

United Nations

GENERAL ASSEMBLY

THIRTY-FOURTH SESSION

Official Records*



SPECIAL POLITICAL COMMITTEE
45th meeting
held on
Friday, 7 December 1979
at 10.30 a.m.
New York

VERBATIM RECORD (PARTIAL) OF THE FORTY-FIFTH MEETING*

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

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* Circulated pursuant to a decision taken at the 45th meeting. The full record of the meeting has been issued as document A/SPC/34/SR.45.

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Distr. GENERAL
A/SPC/34/PV.45
14 December 1979

ENGLISH

AGENDA ITEM 51 (continued)

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE
HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES

Mr. SAYEGH (Kuwait): I wish at the outset to join in the well-deserved tributes that have, since the opening of this discussion, been paid by so many delegations to the Chairman and members of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, and also to its able staff, for the thorough, objective, informative and revealing report that is before us this year.

In the judgement of my delegation, this year's report surpasses all previous reports submitted by the Special Committee, and leaves very little room for delegations like my own to supplement the information provided by it to the Special Political Committee. At previous sessions, my delegation, and other delegations, endeavoured to enrich the information contained in the Special Committee's report, but at this session this will hardly be necessary. This is a happy observation, which will make it possible for me to be brief this year, for a change.

Rather than reiterate or draw further attention to something already provided in the report, I should like instead to identify some of the ominous trends revealed by the information contained in the report of the Special Committee, trends which have manifested themselves during the year under review in that report, and to seek to link these trends and find their significance against the political background of that period. I should like to refer to six or seven of these trends, information on all of which is abundantly supplied by the report.

First and foremost is the fact that the application of the policy of establishing settlements or colonies in the occupied territories has been intensified in the year under consideration. The existing settlements have been energetically expanded, new settlements have been established all over the place and not in carefully selected portions of the occupied territories as in the past; the infrastructure for future settlements is being energetically laid down; plans and budgetary appropriations are being carefully made for further increases in the settlement and colonization programme. That is the first manifest trend that we have witnessed during the past year.

Closely related to that trend and instrumentally associated with it is the second trend of increasing the area of land, both public and private, in the occupied territories, to which the Israeli Government has laid claim and which it has turned over to settlers and colonists to settle on or to expand their existing colonies into. My delegation fully concurs with the observations made in the report of the Special Committee to the effect that the distinction that the Israeli authorities seek to make between privately-owned land and public land, or the further distinction between cultivated land and non-cultivated land are irrelevant to the rules of applicable international law, which prohibit all confiscation of all land, particularly for the purpose of colonization.

Neither do we derive great comfort from the recent judgement by the High Court invalidating one decision to establish one colony, for in that very judgement the Court supported and endorsed the authorities' contention that they are entitled to create colonies in the occupied territories. It only differed with the authorities' judgement in that particular case over the technicality of whether that particular piece of land was confiscated and turned into a colony for security reasons or for ideological and political reasons. The Supreme Court in Israel has endorsed the violation by the Israeli executive authorities of the applicable rules of international law.

Closely related to that second trend is the third trend, which is the increasing control over the water resources in the occupied territories. It is clear, as many observers have commented that in the occupied West Bank whoever controls the water controls the West Bank; whoever controls the water can decide who lives and who does not live on the West Bank, and the Israeli authorities have institutionalized their control over the water resources and have discriminatingly exercised that control in such a way as to give the colonies, with

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a small minority illegal alien population, access to all the water they need, while depriving the indigenous Palestinian population of water that many of them need for irrigating their crops and as a result of which many have lost their livelihood. This ominous phenomenon of squeezing out the agricultural population of the West Bank by depriving it of access to its water resources and either turning it into hired labour in Israel or forcing it into exile - this ominous development is also related to the earlier trends about which I have spoken.

The fourth associated trend is the lifting of the ban on the purchase of land in the occupied territories by individual Israelis and by Israeli corporations. Moral sophistry has been injected into the attempt to justify this violation of international law by saying that it would be unthinkable to make the West Bank Judenrein; it would be unthinkable to prevent Jews from purchasing land in the occupied West Bank. The question is not whether the prohibition of the purchase of land and transfer of land in the occupied territories was connected with the identity of the purchaser. It is not that the prohibition under international law prohibits only Jews from buying land in occupied territories. It prohibits the occupying Power from permitting anyone to purchase land in the occupied territories. What Israel is doing is itself discrimination. It is giving Jews, just because they are Jews, privileges that international law denies everyone else. In an attempt to claim that it is opposing discrimination Israel is committing discrimination.

The fifth trend that has manifested itself over the past year is the administrative change of creating regional and local councils to administer the affairs of the Israeli colonies in the occupied territories. This has been interpreted as an attempt to guard against the day when the West Bank and Gaza may come to enjoy the "autonomy" spoken of in the Camp David agreements, an attempt to ensure for the Israeli settlers illegally introduced into the area autonomy within the autonomy and to enable them to act as a parallel autonomous body to the autonomous body of the indigenous Palestinian population of the West Bank and Gaza.

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The sixth trend to which I should like to refer and on which abundant information also is available in the report before us is the emergence of organized Israeli terrorism in the West Bank and Gaza. Marauders and armed bands have acted as though they have a licence to kill and maim and destroy property whenever they choose, wherever they choose in the West Bank and Gaza. If the population of a village stands in their way, they go in the still of the night and tear down its vineyards, its means of livelihood, and destroy its ability to continue to make a living. If the youths of a village are particularly proud to be Palestinians and refuse to bow down to the occupation, these marauders, these Israeli terrorists, carrying arms which the Palestinians are prevented from carrying, give themselves the licence to go and kill and maim at random. The stories of the events that have taken place in the past year, of this expanding pattern of terrorism against the defenceless, unarmed, unprotected civilian population of the West Bank and Gaza, are ominous indeed.

These are not acts of irresponsible individuals alone. They are acts that have been encouraged, that have been aided and abetted, by a climate of licentiousness created by the authorities through their leniency towards convicted criminals in the occupied territories. The Chief of Staff has given himself the dubious distinction of exercising such leniency whenever the lives of Arabs have been involved, in the hands of criminals under his command. Lieutenant Pinto, Lieutenant-Colonel Sabeh and Private Lederman, murderers convicted by the courts, had their sentences reduced to ridiculous dimensions by the Chief of Staff. A murderer of four prisoners by strangulation following torture had his sentence reduced to two years and, after time off for good behaviour, he was released in 17 months - if my arithmetic is correct, four months and one week for each human life he took by torture and strangulation. I quote here from David Krivein in The Jerusalem Post:

"This period of two years to which one after the other of these criminals had their sentences reduced is the same judgement imposed on a Batyan civilian for selling bogus car insurance certificates."

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That is the value of human life, as long as it is the lives of Palestinians that are concerned, in the eyes of the Chief of Staff. And when the terrorists of the Gush Emunim see that this is the attitude of the authorities, when they see that the Chief of Staff was vindicated by the Defence Minister, by the Prime Minister, by the Cabinet and by Parliament after his reduction of these sentences caused an uproar, then these criminals, these Israeli terrorists, become emboldened and encouraged to persist in their deeds.

There are stories of this leniency on the part of the authorities that show their complicity in these acts of terror.

I will not burden the Committee with too many such stories, but will content myself with one which appeared in The Jerusalem Post, international edition, for the week of 19 to 25 August:

"The police last week released two Eilon Moreh girls arrested at Television House in Jerusalem the previous day when they arrived armed with an unlicensed assault rifle demanding to speak to TV reporter Rafik Halavy. Halavy was recently reprimanded by the Cultural Minister, Ariel Sharon, for his coverage of the establishment of the controversial Gush Emunim settlement, where the girls lived. A police spokesman told The Jerusalem Post the police were convinced that neither a 10-year-old, Hazzal Kohan, who carried the rifle, nor 16-year-old Michael Mishor, who carried the loaded magazine, intended to threaten or to harm Halavy, but only to speak to him."

I should like to see two Palestinian girls carrying a rifle and going to an office and demanding to speak to a person against whom they have a grudge, and I should like to see the police inviting them to a cup of tea and saying, "Now, tell me the truth, did you really intend to harm this man or were you really only wanting to speak to him?". I should like to see the police, after hearing them say, "No, we only wanted to speak to him", release them summarily. It is this kind of discriminatory treatment of Palestinians on the one hand and of Israelis on the other that has encouraged the Israeli terrorists in their acts of terrorism. There is a final touch of irony to the story I have just read. The police say that the girl called the officer "Nazi", "scum of the human race", "criminal", "Eichmann" and "Goy". "Goy" means "gentile", and that is the greatest insult she could give. The police are considering charging the girl for her language - not for carrying an unlicensed

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rifle, not for threatening the life of a reporter against whom she had a grudge, but for her language to an Israeli policeman.

I do not wish to labour this point. This phenomenon of the vigilantes in the West Bank and Gaza, of these Israeli terrorists, is again an ominous development that calls for our interpretation and our understanding.

Finally, the seventh trend that has evolved during this year is the increased attention paid to the attempts to obliterate the sense of Palestinian identity among the youths in the occupied territories, of which there have been many manifestations.

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Arabic books and magazines which are allowed in the library of the Hebrew University are prohibited from being kept in the library of Beir-Zeit University. Curricula are arbitrarily interfered with and text books are censored, all with a view to obliterating the Palestinian sense of identity. A Palestinian journalist who asked for permission to register a news agency under the name of Palestinian News Agency was denied the request on the grounds that the name was an insult to the public. The venerable name of Palestine cannot be used in Palestine on the pretext that its use is an insult to the public.

How do we relate all these trends? What association do they have with one another? Against what political background must we view them? There is only one answer: we view them against the political background of the Camp David agreement and the concept of so-called autonomy for the West Bank and Gaza endorsed by the three Camp David participants. Autonomy, whatever it might mean to the other two parties of the Camp David trinity, to the Israeli party means nothing more than municipal prerogatives for the Palestinian towns and villages in the West Bank and Gaza.

I suggested in my statement last year that that concept of autonomy must be interpreted in the light of the great debate which began in Israel immediately after the occupation of those territories in 1967: a debate over how to resolve the conflict between the territorial imperatives of zionism on the one hand and the demographic imperatives of zionism on the other. The territorial imperative said, "Annex these territories". The demographic imperative said "Do not endanger the overwhelming Jewish majority which the Judenstadt must have". How do you reconcile the desire to have the territory with the desire not to have the people - which Mr. Eshkol once described as a case of a man who wants very much to have the dowry but does not want to have the bride. How do you reconcile the conflict between the expansionism inherent in the Eretz Israel doctrine and the exclusionism inherent in the Judenstadt doctrine?

In the late 1960s a number of proposals were made, one of them by Mr. Begin. To put it simply, it was, "Let us annex the

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territories but not give political rights to the population in them. In that way the Jewish purity of Israel will be maintained while we will have taken possession of the rest of so-called Eretz Israel". It is that concept that was reincarnated in the late 1970s through the Begin proposal for autonomy which was, with minor amendments, endorsed at Camp David -- Autonomy consisting of some municipal privileges and rights for the population, relieving the Israeli authorities of the need to take care of them while keeping control of the land, its resources and its water in the hands of Israel and while adding to the existing population a new population element that is directly answerable to Israel.

The trends about which I have spoken are double insurance by Israel to ensure that the concept of autonomy would never be translated into anything more than a concept. The trends about which I have spoken, which manifested themselves in the past year, are nothing but efforts - double insurance on the part of Israel - to see to it that so-called autonomy does not become a stepping stone towards self-determination but remains a terminal condition of very limited powers over themselves by the indigenous population of the occupied territories.
