles of international law governing military occupation in all the occupied Palestinian and other Arab territories, including Jerusalem;

13. Demands that Israel, the occupying Power, should permit entry into the occupied territories of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and of the Commission established by Security Council resolution 446 (1979), in order to facilitate the fulfilment of the mandates entrusted to them by the General Assembly and by the Council, respectively;

14. Urges the Security Council to recognize the inalienable rights of the Palestinian people as defined in General Assembly resolution ES-7/2 and to endorse the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, as endorsed by the Assembly in its resolution 31/20 and in subsequent resolutions;

15. Calls upon the Secretary-General, in concurrence with the Security Council and in consultation as appropriate with the Committee on the Exercise of the Inalienable Rights of the Palestinian people, to initiate contacts with all

parties to the Arab-Israeli conflict in the Middle East, including the Palestine Liberation Organization, the representative of the Palestinian people, with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution, conducive to peace, in conformity with the principles of the Charter and relevant resolutions and based on the implementation of the recommendations of the Committee as endorsed by the General Assembly at its thirty-first session;

16. Requests the Secretary-General to follow up the implementation of the present resolution and to report thereon at appropriate intervals to Member States as well as to the Security Council and to submit a comprehensive report to the General Assembly at its thirty-seventh session under the item entitled "Question of Palestine";

17. Decides to adjourn the seventh emergency special session temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from Member States.

20th plenary meeting
28 April 1982

ES-7/5. Question of Palestine

The General Assembly,

Having considered the question of Palestine at its resumed seventh emergency special session,

Having heard the statement of the Palestine Liberation Organization, the representative of the Palestinian people, 7/

Alarmed by the worsening situation in the Middle East resulting from Israel's acts of aggression against the sovereignty of Lebanon and the Palestinian people in Lebanon,

Recalling Security Council resolutions 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 512 (1982) of 19 June 1982,

Taking note of the reports of the Secretary-General relevant to this situation, particularly his report of 7 June 1982, 8/

Taking note of the two positive replies to the Secretary-General by the Government of Lebanon 9/ and the Palestine Liberation Organization, 10/

7/ A/ES-7/PV.22, p. 6.

8/ S/15178.

9/ Ibid., para. 3.

10/ Ibid., para. 4.