

5 December 1980, 36/78 of 9 December 1981, 37/167 of 17 December 1982, 38/60 of 14 December 1983 and 39/74 of 13 December 1984,

Noting that the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy at its sixth session decided to establish a Working Group to carry out formal/official inter-sessional intergovernmental work under the guidance of the Chairman of the Committee, participation being open to members of the Preparatory Committee and to other interested Member States, and that the Working Group will conclude its deliberations in time to submit its report to the Preparatory Committee for consideration at its seventh session to be held at Vienna from 10 to 21 November 1986,⁷³

Noting further that the Preparatory Committee, upon reconsideration of the dates of the Conference on practical considerations and on the understanding that this did not constitute a reopening of the question of timing in any substantive sense, decided that the Conference should be held at Geneva from 23 March to 10 April 1987,⁷⁴

1. *Approves* the conclusions and decisions contained in the report of the Preparatory Committee for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy on its sixth session, including the dates for the seventh session of the Preparatory Committee, from 10 to 21 November 1986, and the new dates of the Conference, from 23 March to 10 April 1987;

2. *Expresses its appreciation* for the efforts of the Chairman of the Preparatory Committee and the Secretary-General of the Conference in pursuance of paragraph 3 of General Assembly resolution 39/74;

3. *Notes with satisfaction* the progress made in the preparations for the Conference and requests the Secretary-General of the Conference to continue with the preparations;

4. *Invites* the International Atomic Energy Agency, the specialized agencies and other relevant organizations of the United Nations system to contribute further to the preparations of the Conference by revising and updating, as necessary and appropriate, their input documents for the Conference, bearing in mind paragraph 7 of General Assembly resolution 39/74 and in the light of the comments by the members of the Preparatory Committee at its sixth session;

5. *Invites* all States to co-operate actively in the preparations for the Conference and to make available at the earliest the information requested in paragraph 9 of General Assembly resolution 36/78 and in the broad questionnaire circulated by the Secretary-General of the Conference in March 1984;

6. *Decides* to include in the provisional agenda of its forty-first session the item entitled "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy".

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⁷³ See *Official Records of the General Assembly, Fortieth Session, Supplement No. 47 (A/40/47)*, para. 25.

⁷⁴ *Ibid.*, para. 41.

⁷⁵ *Ibid.*, Supplement No. 35 (A/40/35).

40/96. Question of Palestine

A

The General Assembly,

Recalling its resolutions 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 of 2 December 1977, 33/28 of 7 December 1978, 34/65 A and B of 29 November 1979 and 34/65 C and D of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, ES-7/4 of 28 April 1982, ES-7/5 of 26 June 1982, ES-7/9 of 24 September 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983 and 39/49 A of 11 December 1984,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Endorses* the recommendations contained in paragraphs 163 to 172 of the report of the Committee⁷⁵ and draws the attention of the Security Council to the fact that action on the Committee's recommendations, as repeatedly endorsed by the General Assembly at its thirty-first session and subsequently, is still awaited;

3. *Requests* the Committee to continue to keep under review the situation relating to the question of Palestine as well as the implementation of the Programme of Action for the Achievement of Palestinian Rights⁷⁶ and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

4. *Authorizes* the Committee to continue to exert all efforts to promote the implementation of its recommendations, including representation at conferences and meetings and the sending of delegations where such activities would be considered by it to be appropriate, and to report thereon to the General Assembly at its forty-first session and thereafter;

5. *Requests* the Committee to continue to extend its co-operation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and in creating a more favourable atmosphere for the full implementation of the Committee's recommendations, and to take the necessary steps to expand its contacts with those organizations;

6. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III) of 11 December 1948, as well as other United Nations bodies associated with the question of Palestine, to co-operate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

7. *Decides* to circulate the report of the Committee to all the competent bodies of the United Nations and urges them to take the necessary action, as appropriate, in accordance with the Committee's programme of implementation;

⁷⁶ *Report of the International Conference on the Question of Palestine, Geneva, 29 August-7 September 1983* (United Nations publication, Sales No. E.83.L.21), chap. I, sect. B.

8. *Requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

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B

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

Noting the particularly relevant information contained in paragraphs 135 to 150 of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983 and 39/49 B of 11 December 1984,

1. *Takes note with appreciation* of the action taken by the Secretary-General in compliance with General Assembly resolution 39/49 B;

2. *Requests* the Secretary-General to ensure that the Division for Palestinian Rights of the Secretariat continues to discharge the tasks detailed in paragraph 1 of General Assembly resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B and paragraphs 2 and 3 of resolution 38/58 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

3. *Also requests* the Secretary-General to provide the Division for Palestinian Rights with the necessary resources to accomplish its tasks and to expand its work programme, particularly through additional meetings for non-governmental organizations, in order to heighten awareness of the facts relating to the question of Palestine and to create a more favourable atmosphere for the full implementation of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;

4. *Further requests* the Secretary-General to ensure the continued co-operation of the Department of Public Information and other units of the Secretariat in enabling the Division for Palestinian Rights to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to lend their co-operation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights in the performance of their tasks;

6. *Takes note with appreciation* of the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and the issuance by them of special postage stamps for the occasion.

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C

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,⁷⁵

Noting, in particular, the information contained in paragraphs 151 to 162 of that report,

Recalling its resolutions 38/58 E of 13 December 1983 and 39/49 C of 11 December 1984,

Convinced that the world-wide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people to self-determination and to the establishment of an independent sovereign Palestinian State,

1. *Takes note with appreciation* of the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolutions 38/58 E and 39/49 C;

2. *Requests* the Department of Public Information, in full co-operation and co-ordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue its special information programme on the question of Palestine for the biennium 1986-1987 and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine;

(b) To continue to update publications on the facts and developments pertaining to the question of Palestine;

(c) To publish brochures and booklets on the various aspects of the question of Palestine, including Israeli violations of the human rights of the Arab inhabitants of the occupied territories;

(d) To expand its audio-visual material on the question of Palestine, including the production of a new film, special series of radio programmes and television broadcasts;

(e) To organize fact-finding news missions to the area for journalists

(f) To organize regional and national encounters for journalists

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D

The General Assembly,

Recalling its resolutions 38/58 C of 13 December 1983 and 39/49 D of 11 December 1984, in which it, *inter alia*, endorsed the convening of an International Peace Conference on the Middle East,

Reaffirming its resolution 39/49 D, in which it, *inter alia*, requested the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference,

Having considered the reply of the President of the Security Council to the Secretary-General, dated 26 February 1985, in which he, *inter alia*, stated on the subject of the Conference: "In this context, members of the Council invite the Secretary-General to continue consultations on

the subject in any manner he deems appropriate in the light of General Assembly resolution 39/49 D.⁷⁷

Having considered again the reports of the Secretary-General of 13 March 1984⁷⁸ and 13 September 1984,⁷⁹ in which he stated, *inter alia*, that it was clear from the replies of the Governments of Israel and the United States of America that they were not prepared to participate in the proposed Conference, and regretting the continued negative response of these two Governments and the lack of willingness to reconsider their position towards the Conference,

Having considered the reports of the Secretary-General of 11 March 1985⁸⁰ and 22 October 1985,⁸¹ in which he, *inter alia*, referred to the difficulties experienced in his efforts made the previous year with a view to convening the Conference,

Having heard the constructive statements made by numerous representatives, including that of the Palestine Liberation Organization,

Taking note of the positive positions of the concerned parties, including the Palestine Liberation Organization, and of other States on the convening of the Conference,⁷⁹

Taking note also of the position of the Palestine Liberation Organization which condemns all acts of terrorism, whether committed by States or individuals, including acts of terrorism committed by Israel against the Palestinian people and the Arab nation,

Reiterating once again its conviction that the convening of the Conference would constitute a major contribution by the United Nations towards the achievement of a comprehensive, just and lasting solution to the Arab-Israeli conflict,

1. *Takes note with appreciation* of the reports of the Secretary-General;

2. *Reaffirms again* its endorsement of the call for convening the International Peace Conference on the Middle East in conformity with the provisions of its resolution 38/58 C;

3. *Stresses* the urgent need for additional constructive efforts by all Governments in order to convene the Conference without further delay and for the achievement of its peaceful objectives;

4. *Determines* that the question of Palestine is the root-cause of the Arab-Israeli conflict in the Middle East;

5. *Calls upon* the Governments of Israel and the United States of America to reconsider their positions towards the attainment of peace in the Middle East through the convening of the Conference;

6. *Requests* the Secretary-General, in consultation with the Security Council, to continue his efforts with a view to convening the Conference and to report thereon to the General Assembly not later than 15 March 1986;

7. *Decides* to consider at its forty-first session the report of the Secretary-General on the implementation of the present resolution.

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⁷⁷ See A/40/168-S/17014, para. 3. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/17014, para. 3.

⁷⁸ A/39/130-S/16409. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for January, February and March 1984*, document S/16409.

⁷⁹ A/39/130/Add.1-S/16409/Add.1. For the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for July, August and September 1984*, document S/16409/Add.1.

⁸⁰ A/40/168-S/17014. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/17014.

40/97. Question of Namibia⁸²

A

SITUATION IN NAMIBIA RESULTING FROM THE ILLEGAL OCCUPATION OF THE TERRITORY BY SOUTH AFRICA

The General Assembly,

Recalling its resolution 2145 (XXI) of 27 October 1966, by which it decided to terminate the Mandate of South Africa over Namibia and to place the Territory under the direct responsibility of the United Nations,

Recalling, in particular, its resolution 2248 (S-V) of 19 May 1967, by which it established the United Nations Council for Namibia as the legal Administering Authority for Namibia until independence,

Recalling further its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Having examined the report of the United Nations Council for Namibia,⁸³

Having examined also the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,⁸⁴

Recalling further other resolutions and decisions declaring the illegality of the continued occupation of Namibia by South Africa, in particular Security Council resolution 284 (1970) of 29 July 1970 and the advisory opinion of the International Court of Justice of 21 June 1971,⁸⁵

Bearing in mind that 1986 will mark the twentieth anniversary of the termination of the Mandate of South Africa over Namibia by the General Assembly on 27 October 1966, and expressing its grave concern that, in the period of time that has elapsed, South Africa has continued its illegal occupation of Namibia in defiance of resolutions and decisions of the General Assembly,

Recalling also its resolutions 3111 (XXVIII) of 12 December 1973 and 31/146 and 31/152 of 20 December 1976, by which it, *inter alia*, recognized the South West Africa People's Organization as the sole and authentic representative of the Namibian people and granted observer status to it,

Recalling further its resolutions ES-8/2 of 14 September 1981 and 36/121 B of 10 December 1981, by which it called upon States to cease forthwith, individually and collectively, all dealings with South Africa in order totally to isolate it politically, economically, militarily and culturally,

Taking note of Security Council resolution 566 (1985) of 19 June 1985, by which the Council condemned the racist régime of South Africa for its installation of a so-called interim government and declared such action to be illegal, null and void,

Noting also the Final Document of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries on the question of Namibia, held at

⁸¹ A/40/779-S/17581 and Corr.1. For the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for October, November and December 1985*, document S/17581.

⁸² See also sect. 1, footnote 8, and sect. X.B.6, decision 40/409.

⁸³ *Official Records of the General Assembly, Fortieth Session, Supplement No. 24 (A/40/24)*.

⁸⁴ *Ibid.*, Supplement No. 23 (A/40/23), chaps. I-III, V, VII and IX.

⁸⁵ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports, 1971, p. 16.