

United Nations
**GENERAL
ASSEMBLY**

THIRTY-FOURTH SESSION

*Official Records**



SPECIAL POLITICAL COMMITTEE
43rd meeting
held on
Thursday, 6 December 1979
at 10.30 a.m.
New York

SUMMARY RECORD OF THE 43rd MEETING

Chairman: Mr. EL-CHOUFI (Syrian Arab Republic)

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AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued)

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Distr. GENERAL
A/SPC/34/SR.43
20 December 1979
ENGLISH
ORIGINAL: FRENCH

The meeting was called to order at 10.50 a.m.

AGENDA ITEM 51: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued) (A/34/631, A/34/694, A/34/720; A/SPC/34/7; A/SPC/34/L.19, L.20, L.23, L.24)

1. The CHAIRMAN drew the attention of members of the Committee to draft resolution A/SPC/34/L.24, submitted by Afghanistan, Guinea-Bissau, India, Madagascar and Pakistan, and announced that Madagascar had joined the sponsors of draft resolution A/SPC/34/L.23. He reminded members that the list of speakers for the general debate on item 51 would be closed at noon that day.
2. Mr. TURAY (Sierra Leone) said that the question of Israeli practices in the occupied territories had been addressed for over a decade, principally in order to create a climate that would open the way to initiatives conducive to the establishment of peace. That goal was still far from being achieved; all the combined efforts had not succeeded in making Israel mend its ways, and factors of discord persisted.
3. The first step in the right direction would be to remove one of the principal grievances of the local population against Israel: the military occupation of Arab territory following the June 1967 hostilities, an occupation which had led to a policy of expropriation for the erection of Israeli settlements. That was an explosive issue in which the vital interests and dignity of the local population were at stake and which over the years had led to mass protest demonstrations which the Israeli authorities, in flagrant violation of the relevant provisions of the Charter and Israel's obligations under the Geneva Convention of 1949, had violently put down, leading to casualties, mass arrests, long periods of imprisonment, dehumanizing treatment, curfews and the like. His delegation held the view that Israeli settlements in the occupied territories represented an intolerable affront and were a harbinger of war.
4. Yet Israel showed no pity towards the situation which it had created. At the most, it engaged in quantification, as had been made evident recently when the representative of Israel in the Special Political Committee had recited statistics on the improvement of the economic situation in Judaea, Samaria and Gaza, the so-called "administered" areas. But improved standards of living were not the guarantor of peace. The evidence showed that that was not the central issue. The struggle was daily increasing in momentum and had strengthened the resolve of the local population to regain sovereignty. All signs indicated that Israel was forgetting the resolve of the Jews of the diaspora to found their own homeland and the assistance given to them by the international community. Today it was the turn of the Palestinians to impose their will for freedom, independence and national sovereignty with the same resolve. The Camp David agreements did not represent a genuine peace initiative in that regard; they fell short of a comprehensive solution to the problems of the Middle East. They had, no doubt, reordered military logistics, but the same could not be said for peace, which would require the creation of an independent State of Palestine. That would be the only way to eliminate the grievances arising out of dispossession and to restore dignity to the Palestinians in such a way as to remove the hatred they currently felt for the occupier.

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(Mr. Turay, Sierra Leone)

5. His delegation was fully aware that the problem was a complex one. It was therefore essential that the international community should continue to demonstrate a keen sensitivity to certain developments which had now become apparent and suggested that a peaceful settlement was not beyond reach, in order to help as much as possible in bringing about peace. A recent pronouncement by PLO leaders suggested that they might perhaps be ready to consider compromise solutions. Within Israel there were public figures who seemed prepared to make concessions involving the creation of a nation-State alongside Israel in return for peace and secure borders. Lastly, the PLO had recently opened an information office at Washington. All those developments were encouraging, and he hoped that through the combined efforts of the international community the time would come for the opening of lines of communication which would promote understanding among all the parties to the conflict. That, in any case, was the wish of his delegation for the State of Israel and the State of Palestine, whose creation would be a guarantee of peace in the Middle East.

6. Mr. BOYADJIEV (Bulgaria) said that on the threshold of the twenty-first century, mankind was still confronted with the most prolonged occupation in modern history, aggravated by military, political, economic, social and cultural oppression, which was notorious for suppressing the basic rights and freedoms of hundreds of thousands, including the inalienable right to national self-determination.

7. Continuing its practice of disregard for United Nations decisions, the Israeli Government had again refused to admit to the illegally occupied territories both the experts appointed by the Secretary-General and the representatives of the Special Committee. Nevertheless, the Special Political Committee had before it two important documents which proved indisputably that Israel was not only continuing to violate the 1949 Geneva Convention and refusing to fulfil its obligations as a Member of the United Nations but also continuing and intensifying its policy of occupation and annexation. It was sufficient to read paragraphs 17, 29 and 30 of the report of the Secretary-General on the living conditions of the Palestinian people in the occupied territories (A/34/536), from which it appeared that the majority of the new settlements established by Israel since 1967 were in the occupied territories: 23 in the West Bank and 7 in the Gaza strip; that of a total of 550,000 hectares on the West Bank of the Jordan, Israel had taken possession of about 150,000 hectares, comprising about 27.3 per cent, that the new settlements occupied mostly agricultural land; and, lastly, that Israel was still carrying out its settlement policy, which necessarily meant that Arab lands would be emptied in favour of the Israeli population. The extent of the expropriations reported in the period covered by the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/34/631) was larger than in previous years. One need only refer to paragraphs 25-163 and to paragraph 373 of that report in order to be convinced of that. Moreover, that annexation policy was openly declared by the Israeli Government, which was implementing it in accordance with carefully worked-out plans. The establishment of "regional councils" was further evidence of Tel Aviv's intention to consolidate its control over the occupied territories (paras. 153-163). Against such a background, recent communications stated that the Israeli Government was considering the establishment of 16 new settlements within a year. All of that clearly showed that the Israeli Government was acting in bad faith when it claimed to be pursuing peace. By such action, it was merely complicating the situation in one of the world's major hot spots.

(Mr. Boyadjiev, Bulgaria)

8. The growing oppression of the people in the occupied territories logically led to intensification of their struggle. The information contained in section IV B and in tables 1, 2 and 3 documented the resistance of the people to the occupier and to the repressive measures taken by the Israeli authorities, such as collective punishment (contrary to article 33 of the Fourth Geneva Convention), individual reprisals (contrary to article 53 of the Convention) and imprisonment. As was indicated in the report, the problem of the treatment of civilians in the occupied territories had assumed serious proportions in the absence of any meaningful protection of civilians or any control over the conduct of the Israeli authorities (para. 379). Prisons in the occupied territories were not sufficient to hold the growing number of detainees. Conditions of safety in prisons were extremely precarious, and the information gathered both by the Special Committee and by well-informed, reliable sources led to the inescapable conclusion that torture was a systematic practice in Israeli prisons (para. 384).

9. In contravention of the norms of international law, in violation of numerous resolutions adopted by the General Assembly, the Security Council and other United Nations organs, and in disregard of world public opinion, the Israeli Government was continuing to exploit the human and natural resources of the occupied territories and to destroy an entire historical and cultural heritage. Schools were in very old buildings, many of which were about to fall down. Some classrooms were like "rat holes". Only one and a half schools had been built during ten years of occupation (para. 56 of document A/34/536). Teachers guilty of expressing nationalist or patriotic sentiments had been beaten up.

10. The data contained in those documents reflected a deterioration in the situation; that was highlighted in paragraph 393 of the Special Committee's report, to which his delegation attached great importance and which stated that the policies and practices of the Government of Israel vis-à-vis the civilians, as well as its defiant attitude towards the international community, had reached an intolerable level of non-compliance with the applicable international law and the resolutions of relevant United Nations bodies that each Member of the United Nations must respect.

11. The Camp David agreement, the separate peace between Israel and Egypt, had settled nothing. Any plan to decide the fate of the Palestinians without their participation was doomed to failure. The so-called autonomy which Israel was proposing was completely unacceptable. There could be no just and lasting peace in the region unless Israel withdrew from the Arab territories which it had been occupying since 1967 and recognized the inalienable rights of the Arab people of Palestine, including their right to self-determination and the creation of their own State, and unless all countries in the Middle East, including Israel, were guaranteed an independent and peaceful existence. In order to achieve a just solution, there must be a collective effort by all the parties concerned, including, on an equal footing, the Palestine Liberation Organization, which was the sole legitimate representative of the Arab people of Palestine.

12. Mr. NAIK (Pakistan) paid a tribute to the Special Committee for the work it had carried out despite lack of co-operation on the part of Israel.

13. There had been no improvement in the situation in the occupied Arab territories during the period covered by the report. The Government of Israel, in complete disregard of United Nations resolutions and the provisions of international law, continued to pursue a policy of annexation, expropriation and settlement. The basic rights of the inhabitants of the occupied Arab territories, including the rights of

(Mr. Naik, Pakistan)

association, expression and movement, were denied, and their right to self-determination continued to be stifled. The occupying Power took punitive action against those who manifested their opposition to Israeli occupation.

14. The statements made by members of the Israeli Government, including the Prime Minister and the Minister for Foreign Affairs, and official plans and projects showed that Israel remained wedded to its settlement policy - which Prime Minister Begin saw as a "right", as reported in the Jerusalem Post of 13 April and 15 and 21 June 1979 - and that it was determined to annex the occupied territories. The Eilon-Moreh case and the document of the World Zionist Organization entitled "Master plan for the development of settlements in Judaea and Samaria" constituted new evidence relating to the annexation of Arab territories by Israel. In addition, expropriations had been stepped up and the establishment of "regional councils" to look after the infrastructure and organization of settlements attested to Israel's intention to consolidate its policy of annexation, which it justified on so-called security grounds. According to the testimony of the Mayor of Hebron, Israel claimed that Arab towns and villages that had existed for several centuries constituted a threat to the security of the new Israeli settlements, and that in turn was used to justify the establishment of more settlements to ensure the security of the existing ones.

15. Pakistan could not agree to the changes introduced by Israel in the Arab territories occupied since 1967, and it had therefore joined in sponsoring draft resolution A/SPC/34/L.24. In that connexion, he drew attention to a typing error in the first preambular paragraph of the draft resolution, which should refer to 18 December 1978 and not 18 December 1979.

16. The violation of the Palestinian people's human rights was a daily occurrence, and any expression of a desire for self-determination was brutally suppressed by means of individual and collective punishment in contravention of articles 33 and 57 of the Fourth Geneva Convention. Recently, the Israeli authorities had decided to arrest and expel the Mayor of Nablus in violation of article 49 of the Fourth Geneva Convention. Faced with the indignation of the international community, Israel had been forced to reverse its totally unjustifiable decision. The situation of detainees in the occupied Arab territories was particularly distressing, and the Special Committee, like The Washington Post (7 February 1979), had come to the conclusion that torture was a systematic practice in Israeli prisons. With regard to the question of the Ibrahimi Mosque, the Mayor of Hebron had stated that the Israeli authorities had restricted, at first insidiously and then overtly, the freedom of worship of Moslems, which had led to several outbreaks of violence in the area. The people and Government of Pakistan were seriously concerned over the desecration of Moslem shrines and over restrictions on the freedom of worship in the occupied territories.

17. The international community could not accept the argument put forward by Israel that the Fourth Geneva Convention could not be applied to the situation in the occupied Arab territories. Israel had ratified that Convention without reservation, and, in accordance with the generally accepted principles governing the interpretation of treaties, the Convention must be applied by all parties and in all circumstances. Moreover, under article 1 of the Convention, all Contracting Parties undertook to respect and ensure respect for the Convention in all circumstances. The international community therefore had a duty to adopt the necessary measures to make Israel abide by its provisions. For that reason, Pakistan had decided to join in sponsoring draft resolution A/SPC/34/L.23.

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(Mr. Naik, Pakistan)

18. The question of Israeli practices was only one aspect of the larger issue of the Israeli occupation of the Arab territories. The only solution to the problem lay in a just, lasting and comprehensive settlement in the Middle East, in a total Israeli withdrawal from all occupied Arab territories, and in the exercise by the Palestinian people of their inalienable rights, including their right to a sovereign State. No peace initiative in the Middle East would succeed without the participation of the sole legitimate representative of the Palestinian people, the Palestine Liberation Organization.

19. Pending a solution of the problem, it was of primary importance that the rights of the people in the occupied territories should be respected and that the United Nations machinery for monitoring the situation in the occupied Arab territories should continue to function. Accordingly, his delegation had submitted a draft resolution (A/SPC/34/L.19) providing for renewal of the mandate of the Special Committee, and he hoped that it would receive broad support.

20. Mr. HALÁSZ (Hungary) said that the Special Committee had produced an objective report and Member States were in duty bound to do their utmost to facilitate its work. The Secretariat would no doubt continue to give due publicity to the facts brought to light by the Committee.

21. The report faithfully reflected the situation in the occupied Arab territories and revealed Israel's flagrant violations of human rights. Neither the validity nor the accuracy of the report, which had been prepared on the basis of official documents, statements and decisions of the Israeli authorities and the testimony of witnesses, could be questioned.

22. The precondition for the exercise of human rights in the occupied territories was the withdrawal of Israel, whose policy of integration or annexation was based on the unacceptable "homeland doctrine", whereby the occupied Arab territories were claimed to form part of Israel and were not considered to be occupied. There was a large body of evidence to show the Israeli Government's policy of systematic annexation. There was the establishment of settlements in the occupied territories, the pressure on the Arab inhabitants to emigrate in order to make room for new settlers, the acquisition of Arab lands and the denial of the right to return of Arabs who had left their homes in 1967. That policy was causing profound geographical and demographic changes in those territories, where settlements were used by Israel to impose its presence, and the methods for applying that policy, besides disregard for basic human rights, included Israel's control of water resources, seizure of private property, destruction of houses and banishment of persons.

23. Israel's policy of annexation was a violation of the principles of the United Nations Charter and the rules and principles of international law, particularly those of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Universal Declaration of Human Rights. A just and lasting peace in the region could be achieved only by putting an end to the Israeli occupation.

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(Mr. Halász, Hungary)

24. But as long as the occupation continued, the United Nations should address pressing appeals to Israel to ensure the safety and security of the population, in accordance with the provisions of the Geneva Convention and to refrain from transferring populations and expropriating land and property and from changing the legal status of Jerusalem. The arrest and imprisonment of the Mayor of Nablus showed that the situation in the occupied territories had not improved. His delegation condemned that act, and welcomed the Israeli Government's reversal of that decision.

25. Mr. AHMED (India) expressed appreciation to the Special Committee for its objective and thorough report and said that its efforts were particularly commendable in view of the lack of co-operation from the Israeli authorities, who had denied access to the Committee for on-the-spot investigations.

26. The letter addressed to the Secretary-General by the Chairman of the Special Committee showed that Israel was continuing to follow its policy of annexation and settlement of the occupied Arab territories. His delegation viewed that situation with serious concern and agreed with the Chairman of the Special Committee that the international community must increase its efforts to achieve a lasting peace in the area.

27. Over three decades ago, the father of the Indian nation, Mahatma Gandhi, had said that Palestine belonged to the Arabs and that it would be a crime against humanity to reduce the Arabs so that Palestine could be restored to Jews. Mr. Nehru had said that Palestine was and must remain an Arab country and that the Arabs must not be suppressed in their own homeland. Those statements were proof of India's concern for the legitimate national rights of the Palestinian people, the restoration of which was the prerequisite for peace in the Middle East.

28. Until their inalienable rights were restored to the Palestinian people, it was the duty of the international community to put a stop to any further abuse of human rights in the occupied territories. The establishment of Israeli settlements in the occupied territories was a violation of the United Nations Charter and an obstacle to any just and lasting settlement of the matter. The information contained in the report of the Special Committee, especially in paragraph 382, showed that the situation of detainees in the occupied territories was deplorable. His delegation was equally appalled by the fact that military courts sentenced parents to terms of imprisonment or fines for offences committed by their children. That practice was contrary to the principle of individual responsibility in law and the fourth Geneva Convention. Israel's occupation of Palestine was in itself a fundamental violation of human rights, and Israel's actions aimed at changing the geographical nature, demographic composition and cultural life of the occupied territories were contrary to international law and could only aggravate the situation.

29. His delegation was convinced of the need for a comprehensive settlement of the question, envisaging the total and unconditional withdrawal of Israel from all Arab territories occupied since 1967, including the Holy City of Jerusalem, the recognition of the inalienable rights of the Palestinian Arab people, including the right to establish an independent State in their homeland and the right of all States, including Arab Palestine, to live within secure borders.

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30. Mr. SURYOKUSUMIO (Indonesia) commended the members of the Special Committee for submitting an exhausting and convincing report compiled from a wide range of reliable and authentic sources and based on written and oral testimony from the inhabitants of the occupied territories. Through that approach the Special Committee had been able, in spite of the Israeli Government's refusal to co-operate, to obtain the most objective possible information on the policy of annexation and settlement practiced in the occupied territories.

31. The conclusions reached by the Special Committee and contained in section IV were similar to those reached by the Security Council Commission whose report had been circulated in July. The Commission had called upon Israel to cease the establishment, construction and planning of settlements and accused it of resorting to coercive methods, including the control of water resources, seizures of private property, the destruction of houses and the banishment of persons, thereby disregarding the right of the refugees to return to their homeland. The Commission had also affirmed that the policy and practices of establishing settlements in the Palestinian and other Arab territories had no legal validity and constituted a serious obstacle to the achievement of a just and comprehensive settlement.

32. Concerned about safeguarding certain rights of the civilian population of the occupied territories, the Special Committee had attempted to obtain information on legal remedies for the expropriation and seizure of land belonging to the Arabs, the destruction of houses, banishment, mistreatment and the conditions in which Arab prisoners were detained. Thus, there was evidence that human rights had been systematically violated by such means as the exploitation of the resources of the occupied territories, the pillaging of their archeological and cultural heritage, interference with freedom of worship in the holy places, expropriation and expansion of settlements, the transfer of Arab inhabitants and the permission given to Israelis to purchase land in the occupied territories. Many of the findings of both the Commission and the Special Committee had not been contradicted by the Government of Israel, which used security as a pretext to justify its policy of annexation. Although the Israeli High Court had refused to allow the establishment of the Eilon-Moreh settlement, the report mentioned many cases of expropriation and banishment in which the courts had taken a negative attitude and accepted the argument that banishment was necessary for security reasons. The High Court had essentially endorsed the Government's policy of annexation and settlement.

33. The report also showed that the Israeli Government continued, in violation of international law, to deny the applicability of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. It could not be denied that the so-called "homeland" doctrine was the chief obstacle to the implementation of the human rights of the civilian population in the occupied territories. The United Nations had a historical responsibility to render all necessary assistance to promote the realization of the inalienable rights of the Palestinian people, without which no just and lasting solution to the conflict could be envisaged.

34. Mr. SHI JINKUN (China) said that in the past year the Israeli authorities had pursued their policies of aggression and expansion, as was clear from the Special Committee's report (A/34/631). The Special Committee had had to work under very difficult conditions, and had earned the support and commendation of the Arab people and the people of the world.

35. Although the deliberations on the question of human rights in the Israeli occupied territories had entered their eleventh year, the atrocities of the Israeli authorities had become more rabid. Those authorities were plundering the natural resources of the country, cruelly exploiting the Palestinians, interfering with the religious beliefs of the Arab inhabitants and destroying valuable Moslem and Arab historic relics. They were reinforcing their fascist rule, arresting thousands of Arabs and subjecting them to torture and execution at random. The Israeli régime, in defiance of world public opinion, was continuing to establish new settlements on the West Bank and in the Gaza Strip, to expand existing settlements and to confiscate and expropriate property in a willful attempt to change the legal status, geographical nature and demographic composition of the occupied areas. On 22 July 1979, the Israeli Government had gone so far as to issue a statement rejecting the Security Council resolution appealing to Israel to stop establishing new settlements in the occupied territories and had brazenly decided to authorize the establishment of seven new settlements. The Israeli authorities also permitted Israelis to purchase Arab land in the occupied territories. Those illegal decisions, which violated international law, the relevant United Nations resolutions and the 1949 Geneva Convention, demonstrated that the Israeli authorities were attempting to legalize and perpetuate their military occupation and to prevent the Palestinian people from exercising their rights. On 15 November, the Israeli authorities had also ordered the deportation of the Mayor of Nablus. While perpetrating such barbarous acts, they had launched repeated attacks on towns in southern Lebanon and on Palestinian refugee camps. Such reactionary policies would only aggravate the tension in the Middle East, strengthen the resistance of the Palestinian people, arouse the indignation of the Arab peoples and of the entire world, and compound the threats to international peace and security.

36. In China's view, the problem of the Israeli occupied territories was part of the Middle East problem. The crux of the problem was not simply Israel's policy of aggression and expansion but also the super-Power rivalry for hegemony in that region. The reason why Israel dared to carry out its policy in the Middle East so blatantly was that it was abetted and supported by the super-Powers. While one super-Power supplied the Israeli aggressors with massive economic and military assistance, the other super-Power tried hard to infiltrate and sow dissension among Arab countries and to undermine their unity. But no power on earth could shake the determination of the Palestinian and other Arab peoples to recover their territories and restore their national rights. Confronted by the resistance of the Palestinian people, the Israeli authorities and hegemonism were doomed to failure.

37. The Chinese Government and people severely condemned the crimes perpetrated by the Israeli Government in the occupied territories and strongly sympathized with the people of the area in their suffering. China had always firmly supported the

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(Mr. Shi Jinkun, China)

Palestinian and other Arab peoples in their just struggle against Israel's aggression, and held that Israel must withdraw from all the occupied territories and restore the sacred national rights of the Palestinian people. The struggle of the Palestinian people was part of the struggle of the third-world countries and was gaining increasing support from the world community. Despite the obstacles standing in their way, China was convinced that the heroic Palestinian and other Arab peoples could, by strengthening their militant unity and their vigilance, frustrate the intrigues of the Israeli authorities, liberate their nation and recover their lost territories.

38. Mr. ZENKEVICIUS (Union of Soviet Socialist Republics) said that recently the Israeli Government had intensified its policy of annexation and settlement. Israel was continuing to wreak havoc in the territories it had seized, and the Arab population was being systematically repressed and deprived of its elementary rights and freedoms. The extensive evidence contained in the Special Committee's report afforded convincing proof of the fact that Israel was expropriating and settling Arab land conquered by armed force. Israel's annexionist designs were confirmed by the public statements of Israeli authorities which were quoted in the report. Thus, the Israeli Government had recently adopted a plan for the continued settlement of the West Bank of the Jordan. Under that plan, 19 new Israeli settlements would be added to the 41 existing settlements.

39. Since 1967 the Arab population of Jerusalem and the West Bank had decreased by 32 per cent. On the occupied Golan Heights only 8 per cent of the indigenous population remained. Israel's policy had had disastrous effects on the daily life of the Arabs, both economically and socially. Many Arabs were now obliged to work on their own land for Israeli settlers. In order to achieve their objectives, the Israeli authorities resorted to repression and terror. The Arabs living in those territories were constantly subjected to harrassment, arbitrary arrest and cruel torture. Thousands of Palestinian patriots were languishing in Israeli prisons. Israel's actions, such as the confiscation of water supplies and other natural resources, were a flagrant violation of the Fourth Geneva Convention of 1949 and were contrary to the relevant United Nations resolutions.

40. Israeli policies and practices in the occupied territories, aimed at the definitive annexation of Arab lands, had broadened in scope since the conclusion of the separate Egyptian-Israeli treaty. The "Camp David peace" had resulted in further suffering for the Arab peoples and had brought in its wake an upsurge of violence in the occupied Arab territories. Owing to the policy of collusion with the aggressor, the Israeli régime was working harder than ever to establish settlements. For instance, on 27 March 1979, the very next day after the signing of the treaty with Egypt, the Begin Government had officially declared that it intended to build four new settlements. The Israeli Minister of Agriculture, Mr. Sharon, had recently stated that the Jewish people had the right to settle in any part of Israeli territory and that all the settlements were permanent, and he had confirmed that Israel intended to increase the Israeli population in the existing and the new settlements to one million inhabitants.

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(Mr. Zenkevicius, USSR)

41. The Israeli policy of establishing settlements in Arab lands had been repeatedly condemned by the Security Council and the General Assembly. He recalled that the Security Council, in resolution 446 (1979), adopted in March, had clearly and unambiguously affirmed the illegal nature of the establishment of new Israeli settlements in Palestinian territories and other occupied Arab territories and had again called upon Israel to abide scrupulously by the 1949 Fourth Geneva Convention. Furthermore, in July the Security Council had adopted resolution 452 (1979), in which it stated that it was deeply concerned by the practices of the Israeli authorities in implementing that settlements policy in the occupied Arab territories, including Jerusalem, and its consequences for the local Arab and Palestinian population. Nevertheless, the Israeli authorities were continuing to flout the clear and unambiguous demands of the Security Council and stubbornly refusing to respect the obligations which they had undertaken in accordance with international agreements on the protection of victims of war. That was a clear violation of the Charter of the United Nations and of the principles of international law and a blatant challenge to the international community.

42. The Soviet Union strongly condemned Israeli policy and practices in the occupied territories. It condemned the policy of massive repression, oppression and racial discrimination pursued by the Israeli occupation authorities. It felt that those illegal activities should be halted. The Soviet Union fully supported the struggle of the Arab peoples for the elimination of the consequences of Israeli aggression and for a just and lasting peace in the Middle East. That peace could be achieved only on the basis of a general settlement of the conflict in the region, with the participation of all interested parties, including the Palestine Liberation Organization, the only legitimate representative of the Arab people of Palestine. As L. I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, President of the Praesidium of the Supreme Soviet of the USSR, had said in a statement made on 24 October 1979, "It should be understood once and for all that Israel cannot hope to live securely within its 1967 frontiers unless it relinquishes all occupied Arab territories and refrains from impeding the exercise of the national rights of the Arab people of Palestine, including the right to create its own independent State. Time is running out, and those who rejoice in the hope that time is on the side of Israel are mistaken".

43. Mr. IPSARIDES (Cyprus) said that the situation in the Middle East was becoming more explosive as the plight of the Arab population in the occupied territories grew worse. The fact that the Special Committee was still denied access to those territories further increased his delegation's apprehension. The position of his Government was well known; it had repeatedly opposed the policy of annexation, demographic dismemberment of a country, and oppression and expulsion of the indigenous population by an occupying Power and its military forces, wherever that might occur. The violations committed in the occupied territories were clearly contrary not only to the Charter of the United Nations, United Nations resolutions and international legal instruments, especially articles 47 and 49 of the Geneva Convention of 1949, but also to the basic norms governing human relations and human rights. As the Special Committee had indicated in the conclusions of its report (A/34/631, para. 366), "the fact of occupation itself constitutes a fundamental

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(Mr. Ipsarides, Cyprus)

violation of the human rights of the civilian population of the occupied territories". The continuation of military occupation was inevitably accompanied by the violations mentioned in the report of the Special Committee.

44. The international community was duty-bound to oppose the continued military occupation of all territories acquired by force, wherever they were situated, and the changing of their character, their administrative and demographic structures, and their status.

45. His delegation wished to express its concern at what was happening in the occupied territories, its solidarity with those suffering from the policies and practices pursued there, and its support for the measures proposed by the Special Committee to put an end to that phenomenon, which was being imitated and was spreading around the world at an alarming rate, posing a grave threat to international peace and security. To bring about the brotherhood of man and peace in the world, the Organization should be the world's conscience and represent the voice of justice. Justice demanded that an initiative designed to save a people should not be allowed to result in the disappearance and dispersion of another people. The international community therefore should, as the Special Committee recommended, "assume its responsibilities to end the occupation, thereby safeguarding the most fundamental of the human rights of the population of the occupied territories" (para. 394).

46. Cyprus, which had undergone a similar experience during the past five years as a result of the Turkish invasion, was convinced that the United Nations would take the just and necessary stand which it was its duty to take; it owed that both to the people suffering from those hateful practices and to its own conscience. Otherwise, anarchy and chaos would follow.

47. Mr. HAMODY (Mauritania) paid tribute to the members of the Special Committee, who, in spite of the Israeli occupiers' arrogant refusal to co-operate, had carried out their task with courage, clarity and objectivity. The report submitted to the Committee (A/34/631) was the product of patient and responsible work. It presented a sombre picture of Israeli practices in the occupied territories -- collective punishment, infamous racist laws, sacrilegious acts against Arab civilization, confiscation of property, and the like, which revealed the religious fanaticism and suicidal tendencies of the Zionists. Nevertheless, neither the desperate attempts to change the demographic character of the occupied territories and the names of occupied places, nor the acts of sacrilege designed to obliterate history, nor the stubbornness of the usurper would prevent the rebirth of Arab Palestine. The international community should continue its efforts to restore peace and justice in Palestine and should bear in mind that respect for the sovereign will of the Palestinian Arab people was indispensable to any final settlement of the drama of the Middle East.

48. Mr. HROCKA^V (Czechoslovakia) said the report of the Special Committee showed that the Israeli authorities were intensifying their policy aimed at changing the demographic structure of the occupied territories and were seeking ultimately to

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(Mr. Mrčka, Czechoslovakia)

consolidate and perpetuate their presence in foreign territory. Official United Nations documents showed that since 1967 more than 130 settlements had been established in the occupied territories. Far from renouncing the establishment of Jewish settlements, Israel was intensifying its activities to that end. Since 1967, the inhabitants of the occupied territories had been dispossessed of thousands of hectares of excellent farmland, more than 20,000 Palestinian homes had been destroyed and the people who had lived in them had become refugees. The goal of that policy was to expel completely the population of the Arab territories, destroy the economic base of those territories and put an end to the existence of the Palestinian people in its own land.

49. That settlement policy could not, of course, be justified to the modern world through Biblical arguments, especially since it was known that the Israelis were engaged in carrying out a long-term plan designed to present the community of nations with a fait accompli and create an atmosphere in which it would be possible to convince the world that it was "unjust" to demand that Jewish settlers should leave the occupied Arab territories. Zionist propaganda was working towards that goal, as was becoming evident year by year. All of that was occurring while the negotiations on so-called administrative autonomy were being conducted and presented as a solution to the Palestinian question which, after Camp David, would be within reach. Everyone knew that not only the representatives of the Special Committee but also those of the Security Council Commission established in March 1979 under resolution 446 (1979) had been denied the entry to the occupied territories which they had requested. The report submitted by that Commission to the Security Council (S/13450) on 12 July 1979 contained useful and complete information which was being ignored by the press of a certain country. Those facts showed that a people was being progressively exterminated in the occupied territories, that international law was being flagrantly violated and that the situation continued to deteriorate. It was evident from the report that the activities of the Israeli Government in the occupied territories were contrary to the principles of the Universal Declaration of Human Rights and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which was, of course, fully applicable to those territories.

50. Nevertheless, Israel was continuing its policy of occupation, which, in his delegation's view, was the main cause of the explosive situation prevailing in the Middle East. His delegation agreed with the majority of the Members of the Organization that the only way out was to put an end to Israel's occupation of Arab territories. The solution to that question was an integral part of a global settlement. That involved the withdrawal of Israeli troops from all the Arab territories occupied by Israel in 1967, the exercise by the Palestine Arab people of their inalienable rights, including their right to self-determination and to the establishment of their own independent State, and guaranteeing all the States parties to the conflict the right to an independent existence and to security. It was time for the United Nations to take steps to make the Israeli occupation authorities see reason and force them to implement United Nations resolutions -- and also to place the future of their own country first.

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51. Mr. ABDULLATIF (Oman) expressed appreciation to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories for the excellent report which it had submitted to the Special Political Committee, in spite of the difficulties it had had in performing its task. The report presented irrefutable facts, and the impartiality and diplomatic and legal reputation of the members of the Special Committee gave the report all the more weight and objectivity. The facts were presented within a logical framework, and the successive arguments and evidence led to conclusions which showed clearly the premeditated nature of Israel's plans for occupation and annexation.

52. Israel's refusal to allow the Special Committee to make an on-the-spot investigation was inadmissible, because the occupied territories did not belong to Israel but were Arab and Palestinian territories occupied by it following the 1967 aggression. That refusal in itself showed that there were violations of human rights in those territories which Israel wished to hide from world public opinion. The arguments of security or the so-called theory of historic heritage put forward by Israel to justify its policy deceived nobody. If Israel sincerely wanted peace, it must change its methods. The international community was aware of the illegal character of the occupation and the need for Israel's complete withdrawal from the occupied territories. It was also a witness to the arrogance of the Israeli Government, which flouted the international conventions on which its very existence was based. Why be surprised then at the Israeli practices in the occupied territories, where, not content with violating human rights, Israel was also committing many violations against Arab lands, water resources and the Arab heritage, civilization and even sacred places. All those acts were officially recognized by the members of the Israeli Government itself, and Prime Minister Begin had stated at a meeting of the Likud group in January 1979 that "the settlement in Judaea and Samaria will continue" and that his Government would see to it that the population of the settlements was increased. The same Prime Minister had also stated that Israel had "the full right to settle in Judaea, Samaria and Gaza" and that Jerusalem was "the eternal capital of Israel, reunited and indivisible". Basing itself on that premise, the Likud Government, since its accession to power, had established 25 new settlements, and it envisaged 32 new ones, which would bring the total to 57 by the end of 1979. There were currently 7,000 settlers living in Judaea and Samaria and 1,500 other people in the Jordan Valley.

53. In the interim report prepared by a Committee of the Government of Israel "to elaborate Israel's position on the implementation of the autonomy plan" it was stated that the State of Israel would "have to hold on to the water resources of the territories" and that the water reserves in the pre-1967 Israeli-held territory were "insufficient". It said that it was "not possible to set up new Israeli settlements without supervision and control of the water resources". Israel's intentions were clear: it wanted to remain in occupation of the occupied territories and to annex them definitively to its own territory. It could hardly be supposed that Israel was building all those settlements with the intention of subsequently returning them to the Arabs.

54. The figures given by the Special Committee on the confiscation of lands

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(Mr. Abdullatif, Oman)

invalidated Israel's statement that the establishment of new settlements was not accompanied by expulsions of Arabs. Nevertheless, according to the Co-Chairman of the Jewish Agency's Settlement Department, 32 additional settlements had been established in Judaea and Samaria with a population of 15,000 persons. Its objective was to bring the number of settlements up to 47 or even 50, with a population of 100,000 to 120,000 persons. The achievement of that goal necessarily involved the confiscation of land, which was what was actually happening, since Israel had already expropriated 4,650 dunams (4.65 sq. km.) of agricultural land belonging to the village of Anata, north-east of Jerusalem, 1,000 dunams (1 sq. km.) in the Bethlehem region and 600 dunams (0.6 sq. km.) of agricultural lands in the Weer El Shayaeb and El Ras areas in Galilee and then 15,000 dunams (15 sq. km.) of agricultural land in the Abu Dis region. Those figures showed the dimensions of the problem, and if 120,000 inhabitants were supposed to come and populate those lands, where were the indigenous inhabitants to go? They would have a choice of either finding other lands, which would most likely be more difficult to farm, since Israel was taking over not only the best lands but also the water, or else remaining in the settlements and working as seasonal labourers on the land which Israel had taken from them.

55. Israel was wrong in thinking that it could hold on to its 1967 conquests by an expansionist policy based on the occupation of the lands of the Palestinians, a policy which had been condemned by the whole international community, because it constituted a violation of elementary human rights. There was one obstacle to Israel's plans, namely, the Palestinian Arabs, which explained why the Israeli authorities were using repression in order to eliminate that human obstacle. The Israeli Prime Minister had stated in late February 1979 that Israel would never agree to the establishment of a Palestinian State in Judaea, Samaria and the Gaza Strip.

56. Israel was thus denying the Palestinian people a fundamental right, namely, the right to land. It was denying that people their Arab identity and heritage, and to that end, it was closing the schools and confiscating the books, as happened in Cisjordan. Such were the conditions of life for those who were supposed to be free. For those in prison, conditions were below international standards. Furthermore, prisoners were submitted to acts of physical aggression that were a disgrace to mankind. In that regard, one had only to refer to paragraphs 241 to 322 of the Special Committee's report, and particularly paragraph 384, which stated:

"Information contained in reports by widely acknowledged reliable sources such as the Sunday Times of London, the National Lawyers' Guild of the United States and Amnesty International in previous years, and the reports of Miss Alexandra Johnson, United States Consulate officer in Jerusalem this year - all these reports, together with the rest of the information accumulated by the Special Committee from first-hand sources over the years, does lead to the inescapable conclusion that there is indeed in Israeli prisons a systematic practice of torture."

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(Mr. Abdullatif, Oman)

Why then did those who launched appeals for human rights remain silent when they daily saw Israel violating the rights of the Palestinian people?

57. Mr. SURYOKUSOMO (Indonesia) introduced draft resolution A/SPC/34/L.23 on behalf of his own country and of Afghanistan, Bangladesh, India, Malaysia, Pakistan and Yugoslavia.

The meeting rose at 1 p.m.