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at 11 a.m.

NEW YORK

Chairman: Mr. Abdul Samad GHAUS
(Afghanistan).

AGENDA ITEM 101

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/8089, A/8164, A/SPC/142)

1. Mr. HAFFAD (Algeria) said that the inhuman and degrading practices of the Tel Aviv authorities in their treatment of the innocent civilian populations of the occupied territories had aroused the horror of the international community. In 1968, therefore, the International Conference on Human Rights had requested the General Assembly to appoint a special committee to investigate violations of human rights in the occupied territories and to report thereon.¹ for the serious and conscientious way in which it had carried out its mission. The Special Committee's extremely instructive report (A/8089) left no doubt that the practices of the occupying authorities constituted a flagrant violation of the most fundamental human rights. The policies of the occupying authorities in respect of property and person, political, religious and social institutions alike revealed a consistent disregard of the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the 1949 Geneva Conventions. The occupying authorities were attempting systematically and criminally to destroy the moral and spiritual values of the people of Palestine, were interfering in their economic and social life and were committing daily outrages on their religious beliefs. The list of practices set forth in paragraphs 71-134 of the Special Committee's report, although far from exhaustive, spoke for itself. It was ironical that those inhuman and degrading practices, designed to subjugate an entire people and keep it in a state of oppression, were derived from Nazi philosophy and practice. The situation of the Palestine people, a people reduced to living at subsistence level because of the meagreness of international charity, had its roots in the inherent nature of the Israeli pseudo-State, which had been established by force and was based on injustice.

2. The Special Committee's report made it clear that the policies and practices of the Tel Aviv authorities violated the human rights of the population of the occupied territories. The Government of Algeria had denounced constantly the Zionist aggression of June 1967 against the

Arab countries, an action contrary to the principles of the Charter, though a certain representative had represented it as preventive action taken in self-defence. It therefore fully endorsed the conclusion of the Special Committee that the fundamental violation of human rights lay in the very fact of occupation (A/8089, para. 146).

3. It was accordingly self-evident that a definitive solution compatible with the principles of the Charter, the Universal Declaration of Human Rights and other relevant international instruments could be reached only by inducing the Zionist aggressor to abide by the various decisions of the United Nations, to withdraw unconditionally and without delay from the territories it was occupying and, above all, to restore the rights of the people of Palestine.

4. In view of the irrefutable evidence before the Committee, including that provided by the Israel League for Human and Civil Rights and by Mrs. Felecia Langer, the United Nations should live up to its responsibilities and strongly and unequivocally condemn the aggressive policy and odious practices of Tel Aviv, which were an offence to the conscience of mankind. If it did so the Committee would be making a positive contribution to the establishment of a just and lasting peace in the Middle East. The Committee's discussions would dispel the myth of a pseudo-State of Israel confronted with the aggressive policies of neighbouring States. It should not be forgotten that the history of that pseudo-State was one of successive acts of aggression and annexation which revealed its true expansionist nature.

5. Mr. MIKUCKI (Poland) said that he wished to congratulate the Special Committee for its thorough examination of the evidence and its objective approach to its task. The Special Committee had acted with complete objectivity and impartiality and had scrupulously applied the recognized legal norms and procedures. Thus it had honourably discharged the task assigned to it by the General Assembly in resolution 2443 (XXIII).

6. His delegation noted with appreciation that the Governments of Jordan, Lebanon, Syria and the United Arab Republic had extended their full co-operation to the Special Committee in order to enable it to fulfil its mandate. On the other hand, the Government of Israel had not only refused to co-operate with the Committee but had also impugned the impartiality and challenged the integrity of its members and condemned the results of its enquiry even before the investigation had started. It was clear from the evidence set out in paragraphs 71-142 of the report of the Special Committee, however, that the Israeli Government was pursuing policies and practices which flagrantly violated the human rights of the population of the occupied territories. He agreed with the view expressed by the

¹ See *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No.: E.68.XIV.2), chapter III, resolution I.

Special Committee that the fundamental violation of human rights lay in the very fact of occupation. Israel, as a Member State, was bound by Article 2, paragraph 2, of the Charter to fulfil in good faith the obligations assumed by it in accordance with the Charter. Articles 2, paragraph 3, and 33, paragraph 1, required Members to settle disputes by peaceful means. In accordance with Article 2, paragraph 4, Israel was required to refrain from the threat or use of force against the territorial integrity of Jordan, Syria and the United Arab Republic, and under the provisions of Article 25, it was required to comply with Security Council resolution 242 (1967) and withdraw from the occupied territories. The United Nations should adopt adequate measures to compel Israel to carry out that resolution of the Council and terminate its illegal occupation as soon as possible.

7. The practices applied by the Israeli Government in the occupied territories contravened the principles of contemporary international law which had found their expression in the fourth Geneva Convention of 1949. The imposition of the Israeli legal system in the occupied Syrian territory and the promulgation of the Defence (Emergency) Regulations on the west bank of Jordan under Israeli occupation violated article 64 of that Convention. His delegation wished to express its strong indignation at those gross violations of the Convention.

8. The practices listed in paragraphs 71-134 of the Special Committee's report were also violations of the Geneva Convention and of the human rights of the population of the occupied territories. The policy of collective and area punishment was a breach of article 33 of the fourth Geneva Convention, under which collective penalties and all measures of intimidation or of terrorism were prohibited. The establishment of Israeli settlements in the Golan heights and Quneitra constituted a violation of article 49 of the Convention, which stated that the occupying Power must not deport or transfer part of its own civilian population into the territory occupied by it. As to torture and the ill-treatment of prisoners and detainees, article 32 of the Convention, prohibited such practices as extermination, murder, torture, corporal punishment etc. Furthermore, torture and similar brutalities were a violation of article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights. The ill-treatment of civilians was a violation of article 27 of the fourth Geneva Convention.

9. The destruction of houses and the confiscation of property, which were designed to demoralize the inhabitants of certain areas and to force them to abandon their homes, were in violation of the basic principles of international law and contrary to the provisions of article 46 of The Hague Regulations respecting the Laws and Customs of War on Land of 1907 and article 53 of the fourth Geneva Convention. Since such acts were illegal, the Government of Israel was liable for full compensation for destroyed property and for the restitution of confiscated property.

10. His delegation fully endorsed the recommendations set out in chapter IV of the Special Committee's report. So long as Israel failed to withdraw its troops from the Arab territories, Israel practices affecting the human rights of the population should be closely watched by the international community.

11. Mr. BOYE (Senegal) said that the position of his delegation on the question under discussion had never varied. For two years, in the Security Council, he had denounced certain practices which, despite all efforts, were being perpetuated.

12. The Palestine problem was the result of a *fait accompli* arbitrarily imposed by the great Powers. Since Senegal's entry into the United Nations, his delegation had maintained that it was the duty of the Organization to seek a just and honourable solution for the plight of the Palestinians, who were living in sub-human conditions without even adequate protection from the elements. One attempt to help them had been the establishment of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which was now in serious financial difficulties.

13. It was incomprehensible that the Palestinian question should be relegated to the background in the United Nations, since it was in fact the crux of the Middle East problem. In 1968 he had drawn the attention of the Security Council to the fact that no lasting solution could be found to that problem without the co-operation and consent of the Palestinians themselves. He had viewed subsequent developments from that standpoint.

14. By its resolution 6 (XXV),² the Commission on Human Rights had established a Special Working Group of Experts to investigate allegations concerning Israel's violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949—the fourth Geneva Convention—in the territories occupied by Israel as a result of hostilities in the Middle East. The Special Working Group had heard much the same evidence as the Special Committee which had followed it. His delegation deplored Israel's refusal to give those United Nations missions access to the occupied territories, and could only presume that it had something to conceal.

15. Those who were acquainted with foreign occupation would appreciate the humiliation and suffering of the population in the occupied territories. Military occupation was a denial of fundamental rights and freedoms. It was incomprehensible that those who had suffered during the Second World War could be the authors of the practices described in the Special Committee's report. The Special Working Group of Experts had heard evidence of such repugnant atrocities that certain members of its secretariat had been nauseated. He personally had introduced the report of the Special Working Group of Experts³ which contained the conclusions which the members of the group had felt bound to draw from the evidence they had received. In view of his position as Chairman and Rapporteur of the Special Working Group of Experts and of the confidential nature of the Group's deliberations, he had not taken part in the vote on the relevant draft resolution in the Commission on Human Rights. However, he was now pleased to be in a position to condemn the practices reported by witnesses as violations of the fourth Geneva Convention of 1949. His delegation further deplored the

² See *Official Records of the Economic and Social Council, Forty-sixth Session*, document E/4621, chap. XVIII.

³ Documents E/CN.4/1016 and Add.1-5 (mimeographed).

fact that Jerusalem, which was a holy city for Moslems and Christians, was still under military occupation.

16. The witnesses heard by the Special Working Group had included Jews, Americans and prelates. All had appealed to the Group to do everything in its power to remedy the situation. The application of the relevant international conventions was not in itself sufficient; as had been pointed out, parties to conventions were entitled to make reservations which often severely limited their effect. Such were the natural shortcomings of international instruments; they were drawn up so as to be acceptable to the maximum number of States, which were frequently jealous of their national sovereignty. In the search for a solution to the problem under consideration he wished therefore to appeal for moderation and complete respect for human dignity. If all concerned showed a spirit of solidarity and fraternity, the peace to which they all aspired could be achieved. Certain elements of agreement existed already, and there was thus hope that peaceful coexistence could be restored. Before the 1967 conflict Jews and Arabs had worked side by side in many Arab countries in a spirit of brotherly co-operation. If the rights of the Palestinian people were restored and secure and recognized boundaries guaranteed to all the States concerned in accordance with Security Council resolution 242 (1967), the parties to the conflict would again be able to live side by side and work together to achieve economic prosperity.

Mr. Mahjoubi (Morocco), Rapporteur, took the Chair.

17. Mr. LORCH (Israel) said that the report of the Special Committee (A/8089) included recommendations containing some comments about the very fact of the occupation, and he therefore felt bound to state the position of his Government, which had not been contradicted by any competent United Nations body. It had not been the Government of Israel which had concentrated its forces on the borders of neighbouring countries in May 1967, which had publicly stated that it would choose the time and place for the final battle against a neighbouring country, which had asked the Secretary-General of the United Nations to remove the United Nations Emergency Force, and which had closed the Straits of Tiran and attempted the economic strangulation of one of its neighbours. In 1967 Israel had used force in the legitimate pursuance of its right of self-defence. In fact, King Hussein had boasted later that his country had not been attacked by Israel, but that he had gone to war to assist Egypt. The occupation was thus the result of the legitimate use of force, and would remain as long as there was no peace in the area, as in comparable situations elsewhere in the world.

18. Israel's policy in the occupied areas was clear. Although the Government of Israel was not regarded by the population there as its own Government, it felt bound by law, by humanitarian considerations and by enlightened self-interest to treat the population as its subjects and provide it with all the services and safeguard all the rights to which it was entitled. Whatever solution was found to the tragic conflict in the Middle East, and whatever final boundaries were established, Israel would always be the neighbour of the Arabs in Judea and Samaria, in Sinai and Gaza.

19. The basic principle of Israel's policy in the territories had been a policy of normalization; to enable the population to carry on its life as far as possible as it had before June 1967. That policy was applied under the three main headings of non-presence, non-interference, and open bridges.

20. Non-presence meant that the presence of the Israeli authorities was as discreet as possible, with a minimum of Israeli symbols or armed forces and patrols, or anything that might lead to friction between the authorities and the population. The aim of the military government was to permit the Arab residents of the area to lead their normal lives without needing the help of any Israeli Government employee, or even setting eyes on one. The responsibility for economic and administrative activities was in Arab hands, and the activities of the military government were limited to determining the budget for the various operations. During the last fiscal year 100 million Israeli pounds had been allocated to the areas administered by Israel, funds derived mainly from the Israeli taxpayer.

21. The principle of non-interference meant that the population must take care of itself with its own personnel in the way it deemed best. The only intervention was in sectors which, like sanitation, or certain economic activities, might affect conditions in Israel itself. As contacts between Israel and the occupied areas gave rise to the wish for development and progress, the military administration was prepared to do all it could to improve the standard of living of the population, but only when specifically asked to do so. That policy was reflected in the small number of Israelis dealing with civilian and economic matters in the areas.

22. The policy of open bridges was based on the belief that little risk was involved in permitting contact between the Arabs of the territories and those of the surrounding Arab countries. Israel had been willing for twenty years to keep open land borders with the Arab countries, and would not be the party responsible for closing them. First, trade activities had been renewed; the agricultural produce of Judea and Samaria had flowed again to its usual market in the east. Later, imports were allowed of all goods needed in the areas whose natural sources were to be found in the region. The next step was to allow people to cross the lines. Apart from individual exceptions determined by security considerations, anyone could apply for a permit to visit beyond the cease fire lines, which meant that movement to all Arab countries was completely free. Permits were also granted for long-term absence for work or study. Then visits from the east to the area were allowed, both to the administered areas and to Israel itself, provided that there were not security reasons for denying them. But the main feature of the open bridges policy was the summer visits that had taken place during the past three years—visits of one to three months by relatives living beyond the cease-fire lines. The number had risen from 16,000 in 1968 to 26,000 in 1969 and 54,000 in 1970, and all had passed off without incident.

23. In a few cases the Israeli Government had had to dispense with the services of certain officials because they had engaged in activities detrimental to the security of the State and of the area, but otherwise the officials responsible

for the administration of the territories were those appointed by previous Governments. To alleviate the economic situation in the territories under Israeli control, 30,000 workers were allowed every day to cross into Israel to work, and in three years there had been no clash between them and the Jewish labourers with whom they worked. The Arab workers were paid the same as the Jewish, which meant that they earned three or four times as much as in the past—if indeed they had been in employment. That revolutionary change in the situation of the Arab workers would have a profound impact on Arab society, regardless of the political future.

24. Much had been done to improve agriculture on the west bank, and total agricultural production had risen in one year from 135 million to 180 million Israeli pounds, while exports had risen from 100 tons to 1,000 tons. The education budget had risen by 20 per cent, the scholastic year had passed without interruption, and the number of students had risen by 11 per cent. Students were allowed to take the examination of their choice, including those of the Jordanian and Egyptian authorities, which were brought in through the good offices of UNESCO.

25. All those constructive developments had taken place against a background of violent hostility from neighbouring countries, with the constant threat of terrorist activities in the territories and in Israel. The aim was to prevent co-operation between Jew and Arab and to disrupt normal life. In three years over 2,000 people had been killed or wounded, including 117 Arabs killed and 933 wounded—over half the total. A few weeks earlier a bomb exploding in the Central Bus Station in Tel Aviv had killed 1 person and wounded 34 others, all non-combatant civilians, victims of a senseless outrage against the basic human right to life and limb. It was no longer to be expected that any United Nations body would condemn the Arab terrorists and the Governments that openly supported their activities, but he hoped that fair-minded members of the Committee would bear those outrages in mind before voting for any resolution. When activities detrimental to the security of the State and the population were carried on, Israel was bound to take appropriate measures, and was entitled to do so both under existing legislation in the areas concerned and under the provisions of international law. That was the only sphere of administration in the territories that was manned by Israeli staff. While existing Jordanian and Egyptian legislation would permit the death penalty for terrorists and those inciting to terrorism, Israel had long abolished capital punishment, and did not impose it in those territories. But those who endangered the security of the State and its people would be punished in accordance with the law.

26. Obviously, areas under military government could not be a paradise; such government was at best an unwelcome necessity. Israel hoped that it would soon come to an end, and that with peace in the region, and secure and recognized boundaries the need for military government would vanish. That need now existed, but Israel maintained that it had done all it could to deal fairly with the people who, for reasons beyond their control, had come under Israeli administration. The Israeli record was not one to be ashamed of, and was open for all to see. Diplomats, journalists and tourists visiting Israel could move freely into the occupied territories, speak to anyone at will and form

their own conclusions; and those had been overwhelmingly favourable. He quoted excerpts from articles in *The Daily Telegraph* of 30 April 1969 and the *Financial Times* of 20 May 1969 in support of that assertion, and a statement made by Mr. Raymond Gunter, a former British Labour Minister, during his fourth visit to Israel in October 1969 to the effect that Israel's occupation in the territories was unique in the history of humanity. Mr. Gunter had seen none of the signs of pressure or suffering that might have been expected, and had been impressed by the lack of troops.

27. How was it, then, that the conclusions of the three-man Committee were so vastly different? To explain that, a review of the Special Committee's history, composition and procedure was necessary. The Committee had been established by General Assembly resolution 2443 (XXIII), which had been supported by a minority of Member States, most of them Arab or pro-Arab. Because of the one-sided nature of the resolution and the fact that it prejudged the issues the Special Committee was to investigate, all uncommitted States approached had refused to serve on the Committee. The Chairman of the Special Committee had said (744th meeting) that not to accept the appointment would have been to shirk an obvious duty; but many highly respected Member States who were not shirkers of obvious duties to the United Nations or to the cause of human rights had done so. It was clear why Somalia, Yugoslavia and Ceylon had agreed to serve on the Committee; none had diplomatic relations with Israel, and all had identified themselves with Arab hostility to Israel. All had voted for the one-sided General Assembly resolution. Ambassador Amerasinghe had referred to the creation of the State of Israel as "by far the most painful irony of all", in other words, the very existence of Israel was wrong. Surely in that case he should have disqualified himself as a judge of Israel's practices. As it was, he had set about finding facts to support his preconceived convictions.

28. The Foreign Minister of Somalia had recently stated that Somalia considered itself in a state of war with Israel. Thus its participation in the Special Committee was an act of war; it formed part of the Committee not to establish the truth but to provide material for propaganda warfare. Yugoslavia had broken off relations with Israel after the war of June 1967 and identified itself with the policies of Arab Governments, in particular with those of the late President Nasser, a great friend and ally of President Tito. Credentials such as those of the three-man Committee would be enough to disqualify any judge or jury. It was ironic that the representative of Ceylon, speaking in the Third Committee (1780th meeting), had stated that the creation or expansion of international agencies with a possible judicial or quasi-judicial status was open to major abuse, and that the principles to be considered in establishing such machinery were impartiality, complete absence of political motivation, specialized intellectual capacity and internationally approved procedures. By those criteria, the three-man Committee stood condemned.

29. The Special Committee's activities had been in line with its composition. It had organized a spectacle of hearing "evidence" from witnesses largely supplied by the Arab Governments and organizations, the result being a compilation of dated and already refuted Arab propaganda

allegations. He himself had watched the proceedings of the Committee on Jordanian television, and it was clear that the interpreter had prompted the witnesses with their lines whenever they stumbled. The representative of the Red Cross had submitted to an examination concerning the qualifications of interpreters employed by that organization; he wondered what criteria had been used by the Special Committee in selecting its own interpreters.

30. It was pointless to attempt to refute each of the often absurd allegations in the Special Committee's report (A/8089); a few examples must suffice. One was the evidence of Mohammed Derbas, who claimed to have been castrated in an Israeli hospital in Haifa by an Israeli doctor, assisted by an Israeli nurse, after the 1967 war (*Ibid.*, para. 104). In fact he had had two operations, for medical reasons, for the removal of his testicles; they had been performed by Arab surgeons in the Gaza Strip in 1965 and 1966, and a medical report dated 28 July 1966 by Professor Muhamad Safawat, an Egyptian professor, showed that at that date the man was pursuing the illusory hope of remedy by transplantation, in Egypt. That medical report was in the possession of the Israeli delegation, and was proof of how human misfortune was exploited for propaganda purposes. In introducing the report the Chairman of the Special Committee had referred to Israel's rebuttal of the "allegation"; but the report referred to the incident as an established fact. In fairness to the Egyptian doctors who had examined the man, he emphasized that their testimony contained nothing about the date or circumstances of the operation that conflicted with the true facts. The Committee had been misled because it was willing to believe anything damaging to Israel; as loyal servants of their Governments its members were naturally influenced by their policies.

31. Another striking example was the case of Mr. Nadim Zarou (*Ibid.*, para. 81). He had testified that two young Arabs had been shot by two Israeli soldiers, one of whom had gone free, as having merely obeyed orders, while the other had been tried but found insane. The real facts were that on 8 October 1967 two employees of the Public Works Department had been shot dead and that on 8 November the District Court of Jerusalem had sentenced two members of the Frontier Guard, Sergeant Albert Alus and Constable Eliyahu Elias, to life imprisonment for premeditated murder. The original allegation had appeared in United Nations Press Release HR/503, and it was true that it did not appear in the Committee's report; presumably attention had been drawn to the public proceedings of the District Court of Jerusalem. Nevertheless, the Special Committee referred to Mr. Zarou as a responsible citizen, deserving of credence, and had included other evidence by him in its report (*Ibid.*, paras. 81-84), although one part of his evidence was demonstrably false. That was definite proof that the Special Committee was deliberately trying to mislead.

32. Another example of misleading suppression was the case of a letter addressed to the Chairman of the Special Committee on 14 June 1970 by Mr. Aviram of Tel Aviv. The Israeli Government had refused to co-operate with the Special Committee, but Israeli citizens were free to submit evidence if they wanted to, and some had done so. The Committee had quoted extensively from negative evidence

by Israeli witnesses, but had deliberately ignored the positive evidence they submitted, including the letter referred to. Mr. Aviram had been a public official of the Tel Aviv Municipality, and had been posted to an officers' unit for civilian administration and then appointed Deputy Governor of the Gaza district, with instructions to return civilian life in that zone to its accustomed course. His letter listed the following measures taken during his term of office: the separation in Gaza schools between Gaza-born and refugee children had been abolished; the night curfew prevailing under Egyptian rule had been rescinded; a proper water supply and sanitary facilities had been installed in the refugee camps; inhabitants had been given permission to visit their relatives whom they had not seen for twenty years—in Jordan, the west bank, or Israel; all municipal workers had been permitted to remain at their jobs; the courts of law had been made to function in accordance with the local laws in force prior to the entry of the Israeli forces; the death penalty had been abolished and sentences of forced labour had not been carried out; tribunals had been established to try offences concerning army jurisdiction, and had dealt with Arabs and Israelis alike and provided for the defence of every accused by a lawyer; relief had been provided for the destitute—in addition to the work of UNRWA and CARE—and the salaries of religious officials had been paid; a general improvement had been made in the prison services, with the teaching of trades to all inmates, including terrorists; occupation costs had been met by Israel without levying taxes on the local population; compensation had been paid for damage to private property by the Israeli army; strict punishment had been imposed in the rare instances of looting or rape. Mr. Aviram had offered to give evidence before the Committee, but he had not been called on though he had first-hand evidence to supply, unlike Mr. Abileah (*Ibid.*, para. 47), who had testified that his information was based on newspaper reports which he had said subsequently he did not believe. What impartial criteria were used by the Committee in thus discriminating between those two witnesses?

33. The Special Committee's failure to mention that the witness Ahmed Khalifa, whose objectivity was praised in paragraph 80 of the report, had been a political officer in Habash's Liberation Front, an extremist terrorist organization, should further increase the doubts of members as to its objectivity.

34. In paragraph 143 of the report, the Special Committee had expressed concern at the lack of legal assistance available for persons under detention. Far from being able to call on only one small office, the truth was that every detainee had a right to the services of local Israeli lawyers, the number of whom was for practical purposes unlimited. In the case of a serious charge, the court appointed a defence lawyer at the expense of the Military Government. Whereas in the Gaza strip the defence was undertaken by 10 local lawyers, in Judea and Samaria, all local lawyers but 5 had decided to strike; most of those accused were therefore represented by Israeli lawyers of their choice, which had to be accepted by law. The court proceedings were public, and eminent jurists from several countries who had witnessed them had expressed admiration for their complete fairness.

35. He did not intend to refute every allegation made in the Special Committee's report. Machinery was available for the investigation of any legitimate complaint and for the punishment of those responsible if a crime or misdemeanour was shown to have been committed. He was authorized to offer safe conduct to any person residing outside Israel who wished to complain to the competent authorities. The 54,000 visitors from Arab countries during the summer of 1970, who would hardly have exposed themselves voluntarily to arbitrary imprisonment and torture, were silent witnesses who destroyed the dubious edifice of the Special Committee's report. At the height of the Amman massacre the wife of a member of the executive committee of the Palestine Liberation Organization had entered the west bank with her two children, knowing that although the Israeli authorities were aware of her husband's activities they would deal with her fairly. The report comprised a series of testimonies provided directly or indirectly by those who were still conducting a war against Israel and who seized every opportunity which could be used for propaganda purposes against that country. Those whose hands were sullied with the blood of Jews and Arabs alike, who had been responsible for the massacre in Jordan, which had cost many more Arab lives than twenty years of conflict with Israel; those who had made it evident how they would treat Jewish populations if they fell into their hands had produced and directed the evidence, and the Committee of three members—all representatives of countries which had no relations with Israel—had served as their willing tool.

36. The Special Political Committee had thus been presented with a report which was nothing but a vehicle of Arab propaganda, which ignored the real plight of Jews in certain Arab countries and which distorted and falsified the real situation in the areas under Israeli control.

37. The Special Committee's recommendations were in line with its composition, procedure and report. Its Chairman had invited scrutiny of those recommendations to see whether they bore any traces of political influence exerted over the members by their own Government. A cursory glance would show that the political orientation of the Governments concerned was faithfully reflected. The deliberate distortion of the intent of Security Council resolution 242 (1967), in paragraph 152 of its report, which referred only to the withdrawal of Israeli armed forces from the occupied territories, without mentioning the resolution's references to a just and permanent peace and to secure and recognized boundaries, was typical of the Special Committee's attitude. Even Arab delegations speaking in the debate on the Middle East in the General Assembly had not had the audacity to put such a distorted interpretation on the Security Council's resolution. The same political orientation was evident in the rest of the Special Committee's recommendations; and any illusions about the semblance of impartiality displayed by the recommendation in paragraph 155 of the Special Committee's report had been dispelled by the Chairman of the Special Committee in the controversial political addition he had made in introducing the report.

38. The Chairman of the Special Committee had said that the Committee had not expressed any wish to continue its existence and to return to the Middle East. The end of

paragraph 156 of the Committee's report belied that statement. Such an exercise would no doubt be useful for Arab propaganda, but it was less certain that it would be useful to the United Nations and to the cause of human rights. Fact-finding on disputed matters required the highest standards of objectivity, which the Special Committee had not shown. The United Nations was being used as the tool of the propaganda of one side, and the more it became identified with one side the less were its possibilities of acting impartially to bring about a solution to the conflict. Many speakers at the commemorative meetings of the General Assembly had expressed the fear that the United Nations was losing prestige. Such one-sided propaganda in the sacred name of human rights and under the auspices of the United Nations was bound to discredit the Organization.

39. Not because of, but in spite of the Special Committee's report, Israel would continue to do everything possible to safeguard the human rights of the people in the occupied territories, to keep those territories open to all visitors, and to strive for peace based on secure and recognized boundaries and on mutual respect for the sovereignty and territorial integrity of the countries in the Middle East. Such a peace would end the need to maintain a military government.

40. A committee which was composed as the Special Committee had been composed and which had carried out its work in such a manner must inevitably produce a report and recommendations unfounded in fact and one-sided. Resolutions based on such recommendations would of course be equally unfounded and one-sided, and could not contribute to the cause of human rights in the area.

41. Mr. HOLDER (Liberia), speaking on a point of order, said that rule 107 of the rules of procedure of the General Assembly concerning the absence of officers made no mention of the Rapporteur taking the Chairman's place should the latter find it necessary to be absent during a meeting or part of a meeting. He had always had the highest regard for the Rapporteur as a representative of Morocco and was not questioning his ability to preside over the debate. He was merely seeking information on the situation in the Committee at the present time.

42. The CHAIRMAN said that although there was no rule on the subject, it had always been the practice that the Rapporteur took the Chair in the absence of the Chairman and Vice-Chairman. That had already occurred at the current session, during the debate on agenda item 36, relative to peace-keeping operations and had not been contested.

43. Mr. HOLDER (Liberia), supported by Mr. SUKATI (Swaziland), said that the fact that it had occurred before was no justification for a practice which was not covered by the rules of procedure.

44. The CHAIRMAN said that that being so he would be obliged to ask the Committee if it wished to nominate a Chairman to conduct its work. The Chairman had been obliged to leave the meeting room, and the Vice-Chairman had already returned to his own country.

45. Mr. EDREMODA (Nigeria), supported by Mr. YAÑEZ-BARNUEVO (Spain) and Miss DINCER (Turkey), said he thought that as the Committee still had much to do to complete its agenda it should accept the explanations given. No speaker had expressed lack of confidence in the Rapporteur's ability to conduct the meeting, and he saw no irregularity in his being allowed to continue.

46. Mrs. GAVRILOVA (Bulgaria) agreed with the Nigerian representative that the Rapporteur, who was after all an officer of the Committee, should continue to preside over the meeting and that the Committee's work should not be further delayed by the process of electing another Chairman.

47. Mr. HOLDER (Liberia) said that he was unable to accept the reasoning behind the Nigerian representative's statement. In view of the information just given that the Vice-Chairman had returned to his country, he drew attention to the last sentence of rule 107 of the rules of procedure of the General Assembly. He was not questioning the Rapporteur's right to preside over the meeting; as the representative of Morocco he had the same right to be elected Chairman as anyone else.

48. Mr. BONILLA AYBAR (Dominican Republic) agreed with the Liberian representative. The rules of procedure were perfectly clear, and in order to avoid further discussion, he wished to move the adjournment of the debate in accordance with rule 117 of the rules of procedure.

49. Mr. OLEANDROV (Union of Soviet Socialist Republics) said he wished to associate himself with the representatives who had expressed full confidence in the Rapporteur as acting Chairman of the current meeting.

50. Mr. CUREÑO (Mexico) and Mr. ORTIZ (Ecuador) supported the motion proposed by the representative of the Dominican Republic.

51. Mr. MOUSSA (United Arab Republic) asked whether the representative of the Dominican Republic had moved the adjournment of the meeting under rule 119 of the rules of procedure.

52. Mr. BRECKENRIDGE (Ceylon), speaking on a point of order, said that the Liberian representative had made a valid comment, but the Committee should remember the purpose for which it was meeting, which would not be served by adjournment. The Committee was master of its own proceedings and was at liberty to interpret or waive rules of procedure at will. He therefore opposed the motion for adjournment. Instead of losing time in electing another vice-chairman, the Committee could perhaps agree that the Rapporteur should replace the Chairman if the latter was unavoidably absent.

53. The CHAIRMAN said that the requisite two representatives had spoken in favour of, and two against, the motion. He therefore put the motion for the adjournment of the debate to the vote.

The motion was rejected by 14 votes to 22, with 6 abstentions.

54. Mr. HOLDER (Liberia), speaking on a point of order, said that the rejection of the motion to adjourn the debate still did not solve the problem of the Chairman of the Committee, and that before the discussion could continue it had to be decided whether or not the Rapporteur could preside over the Committee without its consent.

55. Mr. EL FARRA (Jordan), supported by Mr. EL-SHIBIB (Iraq), said that he quite understood the Liberian representatives's desire to safeguard the rules of procedure. Although he agreed that every committee was master of its own proceedings, he formally requested that the question whether the Rapporteur should continue in the Chair should be put to the Committee, which, he was sure, would give him its unanimous support.

56. The CHAIRMAN said he would put to the vote the question whether the Committee wished the Rapporteur to continue to preside over the meeting or whether it wished to elect another Chairman.

57. Mr. THYNESS (Norway), supported by Mr. AHMED (India), said he thought that it might create a dangerous precedent to take any action not in accordance with the rules of procedure. He therefore suggested that the Committee should elect the Rapporteur as Vice-Chairman for the rest of the current session, with retroactive effect from the time he had assumed the Chair at the present meeting.

58. Mr. LORCH (Israel) said that although he was ready to do everything possible to enable the Committee to proceed with its work, he was not sure to what extent it could change the rules of procedure of the General Assembly. Rule 105 of the rules of procedure laid down the procedure for the election of officers, and to change that procedure because of pressure of time could create a precedent which might have far-reaching implications for the General Assembly as a whole.

59. Mr. BRUM (Uruguay) proposed that the Chairman should adjourn the meeting under rule 108 of the rules of procedure.

60. The CHAIRMAN said that as suggested by the representative of Uruguay he would declare the meeting closed, in accordance with rule 108 of the rules of procedure.

The meeting rose at 1.15 p.m.