

36/146. United Nations Relief and Works Agency for Palestine Refugees in the Near East⁸**A****PALESTINE REFUGEES IN THE GAZA STRIP**

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2792 C (XXVI) of 6 December 1971, 2963 C (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 E of 23 November 1976, 32/90 C of 13 December 1977, 33/112 E of 18 December 1978, 34/52 F of 23 November 1979 and 35/13 F of 3 November 1980,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹ and the report of the Secretary-General of 30 September 1981,¹⁰

Recalling the provisions of paragraph 11 of its resolution 194 (III) of 11 December 1948 and considering that measures to resettle Palestine refugees in the Gaza Strip away from the homes and property from which they were displaced constitute a violation of their inalienable right of return,

Alarmed by the reports received from the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East that the Israeli occupying authorities persist in their policy of demolishing, on punitive grounds, shelters occupied by refugee families,¹¹

1. *Demands* that Israel desist from the removal and resettlement of Palestine refugees in the Gaza Strip and from the destruction of their shelters;

2. *Requests* the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly before the opening of its thirty-seventh session on Israel's compliance with paragraph 1 above.

*100th plenary meeting
16 December 1981*

B**POPULATION AND REFUGEES DISPLACED SINCE 1967**

The General Assembly,

Recalling Security Council resolution 237 (1967) of 14 June 1967,

Recalling also its resolutions 2252 (ES-V) of 4 July 1967, 2452 A (XXIII) of 19 December 1968, 2535 B (XXIV) of 10 December 1969, 2672 D (XXV) of 8 December 1970, 2792 E (XXVI) of 6 December 1971, 2963 C and D (XXVII) of 13 December 1972, 3089 C (XXVIII) of 7 December 1973, 3331 D (XXIX) of 17 December 1974, 3419 C (XXX) of 8 December 1975, 31/15 D of 23 November 1976, 32/90 E of 13 December 1977, 33/112 F of 18 December 1978, 34/52 E of 23 November 1979, ES-7/2 of 29 July 1980 and 35/13 E of 3 November 1980,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹ and the report of the Secretary-General of 30 September 1981,¹²

1. *Reaffirms* the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967 and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right of return by any displaced person is inconsistent with that inalienable right and inadmissible;

2. *Considers* any and all agreements embodying any restriction on or condition for the return of the displaced inhabitants as null and void;

3. *Deplores* the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

4. *Calls once more upon* Israel:

(a) To take immediate steps for the return of all displaced inhabitants;

(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly by the opening of its thirty-seventh session on Israel's compliance with paragraph 4 above.

*100th plenary meeting
16 December 1981*

C**REVENUES DERIVED FROM PALESTINE REFUGEE PROPERTIES**

The General Assembly,

Recalling its resolutions 35/13 A to F of 3 November 1980 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 October 1980 to 30 September 1981,¹³

Recalling that the Universal Declaration of Human Rights¹⁴ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of private property,

Considering that the Palestinian Arab refugees are entitled to their property and to the income derived from their property, in conformity with the principles of justice and equity,

Recalling, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestinian Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report,¹⁵ of 11 May 1964, and of the fact that the Land Office has a schedule of Arab

⁸ See also sect. X. B. decisions 36/431 and 36/462.

⁹ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 13 (A/36/13 and Corr.1).*

¹⁰ A/36/559.

¹¹ *Ibid.*, para. 5.

¹² A/36/558.

¹³ A/36/529.

¹⁴ Resolution 217 A (III).

¹⁵ *Official Records of the General Assembly, Nineteenth Session, Annex No. 11, document A/5700.*

owners and file of documents defining the location, area and other particulars of Arab property.

1. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection and administration of Arab property, assets and property rights in Israel, and to establish a fund for the receipt of income derived therefrom, on behalf of their rightful owners;

2. *Calls upon* the Governments concerned to render all facilities and assistance to the Secretary-General on the implementation of the present resolution;

3. *Requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the present resolution.

*100th plenary meeting
16 December 1981*

D

ASSISTANCE TO PERSONS DISPLACED AS A RESULT OF THE JUNE 1967 HOSTILITIES

The General Assembly,

Recalling its resolution 35/13 C of 3 November 1980 and all previous resolutions on the question,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹

Concerned about the continued human suffering resulting from the June 1967 hostilities in the Middle East,

1. *Reaffirms* its resolution 35/13 C and all previous resolutions on the question;

2. *Endorses*, bearing in mind the objectives of those resolutions, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance as far as practicable, on an emergency basis and as a temporary measure, to other persons in the area who are at present displaced and in serious need of continued assistance as a result of the June 1967 hostilities;

3. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously for the above purposes to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the other intergovernmental and non-governmental organizations concerned.

*100th plenary meeting
16 December 1981*

E

WORKING GROUP ON THE FINANCING OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 2964 (XXVII) of 13 December 1972, 3090 (XXVIII) of 7 December 1973, 3330 (XXIX) of 17 December 1974, 3419 D (XXX) of 8 December 1975, 31/15 C of 23 November 1976, 32/90 D of 13 December 1977, 33/112 D of 18 December 1978, 34/52 D of 23 November 1979 and 35/13 D of 3 November 1980.

Having considered the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,¹⁶

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹

Gravely concerned at the critical financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has already reduced the essential minimum services being provided to the Palestine refugees and which threatens even greater reductions in the future,

Emphasizing the urgent need for extraordinary efforts in order to maintain, at least at their present minimum level, the activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the Agency's financial security;

2. *Takes note with approval* of the report of the Working Group;

3. *Requests* the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the financing of the Agency for a further period of one year;

4. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

*100th plenary meeting
16 December 1981*

F

ASSISTANCE TO PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 35/13 A of 3 November 1980 and all previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹

1. *Notes with regret* that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by the Assembly in paragraph 2 of its resolution 513 (VI) of 26 January 1952 for the reintegration of refugees either by repatriation or resettlement and that, therefore, the situation of the refugees continues to be a matter of serious concern;

2. *Expresses its thanks* to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and private organizations for their valuable work in assisting the refugees;

3. *Reiterates its request* that the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East should be relocated within the area of its operations as soon as practicable;

¹⁶ A/36/615

4. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III)¹⁷ and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but not later than 1 October 1982;

5. *Directs attention* to the continuing seriousness of the financial position of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as outlined in the report of the Commissioner-General;

6. *Notes with concern* that, despite the commendable and successful efforts of the Commissioner-General to collect additional contributions, this increased level of income to the United Nations Relief and Works Agency for Palestine Refugees in the Near East is still insufficient to cover essential budget requirements in the present year and that, at currently foreseen levels of giving, deficits will recur each year;

7. *Calls upon* all Governments as a matter of urgency to make the most generous efforts possible to meet the anticipated needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the budgetary deficit projected in the report of the Commissioner-General, and therefore urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

100th plenary meeting
16 December 1981

G

UNIVERSITY OF JERUSALEM FOR PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 35/13 B of 3 November 1980,

Having examined with appreciation the report of the Secretary-General concerning the establishment of the university of Jerusalem in pursuance of paragraphs 5 and 6 of resolution 35/13 B,¹⁸

Having also examined with appreciation the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹

1. *Commends* the constructive efforts made by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Council of the United Nations University and the United Nations Educational, Scientific and Cultural Organization in exploring ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations;

2. *Further commends* the close co-operation of the competent educational authorities in the host countries as well as those of the Palestine Liberation Organization;

3. *Recognizes* the urgent necessity of establishing the proposed university;

4. *Calls upon* Israel as the occupying Power to desist from obstructing the implementation of the resolution of the General Assembly and to remove the obstacles which it has put in the way of establishing the university at Jerusalem;

5. *Requests* the Secretary-General to take all necessary measures, including a functional feasibility study, for establishing the university at Jerusalem;

6. *Further requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the progress made in the implementation of the present resolution.

100th plenary meeting
16 December 1981

H

OFFERS BY MEMBER STATES OF GRANTS AND SCHOLARSHIPS FOR HIGHER EDUCATION, INCLUDING VOCATIONAL TRAINING, FOR THE PALESTINE REFUGEES

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolution 35/13 B of 3 November 1980,

Cognizant of the fact that the Palestine refugees have, for the last three decades, lost their lands and means of livelihood,

Having examined with appreciation the report of the Secretary-General on offers of grants and scholarships for higher education for Palestine refugees and the scope of the implementation of resolution 35/13 B,¹⁹

Having also examined with appreciation the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1980 to 30 June 1981,⁹ dealing with this subject,

Noting that fewer than one per thousand of the Palestine refugee students have the chance to continue higher education, including vocational training,

Noting also that over the past several years the number of scholarships offered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East has dwindled to half of what it was because of the Agency's recurring budgetary difficulties,

1. *Urges* all States to respond to the appeal contained in General Assembly resolution 32/90 F of 13 December 1977 in a manner commensurate with the needs of the Palestine refugees for higher education and vocational training;

2. *Strongly appeals* to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. *Expresses its appreciation* to all Governments, specialized agencies and non-governmental organizations that responded favourably to General Assembly resolution 33/112 C of 18 December 1978;

4. *Invites* the relevant United Nations agencies to continue to expand the inclusion within their respective spheres of competence of assistance for higher education for the Palestine refugee students;

5. *Appeals* to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the territories occupied by Israel since 1967;

6. *Also appeals* to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

¹⁷ For the report of the United Nations Conciliation Commission for Palestine covering the period from 1 October 1980 to 30 September 1981, see A/36/529.

¹⁸ A/36/593.

¹⁹ A/36/385 and Add. 1 and 2.

7. *Requests* the United Nations Relief and Works Agency for Palestine Refugees in the Near East to act as recipient and trustee for such special allocations and scholarships and to award them to qualified Palestine refugee candidates;

8. *Requests* the Secretary-General to report to the General Assembly at its thirty-seventh session on the implementation of the present resolution.

*100th plenary meeting
16 December 1981*

36/147. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

A

The General Assembly,

Recalling its resolutions 3092 A (XXVIII) of 7 December 1973, 3240 B (XXIX) of 29 November 1974, 3525 B (XXX) of 15 December 1975, 31/106 B of 16 December 1976, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979 and 35/122 A of 11 December 1980,

Recalling also Security Council resolution 465 (1980) of 1 March 1980 in which, *inter alia*, the Council affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²⁰ is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem.

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations.

Bearing in mind the provisions of the Geneva Convention.

Noting that Israel and those Arab States whose territories have been occupied by Israel since June 1967 are parties to that Convention,

Taking into account that States parties to that Convention undertake, in accordance with article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Condemns* the failure of Israel as the occupying Power to acknowledge the applicability of the Geneva Convention to the territories it has occupied since 1967, including Jerusalem;

3. *Demands* that Israel acknowledge and comply with the provisions of the Geneva Convention in Palestinian and other Arab territories it has occupied since 1967, including Jerusalem;

4. *Urgently calls upon* all States parties to the Geneva Convention to exert all efforts in order to ensure respect for and compliance with its provisions in Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem.

*100th plenary meeting
16 December 1981*

B

The General Assembly,

Recalling its resolutions 32/5 of 28 October 1977, 33/133 B of 18 December 1978, 34/90 C of 12 December 1979 and 35/122 B of 11 December 1980,

Recalling also Security Council resolution 465 (1980) of 1 March 1980,

Expressing grave anxiety and concern at the present serious situation in the occupied Palestinian and other Arab territories, including Jerusalem, as a result of the continued Israeli occupation and the measures and actions taken by the Government of Israel, as the occupying Power, designed to change the legal status, geographical nature and demographic composition of those territories,

Considering that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²⁰ is applicable to all Arab territories occupied since 5 June 1967, including Jerusalem,

1. *Determines* that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstruction of efforts to achieve a just and lasting peace in the Middle East, and therefore have no legal validity;

2. *Strongly deplores* the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;

3. *Demands* that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

4. *Demands once more* that the Government of Israel, the occupying Power, desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories occupied since 1967, including Jerusalem;

5. *Urgently calls upon* all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem.

*100th plenary meeting
16 December 1981*

C

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and by the principles and provisions of the Universal Declaration of Human Rights,²¹

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,²⁰ as well as of other relevant conventions and regulations,

Recalling all its resolutions on the subject, in particular resolutions 32/91 B and C of 12 December 1977, 33/113 C of 18 December 1978, 34/90 A of 12 December 1979 and 35/122 C of 11 December 1980, and also those adopted by the Security Council, the Commission on Human Rights and other United Nations organs concerned and by the specialized agencies.

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights

²⁰ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

²¹ Resolution 217 A (III)