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COMMISSION ON HUMAN RIGHTS

Forty-third session

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 3 February 1987, at 3.00 p.m.

Chairman: Mr. EVMENOV (Byelorussian Soviet  
Socialist Republic)

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The meeting was called to order at 3.10 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (E/CN.4/1987/4/Rev.1; E/CN.4/1987/6; A/41/680; E/CN.4/1987/NGO/8; E/CN.4/1987/NGO/20)

1. Mr. WALLACH (United States of America) said his delegation was strongly in favour of the cessation of violations of human rights in the occupied territories and committed to the continuation of the peace process in the Middle East. Peace negotiations should be focused on objective facts and aimed at a lasting settlement as envisioned by Security Council resolutions 242/1967 and 33/1974.
2. His Government had consistently urged full compliance by Israel with the fourth Geneva Convention of 1949 and The Hague Conventions of 1907. It deeply deplored all the direct confrontations that had occurred as a result of the security measures Israel had been compelled to take to counteract terrorist activities, the consequences of which had been suffered not only by Palestinians and Arabs but by Israelis as well.
3. His delegation welcomed the positive measures adopted by Israel to ease life under military rule while reiterating its reservations concerning Israel's continued policy of introducing civilian settlers to the occupied territories. The friction caused by that policy had, however, been exacerbated by advocates within Israeli society of permanent annexation and by the refusal of the principal Palestinian organizations to recognize the State of Israel.
4. The resolutions which the Commission would be invited to adopt reflected a distortion of fact and an unwillingness to conclude peace, as testified by the deliberate omission of any reference to Security Council resolutions 242/1967 and 338/1974, which constituted the only basis for a negotiated peace in the Middle East. His delegation's vote would, of necessity, reflect that view.
5. His delegation supported Israel's refusal to allow the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to have access to those territories because the Committee was too prejudiced to deliver an objective report. Although the Government of Israel questioned the de jure applicability of the Geneva Conventions to its presence in the occupied territories, it had none the less applied them on a de facto basis.
6. His delegation was not aware of any evidence that the alleged Israeli pillaging of archaeological cultural property and interference with Palestinian religious freedoms had actually occurred. Although some Israelis advocated the perpetration of violence against Palestinians, their position had been strongly condemned by the Israeli Government.
7. His Government, which supported the legitimate rights of the Palestinian people, would continue to strive for a negotiated peace in the Middle East. However, peace would not be possible without the recognition of Israel's right to live within secure borders and the cessation of all terrorist activities against Israel.

8. The Commission, which had been established 40 years previously in the shadow of genocide with the solemn purpose of preventing further violations of human rights, was confronted with a tragic struggle in a region that had witnessed the foundation in the spirit of peace and love of three of the world's greatest religions. In view of its long-standing commitment to the enhancement of human rights and its vision of peace in the Middle East, the Commission should make renewed efforts, therefore, to replace counter-productive rhetoric with temperate language and to reach a deeper and more objective understanding of the difficult issues with which it was faced.

9. Mr. HACENE (Algeria) said his delegation, which approved the high priority given to the question of the violation of human rights in the occupied territories, was alarmed at the extent to which the situation of the civilian population in the occupied territories had further deteriorated as a consequence of the Israeli presence. Particularly troubling features were the harassment of civilians, the restriction of fundamental freedoms, the confiscation of land, the discriminatory economic policies and the escalation of violence perpetrated by Israeli policies.

10. Israel's repressive measures had been further exacerbated by its continued and officially declared policy of annexation and settlement aimed at the Judaization of the Arab territories. The large-scale confiscation of Arab lands was designed to force the Palestinian populations into exile and arbitrary expulsions had swelled the ranks of the hundreds of thousands of Palestinians who were refused the right to return to their homeland.

11. Such measures formed part of the policy consistently followed by Israel since its creation of denying the right of the Palestinian people to exist and of occupying and annexing Arab lands. In Israeli eyes the objective of Judaizing the occupying territories justified any treatment of the Arab population and the refusal to recognize the rights of the Palestinian people. That was at the root of the tragedy of the Palestinian people and of the Middle Eastern crisis.

12. Israel's hegemonic aspirations were also behind its aggressive and expansionist policy towards other Arab countries, using the pretext of the alleged need for a "security zone" beyond its borders to justify its illegal occupation of the Syrian Golan Heights and the invasion of southern Lebanon. In reality, the intent was simply to annex Arab lands in a move towards the goal of a "Greater Israel".

13. Only a firm attitude by the international community could force Israel to change its policy. It was the manifest duty of the Commission on Human Rights to use its moral weight to the fullest to bring about an end to the Israeli occupation of Arab territories and to ensure that justice was done to the national aspirations of the Palestinian people.

14. Mr. AL-OTHMAN (Observer for Kuwait) said that Israel's refusal to allow the Special Committee to visit the occupied territories had enabled it to conceal the reality there. Egypt, Jordan and Syria, on the other hand, had co-operated with the Special Committee, as had the Palestine Liberation Organization (PLO).

15. The report of the Special Committee (A/41/680) showed that the Israeli policy of annexation and colonization was continuing. The indigenous population had been forced to become refugees by the demolition of houses and villages. In one case, the Israeli authorities were reportedly planning to plant a forest on the site of a number of destroyed villages instead of allowing their reconstruction. That "iron-fist" policy involved more and more measures of repression and harassment, not to mention the hostile acts by Jewish settlers that were encouraged by the authorities. His delegation called upon the Commission on Human Rights to make every effort, for instance, to enable expelled teachers to be reinstated in their functions.

16. Over 52 per cent of the agricultural land in the West Bank had actually been confiscated, apart from other territory indirectly controlled by the authorities. In the Gaza Strip, 42 per cent of the land was under Israeli control. According to the Special Committee's report, a high Israeli official had announced plans to dismiss tens of thousands of Arabs and replace them by Jewish workers. The Palestinians were thus to bear the brunt of the widespread unemployment in Israel.

17. Since the occupation of the Golan Heights, the population there had been exposed to economic, racial, political and cultural terrorism. The authorities had imposed Israeli identity by force. They had confiscated lands for settlements, thereby changing the local cultural and demographic make-up, and had seized natural resources, in flagrant violation of international law, the United Nations Charter and General Assembly and Security Council resolutions.

18. The Special Committee concluded that Israeli policy had not changed and that the situation of the population of the occupied Arab territories had deteriorated. The international community must therefore take action to guarantee the basic human rights of the civilians in those territories.

19. Mr. AL-SHAKAR (Observer for Bahrain) said that the current session of the Commission on Human Rights was being held at a time when the credibility of the United Nations as a whole and of the Commission in particular was being challenged on account of the disregard shown for the implementation of their resolutions. The international community should adopt a bold and resolute approach to those challenges, and particularly with regard to the serious violations of human rights to which the Arab populations of Palestine and the occupied territories had been subjected for so long. The high priority accorded by the Commission to the situation in the occupied Arab territories reflected its awareness of the increasing threat which that deteriorating situation posed to the security, stability and peace of the Middle East.

20. Almost 40 years had passed since the United Nations resolution on the partitioning of Palestine in 1947, and almost 20 years since the Israeli occupation of the other Arab and Palestinian territories in June 1967. Since then, there had been a constant deterioration in the situation of the Palestinian people who, through no fault of their own, had been condemned to a life of exile as refugees. Since 1967, the entire land of Palestine had been colonized under the Israeli iron fist and its people had been subjected to various forms of repression and deprivation at the hands of the tyrannical Zionist occupation authorities.

21. In spite of the persistent refusal by Israel to co-operate with the Special Committee and permit it to visit the occupied Arab and Palestinian territories in accordance with its mandate, it had availed itself of the best evidence and testimony available under such conditions and had based its work on the principles of international law and human rights. As mentioned in paragraph 33 of its report, it had made every effort to use information that had not been challenged by the Israeli occupation authorities. Consequently, Israel's refusal to co-operate with the Special Committee was not only a reaffirmation of its disregard for United Nations resolutions but also confirmation of the inhuman, barbarous and racist policies and practices it was applying to the populations of the occupied Arab territories.

22. The Special Committee's report clearly illustrated the tragic situation in which the populations of the occupied territories were living as a result of the policies that were being pursued by the Zionist occupation authorities in pursuance of their belief that the territories occupied since 1967 constituted an integral part of "Greater Israel". In fact, the report constituted a clear indictment of the Israeli policies and practices of systematic annexation and expulsion in flagrant violation of the human rights of the populations of the territories.

23. The report clearly illustrated the deteriorating situation that had resulted from the Israeli "iron-fist" policy involving the murder of defenceless persons, the dissolution of municipal councils, acts of aggression, expulsion, imprisonment, detention, restriction of freedom of residence and other daily acts of harassment and racism. Harsh sentences were imposed, even on young persons, whereas members of extremist Zionist organizations were treated leniently by the occupation authorities.

24. As stated in paragraphs 44-46 and 91 of the Committee's report, the so-called security grounds on which the Israeli authorities had demolished houses were totally unfounded. Educational institutions had been closed arbitrarily and the academic curricula had been interfered with in such a way as to distort the Arab historical and cultural heritage. Freedom of worship and the inviolability of holy places had also been constantly violated.

25. In spite of international condemnation, in fact, Israel had continued its inhuman policies and practices aimed at terrorizing the Arab population of the occupied territories in accordance with the Zionist myth that Palestine was a land without a people, the basis on which Israel had proclaimed Arab Jerusalem, the Golan Heights and the West Bank to be an integral part of "Greater Israel". The number of Zionist settlements in the occupied territories had been systematically increased year after year, notwithstanding the numerous international resolutions under which those settlements had been designated as a flagrant violation of the Fourth Geneva Convention of 1949.

26. However, it was painfully evident that Israeli violations of human rights formed part of a carefully designed plan to establish a purely Zionist State in occupied Arab Palestine, by expelling the Palestinian population and demolishing their homes. That was why the Israeli Knesset was allocating enormous financial resources to the expansion of its settlement programme and the illegal confiscation of Arab land, as stated in paragraphs 77-78 and 90 of the Special Committee's report.

27. It was deplorable that Israel should have disregarded its obligations under the Charter of the United Nations and the Fourth Geneva Convention of 1949 by refusing to withdraw from the territories that it had occupied by force in flagrant violation of a basic principle of international law. It was also deplorable that some Western States and institutions had refused to recognize the inalienable rights of the Palestinian people to self-determination and the establishment of their own independent State.

28. No rational and unbiased person could doubt that the deteriorating situation of the population of the occupied Arab and Palestinian territories was a direct result of Israel's continued occupation and its denial of the internationally recognized rights of the Palestinian people. He shared the anxiety expressed by the Special Committee in paragraph 96 of its report and its conviction as to the need for a reaffirmation of the international community's responsibility in regard to the prevention of any further deterioration in that situation and the adoption of measures to ensure the effective protection of the human rights of the civilian population of the occupied Arab territories.

29. His Government wished to reaffirm its conviction that the Fourth Geneva Convention was applicable to all the occupied Arab and Palestinian territories, including Jerusalem. Firmly believing in the just cause of the Palestinian people under the leadership of the Palestine Liberation Organization, its sole legitimate representative, his delegation appealed to the international community to support the steadfast struggle of that people against Zionist persecution, injustice and repression in order to establish a just and lasting peace in the Middle East. In that respect, all States Members of the United Nations, and particularly the permanent members of the Security Council, were duty-bound to assist the Palestinian people and the Arab States to put an end to the Israeli occupation of their territories and enable the Palestinian people to exercise their inalienable rights to self-determination, so that the Middle East could once again enjoy the peace, stability and security that it had lacked for many years.

30. Mr. KASRAWI (Observer for Jordan) said that the report of the Special Committee - which must be given adequate funds to carry out its work - showed that the situation had worsened in the Golan Heights, the Gaza Strip and the West Bank as a result of an increased use of arbitrary measures by the Israeli authorities. Moreover, the Israeli settlers had been given a free hand to persecute the indigenous population. In short, the Arabs had become undesirable strangers in their own land.

31. A recent issue of Time magazine had quoted a witness who stated that Israeli soldiers had not intervened when settlers beat Arab children, but that the soldiers shot at Arab children if they threw stones. Two youths had been killed in that way in December 1986, leading to condemnation by the Security Council of the murder of civilians and an appeal for an end to Israeli repression. The Israeli practices in the occupied territories were in violation of the Fourth Geneva Convention and the Universal Declaration of Human Rights.

32. Israel used the pretext of security to justify its illegal policy. Since 1967, more than half of the West Bank territory had been confiscated for settlements, on the calm assumption that the occupied territories formed an integral part of the State of Israel.

33. Israeli settlers, relying on a terrorist network, were attempting to force the Palestinians out of their homeland. Meir Kahane was continuing his campaign of hatred, designed to expel the Arabs from all the occupied territories. Ambiguous legislation facilitated the task of such terrorists by granting unequal treatment to Arabs and Jews. In December alone, there had been 19 attacks by settlers. The settlements were so placed as to isolate the Arab villages from one another, thereby destroying the unity of the population.

34. Matityahu Drobles, in charge of the Settlement Department, had described the Arab presence in the suburbs of Jerusalem as a cancer encircling Jerusalem, while an Israeli general had said that Arabs had to be pushed back into their holes like cockroaches. Those remarks gave an idea of the Israeli mentality.

35. The media in certain countries raised an outcry when just one citizen was detained but maintained a curious silence when Israeli religious fanatics terrorized Palestinians in Arab Jerusalem.

36. The international community in general, and the Commission on Human Rights in particular, must act to ensure the human rights of the population in the occupied territories.

37. Mr. BENHIMA (Observer for Morocco) said that, because of Israel's refusal to abide by the many resolutions adopted over the years, the tragedy in the Middle East persisted and the Arab populations continued to suffer under the occupation after half a century of struggle and to be denied their inalienable rights. The catastrophic situation of the Palestinian people resulted directly from Israel's occupation and the expulsion of the inhabitants from their territory, out of which the State of Israel had been created. It was not surprising that that country had logically based its policy on force for the purpose of retaining what it had acquired by force - a policy that subjected the peoples of the Arab territories, including Palestine, to violations of their human rights and fundamental freedoms.

38. During the past year, many illegal acts had been perpetrated against the inhabitants of the territories, including the imposition of curfews, collective punishments, expulsion, the expropriation and annexation of Arab lands, creation or expansion of settlements, destruction of cultural identity and desecration of holy places, particularly the Al-Aqsa Mosque. In its report, the Special Committee expressed its concern at Israel's adoption of further repressive measures, which were but one aspect of the expansionist policy aimed at the complete expulsion of the Palestinian people. In furtherance of that policy, Jewish extremist groups were constantly committing acts of aggression against the population in flagrant violation of the principles of international law and the provisions of the Geneva Conventions. Lebanon also remained a victim of the expansionist policies of Israel, whose continued bombing of Palestinian camps there had produced many casualties.

39. The Middle East - the cradle of some of the world's greatest religions - had traditionally been characterized by a spirit of tolerance between Jews and Arabs, who together had enriched human civilization over the centuries and had been a model of harmony. The behaviour of the Israeli occupiers, however, was a negation of all religious and moral values and a violation of the principles of international law which international bodies,

and particularly the Commission on Human Rights, were seeking to apply. Such bodies must continue their efforts to secure Israel's compliance with the wishes of the international community and to put an end to its violations of human rights in the occupied territories.

40. Mr. TRIKI (Observer, League of Arab States) said that the Commission had adopted numerous resolutions condemning the practices of the Israeli occupation authorities in the West Bank, the Gaza Strip and the Golan Heights and calling on Israel to refrain from those practices and withdraw its forces from those territories in order to enable their populations to enjoy their full rights. However, instead of complying with those and other international resolutions, Israel had continued to occupy those large areas of Arab territory and, since 1982, had also been occupying areas of southern Lebanon in total disregard of international resolutions and conventions including the Geneva Conventions of 1949, to which it was a party. It had also continued its attacks on all the neighbouring Arab States and had crossed the international borders of three States in order to bomb the peaceful Iraqi reactor at Baghdad and the headquarters of the Palestine Liberation Organization at Tunis.

41. In 1967, the Israeli Knesset had even defied the international community by promulgating a law that provided for the annexation of Jerusalem. In a similar law promulgated in 1981, the Israeli authorities had also imposed their sovereignty and legislation on the occupied Golan Heights, in violation of the Fourth Geneva Convention of 1949.

42. During the past year, there had been no improvement in the situation of the Arab population of the occupied Arab territories since, as noted in the Special Committee's report, the Israeli authorities had continued their iron-fist policy of administrative detention, even of young persons, mass expulsions, the closure of schools and universities and the demolition of houses with a view to the annexation of Arab areas for purposes of settlement.

43. The Special Committee had rightly expressed anxiety at the fate of villagers who had been turned into refugees when the Israeli occupation authorities destroyed their villages in 1967 in order to enable the Jewish National Fund and other institutions to establish parks, forests and new settlements for immigrants to Palestine. In fact, of the 475 villages that had existed in 1948, only 90 still remained.

44. Similar violations of human rights were also being perpetrated in the Golan Heights in which the Special Committee saw no hope of improvement in the near future. It was important to ensure that that Committee's vital tasks were not curtailed on the pretext of the financial crisis, which had prevented its representatives from visiting the occupied territories during the past year.

45. Those violations of human rights could not be ignored. Israel should be once again condemned and called upon to withdraw from those territories. In that connection, he referred to the statement made by Pope Paul VI in 1970 that the Palestinian Arab people, who had been living under occupation since 1967, had a legitimate right to demand their freedom since it was unjust that one people should dominate another.

46. The challenge to the international community inherent in Israel's refusal to withdraw from the occupied Arab territories and its continued violation of human rights in those territories was similar to the challenge posed by the Government at Pretoria in its continued pursuit of the policy of apartheid and racial discrimination against the indigenous peoples of South Africa and Namibia. In fact, the Israeli régime's internal policy was based on racist principles as manifested in the Law of Return under which any Jew in any part of the world was entitled to settle in Palestine, while that right was denied to the people of Palestine, every means of pressure and intimidation being used to induce them to leave their homeland or to abandon any hope of returning thereto. That policy had been summarized by Yossef Weitz, former Director of the Land Development Department of the Jewish National Fund, in the words: "There is no room for two peoples in Palestine".

47. In the light of Israel's refusal to comply with the provisions of international law and international resolutions, it was most surprising that the observer for Israel should participate in the Commission's work as though nothing had ever happened. It was even more surprising that some States, including those most active in defending human rights, should support and defend Israel in total disregard of United Nations resolutions and international public opinion. Those States apparently applied human rights in a discriminatory manner on the basis of racial, national, political and strategic considerations and were prepared to go down in history as the standard-bearers of the zionism that was violating human rights in the occupied Arab territories.

48. It was common knowledge that the forces of zionism throughout the world were furthering the interests of Israel at the expense of those of peace-loving Jews both inside and outside the occupied territories. For example, the Zionist movement had recently prevented the staging in London of the play "Perdition", although the playwright had pointed out that the play was pro-Jewish albeit anti-Zionist.

49. Notwithstanding the numerous statements that had been made in favour of zionism, it should not be forgotten that Zionist theory formed the ideological basis of the State of Israel, which was violating human rights in the occupied Arab territories, and that it had been designated as racist by General Assembly resolution 3/3379 of 1975. South Africa had been internationally isolated because of its racist practices. The same sanctions should also be applied to Israel. Human rights constituted an indivisible whole and should be enjoyed by all peoples, so that the strong could not trample on the weak with impunity.

50. The League of Arab States and its member countries had repeatedly declared their commitment to the Charter and resolutions of the United Nations and had announced, at the highest official level, that they would welcome a just peace in the region. The Fez plan constituted the best expression of the Arab desire for a just and peaceful settlement in the Middle East. The Arab States had also declared their commitment to the resolutions adopted at the Geneva International Conference on the Question of Palestine.

51. Mr. BAISSA (Observer for Democratic Yemen) said that the situation in the territories under consideration clearly stemmed from Israel's occupation and the continued application of its racist, Zionist, expansionist and aggressive policies. It was astonishing that that country should disregard the very

instruments that had brought it into being, yet with the support of certain other countries, it continued to flout United Nations resolutions and to step up its active aggression against the Arab populations. Jewish terrorist organizations had been formed, Anti-Arab racism was rife and Israel's iron-fist policy had been strengthened.

52. The international community had rightly condemned the occupation and called upon all concerned to refrain from helping Israel to continue its policy of annexation, settlement, expulsion, confiscation of territory, change of demographic and cultural structures, arbitrary arrest, collective punishment, torture, pillage, educational repression and other institutionalized practices designed to consolidate the occupation and destroy the Palestinian identity.

53. The developing peoples, who consistently supported the struggle for independence and who knew the meaning of occupation and colonialism, called for international solidarity with the Palestinian and other Arab peoples. Those who had themselves achieved their sovereignty were convinced that right and justice would eventually prevail over all obstacles.

54. The Israeli occupation and the pursuit of Zionist policies were against all logic and against the tide of history. Israel and the States supporting it must apply the provisions of The Hague Conventions and the Geneva Conventions to the Arab territories that had been occupied since 1967. No amount of manoeuvre or pressure could conceal the truth. The States that were protecting Israel and providing it with military, economic and other support must assume their responsibility for the preservation of international peace and security, which were threatened by the continuing tension in the Middle East resulting from Israel's expansionist and aggressive policies. Condemnation was not enough. Practical measures under the Charter of the United Nations must be adopted to eradicate the evil. It was clearer than ever that the Arab-Israeli conflict could be brought to an end only by Israel's complete withdrawal from the occupied territories and by recognition of the inalienable rights of the Palestinian people, with the Palestine Liberation Organization as its sole legitimate representative.

55. The United Nations had called for the convening of an international conference to be attended on an equal footing by all the parties concerned. It was only thus that peace, freedom and sovereignty could be secured for the Palestinian people and that the repression, persecution and racism resulting from Israel's occupation could be brought to an end.

56. Mr. DANIELI (Observer for Israel), speaking in exercise of the right of reply, said that his delegation well understood the frustration of the representative of Syria as a long-standing and staunch supporter of human rights, since the past year had been a difficult one for the Syrian Government both internally and externally. As a chief shareholder in the business of international terrorism, that Government had recently sustained heavy material and political losses. Syrian-Palestinian relations had themselves suffered from constant murderous attacks by Syrian troops on Palestinians in Syria, Lebanon and elsewhere.

57. Amnesty International's Newsletter for January 1987 reported that 82 people, one of them Lebanese and the others Palestinian or Syrian nationals, including students, teachers and actors, had been detained in Syria

without charge or trial, some of them for up to 11 months. A further 180 people were reported to have been detained between February and June 1986, the majority of them having been arrested by military intelligence forces. The security forces were said to have stationed military patrols at the entrances of several Palestinian refugee camps, where relatives of Palestinian journalists and of members of various other Palestinian groups being sought by the security forces had been arrested. Recent reports received by Amnesty International indicated that three of the detainees held in Damascus had been tortured and that one of them, held as a hostage for his brother, had subsequently attempted to commit suicide.

58. It had once been asked who would guard the guardians. The question might now be who would guard the Arab do-gooders. It was not from Israel that they needed protection.

59. His delegation would present its full views on the agenda item under discussion at a later stage.

60. Mr. ABDALLA (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said that the observer for Israel - a country that had occupied Palestinian territory, expelled or murdered thousands of Palestinians and twice invaded Lebanon and caused untold damage to that country - had no right to set himself up as a champion of Syrian citizens or of the Palestinian Arab nation and make fallacious allegations against Syria. Israel's record was well documented in the reports of the United Nations and of specialized agencies such as ILO and WHO, and in hundreds of articles by journalists who had seen at first hand the suffering endured by the Arab population of the Golan Heights, the West Bank, Gaza and Palestine.

61. Instead of making spurious allegations, it would be better for the observer for Israel to endeavour to ensure that his country respected the principles of international law and applied United Nations resolutions.

The meeting rose at 5.10 p.m.