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SPECIAL POLITICAL COMMITTEE  
38th meeting  
held on  
Wednesday, 21 November 1984  
at 3 p.m.  
New York

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SUMMARY RECORD OF THE 38th MEETING

Chairman: Mr. DIALLO (Guinea)

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ORGANIZATION OF WORK

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/39/339, 501, 527, 532, 591, 620, 665; A/SPC/39/L.22-L.29)

1. Mr. DIRAR (Sudan) said that once again the United Nations was considering the dangerous situation stemming from the persistent denial of the fundamental rights of the inhabitants of the occupied Arab territories by the occupying authorities, in contempt of the United Nations Charter and the Geneva Conventions. Israel, by refusing to co-operate with the Special Committee, was confirming its opposition to General Assembly resolutions and violating the rights to justice and freedom which were part of human values and principles even in the most tragic moments of human experience.

2. Israeli practices had brought the world to the brink of catastrophe, and continuing terrorist acts against the Arab population heightened the tyranny and made war a possibility in the region. It had thus far been shown that Israel's designs were to annex the Arab territories permanently to the Israeli entity, in complete contempt of the United Nations Charter, and it should be added that the Zionists were intending to depopulate the Arab territories, thus removing any obstacle in the way of Israeli expansion. It was no coincidence that points of similarity existed between the policies followed by the apartheid régime of South Africa and the Israeli practices in the occupied Arab territories. In both cases, it could be seen that a racist ideology was being used in conjunction with the arrogance of military power to oppress the legitimate owners of those lands and eventually annihilate them. The United Nations and the international community had to deal with that situation.

3. The entire world was aware of the suffering that Fascist practices had brought to mankind, and the Israeli representative had sought to give a historical explanation based on the Zionist view of the region's history. The Committee, however, was not concerned with remote periods of history but with what was happening at the moment in the territories occupied by Israel. It should be remembered that it was also customary for occupying and colonialist peoples to seek to paint a flourishing picture of the territories under their domination; the colonial pretext currently used by the representative of Israel to justify its presence in the territories had no more validity than that. Israel had described Arab resistance as terrorist activity. It would be recalled on that score that the French resistance had received the commendation of the entire world. It was natural for the Arab population to resist oppression, because violence engendered violence and resistance was the only legal right with which to confront aggression.

4. There could be no remedy for the situation created by its expansionist policies in the Middle East until Israel withdrew completely and unconditionally from all occupied territories, permitted the Palestinians to recover their national rights and recognized the Palestine Liberation Organization (PLO) as their sole and authentic representative.

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5. Mr. ZAHAWI (Iraq)\* said that he would comment on the statements by the Zionist entity.
6. Mr. BARROMI (Israel), speaking on a point of order, objected to the use of the term "Zionist entity" and asked that his country be referred to by its official name, in accordance with the United Nations Charter and the rules in force.
7. Mr. ZAHAWI (Iraq) said that there was no rule on the matter, pointing out that it was the usage of most of the Member States of the United Nations to refer to South Africa as the racist Pretoria régime. The State of Israel could be considered a State when it rescinded its legislation annexing the Golan Heights and Jerusalem and renounced the annexation of the occupied territories.
8. On 23 September 1977, the adviser to the Israeli Prime Minister for foreign information matters had issued various directives, to be followed in public speeches both in Israel and abroad, regarding certain place names and other terms. He had indicated that the names "Judea and Samaria" should be substituted for the name "West Bank", and that the word "annexation" should never be used but rather "inclusion" or "application of the law of Israel", as appropriate, when referring to the so-called territories of Judea, Samaria and Gaza; all of which demonstrated Israeli expansionism.
9. In response to the Israeli representative's question as to why the Judaization of the region was said to be bad in itself and the Arabization good in itself since the Jews had lived in the region for more than 2,000 years, he recalled that Moshe Dayan, in a speech made before the Technological Institute of Haifa and published on 4 April 1969 in Ha'aretz, had said that when the Jews had arrived in the land to form a State the place had been inhabited by Arabs, but he added that now no Arab villages existed there nor any geography texts in which the names of those villages could appear. In those places not a single Arab vestige subsisted. Dayan's views were a sufficient reason for the Arab world and the world in general to consider that Judaization was evil.
10. He repudiated the Zionist claims of a "historical right" to Palestine, since it had neither a juridical nor a de facto basis. To claim a territory after 2,000 years had passed was an absurdity; moreover, Palestine was the land of the Palestinians who were the descendants of the Philistines and other tribes which had inhabited that region until 1948, when the majority of them were forcibly displaced by Jewish terrorism.
11. Countering the Israeli claim to the Holy City of Jerusalem, he cited a sermon preached on Palm Sunday of 1972 in the Cathedral of Washington, in which it had been stated that the Jews held everything including the city of Jerusalem, as if it belonged to them even though it did not, any more than it belonged to any other

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\* The full text of this statement will be issued as document A/SPC/39/PV.38.

(Mr. Zahawi, Iraq)

people. The newspaper Washington Star had also published on 27 March 1972 comments made by high church officials of various religions insisting on the universal character of the city of Jerusalem, which was still the case.

12. On various occasions, the Israelis had used the argument that the Palestinians lacked an identity as a people, and had gone so far as to say that they did not exist, as Golda Meir had asserted in an interview published in The Sunday Times of 15 June 1969.

13. Yet the real question should be whether a "Jewish people" actually existed, where it originated and how many different languages it spoke. In that connection, he cited the protests by representatives of countries with a sizeable Jewish population, such as Hungary, Brazil and Belgium, against the repeated attempts by Israel to set itself up as a spokesman for the Jews of the entire world. In a letter addressed to Rabbi Elmer Berger, published in the Digest of International Law in 1967, the then United States Under-Secretary of State, Phillips Talbot, had declared that the Department of State did not consider that the concept of a "Jewish people" was a concept of international law.

14. The representative of Israel had asserted that the terms "Judea and Samaria" had been used in important documents like General Assembly resolution 181 (II), when, in fact, the resolution was full of references to Palestine and the reference to Judea and Samaria was used to indicate the frontiers of the Arab State. That was one more example of Zionist distortion, and yet another was the attempt by the representative of Israel to distort Security Council resolution 237 (1967), which had called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and had recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions.

15. He cited various texts to support the mention in the report of medical experiments carried out on prisoners, and reiterated that textbooks studied by children in Israeli schools provided a totally distorted view of Arabs as inferior and brutal beings, in contrast with the civilized Israelis, thus creating a new type of anti-Semitism, which this time affected a different branch of the Semitic family. That was the tolerance of which Israel made so much: no other country in the world distributed that type of literature, since the spreading of ideas or theories based on the superiority of one race was expressly prohibited in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination.

16. On the topic of Israeli settlements, Israel had stated that the settlements had improved the standard of living of the population. In reality, any improvements the Israelis might have been able to achieve were due exclusively to investments by the United States of America and donations by Jews who lived outside Israel, but the West Bank had never received funds to promote development of its economy.

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(Mr. Zahawi, Iraq)

17. Referring to the discrimination before the law from which the Palestinian population in the occupied territories suffered, he cited various cases of Jewish terrorists sentenced to 10 years for serious crimes including murder, while Palestinian children were condemned to 20 years in prison, had their houses blown up and received other punishments for throwing stones at Israeli vehicles.

18. The repression and maltreatment to which Palestinians were subjected gave rise to the conclusion that the State of Israel intended to take possession of the occupied territories and oblige the Palestinians to leave or to work for absurdly low wages, without any civil or political rights. The injustice of the situation, which, because of the instability of the region, could lead to a third world war, represented a danger for the future of the region and the world itself.

19. With regard to the situation of Palestinian workers in the occupied territories, the speaker indicated that many Israeli employers, to save transport costs, forced them to spend the night in their factories, under guard and behind barbed wire, since they were forbidden to remain overnight in Israel.

20. The story that Arabs had initiated the attacks of 1947, 1967 and 1973, had been unmasked more than once and there was no point in trying to persist with it. Israel's own leaders and generals had recognized that: in May 1948, confident of the military superiority of Israel, Ben Gurion had given his military staff the strategic objectives of crushing Lebanon, Jordan and Syria, creating a Christian State in Lebanon and bombing Egypt if necessary.

21. In his memoirs, published in 1970, Ben Gurion denied that Palestinian Arabs had an emotional link with their land, so he could see no moral wrong in displacing them, by force if need be. The same ideas continued until the present, with consequent risk to the international community.

22. Mr. OULD CHEIKH EL GAOUTHE (Mauritania) said that the reports of the Special Committee and of the Secretary-General reflected the continuing rejection by the Israeli Zionists of all positive co-operation and anything which might put an end to the suffering of the Palestinian people. General Assembly resolutions, instruments of international law, the Arab Plan of Fez, the peace plan of President Reagan of the United States, the right of the Palestinians to self-determination and the existence of the PLO, were very secondary problems for the Zionists.

23. The Israeli Zionists continued to violate with impunity the spirit and the letter of the four Geneva conventions and their additional protocols, relating to the protection of the victims of armed conflicts. In the view of the Mauritanian delegation, it would be useful if the Secretary-General initiated consultations with a view to adopting the necessary measures to convene a conference of plenipotentiaries to deal with the flagrant and permanent violations by the Zionist State of the objectives of those conventions.

24. Mauritania condemned the hegemonistic and expansionist aspirations of the Zionist State. It likewise strongly condemned the intent of the imperialists and

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(Mr. Ould Cheikh El Gaouthe, Mauritania)

Zionists to some discord in the ranks of the Palestinian fighters, which could lead to the destruction of the PLO. It therefore called on all Palestinians to be aware of the seriousness of the conspiracy contrived against them and their sacred cause, and to unite under the legitimate leadership of the PLO. It also called on the remainder of the Arab peoples to present a united front to the Zionist enemy, with the aim of liberating Palestine and the other occupied territories.

25. His delegation hoped that the children of those who had created the burden of misery of the Palestinian people, once they had reached adulthood, would put a definite end to the misfortune and sufferings which the innocent Palestinian people had undergone for almost 40 years. It was not enough to be content with solving problems "around" Palestine, because the problem and its solution were in Palestine itself. He requested that the statement made by the representative of Iraq at the current meeting should be circulated as a Committee document.

26. Mr. HASSAN (Djibouti) supported that request.

27. The CHAIRMAN recalled that the General Assembly had approved the recommendation of the General Committee that during the current session the Special Political Committee should again be authorized to receive, following a specific request, transcriptions of the debates of some of its meetings, or portions thereof. Those transcriptions did not entail any additional budgetary expenses as they were prepared by verbatim reporters and typists from the tapes when the staff concerned were not otherwise occupied in servicing meetings normally provided with verbatim records. Consequently, they might appear at a later stage than the summary records which, as the official records, were complete records of the Committee's proceedings. If he heard no objections, he would take it that the Committee acceded to the request.

28. It was so decided.

29. Mr. VIKIS (Cyprus) said that the fifteenth report of the Special Committee (A/39/591) showed the continuing plight of the population and the deteriorating situation with regard to human rights in the occupied territories. No progress whatsoever had been made in eradicating the problem, despite the debates provoked by the previous reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, the condemnation of Israeli practices and the adoption of resolutions and decisions by the Security Council and the General Assembly. The reason was not exclusively the refusal of the occupying power to respect the human rights of the civilian population in accordance with international law, but also its refusal to put an end to the occupation of foreign lands. Statements by various members of the Government of Israel reflected its unequivocal intention to annex the territories it had occupied in 1967 (para. 328). The annexation and settlement policy had resulted in the promulgation of numerous military orders and legislation concerning property and access to water, and the application of measures which adversely affected freedom of expression, freedom of movement and academic freedom.

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(Mr. Vikis, Cyprus)

30. The Palestinian and Arab population of the occupied territories were the victims of an expansionist policy which could have grave consequences for the region and for the entire world. It was the duty of the international community to demand that Israel and all others who occupied foreign lands should comply with the relevant resolutions and decisions of the United Nations.

31. As a member of the Movement of Non-Aligned Countries, Cyprus had repeatedly stated its position on the item under consideration. In September 1984, the Minister for Foreign Affairs of Cyprus had told the General Assembly that his Government sought strict adherence to the principle of the inadmissibility of the acquisition of territory by force and the total and unconditional withdrawal of occupation troops from all Palestinian and Arab territories occupied since 1967 (A/39/PV.8, pp. 78-80).

32. Mr. SHEHATA (Egypt) said that the Special Committee's report (A/39/591) was full of reliable information on such practices as annexation and settlement and on the activities of Israeli settlers in the occupied territories.

33. The situation in the Middle East continued to be dominated by the Arab-Israeli conflict, which was marked by frequent wars and human suffering. The future of the west Bank and Gaza Strip remained the central issue in that conflict. The construction of settlements in those areas by the Israeli Government generated a vicious circle of violence that dehumanized Arab-Jewish relations. The occupation of those territories had become a régime of oppression. The Israelis treated the Palestinians as a minority, with a separate system of courts and a series of legal provisions that prevented them, among other things, from digging wells, starting businesses or banking money.

34. Inside Israel itself, a moral crisis had resulted from the prolonged colonization of the occupied territories. Israel's brutal treatment of the Palestinians was dividing Israeli society and concern was being expressed in universities and in the Israeli press at the erosion of moral values. What was most shocking to intellectuals was the support given to Israeli soldiers and border guards, as well as to new murderous fanatics of the settlers' movement, when they committed crimes of violence against the Palestinians.

35. Israel had refused consistently to recognize the West Bank as occupied territory and had taken action to alter the land ownership law. The military authorities had attempted to legitimize acts which were considered necessary for security or other reasons. What had begun as a temporary occupation régime had become a permanent situation, which was provoking opposition and peace rallies in Israel itself.

36. The issue of settlements was not just a matter of statistics. Both the Israeli and the Palestinian peoples felt that their historical heritage was at stake. The Israelis had been able to build a State on part of the land, in which they could develop their culture, economy and society, but the Palestinians in the West Bank and Gaza Strip also wished to defend their own literature, art, music, customs and national aspirations.

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(Mr. Shehata, Egypt)

37. The International Center for Peace in the Middle East at Tel Aviv had analysed carefully the human rights situation in the occupied territories from 1979 to 1983 and had declared that it was unjust to inflict on other human beings the sufferings experienced by the Jewish people in the past.

38. It was deplorable that the Israeli Government had suppressed the findings of the report of the Karp Commission for 20 months, despite Knesset requests for its release, a situation which had led Karp to resign as Chairman of the Commission, which had been set up to investigate anti-Arab activities by Jewish settlers in the West Bank.

39. According to the magazine World Jewish Affairs, the Karp report was an indictment of the failure of Israel's army and police to prosecute Israeli settlers who openly challenged the law. The impression left by the report was that the problems of violence and counterviolence, terror and counterterror in the occupied territories were the inevitable result of friction between the occupying régime and a subject population, the Palestinians.

40. Despite the frequent use of collective punishment, the military Government had been unable to prevent all manifestations of Arab hostility and there were indications that repressive measures would be intensified. Whether such measures would pacify the West Bank or increase Arab hostility remained to be seen.

41. Those in charge of educational institutions found it difficult to prepare study programmes and make long-term plans when they had no means of knowing whether their premises would remain open or be suddenly closed, whether permission for new facilities would be granted or refused, whether examinations would be held on time, or whether divisions within the student community or between students and faculty would exacerbate an already difficult situation. The international community, through the United Nations and other organizations, must ensure that a defenceless people was not the victim of discriminatory treatment in the field of education.

42. Just as the Jews had finally achieved the State for which they had yearned so long, the Palestinians had the same aspirations to a homeland, an identity and self-determination in the land on which they had lived for generations. The Palestinians deserved a homeland that, like Israel, would be a beacon to a scattered people even if it could not absorb them all. The West Bank and Gaza Strip were the only available foundations for that home.

43. The Israeli-Palestinian conflict had already entered a new and more sinister phase which required a total re-evaluation of all previous conceptions and the formulation of new policies by all sides.

44. Mr. SALLAH (Jordan) said that, from studying the report, he could see that only one thing had changed: the situation had deteriorated since the previous year's report. Israel continued to pursue its plan of Judaization and expansion and to implement policies and practices aimed at making life impossible for the Arab population so that they would abandon their lands, enabling Jewish settlers to move in.

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(Mr. Sallah, Jordan)

45. Paragraph 32 of the report showed clearly that Israel interfered in every aspect of education and cultural life in the occupied Arab territories, confiscating books, detaining students and teachers and closing schools and universities. In addition, Israel was changing the names of Arab towns and the teaching of Arab history and the geography of Palestine in order to deprive the Palestinians of their Arab identity and personality and stamp out that identity in the occupied territories. That represented a serious violation of human rights.

46. The ill-treatment to which the inhabitants of the occupied territories were subjected was not restricted to that aspect of their lives, but also extended to other fundamental areas. Medical treatment was virtually non-existent, because the lack of hospitals and clinics was compounded by the high cost of health services. The health problem was also exacerbated by a lack of water in many towns and villages as a result of the establishment of Israeli settlements (paras. 38 and 61 of the report).

47. Israel was also making difficulties for Arab farmers in order to sabotage their agricultural production (paras. 38 and 57). All such actions were aimed at strangling the Arab economy in the occupied territories by means of such outrageous policies as the exploitation of the Arab inhabitants as cheap labour and as a market for the sale of goods.

48. Israel had seized approximately 60 per cent of the land in the West Bank and Gaza Strip on a variety of pretexts. The settlements policy had many aspects, but its basic objective was to fragment the demographic and geographical unity of the Palestinian people in the occupied territories. That colonialist activity also had a racist aspect, which derived from Zionist ideology. Thus, the head of the Settlement Department had stated that the Arab presence and the growth of the Palestinian population in Jerusalem were like a cancer. Against that background it was impossible to believe that Israel wanted peace or was making any effort to achieve it since its settlement plans simply hindered the arrival of peace.

49. That made one wonder about those who were financing Israel's settlement activities and their responsibility for peace in the Middle East. Such financing came largely from the United States in the form of economic aid and donations to Israel.

50. Israeli practices which violated the human rights of the population of the occupied territories also included the use of terrorism against the Arabs by Israeli citizens and official forces of the occupying Power, which was systematically repressing the Palestinian people by such means as collective punishment involving the demolition of houses, the imprisonment of entire families and the closure of schools and universities, as well as reprisals, expulsions and deportations (paras. 86-130). As such practices had evidently not been sufficient to force the population of the occupied territories to emigrate en masse, Israel was resorting to new practices which exposed every Arab to fear, terror, need and humiliation.

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(Mr. Sallah, Jordan)

51. The policy of hate and fear pursued by Israel was accompanied by another policy which was designed to reduce the Arabs of the occupied territories to a situation of economic deprivation. The alleged economic prosperity of the West Bank was simply propaganda. Moreover, Israel had been practising various forms of humiliation and hegemonism. Palestinians were being subjected to a kind of apartheid, for they were treated as second-class citizens. Israeli practices affecting the human rights of the population of the occupied territories included land confiscation, economic strangulation, the levying of illegal and absurd taxes, the imposition of an unfair legal system and the routine demolition of Arab homes.

52. The statement made by the representative of Israel in the Committee on 20 November 1984, in which he had attempted to justify the Judaization of the occupied territories, was a further example of Israel's attempts to divert attention from the item under consideration by distorting the facts. The representative of Israel had denied the existence of the very serious problem of the occupation of the Arab territories and, in fact, the right of the Palestinian people to self-determination. In the light of those denials, he wondered how Israel's appeal for peace could be taken up.

53. The representative of Israel had distorted and misrepresented the history of Palestine and the Arab-Israeli conflict. It was clear that he did not understand the brotherly ties which existed in the Arab world and that he was trying to provoke discord and distract attention.

54. The representative of Israel had made an absurd comparison between the situation now prevailing in the occupied Arab territories, particularly the West Bank, and the situation during their independence. For instance, he had mentioned the increase in school attendance between 1967 and 1983, forgetting that the number of schoolchildren was bound to have increased in the intervening 17 years. He had also mentioned the increase in water use, without explaining that it was the settlers who received most of the water while Arabs were denied access to it.

55. In order to justify the settlements policy, the representative of Israel had emphasized the emotional bond between settlers and the land, and their religious motivation. However, the Government of Israel was known to offer financial incentives to potential settlers, often with funds from abroad, and that the settlements were simply military outposts.

56. In order to explain Israeli interference in the educational system of the occupied territories, the representative of Israel had claimed that the principles of international law permitted such intervention by the occupying Power. It would seem that the Government of Israel was prepared to recognize its role as occupying Power when it could find no other pretext to justify its actions, but was not prepared to fulfil the obligations that went with that role.

57. In conclusion, Israel's basic aim was to Judaize the occupied territories and expel their Arab population by every possible means; such an aim was contrary to peace and to any possibility of achieving it.

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58. Mr. BARRET (United States of America), referring to the Committee's decision to reproduce in extenso the statement made at the current meeting by the representative of Iraq, requested that the statement made at the 35th meeting by the representative of Israel also be reproduced in extenso.

59. Mr. ZAHAWIE (Iraq) supported the request by the United States representative.

60. Mr. ABOUCHAER (Syrian Arab Republic)\*, referring to the request by the United States, said that it was regrettable that the prestige of that country was being placed once again at the service of a régime which the international community condemned for the crimes which had prompted the Committee to consider the item. Nevertheless, there was a positive side to that request: the reproduction in extenso of the statement by the representative of Israel would add to the documentation which would be used to condemn Israeli terrorism and practices in the occupied Arab territories, for which that country would be held accountable before any tribunal entrusted with formally judging Israel's crimes.

61. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee decided that the statements of both Iraq and Israel would be reproduced in extenso.

62. It was so decided.

63. Mr. CHAMMAS (Lebanon) requested that the statement by the representative of Syria be reproduced in extenso.

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64. The CHAIRMAN announced that the list of speakers on the item was open.

ORGANIZATION OF WORK

65. The CHAIRMAN announced that draft resolutions A/SPC/39/L.22 to L.29 would be considered on Thursday, 29 November and suggested that statements in exercise of the right of reply on item 71 should be postponed to Friday, 23 November. If he heard no objection, he would take it that the Committee had decided to postpone rights of reply to the date mentioned.

66. It was so decided.

The meeting rose at 6.40 p.m.

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\* The full text of this statement will be issued as document A/SPC/39/PV.38.