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New York

SUMMARY RECORD OF THE 49th MEETING

Chairman: Mr. IRUMBA (Uganda)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 136: ISRAEL'S DECISION TO BUILD A CANAL LINKING THE MEDITERRANEAN SEA TO THE DEAD SEA (A/36/243; A/SPC/36/L.32)

1. The CHAIRMAN drew attention to document A/36/575 and Add.1, which contained letters from the Permanent Representative of Israel on the agenda item under consideration, and to draft resolution A/SPC/36/L.32 on that subject.
2. Mr. NUSEIBEH (Jordan) said that the member States of the League of Arab States considered the Israeli decision to build a canal linking the Mediterranean Sea to the Dead Sea an act of aggression in flagrant violation of international law and practice, particularly the fourth Geneva Convention of 1949. In spite of Israeli claims to the contrary, the canal was designed to bring about irreversible geographical, demographic, ecological, and economic changes, causing incalculable damage to the vital interests of Jordan and the Palestinian people. It was clear that the Israeli project, which had already been initiated and for which funds close to \$1 billion were being raised, was designed further to consolidate the colonization plans of Israel, the Zionization of the Holy Land and the final annexation of the occupied Palestine Arab territories. The United Nations Conference on New and Renewable Sources of Energy held in Nairobi in August 1981 had condemned that project in its resolution No. 3 as a violation of international law and the Charter of the United Nations and had called upon Israel to halt implementation of the project.
3. The overflow from the Dead Sea and the Jordan River caused by the canal, which the Israelis could always increase at whim, would inundate entire areas in the Jordan valley and the southern parts of the Hashemite Kingdom of Jordan up to Wadi Araba and beyond. The salinity of the water would destroy the most productive agricultural areas in Jordan and salinize aquifers in both Jordan and the occupied territories, particularly in the Gaza Strip. The proposed canal, which would be approximately 120 kilometres long, would pass through an underground tunnel 80 kilometres in length and five metres in diameter and emerge in the hills overlooking the Dead Sea. The water would flow into large reservoir ponds to supply four hydroelectric plants. However, the initial phase, which was scheduled to be completed in 1990 at a cost of \$1 billion, was only the prelude to a number of other projects, including the construction of a huge solar pond and two nuclear plants which would use the water from the canal as a cooling agent. If one took account of the low level of the area stretching from Lake Huleh in northern Palestine through the Jordan Valley, the Dead Sea and Wadi Araba to the Gulf of Aqaba, one could only deduce that the ultimate plan of the project was to form a lake extending from Lake Tiberias in the north to the Gulf of Aqaba in the south. In addition to inflicting irreparable damage on the agricultural system of the area and the huge chemical plants which Jordan had virtually completed, the proposed lake would create a formidable water barrier between Jordan and Palestine, thus finalizing Israeli annexation of the occupied territories. The Israelis had chosen the southern route for the canal in order to avoid sea-water pollution of the underground water resources in the thickly populated northern area of Israel and to divert the health hazards caused by the proposed nuclear stations to the Gaza Strip, the West Bank and East Jordan. The environment in and around the Dead Sea would be adversely affected. According to research, the mixing of the

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(Mr. Nuseibeh, Jordan)

Mediterranean and Dead Sea waters would disrupt the entire ecological balance of the region. The quality of life in the entire area would suffer and the canal would be something that would be regretted for ages to come. Furthermore, the expected 17-metre rise in the level of the Dead Sea over 20 years would require considerable adjustments in Jordan's chemical mining works at a substantial cost. The mixing of the Mediterranean waters and those of the Dead Sea would decrease the production of potash and other valuable chemicals and cause serious damage to Jordan's chemical industry.

4. Apart from the colossal damage which would be caused by the canal, the project constituted a flagrant violation of international law and totally disregarded the vital rights and interests of both Jordan and the Palestinian people. His delegation was seeking the support of the General Assembly in requesting that the Security Council should take prompt action and call upon Israel to desist from carrying out that dangerous and irreversible project. The International Court of Justice would certainly substantiate his country's opinion that Israel's unilateral project was in flagrant violation of international law. The urgency of the question however, precluded any attempt to resort to the International Court. The League of Arab States called upon all law-abiding States to refrain from providing any assistance to the Israeli occupation authorities in carrying out that blatantly illegal act. Jordan would strive to prevent the implementation of the project before the Israelis presented the world with another fait accompli, as they had done in the past. If Israel persisted in implementing the project and flouting international law and United Nations decisions, his country would carry out contingency engineering plans to counteract the Israeli project. That might compound the damage and would only be undertaken if all other efforts failed. It was hoped that that contingency plan would never have to be carried out.

5. Jordan was firmly committed to development and had achieved miracles in that field. Instead of generating energy through hydroelectric plants, Jordan had chosen other methods, including the utilization of its enormous high-quality oil shale deposits. The Israelis were in control of considerable amounts of oil shale in the Negev, which could be similarly exploited for energy without destroying the agricultural and industrial enterprises which Jordan had put into operation and without causing colossal damage to the entire area. His delegation would submit a draft resolution on the proposed Israeli canal in due course.

6. Mr. LAMDAN (Israel) said that the Special Political Committee had yet another anti-Israel item on its agenda. If the sponsors of the agenda item had been acting in good faith, they could easily have raised that matter under one of several items already on the General Assembly's agenda. Any lingering doubts about their real motives were removed by the highly alarmist and misleading statement just made.

7. On 29 March 1981 the Government of Israel had adopted the recommendations of a steering committee for the construction of a hydroelectric project between the Mediterranean and the Dead Seas. That steering committee was currently conducting further feasibility and other studies. The intention was not to construct a canal, as stated in the title of the agenda item, with all the attendant images that a canal conjured up, but to construct a water conduit, running for the most part through

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(Mr. Lamdan, Israel)

an underground pipeline, in order to generate hydroelectric energy. The world-wide energy crisis facing mankind and the exorbitant price of oil had prompted the experts of many nations to search for alternative solutions and new technologies. Israel's efforts to harness the waters of the Mediterranean Sea in order to generate energy must be seen against that background. The projected conduit, which had been originally envisaged as early as the nineteenth century, would utilize the 400-metre differential between the levels of the Mediterranean and Dead Seas in order to generate hydroelectric power. Energy generated in that way had the potential of benefiting the entire region, including the Kingdom of Jordan. Hydroelectric power was a cheap, clean and efficient source of energy which was still not available in Jordan. As a result of Jordanian and Israeli irrigation projects, the water level of the Dead Sea had been dropping steadily since the early 1960s. The water which would flow into the Dead Sea from the Mediterranean would only restore the level of the Dead Sea to the 1955 mark. That process would come about slowly, taking about 20 years after the completion of the project. Furthermore, the proposed project was not designed to raise the level of the Dead Sea beyond the crest level of the dikes of both the Israeli Dead Sea works and the Jordanian potash company, which were located at the southern end of the Dead Sea. Existing and planned dikes and dams would provide full protection to those facilities. It should also be noted that Israel's largest chemical/industrial complex, as well as Israeli hotels and tourist development projects, were located on the shores of the Dead Sea at the same level as the Jordanian potash plants. Therefore, if only for obvious reasons of self-interest, Israel had no intention whatsoever of raising the surface of the Dead Sea above the level at which those facilities were located. Furthermore, current research indicated that only inconsequential effects on the composition and chemical balance of the Dead Sea would result from the projected mixing of the waters from the two seas.

8. The contention that the conduit would lead to the acquisition of territory, the confiscation of property and the depopulation of whole areas inside the Gaza District was unfounded. The project only involved the laying of a pipeline approximately five metres in diameter deep underground. The pipeline would not adversely affect the population of the Gaza District or the quality of its water supply, but could only enhance the livelihood of the area's population. In any event, the political status of the Gaza District would evolve from the negotiations envisaged in the Camp David Framework for Peace in the Middle East. The construction of the proposed pipeline clearly had no bearing on those negotiations. The contention that the project would flood the Jordan Valley was intentionally erroneous since the projected conduit would have no effect whatsoever either on the Jordan River or on the Jordan Valley.

9. In the national paper submitted by Jordan to the United Nations Conference on New and Renewable Resources of Energy held in August 1981, the Government of Jordan indicated that it was considering the construction of a conduit of its own linking the Red Sea from the Gulf of Aqaba to the Dead Sea in order to generate hydroelectric energy. In the light of that fact, the commotion raised in the Special Political Committee, especially by Jordan, was surprising to say the least. Nature had endowed the region in question with remarkable geographical features which could assist the production of clean and inexpensive energy. His Government hoped that Jordan would

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(Mr. Lamdan, Israel)

welcome the opportunity of jointly utilizing the geographical features which were at their common disposal and called upon Jordan once again to co-operate in the projected enterprise for the benefit of all the inhabitants of the region.

10. Mr. HAMDI (Saudi Arabia) said that Western circles had believed or pretended to believe in the truth and sincerity of Israel's claim over the last 33 years that its sole desire was to live in peace with its Arab neighbours. After its occupation of the West Bank, the Gaza Strip and other Arab territories, Israel had once again claimed that its sole aim was to achieve a lasting peace and that it had no desire to annex any part of the occupied Arab territories but only to make minor adjustments on both sides of its borders with the aim of uniting a number of villages which had been separated by the temporary borders dictated by the Armistice of 1949. While Israel was conducting a mendacious propaganda campaign concerning its peaceful intentions and its readiness to withdraw from all territories occupied since 1967, its actual practice indicated the contrary. It had drawn up and begun to implement a diabolical plan to annex all of the occupied territories in stages and at a rate compatible with the reactions of the Western States, in particular those of one of the two super Powers. Israel had gradually involved that Power in the strategic and military aspects of the region with the intention of weakening its determination to adhere to Security Council resolutions 242 (1967) and 338 (1973). Israel had intensified its annexation and expropriation of land, the establishment of settlements and its familiar practice of creating established facts with the intention of annexing the West Bank and the Gaza Strip definitively. Israel's leaders had publicly declared their determination not to give up the West Bank, or what Mr. Begin called "Judea and Samaria", and to continue with the annexation of Arab Jerusalem in defiance of the resolutions of the General Assembly and the Security Council.

11. Israel's plan to build a canal from the Mediterranean to the Dead Sea was only one more example of its aggression against the Palestinian people and one more measure designed to alter the geographical, demographic, ecological, environmental and economic characteristics of the occupied area in complete violation of the fourth Geneva Convention. It was as if Israel had never heard of the resolutions of the General Assembly and the Security Council denouncing all of the measures implemented by it in the occupied territories, declaring them null and void and requesting it to desist therefrom. The Security Council had, up to the present, been unable to implement any of its resolutions because of the use of the veto. The proposed canal would pass through Palestinian territories under illegal Israeli occupation, which was convincing proof of Israel's determination to perpetuate its occupation of those territories for ever. There was a great difference between the construction of a canal and the establishment of settlements. In spite of the illegality of those settlements, it would be possible for Israel to give them up or to be obliged to do so under the terms of any settlement of the Middle East problem or through the implementation of United Nations resolutions requiring it to do so. A canal, however, would have a more permanent character, to say nothing of the danger it would pose to the Arab areas through which it would pass. It was very difficult, not to say humiliating, for the international community to have to stand idly by and watch that Israeli action from its very inception in full realization of its illegality and of the dangers which it posed to peace and security in the Middle East. The

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(Mr. Hamdi, Saudi Arabia)

international community, the Security Council and, in particular, those States which supported Israel bore prime responsibility for that act before the present Assembly and before history.

12. Mr. HUMFREY (United Kingdom), speaking on behalf of the Ten Member States of the European Economic Community, said that the Ten sympathized with the concern that had led to the inclusion of item 136 in the General Assembly's agenda. They had noted the profound concern of the Government of Jordan at the proposed canal and its economic and political consequences. Egypt's historical responsibility for the Gaza Strip had caused the Government of Egypt also to express deep concern at the grave political and economic consequences of such a canal. The Ten had also noted that the Permanent Representative of Israel had implicitly confirmed Israel's intention to proceed with the project and had sought to justify it.

13. The Ten wished to state their concern at Israel's policy in the matter, which conflicted with Israel's obligations under international law. Not only would the rights and concerns of Jordan as a riparian State be affected but the Israeli plan would also involve construction work in the Gaza Strip. Under general international law, and the fourth Geneva Convention of 1949 in particular, such construction work would exceed Israel's right as an occupying power. An occupying power had only a temporary right of administration in respect of territory occupied by it and the proposed canal could in no way be considered an act of mere administration. It might also prejudice the future of the Gaza Strip, which should be determined as part of an over-all peace settlement.

14. The Ten therefore wished to reiterate their opposition to the Israeli project on the grounds that it would not only be illegal but would also create a serious obstacle to a just, lasting and comprehensive peace settlement in the Middle East. They called on the Israeli Government to reconsider the project and to take it no further.

15. Mr. BEDJAOU (Algeria)\* said that Israel's project to construct a canal linking the Mediterranean to the Dead Sea was not an isolated initiative but part of an elaborate plan to perpetuate its occupation of Arab territories acquired by force and to ensure its hold over all the waterways of the Middle East. Zionist designs on the natural resources of the region went back to the late nineteenth century, when plans had been considered for the construction of two such canals. In 1937, the Jewish Agency had commissioned a report on the waterways of Palestine and other Arab territories with a view to the annexation of Arab areas well provided with water. The strategic goal of Zionism was that of a "greater Israel" stretching from the Nile to the Euphrates, brought about by successive surges of annexation after definitive control of waterways and water resources had been achieved. The draining of Lake Huleh, the diversion of the Jordan and its tributaries, the attempt to appropriate the waters of the Litani, and the canal project itself, were all part of that great undertaking. In its relentless desire to change the entire configuration of the Middle East, the Zionist movement had, for nearly 50 years, been engaged in displacing the Arab population of Palestine and other Arab territories with the aim

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\*In accordance with the decision taken by the Committee at the meeting, the full text of this statement will be issued as a document.

(Mr. Bedjaoui, Algeria)

of establishing an exclusively Zionist entity. The colonization of the occupied territories, imposing a demographic imbalance by the use of force and pressure, was a consequence of settler-colonialist logic.

16. Control of water supplies, the first stage of which was the appropriation of all of the Jordan waters, would give the occupiers a hold over the economy of the entire Middle East. Hence the importance of the project to build a dam to the north of Lake Tiberias to divert the Jordan towards the coastal areas and to compensate for the loss of its flow into the Dead Sea by linking that sea with the Mediterranean. Arab farmers who depended on the Jordan for irrigation would then be forced to abandon their land. The policies and practices of the Zionists with respect to water resources in the West Bank had already transformed dozens of villages which had subsisted on agriculture before 1967 into "dormitory villages" providing Zionist industry with workers to perform the most demeaning tasks. Furthermore, as stated in paragraphs 19 and 20 of the report of the Secretary-General on permanent sovereignty over national resources in the occupied Arab territories (A/36/648), it appeared inevitable that the Zionist entity would once more reduce the already very limited amounts of water being used by the Arab inhabitants. The canal project, in that context, invoked grave consequences for the future status of the territories and the economic prospects of their inhabitants. The arrival of thousands of Jewish immigrants to settle in the projected industrial towns along the banks of the canal and the submersion of Arab agglomerations close to the Dead Sea would incontestably lead to new confiscations of Arab property and new displacements of population.

17. Economically speaking, the canal would considerably prejudice the rights and interests of Jordan and of the Arab potash company. The spillage of nuclear waste from the Zionist nuclear power station at Dimona into the canal and the Dead Sea could be expected to have deleterious effects on the environment.

18. The Zionist initiative was full of dangers and devoid of legitimacy, and it constituted a new defiance of the international community and of established norms of behaviour. None could remain insensitive to the outrage done to the elementary rules of war by such large-scale measures undertaken with raucous publicity to perpetuate the results of an illegal occupation. The diversion of the Jordan after the 1967 war had already been a violation of the general principle of international law that a river basin was a natural and indivisible unit. The Zionists had also already arrogated to themselves "rights" in the Gulf of Aqaba and the Straits of Tiran, an area which did not have the character of an international waterway.

18. The proposed canal opened a new chapter in the control of the waterways of the Middle East. The history of ship canals was already too fraught with conflicts for its construction not to constitute an additional threat to security in the region. Such canals had only been of benefit to the international community when the legal régime governing them had been spelt out more clearly and when the sovereignty of the territorial State had not been violated. The decision to build a canal in territory acquired by force was, therefore, illegal under international law and incompatible with universally accepted principles on the matter. The Charter of the United Nations had promoted the principle of the inadmissibility of the

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acquisition of territory by force and that of the non-recognition of situations resulting from the use of force. Moreover, the law, including that branch of the law applicable in times of armed conflict, set limits to the administrative powers exercised in territories under occupation and excluded any prerogative of free disposal from the powers exercised by the occupiers. Sovereignty over the territories in question belonged solely to the Palestinian people, and the construction of the proposed canal was therefore a kind of second-degree violation of that sovereignty. All of those considerations underlined the particularly unacceptable character of the decision of the Zionist leaders, which should be resolutely denounced by the international community. The unlawful character of the act, while depriving the claims of its author of any legitimacy, also made it incumbent upon third parties to refrain from encouraging, either directly or indirectly, the perpetration of the crime. Those who did so would be held responsible before the international community.

19. Over and above considerations of international law and ethics, of which the Zionist entity had never taken account, it was the political significance of the initiative that demanded a prompt reaction on the part of the General Assembly. The proposed construction was only one of a series of such initiatives, all of which bore witness to defiance of the will of the international community and to an unquenchable thirst for power. The political significance of such a project and its hidden motives shed a glaring light on the persistent predilection of the Zionist leaders for its accomplishment. That initiative was a cunning attempt to focus attention on secondary aspects of the Middle East crisis and distract it from the central element represented by the Palestine question.

20. As long as determined action was not taken to ensure respect for law and justice, the Zionist entity would feel encouraged by its impunity to persist. Its denial of the inalienable national rights of the Palestinian people and of that people's representation by the Palestine Liberation Organization (PLO) remained the direct cause of the explosive situation in the Middle East. The decision to build a canal was another proof that the Zionist entity was intent on creating more obstacles to a comprehensive, just and definitive solution. In condemning the projected fait accompli, the United Nations would frustrate that adventurism which had already done too much damage and lasted far too long.

21. Mr. KA (Senegal) requested that the statement of the representative of Algeria should be reproduced in extenso.

22. The CHAIRMAN recalled that the General Assembly had once again decided, at its 4<sup>th</sup> plenary meeting of the present session, that the Special Political Committee could obtain, on specific request, transcriptions of the debates of some of its meetings or portions thereof. If he heard no objection he would take it that the Committee had decided to approve the request of the representative of Senegal.

23. It was so decided.

24. Mr. LAMDAN (Israel) requested that, in the interest of fairness and even-handedness, his own statement should also be reproduced in extenso.

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25. Mr. NUSEIBEH (Jordan) said that he had presented the case for Jordan, which would be the immediate victim in the matter under discussion, and yet had not asked for his statement to be reproduced in extenso because of the financial implications of such a request. Both Jordan and Israel had had ample opportunity to express their views in the Committee and in official documents circulated by the Secretariat. The statement of the representative of Algeria should be singled out for reproduction in extenso because of the new light it cast on the ramifications of the Israeli project from the point of view of international law. Many representatives were not thoroughly familiar with all aspects of the situation. If any and every statement made in the Committee was to be reproduced, that would lead ultimately to verbatim coverage of all its deliberations, which would be costly, unworkable and unnecessary. He therefore opposed reproduction in extenso of the statement of the representative of Israel.

26. He requested that the vote on draft resolution A/SPC/36/L.32 should be postponed to allow time for consultations among the various groups of States in order to reach a consensus on its wording.

27. The CHAIRMAN said that the representative of Jordan had raised the question of financial implications with respect to the reproduction of statements in extenso. Transcriptions were prepared from sound recordings directly from the interpretation and only when typists were not otherwise occupied. No translation work was involved and no overtime, and therefore no additional costs were incurred.

28. Mr. NUSEIBEH (Jordan) insisted that the Israeli Mission should circulate its representative's statement on its own initiative, which was what the Jordanian Mission intended to do with his statement. For the Committee to do that would be unfair and create a dangerous precedent. The Algerian statement had provided important new information, while the views of his own and Israel's delegation had already been widely publicized.

29. Mr. LAMDAN (Israel) said that he had made his request in the interest of equity and justice, for Israel stood alone against all the Arab States. His request would not create a precedent. In the Special Political Committee's debate on Israeli practices in the occupied territories at the thirty-second session of the General Assembly, statements by Sri Lanka, Kuwait, Syria and Israel had all been reproduced in extenso.

30. Mr. HAMDY (Saudi Arabia) said that he wished formally to oppose Israel's request and to propose that a vote be taken on the issue.

31. Mr. KANAKARATNE (Sri Lanka) said that he feared that Israel was creating a dangerous precedent. If all delegations asked for their own statements to be reproduced in extenso, the Committee would face an untenable situation. The Algerian statement had been requested in extenso because it provided valuable new information.

32. The CHAIRMAN suggested, as a possible compromise, that the Algerian, Israeli and Jordanian statements should all be reproduced in extenso.

33. Mr. LAMDAN (Israel) informed the representative of Sri Lanka that the record of proceedings at the thirty-second session of the General Assembly showed that a

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precedent already existed. However, in the interest of equity and justice, that representative might wish to request for him that the Israeli statement be reproduced in extenso.

34. Mr. CABRAL (Guinea-Bissau) urged that the Committee should abide by its rules of procedure. Two delegations had already formally opposed Israel's request and that request should now be overruled, or, as the Saudi Arabian representative had suggested, a vote should be taken on it.

35. Mr. HASOON (Iraq) said that if all delegations were going to request that their statements be reproduced in extenso, he would request that his forthcoming statement and that of Saudi Arabia also be reproduced in extenso.

36. The CHAIRMAN suggested that the meeting should be suspended to permit consultations on how to resolve the issue.

The meeting was suspended at 12.30 p.m. and resumed at 1.05 p.m.

37. Mr. GEENS (Belgium) proposed that, in order to conclude the Committee's work in the best possible spirit, the statements of the entire meeting should be reproduced in extenso.

38. Mr. KANAKARATNE (Sri Lanka), speaking in exercise of the right of reply, informed the representative of Israel that the Sri Lankan statement on Israeli practices at the thirty-second session had been reproduced in extenso at the request of a delegation other than his own. His delegation would never have been so immodest as to request that its own statement be reproduced in extenso.

39. Mr. HAMDI (Saudi Arabia) reiterated his request for a vote on the Israeli request.

40. Mr. LINDSTROM (Norway) observed that, in the interests of a minimum of even-handedness, all delegations should have the right to express their views in the United Nations whether other Member States agreed with them or not. He felt that there should not be discrimination against Israel and therefore suggested that the Israeli statement be reproduced in extenso so that the positions of both sides were publicized.

41. The CHAIRMAN appealed to the Committee to endorse the proposal made by Belgium.

42. Mr. NUSEIBEH (Jordan) expressed regret that a procedural matter had become politicized and partisan as a result of the Israeli request. If anyone was entitled to request in extenso publication of its statement it was Jordan, yet it had not done so. There was no reason why the Israeli Mission, like the Jordanian Mission, should not publicize its statement itself. It was not a question of Israel being opposed by all the Arab nations but of Jordan and the Palestinians, as members of the community of nations, being the victims of Israeli aggression. He was not seeking to restrict the free flow of information, since it would be perfectly easy for the Israeli Mission to circulate its statement itself.

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(Mr. Nuseibeh, Jordan)

43. The Algerian statement had provided fundamental insights into the question and its reproduction in extenso had been requested for that reason and not for partisan reasons. He deplored the Israeli representative's assumption that the Arab States were acting out of spite. Those countries were not afraid of hearing Israel's views, for they knew that they and not Israel were in the right.

The meeting rose at 1.15 p.m.