

United Nations

GENERAL
ASSEMBLY

THIRTY-FIFTH SESSION

Official Records *



SPECIAL POLITICAL COMMITTEE

25th meeting

held on

Friday, 7 November 1980

at 3 p.m.

New York

SUMMARY RECORD OF THE 25th MEETING

Chairman: Mr. MATHIAS (Portugal)

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Distr. GENERAL
A/SPC/35/SR.25
14 November 1980

ORIGINAL: ENGLISH

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 57: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (A/35/425, A/35/506)

1. The CHAIRMAN drew the attention of the Committee to the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/35/425) and to the report of the Secretary-General submitted in accordance with General Assembly resolution 34/90 A (A/35/506). He also pointed out that a number of letters on the item addressed to the Secretary-General had been circulated. They included six letters from Jordan (A/35/60, 61, 67, 150, 176 and 570), two letters from Tunisia (A/35/101 and 103), three letters from Egypt (A/35/102, 133 and 155); two letters from Democratic Yemen (A/35/206 and 218); one letter from Bahrain (A/35/281) and one letter from Israel (A/35/316).
2. Mr. DALAGUERAWALLAH (Sri Lanka), introducing the report of the Special Committee, said that the report followed the lines of previous ones and was basically intended to illustrate the policies and practices followed by the Government of Israel in the occupied territories during the period under consideration. The Special Committee had made use of information which was generally accepted as reliable by the Government of Israel.
3. It was regrettable that the Government of Israel had not changed its position with regard to the Special Committee, which had again attempted to obtain Israel's co-operation. The relevant correspondence in that regard was to be found in section II of the report. Section IV of the report dealt with the Israeli Government's policy of annexation and settlement of the occupied territories, its policy with regard to the inhabitants of the occupied territories, the activities of Israeli settlers, the situation of detainees and the consequences of recourse to judicial remedies. Section V analysed the policies and practices of the Government of Israel and violations of various articles of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which had been ratified by Israel in 1951. The Special Committee had concluded that the Government of Israel was continuing to pursue quite openly its policy of annexation and settlement of the territories occupied in June 1967, by adopting such measures as the expropriation of property, construction of new settlements, expansion of existing settlements, transfer of Israeli citizens to the occupied territories, repression of the civilian inhabitants and refusal of the right to return to those in exile.
4. In view of events which had taken place since the adoption of the report on 25 July 1980, the Special Committee had wished to submit a special report on the treatment of detainees, but had been unable to do so for reasons beyond its control. The events in question had taken place during August and September and concerned the Palestinian detainees in the Israeli prison called "Nafha", which was referred to in paragraph 256 of the report. The Special Committee had gathered information from numerous sources, including a number of persons who had been eyewitness to

(Mr. Balasubramanian, Sri Lanka)

conditions prevailing in that prison. Conditions in the "Mafha" prison were so deplorable that all the detainees had declared a hunger strike soon after being transferred there. The protest had spread to all other prisons where Palestinians were detained, and a number of incidents had taken place, some of which had been mentioned in the international press. Three detainees had died as a result of the measures taken to force-feed them during the hunger strike. An investigation by the Government of Israel had exonerated the prison authorities from responsibility for those deaths, but the facts available to the Special Committee had led to quite a different conclusion.

5. Another development occurring since the adoption of the report was the publication of a study by the International Commission of Jurists (ICJ) on the rule of law in the occupied territories. The study covered a number of fields, including military legislation in areas so diverse as land rights and town planning, which appeared to extend far beyond the needs of Israel's security. The report illustrated the extent to which the occupation authorities were pursuing efforts to annex those territories in defiance of the Fourth Geneva Convention. In the preface to the study by the Secretary-General of ICJ, it was stated that the occupation would probably continue for an indefinite period and that the military Governments had exercised powers akin to those of sovereign Governments by altering existing laws in such a way as to make the economy of the West Bank dependent on Israel and to facilitate the establishment of Jewish settlements, which were universally condemned as a violation of international law.

6. Mr. RANIN (Israel) said that the report of the Special Committee had provided further proof that that body continued to serve as an instrument in the campaign of hatred and propaganda conducted against Israel by certain Arab States. His delegation rejected the distorted picture which the Special Committee had given of conditions in the territories administered by Israel, and it denounced the deliberate use of the United Nations for purposes contrary to the Charter and detrimental to international peace. Israel was a free and open democratic society with highly developed governmental, parliamentary and judicial institutions. Considerable development had taken place in Judea, Samaria and the Gaza District. The Special Committee had based its findings on the premise that the presence of Israel was the original sin from which all evils stemmed. It had completely ignored the circumstances which necessitated that presence, and had conveyed misguided concepts about security issues and regional political developments.

7. Since before the birth of Israel, the Jewish national liberation movement had suffered indirect and then direct aggression from the League of Arab States, which was determined to destroy it. It was from the territories in question and from the north and south that the Arab States had launched their attack upon Israel in 1948. The Jewish community had been left with only one choice - between annihilation and self-defence. The result was well-known. It was the survival of Israel and the occupation of certain parts of Mandated Palestine by Transjordan and Egypt. The present territorial situation derived directly from the outcome of the Arab aggression in 1967. Ever since Judea, Samaria and the Gaza District had been under Israeli control, the Arab rejectionists had tried to reconvert them into forward bases in their attempt to annihilate Israel. In doing so, they had

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(E. Ramia, Israel)

assigned a special role to the Palestine Liberation Organization and had given it the task of using the territories as bridgeheads for acts of terrorism and subversion against Israel and its civilian population. Since 1967, there had been approximately 10,000 such acts of indiscriminate violence against both Jews and Arabs in Israel and the territories administered by it. The plan of the rejectionist States was obviously to use those territories as a staging ground for future aggression, which his Government was determined to prevent.

8. In paragraph 11 of the report it was stated that the Director of the Division of Human Rights had told the Chairman of the Special Committee that the Israeli authorities had informed him that the Israeli Government's position on the question of permitting the Committee to have access to the territories to carry out an on-the-spot examination of the situation had remained unchanged. His Government's position had always been that General Assembly resolution 2443 (XXIII), which called for the establishment of the Special Committee, was one-sided because it ignored Security Council resolution 237 (1967) and the plight of Jewish communities in Arab countries. Furthermore, the Special Committee had been established by a highly irregular procedure of questionable legality.

9. In 1980 the Special Committee, assured of the extension of its mandate for yet another year, had again followed its long-established practice of distorting information in order to support its pre-conceived conclusions. Application of the principles of human rights in Judea, Samaria and the Gaza District could not be examined without reference to the circumstances prevailing there. International law clearly recognized the fact that, in addition to ensuring the welfare of the local population, the authorities were obliged to protect that population, together with their own, against public disorder and terrorism.

10. Although his Government was of the opinion that the Fourth Geneva Convention of 1949 was not applicable in the territories administered by Israel, it nevertheless applied the principles of that Convention and even granted the population privileges not laid down in it. Although the Convention allowed the application of capital punishment, Israel had never applied the death penalty in the areas in question, despite acts of indiscriminate murder and terrorism. His Government gave the local population access to Israeli courts, permitted it to travel to and engage in trade with neighbouring Arab countries, and allowed it to take part in free and democratic elections. None of those rights was provided for in the Convention.

11. The Special Committee relied heavily on article 49 of the Convention to support its thesis that no Israeli settlements were allowed in the administered areas. Even if the laws of belligerent occupation were for some reason applicable there, it should be borne in mind that article 49 prohibited forcible transfers, and not voluntary acts by individuals wishing to take up residence in the areas concerned. The leading treatise on that matter, Oppenheim-Lanternpacht's International Law, stated in volume II that the provision contained in article 49 was a prohibition intended to cover cases of the occupant bringing in its nationals for the purpose of displacing the population of the occupied territory. No displacement of the local population had taken place. Furthermore, since 1967, the Arab population in the administered areas had increased by approximately 20 per cent.

(Mr. Ramin, Israel)

12. In its attempt to distort the realities prevailing in the territories administered by Israel, the Special Committee had presented its own version concerning the security detainees and their treatment and their rights. It had failed to take into account the fact that those detainees were charged with crimes such as murder, assault or extortion and were detained not for their political beliefs but for common crimes which were punishable in all countries. The activities of the terrorist groups within the framework of the PLO throughout the world were well known. The declared aim of that terrorist organization, according to its Covenant, was to liquidate the state of Israel by means of "armed struggle".
13. Israel's courts had been criticized for convicting individuals for being members of a hostile or unlawful organization, pursuant to the Defense Emergency Regulations, and for sentencing them to prison terms for acts which were said to be of a purely political nature. That was a serious misrepresentation of the issues and criticism of the Israeli system of justice was misplaced. Israel's courts and judicial system had established an enviable reputation for independence, integrity and impartiality. The Israeli legal system provided numerous safeguards for the rights of Israel's citizens and the inhabitants of the territories under its administration. With respect to the Israeli military courts in the area, various points should be borne in mind. The rules of evidence and procedures of those courts were precisely those governing the administration of justice in Israel's domestic courts, and were similar to those of the most enlightened jurisdictions. Every military court was chaired by a trained and qualified lawyer, whose integrity and sense of justice were unquestionable. In most progressive systems of law, a confession made freely and voluntarily could form the sole basis of conviction. However, the rules of evidence applied both in Israel and in the administered areas required some additional evidence to confirm that the confession was genuine. Israel's legal system afforded every detainee from the administered areas the right to petition the Supreme Court sitting as a High Court of Justice directly. That right granted to residents of an area under military administration on an equal footing with citizens of the administering State was unprecedented. The detainee or his family was also free to retain Israeli lawyers, both Jewish and Arabs, to defend him.
14. Every detainee was examined by a medical orderly on entering prison and was seen by a doctor at the first opportunity. A medical orderly was present in the prison infirmary daily and a doctor visited every prison at least once a week to examine any detainee who so requested. As part of an ongoing review of the procedures of medical staff in the prisons, directives had been issued in August 1979 emphasizing the requirement that prison personnel should keep detailed, accurate records of each detainee's medical history. In addition, the special arrangement with the International Committee of the Red Cross (ICRC) regarding the medical examination of detainees provided that, after a visit of the ICRC delegate and at his request, the Israeli authorities should immediately permit the examination, without witness, of the detainee by a Swiss physician on the ICRC staff, or any other physician approved by the two parties to the arrangement. No other country in the world had permitted the ICRC to visit security detainees during the period of interrogation. During 1979 every detainee had been visited by the ICRC, 97 per cent of them within 14 days of arrest.

(Mr. Reinin, Israel)

15. The Geneva Convention recognized the right of a State, faced with circumstances of war, to impose administrative detention where considerations of security so demanded. Israel's procedures were completely in accordance with those international principles and special care had always been taken to ensure that they were respected in practice. At present, there were only nine detainees in the category of administrative detention.

16. The British regulations of 1945 concerning administrative detainees in Israel had recently been replaced by an Israeli law which enhanced judicial supervision and allowed the right of appeal to the Supreme Court. Those provisions had been extended, with minor modifications, to detainees in Judea, Samaria and the Gaza District. The Ministry of Justice regularly reviewed the treatment of security detainees and, whenever violations were brought to the attention of the authorities, criminal and disciplinary measures were taken. The Government of Israel remained committed to due respect for the civil rights of security detainees in the administered areas.

17. The false accusations contained in the report of the Special Committee were belied by the following facts. Visitors to Judea, Samaria and the Gaza District could note the absence of any large numbers of troops. The civil police were largely recruited locally and the administration was in the hands of about 16,000 local Arabs as against 600 Israelis. There was free movement for all between the River Jordan and the Mediterranean Sea, and residents could invite relatives from enemy countries to come for prolonged visits. Israeli enterprises offered employment for all who were willing to work, including refugees, and equal wages were paid for equal work. The Israeli Administration had introduced free municipal elections and, in a number of cases, sympathizers of the so-called PLO had been elected to serve as mayors. The civil and religious tribunals composed of local judges were continuing to apply existing civil and religious laws. Press censorship was confined strictly to questions of military security and it applied to Hebrew and Arabic newspapers alike. Arab mayors frequently visited neighbouring Arab countries to obtain financial grants and loans for the development of municipal services. Agriculture was prospering in Judea, Samaria and Gaza as a result of an imaginative agricultural extension system. The number of schoolchildren in those areas had increased from 222,000 in 1968 to 400,000 in 1979, and the number of female graduates had doubled. There were 13 institutions of higher learning in the administered areas, including three universities. Since 1968 more than 7 million persons had crossed the bridges over the Jordan River in both directions.

18. Despite occasional administrative irregularities and demonstrations in Judea, Samaria and Gaza, the situation compared favourably to that of any other country in the region.

19. His delegation believed that the Committee should take note of the serious efforts being made to reach a comprehensive peace in the Middle East and should turn to dangerous situations in other parts of the world which raised questions relating to human rights. It was high time for the General Assembly to call on the Arab States and also on the Palestinian Arabs living in Judea, Samaria and

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(Mr. Ramin, Israel)

leza to follow the dictates of reason and join the peace process. Such a call would demonstrate a realistic and constructive attitude worthy of the true aims and purposes of the Charter of the United Nations.

20. Mr. RAHMAN (Observer, Palestine Liberation Organization) said that the Committee had just listened to a description of life in the territories occupied by Israel, which seemed a paradise. If that was true, he would like the representative of Menachem Begin to explain why the rate of inflation had risen to 120 per cent despite Israel's record \$3,000 million aid from the United States. That amount, together with the assistance received from Zionist organizations and other Governments around the world, made Israel the biggest welfare case in history. The way the representative of Menachem Begin had described life in the occupied territories might even tempt other countries to ask to be occupied by Israel. Yet The New York Times of 7 November 1980 had reported that an Arab teenager in Ramallah had been shot and injured by Israeli policemen because he had fled after an argument with those policemen and had not heeded a warning shot fired over his head. That showed the type of paradise in which the inhabitants of the Israeli-occupied territories were living.

21. For many years the Palestinian people had been engaged in one of the most noble and honourable of causes, namely, the defence of their human rights, which were being consistently violated by the Fascist Zionist forces of occupation. Palestinians inside and outside the occupied territories particularly appreciated the tenacity of the Special Committee in compiling its report despite the arrogant refusal of the Israeli authorities to co-operate with it. For the past 12 years, the Special Political Committee had been considering reports of the Special Committee exposing uncontestable evidence of the barbaric, inhumane nature of occupation as such and of the Israeli occupation in particular. The current report (A/35/L.25) had a special importance since it covered a period of intensification by Israel of its aggressive, criminal oppression, encroaching on every aspect of the lives of the Palestinian people both inside and outside the occupied territories.

22. He wished to highlight some examples of the brutality of the Israeli occupation forces. For instance, paragraphs 55 to 91 of the report enumerated the various locations where land had been expropriated and the illegal methods employed by the Zionists to usurp those lands. That section was lengthy because every single town, village and city in the occupied Palestinian territory had been victimized by those Israeli land policies and practices. Palestinian farmers had been thrown off their land so that people from all parts of the world could take their place, just because they happened to be Jewish. There were now over 100 Israeli settlements, involving 35 per cent of the total land area of the occupied West Bank.

23. The Israeli Zionist settlement policy had a two-fold objective: firstly, to deprive the Palestinian people of the source of their livelihood, thus compelling them to leave Palestine or seek employment inside the territories occupied since 1948, which were also called Israel; secondly, to undermine the geographical base on which the Palestinian people as a nation would assert their collective existence, their right to national self-determination, sovereignty and statehood in Palestine.

(Mr. Balogh, PLO)

24. The crimes committed by the Israeli occupation authorities were in direct violation of the **Fourth** Geneva Convention of 1949. The representative of the Government of Yenechem Begin had said that many international jurists had denied the applicability of that Convention, the only disagreement being from some members of the Committee on political grounds. In fact numerous United Nations resolutions confirmed that applicability and only a few Zionist lawyers disagreed. By expelling Palestinian citizens and elected officials, the Israeli power trampled on the rights of the people which were explicitly ensured under the Convention. A case in point was the elected mayors of Hebron and Halhoul and the Sharia judge of Hebron, who had been taken from their homes in the middle of the night blindfolded and thrown across the border of their homeland into south Lebanon. After being detained for two weeks in a customs house, the two mayors were currently in Ramleh prison awaiting the decision of the high court. They had not been allowed any contact with their families.

25. Paragraphs 144 to 145 of the report enumerated cases of oppression of Palestinian citizens. The League for Civil and Human Rights in Israel had also published a report dealing with the situation in the occupied territories. Even more important than that long list of cases of repression and harassment was the principle involved. Such acts were reminiscent of the behaviour of the Nazis against the Jews and other peoples and the activities of the racist South African régime.

26. In addition to the demolition, destruction, sealing off and closing of houses and shops described in paragraphs 146 to 159 of the report, Israeli authorities had just demolished houses in Ramallah and Jablus on the grounds that they had been built without a permit, even though they had been built two or three years previously and had been inhabited for some time. Long curfews imposed on the Palestinian inhabitants of the various towns and villages (paras. 164-171) were one method used by the Israeli authorities to intimidate the Palestinian people under occupation.

27. Educational institutions were also a primary target. Israel maintained a policy which was directed against Palestinian students, colleges and high schools (paras. 172-190). On 18 July 1980, the Israeli authorities had issued order No. 854 under which the Israeli authorities could extend the law on education and culture to the universities' internal affairs in direct violation of the Fourth Geneva Convention. Under that order the students and faculty members must obtain written permission from the military Government to join academic institutions. The order also gave the military authorities the right to intervene in every activity of the educational institution, including the selection of reading material, the establishment of syllabuses and the purchasing of textbooks. That was clear evidence of the policy of the Israeli occupation forces to undermine the academic activities and freedom of the Palestinians.

28. Over the past few years, Israeli settlers, roaming the streets of Palestinian towns and villages in the West Bank and the Gaza Strip at will, had been terrorizing women and children, attacking homes, beating up civilians and

bring during the night at village and city dwellers (paras. 191-222). They were members of Menachem Begin's secret army and were sponsored by the Israeli Government. The assassination attempts against the elected mayors of three major cities in the occupied territories - Nablus, Ramallah and El Bireh - had been carried out upon the orders of the office of Begin himself. According to the mayor of Nablus, he had been told by Weizmann immediately before the assassination attempt that if he did not stop his political activities the latter would destroy him physically. Of the elected mayors in the West Bank who the representative of Menachem Begin had said leaned towards the PLO, two were in prison and two were being treated for injuries suffered as a result of terrorist attacks by settlers armed by the Israeli Government. That direct executive involvement showed how far the new Nazis of Israel were willing to go in order to implement their policies designed to evict the Palestinian people from their homeland and break their will to resist. He wondered if it was a coincidence that those terrorist policies had been intensified under cover of the Camp David accords, which were supposed to be a step towards a peace settlement in the Middle East.

29. All were aware of the treatment of Palestinian political prisoners (paras. 223-259) and the torture to which they were subjected in Zionist gaols. The details of the atrocities in one prison - Hafia - had been recounted in the international press. When trying to break the detainees' prolonged hunger strike in that prison by force-feeding them, the prison authorities had inserted rubber tubes into their lungs. Some had died and 27 others had been hospitalized. Those practices had been condemned by all decent human beings, with the exception of those who claimed that the protection of human rights formed part of their national policy.

30. The Israeli authorities' much flaunted system of justice distorted the very meaning of that word, because it operated only for the benefit of Zionism and the Zionists in Israel. The rules, laws and decrees were used as instruments to perpetuate the oppression of the Palestinian people and to facilitate the expansionist plans of the Zionist State. Since the Israeli authorities did not recognize the applicability of international conventions to the occupied territories, they had taken the liberty of devising their own standards and mechanisms and imposing them on the Palestinian people and their land.

31. Israeli policies and practices in the occupied territory were consistent with the Zionist perception of Palestine and the Palestinians. Palestine was for them nothing but a geographical term whereas for the Palestinians it was their homeland. For the Israelis, the Palestinians were not even people but mere numbers. Zionism, like all forms of racism and racial ideology, propagated the idea of the superiority of its members and the inferiority of its subjects. It followed the same pattern as the Whites in the United States at the time of slavery and the Whites of South Africa and Hitler. The Jews were the chosen people, who were the superiors, not the equals of ordinary people and had the right to exploit them.

32. The internal national policies and practices of Israel, unlike those of other States, were determined by an international organization, the World Zionist

(Mr. Rahman, PLO)

Organization, with branches all over the world, which designed plans that the Israeli Junta was entrusted with executing. On 3 November 1980, The New York Times had reported that Israeli families had been moved into two new settlements in the West Bank in what officials had described as a phase of the World Zionist Organization's Master Plan to surround Arab towns with Jewish outposts. The policies of that Organization were based on the assumption that Jews all over the world owed their loyalty first and foremost to the concept of Israel. That meant that a Jew born anywhere in the world had a natural right to live in Palestine, while the Palestinians were condemned to exile and dispersal.

33. Since its very inception Zionism had used every illegal method to achieve its objectives, especially terrorism. The diary of former Israeli Prime Minister Moshe Sharett described how terror and aggression were employed against the Palestinian population and the surrounding Arab countries to provoke or create the appearance of an Arab threat to Israel's existence. Maintaining the illusion of Israel's security crisis had then been and still was paramount for Israel's much needed support from the Western conscience.

34. If the belief of Zionism was that Israel would be a sanctuary for the Jews of the world it had surely failed. But no one could solve his problem at the expense of another. To bring into Palestine the Jews of the world would lead to the uprooting of the indigenous Palestinian population, whose only course was to resist. The Palestinians would not fade away.

35. Justice was universal and all-embracing. No one could be free when the freedom of others was not respected. As long as the Palestinians, the blacks of South Africa and the Namibians did not enjoy their human, natural and inalienable national rights the world could not aspire to peace or claim to have achieved freedom.

36. The Palestinians were a peaceful people with aspirations to live in peace and dignity in their own country, Palestine. They would continue their struggle to attain that goal. It might take one year or generations, but they were determined to succeed.

37. Mr. STEPHANO (Greece) said that Israel had once again shown itself to be intransigent by continuing its policy of annexation, settlement and illegal expropriation which had already been condemned by the international community. With regard to the status of Jerusalem, Greece was opposed to any unilateral initiative in view of the need to ensure free access to all the Holy Places. Various international treaties and, in particular, the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War categorically specified the obligations of the occupying Power and laid down rules of conduct applicable in all circumstances notwithstanding any political complexities and considerations of military security which might be adduced by the occupying Power. Any refusal to observe the generally accepted rules relating to occupied territories and their civilian populations constituted

(Mr. Stephanou, Greece)

a serious obstacle not only to peace in the region but also to international security as a whole.

38. He stressed the seriousness of such violations not only in the context of the Palestinian problem but also in that of all international problems resulting from military occupation aimed at the acquisition of territory through the use of force and the imposition of a fait accompli. In accordance with the fundamental principles of the Charter of the United Nations, the Universal Declaration of Human Rights, international law and the Fourth Geneva Convention, he emphasized that human rights should always be respected regardless of the political implications and of the relationship of those rights to a global settlement of the Middle East problem. A peaceful solution of the Palestinian problem was unthinkable when settlements were continually being established and extended, the demographic composition of the territories changed, the judicial status unilaterally modified and the Palestinian people deprived of their legitimate right of self-determination.

39. He expressed the hope that the Israeli Government would agree to co-operate with the Special Committee and rescind its earlier decisions.

40. Mr. BOYADJIEV (Bulgaria) said that the Israeli aggressors, with the help of the imperialists, had established a new record in duration of military occupation, banishing a heroic people to a life of exile, depriving them of their fundamental human rights and freedoms and denying them their inalienable right of national self-determination. In outrageous disregard of world public opinion, Israel had continued its illegal policy of fait accompli, occupying Arab territories, building new settlements therein, exploiting their natural resources and changing their physical character, demographic composition and economic, social, cultural and institutional structure and status, thereby demonstrating the Zionist concept of so-called "Palestinian autonomy". The arrogance of the Israeli Government had reached new heights with the adoption of the so-called "fundamental law" for the annexation of Jerusalem as the capital of Israel and the announcement of new plans for the annexation of more Arab territories. The international community could no longer tolerate Israel's violation of the Geneva Convention of 1949, of the principles of international law and of United Nations resolutions. Notwithstanding the fact that the Israeli Government had refused to allow the members of the Special Committee and the Group of Experts designated by the Secretary-General to enter the occupied territories, the Committee had at its disposal new documents which exposed violations of international legal norms and illustrated the continuation of Tel Aviv's inhuman policy of further annexation. He quoted examples from documents A/35/533 and A/35/425.

41. It was disturbing that Israeli political leaders, in defiance of the wish of the international community to put an end to those illegal practices, were continually violating the fundamental human rights of the Arab population in the occupied territories. He quoted a statement by Israel's Prime Minister on 21 April in which the latter had said: "There is no way of conceiving peace without the absolute freedom of settlement of our people ... Settlement in the occupied areas is the soul of Zionism."

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(Mr. Bovedjiev, Bulgaria)

42. Last September Bulgaria had hosted the World Parliament of Peoples for Peace which had been attended by many high-ranking officials, including representatives of the Arab people in the occupied territories and of progressive forces in Israel. Statements given to Bulgarian and foreign journalists by the participants had corroborated the evidence gathered by the Special Committee. Mr. Mohammed Milhem, Mayor of Halhul, had said that his town had been placed under a 23-hour curfew for a period of 16 days during which people had not been able to leave their homes even to bring medicine or milk to their children. Two students had been killed and many houses sealed off and raided. The extremist Zionist organization, Gush Emanim, operating under the aegis of the occupation authorities, had seized land by force, destroyed farms, pillaged properties and attacked and assassinated citizens with impunity. Mrs. Felicia Langer, a famous lawyer, had also referred to the "terror reigning in the occupied territories, the mass punishments, destruction of homes and suppression of people".

43. A natural and logical outcome of the increased oppression in the occupied territories had been the upsurge in the struggle and resistance of the local population against the illegal occupation. The Israeli occupation authorities did not seem to understand that the construction of new prisons in the occupied territories, the overcrowded cells and the brutal torture of prisoners could not suppress the legitimate wish of the Arab people of Palestine for national self-determination and the creation of a Palestinian State. The continuing deterioration of the situation in the Arab territories illegally seized by Israel in 1967 constituted a serious obstacle to peace in the region.

44. In the light of the latest measures taken by the Israeli Government, it had become clear that the real objectives of the Camp David accords, the separate Egyptian-Israeli talks and so-called "Palestinian autonomy" were expansion and aggression against the Palestinian people and the neighbouring Arab countries in keeping with the imperialist policy of hegemony in the Middle East.

45. The Government and the people of the People's Republic of Bulgaria highly valued their traditional ties of friendship and co-operation with the Arab peoples and, in particular, with the oppressed Palestinian people struggling for their independence and national self-determination under the leadership of the PLO. During an official visit to the Syrian Arab Republic on 21 April 1980 Mr. Todor Zhivkov, President of the State Council of the People's Republic of Bulgaria, had said that Bulgaria's position on the Middle East question was that an equitable and lasting solution of the crisis could be achieved only through a total and unconditional withdrawal of Israeli troops from all Arab territories occupied in 1967, through respect for the inalienable rights of the Arab people of Palestine, including the right to self-determination and an independent State, and through a guarantee of the independence and security of all States in the region. For such a just settlement the concerted efforts of all the parties concerned would be necessary with the participation, on an equal footing, of the PLO as the sole legitimate representative of the Arab people of Palestine. Bulgaria would continue to give its full support to the just struggle of the Palestinian people for national liberation.

46. Mr. SHALHA (Jordan), speaking in exercise of the right of reply, said that it was disappointing to hear the representative of Israel denounce the report of the Special Committee and thus try to exonerate himself and his Government from any wrongdoing in the occupied territories. The representative of Israel had failed to mention the Golan Heights as being occupied. The representative of Israel had also denounced the report as being non-factual, but he asked whether the Israeli Government could deny that it was, inter alia, confiscating land, deporting people, imprisoning Palestinians, torturing them and demolishing their homes, in violation of human rights.

47. Moreover, the representative of Israel had stated that Israel was an "open society". In that connexion, he asked for whom that society was open, whether it was only for Jews to come and live on Arab land. The representative of Israel had also said that Israel was open for anyone to come and visit. In that case, he asked why the Special Committee had not been allowed to visit the occupied territories so as to see that "open society" for itself. Why had the Israeli Government also denied access to the Security Council Commission established under resolution 446 (1979) and to the committee of experts on living conditions in the occupied territories, if Israel was an open society?

48. The Israeli representative had sought to convince members of the Committee that the Israeli presence in the occupied territories was a grace from God for the inhabitants. On similar grounds, the representative of Israel in the Second Committee had denounced the report of the committee of experts, implying that Israel was above the law and should not be questioned by anyone, for that constituted anti-Semitism or hatred of Israel. Israel had believed in the power of the United Kingdom and in the promise contained in the Balfour Declaration; on those grounds it had driven the Palestinians from their homes and had made them refugees. Similarly, Israel was conducting its current activities, as described in the report of the Special Committee, because its security was guaranteed by a powerful war machine.

49. Mr. RAMIN (Israel), speaking in exercise of the right of reply, said that Jordan and Israel were neighbours and accordingly must grow accustomed to the realities arising out of geographic proximity. For example, he asked whether the representative of Jordan had forgotten what measures the Jordanian Government had to take against the terrorist State that had been created within the State of Jordan. In that connexion, he quoted a statement made by King Hussein on 16 September 1970 to the effect that, because of the situation in Jordan, it had been necessary to take measures to restore law and order. Such measures had been taken by the legitimate Government of Jordan under the leadership of King Hussein, and Israel had been obliged to take similar measures for precisely the same reasons. Innocent people had been killed in Jordan at that time, and attempts had been made on the lives of others. The PLO terrorists had created havoc in the refugee camps. They had been removed in order to restore law and order; they had gone through Syria, where they had not been permitted to stay, and had eventually gone to Lebanon. What had happened in Lebanon was well known. Perhaps Israel had learned a lesson from Jordan about the need to take measures against the terrorists.

(Mr. Ramin, Israel)

50. The representative of Jordan was therefore well aware of the need to maintain and protect law and order, just as Israel was doing, in accordance with the relevant Geneva Conventions.

51. Mr. SHAMMA (Jordan), speaking in exercise of the right of reply, drew attention to the fact that neither the Palestine Liberation Organization nor Jordan was the topic of the current debate. The representative of Israel was trying to conceal his Government's practices, which the Jordanian Government had never employed. The means of torture used and the ways in which human rights were violated in the West Bank and the Gaza Strip seemed to have been learned from the Nazis, with certain improvements.

52. His Government had been confronted with a chaotic situation in 1970 and had done what was necessary; it had not confiscated land or established settlements or arrested people or shot any children who had merely argued with the police. The Jordanian Government was orderly, sovereign and humane, in contrast to the Government of Israel which was treating people who had long been struggling to acquire their own political expression in an extremely inhuman manner.

53. Mr. SAYEGH (Kuwait), speaking in exercise of the right of reply, condemned the representative of Israel's deliberate attempt to confuse the issues before the Committee. Such issues as those concerning the PLO presence in Jordan or Lebanon naturally emerged in the course of a people's struggle for liberation, when problems arose in connexion with the Government of the host country. Similar situations had occurred in other parts of the world, but such issues were totally unrelated to the problems that existed between a liberation organization and an occupying Power. No one was questioning Israel's right to uphold the law in Israel; it was its practices in the occupied territories that were being questioned. He asked whether the resistance of liberation organizations and their supporters were grounds for violating the human rights of an entire population. Therein lay the confusion that the representative of Israel was seeking to create.

54. Mr. RAMIN (Israel), speaking in exercise of the right of reply, disagreed with the representative of Kuwait: he was not seeking to create confusion and he would persist in affirming that, under current circumstances, it was necessary to maintain security in the face of a terrorist organization that was attempting to create a state of terror in the territories administered by Israel.

55. Referring to the comments made by the representative of Jordan, he drew attention to the fact that when the West Bank had been part of Jordan, an article in the Beirut daily, Al-Muharrir, had reported that Jordanian authorities in the West Bank had arrested 500 people, including teachers and students at the University of Jordan, many of whom had been tortured. Similar roundups had occurred in other parts of Jordan. Moreover, in a BBC broadcast on 22 July 1963, it had been reported that the Jordanian State Security Court had pronounced judgement against students who had taken part in riots in Jordan the previous April.

56. Mr. RAHIAN (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, observed that the representative of Israel had claimed that Israel was the only occupying Power which allowed the local population access to its judiciary system. Under international law, occupying Powers were not sovereign over such territories and, accordingly, had no right to change laws or administrative provisions; they merely had the duty to administer in accordance with existing laws and provisions. However, Israel had extended its legislation and administration far beyond those limits, and the Israeli Government, which had occupied the Arab territories for the past 13 years, showed every intention of continuing to do so. Moreover, it was exercising power very similar to that of a sovereign Government, for example, by making the economy of the West Bank dependent on Israeli interests.

57. With regard to the claim that Israel was an open society, he drew attention to the fact that a few months earlier the Israeli Parliament had adopted a law whereby the raising of a Palestinian flag or the singing of a Palestinian song by an Israeli citizen who was supposedly a Palestinian was punishable by three years' imprisonment and a fine of \$500,000. Two hundred fifty thousand Palestinians, or one quarter of the population of the West Bank, had been either arrested or questioned by the Israeli military authorities.

58. The struggle of the Palestinian people was a legitimate struggle against occupation and it had been defined as such at the international level. Any attempt to end an illegal situation was ipso facto legal; and since Israel's occupation was illegal, the Palestinians were entitled to fight against it and against Israeli forces on their own land.

59. Mr. HUSSAIN (Iraq) wished to make it clear that his view differed slightly from that of his Arab colleagues, who had said that the Israeli authorities had improved their suppressive measures against the Arab inhabitants of the occupied territories. The Israeli authorities were no longer using dynamite to demolish Arab houses; they were using mechanical equipment, as was indicated in paragraph 156 of the report of the Special Committee (A/35/425).

60. In connexion with the statement that Israel was giving the whole world a gift of peace, he asked whether that gift was clearly reflected in paragraph 141 of the report. The representative of Israel had mentioned that, in 1967, the Arab States had waged a war of aggression against Israel. He asked whether, in 1956, the Arabs had also waged war against the Zionist entity.

OTHER MATTERS

61. Mr. BOYADJIEV (Bulgaria) cordially congratulated the delegations of the Soviet Union, the Ukrainian SSR and the Byelorussian SSR on the occasion of the sixty-third anniversary of the Great October Socialist Revolution, which had opened a new page in the history of mankind, giving rise to hopes for freedom, peace and equality. Moreover, it had started a new era of political, social, economic, cultural and moral liberation for mankind and had initiated the struggle to overthrow tyranny and oppression.

62. Mr. KHANZHENKOV (Union of Soviet Socialist Republics), speaking also on behalf of the delegations of the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, thanked the delegations of Bulgaria, Czechoslovakia, Viet Nam and others for their congratulations on the occasion of the sixty-third anniversary of the Great October Socialist Revolution.

ORGANIZATION OF WORK

63. The CHAIRMAN said that the Committee would meet to discuss agenda item 57 on the afternoons of 10 and 11 November, and on the morning and afternoon of 12 November. On the morning of 13 November, it would begin discussion of agenda item 59 and on the afternoon of that day it would hear statements by organizations interested in the question of the policies of apartheid of the Government of South Africa. The Committee would continue its discussion of agenda item 59 on the morning and afternoon of 14 November.

64. In connexion with agenda item 54, he drew attention to the draft resolution contained in document A/SPC/35/L.13. He suggested that the Committee should consider the draft resolution at the beginning of its meeting on 10 November and should take a decision on that item at the same meeting.

65. It was so decided.

The meeting rose at 6 p.m.