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Chairman: Mr. Cornelius C. CREMIN (Ireland).

**AGENDA ITEMS 38 AND 12**

United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/8366, A/8383 and Add.1, A/8403, A/8413, A/8432, A/8476, A/8526, A/SPC/147, A/SPC/148, A/SPC/L.225/Rev.1 and Corr.1, A/SPC/L.226, A/SPC/L.228/Rev.1, A/SPC/L.229, A/SPC/L.230, A/SPC/L.231, A/SPC/L.232, A/SPC/L.233):

- (a) Report of the Commissioner-General (A/8413);
- (b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/8476);
- (c) Report of the Secretary-General (A/8366);
- (d) Report of the Economic and Social Council (chapter XVIII (section D)) (A/8403)

1. Mr. EL-FATTAL (Syrian Arab Republic) wished to state at the outset that his delegation could not approach ritualistically a debate designed to conceal facts rather than confront them and to confuse the issues rather than establish a logical causal relation between them. Indeed, attempts had already been made to reverse the order of events and to assert that the Palestinian question was at best just one of the many aspects of the Middle East crisis and at worst merely the result of international financial parsimony and even avarice. For his delegation, however, the question of Palestine remained the root of all the problems of the Middle East. Unless it was resolved, the question of the people of Palestine, with all its political implications, would remain alive.

2. In fact, the problem of "refugees", to use the terminology of the United Nations, had arisen out of the denial of the inalienable rights of the Palestinians, recognized in the Charter of the United Nations and the Universal Declaration of Human Rights, at a stage of history characterized by the undisputed hegemony of the United States of America over the United Nations, and out of the rapacious efforts of the United States of America to fill the gap left by the withering away of old colonial empires, particularly in the Middle East, where the suppression of the emerging peoples was a prerequisite for the success of neo-colonialism.

3. The refugee problem had grown out of the very nature of zionism, both before and after the formation of a Zionist State. The essence of zionism, as elaborated by its founders and practised by its militarists, lay not only in the concentration of the Jews in Palestine but also in the nature and objectives of that concentration. While classical settler

colonialism imposed and progressively developed the objective conditions of the exploitation of the masses, zionism inherently negated the very physical presence of the original inhabitants, whether Arabs or non-Arabs, Christians or Moslems, whites or blacks. Under political zionism, the "ingathering" that occurred was exclusively Jewish, in the most restrictive meaning of Judaism, combining nationality with race and religion. The eviction of the Palestinians and the obliteration of Arab culture and society was the logical outcome of the racist doctrine of zionism, which bestowed on any Jew, anywhere in the world, the very rights it denied to any Arab Palestinian, whether a refugee, a potential refugee or an Israeli "citizen". It was precisely in that sense that the problem of the Arab refugees differed from any other refugee problem, for it followed from the negation of the national rights of Palestinians in favour of the exclusivist, racist claims of the Zionists.

4. The reports before the Committee were particularly valuable in that they rectified, although to a limited extent, the distorted image of the role of zionism in the Palestine tragedy which Zionist propaganda and some "Western gentile" politicians tried to project. Unless those reports and the debates at the current and past sessions of the General Assembly were placed in their true historical perspective and the case of the Palestinians judged on its own merits within the correct framework of law, justice and morality, the Committee was likely to drift into a discussion illustrative of what one representative of the United States of America had described as the chastening disparity between the words with which Governments discussed the conditions of refugees and the realities which those words were designed to conceal or to placate, but almost never to evoke.

5. The crux of the matter was that since 1947 the international community had resorted to palliatives rather than to substantive, concerted action to restore the rights of the Palestinians, ignoring the contradiction inherent in the fact that the legal rights of the people of Palestine were still being measured against the chimerical claims of the Zionist usurpers. The predicament of the United Nations stemmed from reluctance to recognize the constant infringement of legality and legitimacy in regard to the Palestine question, for neither the means nor the ends of zionism could, by any stretch of legal reasoning, be considered permissible under the law of nations. The *status quo* clearly demonstrated the gap between justice and a brutal reality based solely on the use of force.

6. The reports before the Committee were of value in that they portrayed the four dimensions of the Israeli policies pursued since 1948: dispossession, eviction, violence and expansion. While they left the reader to draw his own

conclusions regarding the grave political and humanitarian implications of Zionist policies, the victims of aggression could draw but one conclusion, namely that Israel was violence in its natural state, a colonialist, racist entity without the faculty of reason, yet endowed with an exceptional thirst for Arab blood and Arab land. The dispossession and massive deportation of the indigenous Arab inhabitants, the colonization of their land and the massive violation of their human rights remained the unwritten constitution of Zionism. The "special character" of the State of Israel had been well described by General Moshe Dayan, who had said that "there is not a single Jewish village in this country that has not been built on the site of an Arab village . . ." (*Haaretz*, 4 April 1969) and who had stated in the summer of 1968, with reference to the occupied Golan Heights, that the Jews had not yet neared the end of the road in giving additional Jews additional settlements in order to expand their borders.

7. The special report of the Commissioner-General (see A/8383) gave further evidence of the situation; if the report was presented to a criminal tribunal, the perpetrators of the crimes it described would be punished in the same way as the Nazi war criminals had been punished. The report held Israel accountable for violating, in Gaza, articles 49 and 53 of the fourth Geneva Convention<sup>1</sup> as well as basic principles for the protection of the civilian population in armed conflicts. The war crimes referred to included the sudden and forcible mass deportation of 15,000 Palestinians and the massive destruction of their homes and shelters, including 4,360 rooms built by UNRWA. Those crimes could be expected to continue, for General Bar-Lev had stated in an interview published in the *Jerusalem Post Weekly* of 22 September 1971 that Israeli forces would continue to seal off the Gaza Strip both from the sea and from land. The military establishment of the United States of America had used the same pretexts to defoliate Viet-Nam and to disperse and displace its population. The attacks on the population of Gaza constituted a war crime which must not remain unpunished. Not only the precedent of Nuremberg could be invoked against Israel but also the judgement in the Eichmann case, which had been tried in Israel, to the effect that the authority and jurisdiction to try crimes under international law were universal.

8. Of great significance was the information contained in the report of the Secretary-General (A/8366) submitted in pursuance of General Assembly resolution 2672 D (XXV), which had called upon Israel "to take immediately and without any further delay effective steps for the return of the displaced persons". The irony of the Israeli reply to the Secretary-General's note verbale contained in that document lay in its attempts to "amend" United Nations resolutions on the unconditional return of displaced persons. Israel made their return conditional on a peace settlement, on its right to interfere in the affairs of Arab Jews in any Arab country, on the proviso that the problem must not be discussed in the United Nations and on the obligation of the occupied Power to protect the security of the occupying Power from acts of persons resisting enemy occupation in occupied territories. After setting those Draconian conditions, Israel had added that it had voted

against resolution 2672 D (XXV). In doing so, Israel was actually saying that it considered Security Council resolution 237 (1967) null and void, thus violating its obligation under Article 25 of the Charter to "accept and carry out the decisions of the Security Council", an obligation which had been confirmed by the advisory opinion on Namibia delivered by the International Court of Justice on 21 June 1971. That position was in line with Israel's views regarding what one of that country's representatives had described as the "moral, political and juridical bankruptcy of the Security Council" with respect to the Middle East situation.

9. The report of the Commissioner-General of UNRWA (A/8413) deserved special attention, for it described the conditions of the registered Palestinian refugees, who now numbered one and a half million people. The report naturally emphasized the financial difficulties of UNRWA, stating that, unless its \$6-million deficit was made up, measures on behalf of the refugees' health, nutrition and education would be drastically cut back. However, it revealed that despite their destitution and oppression the refugees were determined to continue their struggle for survival. The violent convulsions alluded to in several paragraphs of the report were symptomatic of any situation in which national and class consciousness were aroused against forced exile, foreign occupation and the deprivation of political, cultural and economic rights. The struggle of the Palestinians against Israel was indeed a struggle against colonialism and exploitation, for Israel was responsible for the destitution and dispossession of the indigenous population. Recent developments in Israel showed that the racism and exploitative practices of the white European Jews had sparked the same resentment in the Oriental Jews, who had been imported into Israel to replace the Arabs on racist grounds, as in the Palestinians.

10. The report of the Commissioner-General correctly attributed Palestinian "unrest" to the continued Israeli occupation of the west bank and the Gaza Strip, stressing the significance of Israel's failure to implement paragraph 11 of General Assembly resolution 194 (III). The reason for that failure lay in the fact that the United Nations Conciliation Commission for Palestine had been relegated to the background since 1967. The responsibility for that fact, and for the lack of protection of Arab rights, property and income, lay squarely on the United States, the patron and protector of Israel. It was the responsibility of the Committee, and particularly of the members of the Working Group on the Financing of UNRWA, to reactivate the Conciliation Commission in a meaningful way, bearing in mind that the refugee problem would not have had to be dealt with by charity had the refugees been able to receive the revenue from the property they had left behind. The fact that 94 per cent of Palestine was still owned by Palestinians made them a special kind of refugees. The Agency's \$6-million deficit amounted to three quarters of the cost of one Phantom jet, or the cost of two Skyhawks provided to Israel to perpetuate the refugee problem. It made no sense to make the Arabs pay for Israel's crimes and for the protection of the consequences of those crimes by the United States of America. The link between the Conciliation Commission and the Agency's work must be reactivated. In that connexion, he was pleased to note that the revised United States draft resolution (A/SPC/L.226/Rev.1 and Corr.1) requested the Conciliation Commission

<sup>1</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75 (1950), No. 973).

to report on the implementation of paragraph 11 of General Assembly resolution 194 (III).

11. The report of the Working Group (A/8476) highlighted the principle of international responsibility towards a problem which was international in origin, summarizing the unrelenting efforts of the representatives of nine Member States, headed by Mr. Nuri Eren of Turkey, to find ways of financing assistance to the refugee population. The report, as well as the statement made by Mr. Eren in the Committee (786th meeting), made clear the concern of the Arab countries, and particularly the host countries, regarding the Arab refugees. The care they provided was indeed commendable, in view of their own problems of development. Since 43.3 per cent of the refugees did not receive rations, almost half a million of them had to receive their subsistence from the countries in which they lived. Since 61 per cent of them did not live in camps, some 700,000 of them depended for their shelter and other civic facilities on the host countries. The sacrifice willingly borne by the host countries in providing \$23.5 million for educational, social welfare, health, housing and other services in the period 1970-1971 had not received the commendation it deserved from the international community. It should also be recalled that many thousands of refugees had been offered employment in the adjoining Arab countries. However, the financial aspect of the question was part and parcel of the political problem; as Mr. Eren had stated, the issues could not be compartmentalized.

12. The refugee problem, although tragic, was but one aspect of the fundamental problem of Palestine. The real issue was the full and free exercise by the Palestinians of their inalienable rights under the Charter of the United Nations. The exercise of their right to self-determination was the basic question. It had taken the General Assembly 22 years to recognize its own mistake in that regard. The final achievement of self-determination for the Palestinians would depend primarily on the political will of Member States and the support they provided to the Palestinian people in their legitimate struggle to regain their inalienable national rights.

13. Mr. PLAKA (Albania) noted that the Committee once again had before it the so-called Palestine refugee question, which had been on the agenda of the General Assembly for more than two decades. His delegation had consistently maintained that the question was not one of treating the Palestinian people as refugees or, worse yet, as beggars. The Palestinians had refused to remain a refugee people, for to condemn them to that status would be to perpetuate a grave and intolerable injustice which they would never accept, for they were a valiant people with a long history who had always struggled for their national dignity in the best Arab tradition. His delegation had always supported the just position of the heroic Palestinians and their Arab brothers, namely that the basic problem was the restoration to the Arab people of Palestine of their legitimate right to return to their homes and their homeland and their inalienable right to self-determination. The Albanian people and Government solemnly maintained that position of principle in favour of the victims of the Palestinian tragedy.

14. A quarter of a century before, a monstrous crime had been committed against the Arab people of Palestine by

international imperialism and Zionism. More than a million Palestinians, an entire Arab nation, had been massacred, driven from their homes by force of arms and reduced to the status of refugees. That was a black mark on the history of the post-war period which had been condemned by all progressive peoples. In the camps, the refugees led a wretched life of moral, economic and political deprivation. The deplorable conditions imposed on the Palestine refugees for 25 years left no doubt as to the intention of the imperialists and Zionists to exterminate the indigenous Arab population of Palestine; even now, that objective had not been abandoned.

15. The Palestinian tragedy was the direct result of the colonial policies of the imperialist Powers, particularly the imperialists of the United States of America, and of their plans to subjugate and exploit the Arab countries and control their immense petroleum resources and their strategic position. The Zionist State of Israel, which was a diversionary agent of imperialism in the Middle East, served the selfish designs of the United States in that important region of the world, which linked the Asian and African continents with Europe.

16. A recent example of that policy of subjugation was provided by the imperialist Zionist aggression of June 1967 against the Arab countries. The already tragic conditions of the Palestine refugees had deteriorated further as a result of that perfidious action. As indicated in the report of the Commissioner-General of UNRWA (A/8413), the total number of refugees had reached one and a half million. Approximately 300,000 Palestinians had been displaced from their homes since 1967, a fact which clearly demonstrated that the forcible eviction of the Palestinians from the land of their birth was continuing without respite. The aggressive, arrogant behaviour of Israel towards the Palestinians and the Arab population of the occupied areas reflected an attitude of overt defiance towards all freedom-loving and peace-loving peoples, and towards the United Nations itself. Terrorism, massacres, incursions against the innocent Arab population, arbitrary displacement and deportation were the main characteristics of the genocidal policy of de-nationalization ruthlessly conducted by the Zionists against the Palestinians. Those criminals acts had called forth the strongest indignation and condemnation from all progressive peoples.

17. Without the support of American imperialism, the Tel Aviv Zionists would not have been able to undertake such large-scale aggression and to continue, in defiance of world public opinion and the relevant resolutions of the General Assembly, to occupy the Arab territories for more than four years. It was that moral, political, economic and military support which had enabled the Zionists openly to declare their intention to annex the occupied territories and to carry out criminal acts against the Palestinian people and other Arab peoples.

18. A distinct feature of the latest act of aggression was that the old enemies of the Palestinian peoples had now been joined by the Soviet revisionists, those new imperialists who had recently appeared on the world scene. They were particularly dangerous because they tried to pass for anti-imperialists and swore fidelity to the cause of liberty and independence while they collaborated with American

imperialism to crush the struggle for liberation in order to share spheres of influence in accordance with their plans for world domination. The two super-Powers worked constantly to stifle the anti-imperialist movement of the Arab peoples and to crush the heroic struggle of the people of Palestine, which stood in the way of their shameless plots to dominate the Middle East. The criminal assault against the *fedayeen* in Jordan was an example of that policy of the two Powers and served their aims of suppressing the armed struggle of the people of Palestine. That was also the aim of the recent efforts to impose on the Palestinians a so-called independent State in order to put down the Palestinian revolution more easily and to perpetuate the serious injustice which had been done to that people by condemning it to liquidation as a free and united nation of all Palestinians.

19. The people of Palestine like the other Arab peoples would never accept the plans of the two Powers, which compromised their legitimate rights and territorial integrity. The best reply they could make would be a firm resolve to liberate every inch of the occupied territories and to wage an unrelenting struggle for their national dignity. That was demonstrated by the firm position taken by the people of Palestine who had decisively rejected the imperialist-revisionist plot of the so-called "political solution" and the unfortunate Security Council resolution of 22 November 1967, which had been drafted by the two great Powers. It was also demonstrated by the liberation movement of the *fedayeen* to regain their rights and return to their homes. That heroic struggle was part of the international struggle of peoples to recover their inalienable right to freedom, independence and self-determination. The *fedayeen* were fighting for a just cause, their homeland, and nothing was more sacred than that. That was why they were admired and supported by the Palestinian masses, by their Arab brothers, by all peoples devoted to freedom and peace and by the whole of progressive mankind.

20. The United Nations had been drawn by the imperialist Powers, led by the United States of America, into interminable debates. The United States had done everything it could to divert the attention of peaceful Member States from the substance of the problem by stressing the so-called humanitarian aspect of the question in order to give the impression that it was concerned about the fate of the peoples. That was the height of hypocrisy.

21. What must be done was not to eliminate the consequences of a grave and intolerable injustice to the Palestinian people or to alleviate its suffering but rather to eliminate that injustice itself, and it was in that regard that the United Nations could play a positive role. The Organization should stop playing the game of those who were responsible for the tragedy and should contribute to the just liberation struggle of the Arab people of Palestine so that they could regain their homes, which had been taken from them by armed force. What the Palestinians wanted was dignity, freedom and their right to be free in their homeland. The United Nations must recognize those rights. The adoption at the twenty-fifth session of the General Assembly of a resolution (2672 C (XXV)) recognizing the right of the Palestinian people to self-determination was a new victory for the Arab nation of Palestine and for the struggle of peace-loving Member

States. His delegation had fully supported that resolution in accordance with its Government's policy of supporting unreservedly the rights of oppressed peoples to self-determination, freedom and independence and their liberation struggle. It would support draft resolution A/SPC/L.231, which again reaffirmed that inalienable right of the people of Palestine since it in fact recognized the legitimacy of its armed struggle to regain its rights. It was the duty of Member States devoted to freedom and peace to denounce firmly the manoeuvres and plots of the two great Powers and not to permit the denial to the people of Palestine of their right to self-determination. That would not only make a real contribution to the just cause of the Arab people of Palestine but would also strengthen the struggle to consolidate the United Nations and would be another strong blow against the nefarious influence which the American imperialists and the Soviet social-imperialists had on the Organization.

22. The people of Palestine did not expect to be liberated by the United Nations. Their own experience convinced them that the only means of ensuring their inalienable rights to regain their homes was the uncompromising armed struggle they had decided to wage until final victory. That struggle would continue until their rights had been fully restored, as had been reaffirmed in the Committee (789th meeting) by the representative of the Palestine Liberation Organization.

23. The Albanian people had always admired the heroic struggle of their brother people of Palestine and the victories they had won against the imperialists, Zionists and reactionaries, and they expressed their revolutionary solidarity and resolute support for the just cause of the people of Palestine. His delegation was convinced that the latter's determination would enable them to triumph over their enemies and win a final victory. As the leader of the Albanian people had recently said, the Arab lands belonged to the Arabs and the cause for which the people of Palestine were struggling was invincible.

24. Mr. IONESCU (Romania) wished to associate himself with the tributes which had already been paid to Sir John Rennie and Mr. Laurence Michelmore and the staff of UNRWA for their humanitarian work and their impartiality and objectivity. He also wished to congratulate the Working Group on the Financing of UNRWA and its Chairman on the way they had carried out their mandate, succeeding in partially solving some of the immediate financial difficulties of the Agency. Despite the financial difficulties and special circumstances under which UNRWA worked, the Agency had succeeded in providing vital services to the refugees and had helped to alleviate the sufferings of that group of people, which was not responsible for its current disastrous position.

25. As shown by the reports of the Commissioner-General (A/8413) and the Working Group (A/8476), Romania had for humanitarian reasons answered the appeals to help the Palestine refugees and had made a modest contribution through UNESCO and charitable organizations. In 1971, as in 1970, the Romanian Red Cross had sent help through the Palestine Red Crescent to the Palestine refugees in the form of clothes, blankets, medicines and food worth 100,000 lei, which was the equivalent of \$16,667. Offering

help on a bilateral basis through those two charitable organizations was the way his country preferred to make its humanitarian contribution in the future. His delegation agreed, nevertheless, that the complex problem under discussion could not be limited to its humanitarian and economic aspects and that it was inconceivable that UNRWA should continue its activity *ad infinitum* and that the people of Palestine should live forever on international charity. No matter how useful the Agency's humanitarian work was, it did not constitute a permanent and genuine solution of the question of the Arab refugees.

26. The United Nations had debated the question of the Palestine refugees for more than two decades without finding a solution; indeed, the position of the refugees had deteriorated during that time. The failure to solve the refugee problem was due primarily to political factors and to the actions of imperialist and reactionary circles which sought to stir up disputes and heighten tensions in order to maintain and consolidate their domination, with grave consequences for world peace. The passage of time would not lead to peace, and further incidents and military clashes could be expected. The refugee problem should be approached in a spirit of high responsibility so that a lasting solution could be found, for the problem greatly affected the political stability of the region. A lasting solution could not be achieved until the principles of international law, the Charter of the United Nations and the Universal Declaration of Human Rights were observed and implemented by all parties concerned. Progress towards a settlement would be made possible only by a lessening of tensions among States and the creation of a favourable climate for equitable and constructive solutions, which would also facilitate a proper approach to the refugee problem. Attempts to settle disputes by force could not lead to viable solutions. It was only political means, applied in a spirit of justice and respect for the legitimate rights and interests of all the parties concerned, that could bring about a lasting settlement.

27. His delegation considered that the settlement of the problem of the Palestine refugees and of the persons displaced as a result of the 1967 conflict was closely connected with the restoration of peace in the Near East. The interests of the peoples living in the region made it essential that normal conditions of coexistence and co-operation should prevail there, that differences should be resolved and that the security and independence of all States in the region should be ensured. Like most States Members of the United Nations, Romania considered that the problem of the Palestine refugees should be settled on the basis of the resolutions adopted by the General Assembly and the Security Council, with due regard for the legitimate and inalienable rights of those people. New effective measures would have to be taken so that the problem of the people of Palestine could be solved in accordance with their national interests and with respect for their right to self-determination.

28. His country had always favoured a solution of the Near East conflict in accordance with Security Council resolution 242 (1967), which represented a reasonable basis for a political settlement. In accordance with that resolution, Israeli troops would have to be withdrawn from the occupied territories, the other problems would have to be

solved in conformity with the interests of all the States in the area, and the independence and territorial integrity of those States would have to be protected. The occupation of other countries' territories did not strengthen the security of a State and was unacceptable to the peoples of the world. The occupation of foreign territory was contrary to international law and was also a permanent threat to the peace and independence of the State in question and a constant source of tension and conflict. Israel must therefore be more receptive to a peaceful solution of the various problems of the area.

29. Security Council resolution 242 (1967) laid down a number of principles for the achievement of lasting peace in the Near East which should be implemented by all parties concerned. The provision relating to the necessity for a just settlement of the refugee problem would have to be implemented if there was to be a lasting peace in the area, and effective steps would have to be taken to settle that question, not only for humanitarian reasons but also for political and practical ones. His delegation was convinced that all the members of the international community, and especially those directly concerned, could make a contribution to promoting a peaceful solution in the Near East in the spirit of the purposes and principles of the Charter and the relevant United Nations resolutions, within which the Palestine refugee question must find a final and adequate settlement, ending the sufferings of that group of people.

30. Mr. RAHAL (Algeria) said that the problem of the Palestine refugees could not be discussed without deep emotion and indignation at the unjust fate which had struck an unoffending people who were entitled to ask redress from the entire international community. While concerning itself primarily with the humanitarian aspect of the question and seeking means of relieving the misery of the refugees, the international community should not give its activities the nature of a charitable undertaking. That would be an insult to the pride of a people whose past proved their dignity and nobility and would disguise the guilt of the world community for the creation of the existing situation. It was no wonder that the Organization had discussed the problem year after year without finding a satisfactory solution. While he had no desire to belittle relief efforts, he felt that such measures would not solve the problem. What was treated in the United Nations as a refugee question was in fact a much deeper political problem: the refugee question was only a relatively secondary aspect of the Palestine problem and was a direct result of the basic problem itself. In order to solve the problem of the Palestine refugees in a satisfactory and lasting manner, it would therefore be necessary to go to its source, namely a people evicted from its country which would not renounce its legitimate rights in its homeland and which, since it had not obtained justice, was beginning to organize a liberation struggle to seize what had been taken from it by force.

31. Speaking during the general debate at the current session (1965th plenary meeting), the Algerian Minister for Foreign Affairs had said that it was a serious and tragic error to reduce the Palestine problem to one of refugees who were to be assisted and for whom international charity was sought. However serious the human, material and financial aspects of the question might be, his delegation refused to see them as the essence of the problem.

32. There were in history injustices which time could not erase. The fact that the Palestine tragedy had had its roots more than 20 years previously did not at all detract from its actuality or from the responsibility of all those who had contributed to it. And the United Nations was completely caught up in that responsibility. Although the world had experienced the reign of brute force during the Second World War and had witnessed the criminal attempt to exterminate the Jewish people, the same international community had subsequently forced the people of Palestine to leave their homeland in order to establish a new State there and install a population that had come from all parts of the earth. It was certainly praiseworthy to be just towards the Jews. But what injustice could be corrected by another injustice of the same type, which struck a people who had played no part in the miseries inflicted on the Jews? In giving the Jews a homeland, the world community had deprived the Palestinians of theirs. The people of Palestine were therefore the principal victim of that tragic error. The international community, however, was also a victim because of the threats to world peace caused by the existence and actions of Israel since its establishment.

33. Although the refugees had long been forgotten as a people, a new generation, firm and resolute, had emerged and was demanding the dignity, justice and basic rights of which it had been deprived. Through the fight that they were now waging, the Palestinians had once again made the world aware of their existence as a people and of the permanence of a cause that was more alive than ever. Because of their history and national temperament, the Algerian people could not remain indifferent to that new reality and must give their sympathy, confidence and support to those men who carried the banners of hope and freedom.

34. Algeria's position on the question had always been clear and remained unchanged. No plot, whether by Zionists, imperialists or reactionaries, could change anything in the reality which was becoming more and more apparent to everyone. Since they had decided to die for their country, nothing could prevent the Palestinians from regaining their inalienable rights some day. The struggle being waged by the people of Palestine added a new dimension to the situation in the Middle East. It was part of the liberation movement of peoples, which continued to grow and was understood and supported by a growing number of countries. That struggle was still weak and imperfect in some ways and had to free itself of the obstacles standing in the way of its development. It would, however, grow stronger, more organized and more effective, since nothing could break the will of a people that had decided to win its freedom and regain its dignity.

35. Sympathy for the Palestine refugees would be of little use if it led only to admiration for those struggling to change their fate and not to a recognition of the true historical weight of the liberation movement and the inevitability of its actions. That was a reality which could not be ignored now and which conditioned all attempts to find a solution to the problems of the area. It should in any case throw new light on the problem of the Palestine refugees. The international community could not remain indifferent forever. The reaffirmation of the inalienable rights of the people of Palestine had already testified to a

new awareness of that fundamental fact. A worthwhile approach to the problem could be built on the basis of that awareness. The satisfaction of the essential material needs of the refugees did, of course, have its importance, but there were other aspirations which made a man feel like a man and without which a people lost its *raison d'être*: those of freedom and attachment to the land of one's ancestors. By helping the people of Palestine to realize those precious and legitimate aspirations, the international community would give full meaning to its action.

36. Mr. SAYEGH (Kuwait) said that he wished to clarify some of the misconceptions which had persisted throughout the Committee's annual discussions on the problem of the Palestine refugees. Four of them were pure misconceptions, but two were based on sinister motives and could more properly be called distortions of fact. The first misconception concerned the magnitude of the problem. Many delegations quoted the number of refugees on the basis of the figure given for June 1971 in annex I, table 1, of the Commissioner-General's report (A/8413), without realizing that that number referred only to refugees registered with UNRWA and without heeding the definition of a Palestine refugee given in the first foot-note to paragraph 1 of the introduction to that report, which listed several qualifications that prevented certain refugees from being registered. Refugees who were registered had to have lost both their homes and their means of livelihood, whereas many had lost one but not the other. They had to have taken refuge in 1948 in one of the countries where UNRWA provided relief, whereas many refugees had fled from Israel or the occupied territories since that date. If the refugees who did not meet those qualifications were also included, the total number would be nearer to 2 million than to the 1,468,161 given in the table.

37. The second misconception was that of the people who asked why the Palestine refugees should be the only ones to be considered by the United Nations, whereas there were many other, more numerous refugees throughout the world. That question overlooked the fact that no other refugee group represented the bulk of the people concerned, whereas the Palestine refugees represented two thirds of the Palestine people, and the fact that no other refugee problem owed its origin to an initiative which the United Nations had set in motion but had been incapable of controlling. The same forces which had caused two thirds of the Palestine people to become refugees had also made the remaining one third live under abnormal conditions in which a majority had become a minority and was told that its land no longer belonged to it because it had become a Jewish State. Although the matter would be more fully discussed by the Committee under another agenda item, he felt bound to correct the unrealistically rosy picture of the conditions of the refugees on the west bank and in other Israeli-occupied territories given by the Israeli representative at the Committee's 788th meeting. The Foreign Minister of Israel, who could hardly be accused of being pro-Arab, had said in an interview with senior editorial staff of *The Jerusalem Post* (weekly overseas edition of 20 April 1971) that he had not met one Arab refugee who was not politically conscious and that it was therefore not enough to provide them with education and food.

38. The third misconception was that the humanitarian aspects of the problem could be isolated from its over-all



nature. One representative had even said that the political aspects of the problem should not be discussed in the Special Political Committee but in other forums. It should be remembered that the refugee problem concerned human beings, who aspired not only to food and shelter but also to dignity and a normal life in their own homeland. Their problem could not be solved without an understanding of why and how they had become refugees and the reasons why their problems remained unsolved. The problem of the Palestine refugees was essentially different from that of people made refugees by natural disasters in that the former had been made refugees by deliberate forces of the human will, which were a testimony to man's inhumanity to man.

39. The fourth misconception concerned the nature of the international community's responsibility for the events which had made the Palestinians refugees. Guarantees that the Palestinian Arabs would not be either individually or nationally the victims of any concessions made to the Zionist movement by the international community had been contained in the Balfour Declaration, the League of Nations Mandate for Palestine and General Assembly resolution 181 (II) on the partition of Palestine and were even implicit in the General Assembly resolution 273 (III) admitting Israel to membership in the United Nations. The international community's responsibility therefore did not end with relief but rather began at that point.

40. Those four misconceptions were due to well-meaning errors. On the other hand, the two distortions of fact were in no way well meaning but were made by people who knew that the problem had inescapable political aspects and the United Nations an inescapable responsibility but who tried to dilute, impede, suspend or otherwise totally obliterate that responsibility.

41. The first could be called the heresy of the United States of America. Every year, representatives of that country submitted a draft resolution which either implicitly or explicitly reaffirmed paragraph 11 of General Assembly resolution 194 (III). It could normally be assumed that a delegation believed in the terms of any draft resolution it submitted, and neither General Assembly resolution 194 (III) nor Security Council resolution 242 (1967) made the refugees' enjoyment of their legitimate right to return home contingent on the settlement of a dispute between other parties. At the end of his general statement on the item the United States representative had said (782nd meeting) that a just solution of the refugee problem must be developed and implemented within the framework of agreement between the two parties, in other words excluding the refugees. That meant that the United States felt that a solution had not been developed, whereas the solution existed but had not been implemented. The *Jewish Telegraph Agency Bulletin*, No. 37 of 12 August 1970, published only five days after the cease-fire arrangement had been accepted by both sides, had reported a leak of information that the United States of America had indicated to Israel that it did not expect that country to repatriate the Arab refugees *en masse* but only in such numbers as would enable Israel to continue existing as a Jewish State. It favoured compensation for the refugees but would not support the Arab demand that they should be permitted to choose between compensation and return. However, that choice was one of the provisions of General

Assembly resolution 194 (III), which the United States reaffirmed in its draft resolution each year.

42. Normally he would not have taken such information as conclusive evidence, but it had been confirmed by *The New York Times* of 15 August 1970, which, reporting on a briefing at the White House attended by President Nixon, stated that the Administration saw no chance of a settlement if the Arab States maintained their demand for the return of the refugees without giving Israel assurance that their return would not endanger the Jewish State. The United States was thus proving the truth of Lord Balfour's statement in a memorandum dated 11 August 1919 that the Powers had made no statement of fact which was not admittedly wrong and no policy decision which they had not always intended to violate.

43. The second distortion of fact was the Israeli heresy which maintained that Israel's right to safeguard the security of its State took precedence over the elementary right of the refugees to return home. Israel also said that as it was a sovereign State Member of the United Nations it could not be compelled by the United Nations to endanger its security and change the nature of the State by permitting a mass return of refugees. The Israeli Minister of War had said in an interview on United States television on 11 June 1967 that Israel could absorb a large number of Arabs into its territory from the economic point of view but that that would turn Israel into a bi-national rather than a Jewish State, which they wanted Israel to remain, just as the French wanted France to remain French. The right of the refugees to return home could not be conferred by the United Nations; the Organization could only recognize or fail to recognize that inalienable right.

44. In his statement at the Committee's 788th meeting, the Israeli representative had said that the United Nations would say and do anything that the Arab States wished because of so-called collusion between the Arab States and certain others. However, voting on United Nations resolutions which affirmed the unconditional right of the refugees to return home showed that the maximum number of votes against those resolutions was two, the maximum number of abstentions six and the minimum number of votes in favour 98. Almost the entire membership of the United Nations therefore appeared to be in collusion with the Arab States.

45. In addition, Mr. Abba Eban had stated on 18 June 1967 that even if the General Assembly had voted 121 to 1 in favour of a return to the armistice lines, Israel would have refused to comply. If that was Israel's attitude, the number of votes was irrelevant.

46. The concept of establishing a Jewish State by accepting all Jews from other parts of the world and keeping Arabs out had been condemned by the United Nations. Count Bernadotte had stated in his final report that it would be an offence against the principles of elemental justice if the innocent victims of the conflict were denied the right to return to their homes while Jewish immigrants flowed into Palestine and, indeed, at least offered the threat of permanent replacement of the Arab refugees who had been rooted in the land for centuries (A/648,<sup>2</sup> part one,

<sup>2</sup> Official Records of the General Assembly, Third Session, Supplement No. 11.

chap. V, para. 6). On 15 March 1971 the Commission on Human Rights had adopted its resolution 9 (XXVII), whose tenth preambular paragraph read as follows:

“Alarmed by the fact that Israel continues the establishment of settlements in the occupied territories, including occupied Jerusalem, while it refuses to permit the return of the refugees and displaced persons to their homes, a right the denial of which by Israel constitutes an affront to humanity and a grave violation of international law.”<sup>3</sup>

47. From the legal point of view, Israel claimed that, as a sovereign State, it had the sovereign right to choose what it would do. It asked what Government would allow the return of so many hostile people. But what other Government was there in the same position, representing people living on land which did not belong to them while the true owners had been displaced and were begging to be allowed back? No normal State representing people living on their own land would act as Israel did. Before its independence, Israel had been made to undertake that it would not prejudice the rights of the Arab population. The Balfour Declaration<sup>4</sup> had contained a safeguard clause with respect to the non-Jewish population of Palestine. The statement by Winston Churchill in June 1922 had declared that the Arabs feared subordination but that it had not been the intention of His Majesty's Government that they should be subordinated to the Jews. The Zionists had been requested to accept that fact before the United Kingdom had agreed to the Mandate for Palestine in June 1922. Chaim Weizmann had stated in his memoirs that they had accepted the policy laid down in the Churchill memorandum, although with qualms. Articles 2, 6 and 9 of the Mandate<sup>5</sup> had contained further safeguards. The Partition Plan, contained in General Assembly resolution 181 (II), provided that a declaration should be made to the United Nations by the Jewish State before independence, containing clauses safeguarding the rights of the Arab population. The case of Israel was unique. Its admission to the United Nations, predicated on General Assembly resolutions 181 (II) and 194 (III), was in fact conditional on its acceptance of limitations on its sovereignty in respect of the right of refugees to return. Israel now invoked Article 2, paragraph 7, of the Charter, but Jewishness had not been part of the United Nations design. The United Nations had not considered that the creation of a Jewish State would be the final solution to the problem of Jews in the world, and the rights of the Arabs had to be safeguarded.

48. The only conclusion that could be drawn was that the Committee was right to consider the financing of UNRWA, to discuss the whole origin of the Palestine problem and to reaffirm the rights of the Arab population. But if it did no more than that the United Nations would be failing in its responsibility to ensure the return of the refugees and respect for individual and national rights. If it confined itself merely to three aspects of the problem without considering the non-implementation of rights which had already been recognized, it would, to use Balfour's terms,

be making declarations of policy which it intended to violate.

49. Mr. KANOUTÉ (Mali), supported by Mr. AHMAD (India), proposed that the statement made by the representative of Kuwait should be reproduced *in extenso*.

50. The CHAIRMAN recalled that at its 1937th plenary meeting, on 24 September 1971, the General Assembly had approved the General Committee's recommendation in paragraph 7 of its first report (A/8500) that the Special Political Committee might obtain, on specific request, transcriptions of the debates of some of its meetings, or portions thereof. If he heard no objection, therefore, he would take it that the Committee wished to make use of the authority granted to it and to approve the suggestion made by the representative of Mali.

*It was so decided.*<sup>6</sup>

51. Mr. ABDILLEH (Somalia) said that 15 years earlier a young Palestinian refugee had composed a poem in which he described his misery and asked how long he could last in the abyss of despair. Since that time, his sentiments had been echoed by many other people.

52. Somalia's position concerning the plight of the Palestine refugees had been most consistent. It could accept no compromise and would not condone the immoral practices which were occurring in that part of the world. It had not proved possible to find a solution to the problem, and the only alternative open to Member States was to engage in debates which the real culprits sometimes used to challenge the credibility, sincerity and goodwill of those seeking to find a solution to the chronic problem.

53. The culprits used means which were designed to promote their interests but which also revealed their intentions. They confused the issue by introducing extraneous matters. The representative of Israel had recently abused the intelligence of the Committee by saying that members had turned against his so-called country and accusing them of being liars and biased people. The Committee was composed of sovereign States, each of which had a right to its opinions and to engage in give-and-take in accordance with the provisions of the Charter and the norms of international law and morality, which Israel totally ignored.

54. The people of his country had no reservations whatsoever in their support for and solidarity with the people of Palestine. They felt that whatever political climate prevailed in the United Nations, the truth had to be spoken. The question of the Palestine refugees was really multi-dimensional. It was a human problem, and the denial of the democratic rights and claims of the Palestinians could not be measured by statistics. The humanitarian assistance had to be continued. His delegation was greatly concerned over the fact that UNRWA was facing major financial difficulties which should not normally have arisen. Members should, of course, remember that provision of rations, medicine, education, health services and other facilities did not and never could redress the ills which the people of Palestine

<sup>3</sup> See *Official Records of the Economic and Social Council, Fiftieth Session, Supplement No. 4*.

<sup>4</sup> The text appears in *Official Records of the General Assembly, Second Session, Supplement No. 11*, vol. II, annex 19.

<sup>5</sup> *Idem*, annex 20.

<sup>6</sup> The full text of the statement was subsequently circulated as document A/SPC/PV.791.



had been made to suffer. Humanitarian assistance was a temporary measure confined to the period when their needs were most desperate. In former times, the Palestinian people had been able to provide for themselves adequately. Most of them had not been born destitute. They were rich, cultured and sensitive human beings. That tradition could not be obliterated. Although they had been evicted from their homeland, they had not been eradicated from the face of the earth. It was merely a question of time before they returned.

55. The most reasonable course of action would be to permit those people to return to what remained of their homes in territories now in the hands of the Israelis. Unfortunately, they had been intimidated and prevented from doing so. Not only had Israel refused to permit them to return voluntarily but, as could be seen from the reports—pertaining to agenda item 40—of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, they had bulldozed whole villages, evicting the inhabitants and replacing them with Jews whose only credentials were their loyalty to Zionism. Unless Israel withdrew unconditionally from the occupied Arab lands, the refugee problem would grow at an even faster rate.

56. A solution to the refugee problem was not contingent on a final peace settlement. The aid provided by the international community was incidental and was not a substitute for the right of the Palestinians to self-determination, honour and dignity. It did not redress the wrongful acts committed by Israel. It did not absolve the international community from its solemn commitment to facilitate their resettlement in their homeland. It was not an excuse for the Israeli attitude of "live but do not let live". While commending the efforts being made to alleviate the hardships and misery forced on the Palestinians, his delegation could not forget that the real issue was the inalienable and unconditional rights of the Palestinians, which Israel flagrantly denied. It was indeed a paradox that the Jewish people, who had suffered so much persecution at the hands of Nazi Germany, should see fit to apply a similar philosophy of discrimination, deprivation, destitution, despair and destruction.

57. In conclusion, his delegation wished to commend Mr. Laurence Michelmores, the former Commissioner-General, and his staff for their excellent work and dedication and to wish Sir John Rennie every success in his thankless task.

58. The CHAIRMAN announced that Mali had become a sponsor of draft resolutions A/SPC/L.230, A/SPC/L.231 and A/SPC/L.232.

59. It would be desirable for the Committee to proceed forthwith to a vote on draft resolution A/SPC/L.228/Rev.1 since the Advisory Committee on Administrative and Budgetary Questions wished to consider the financial implications of that draft in the afternoon. Greece had also become a sponsor of the draft resolution, and the United States of America had submitted an amendment (A/SPC/L.233) to operative paragraph 5.

60. Mr. BASSETTE (Belgium), speaking on behalf of the sponsors of draft resolution A/SPC/L.228/Rev.1, said that the sponsors were willing to incorporate the United States amendment into their text.

61. Mrs. O'DONNELL (United States of America) said that her delegation would vote for the draft resolution but had certain reservations concerning the note (A/SPC/L.229) by the Secretary-General containing a statement of the administrative and financial implications, which would be considered by the Fifth Committee. In addition, her delegation would have preferred to see operative paragraph 5 omitted completely since it was, to a certain extent, a repetition of operative paragraph 2 and since the question of financing, as opposed to fund-raising, was the responsibility of the Commissioner-General. The reference to the comprehensive report was unnecessary, since the Working Group had already almost completed the reporting requested of it by the General Assembly in its resolutions 2656 (XXV) and 2728 (XXV) and since its programme of work was adequately defined in operative paragraph 2 of the draft.

62. The CHAIRMAN said that, if there was no objection, he would take it that the Committee adopted draft resolution A/SPC/L.228/Rev.1.

*It was so decided.*

63. Mr. AHMAD (India) suggested that statements in exercise of the right of reply and in explanation of vote should be deferred until the end of the following meeting.

64. Mr. CAHANA (Israel) said that his delegation supported draft resolution A/SPC/L.228/Rev.1. It did, however, wish to call the attention of the Working Group to the fact that 40 per cent of the refugees on the rolls of UNRWA were under Israeli administration. It was desirable that the Working Group should take the special considerations pertaining to those refugees into account in its work.

65. With regard to the Indian suggestion, he observed that he had had considerable difficulty in securing an opportunity to express the point of view of his delegation. He would appreciate it if the Committee would hear him early in the following meeting.

66. Mr. AHMAD (India), supported by Mr. GANDA (Sierra Leone), pointed out that, in accordance with United Nations practice, statements in exercise of the right of reply were heard at the end of the meeting. If that practice was not followed, the Committee might find itself engaged in controversial debate and might be unable to complete its business.

67. Mr. CAHANA (Israel) said that members should show a sense of proportion in the length of their statements in order to allow time for replies. Intentionally or otherwise, there had been many extremely lengthy speeches reminiscent of filibustering, which, in practice, had meant that his delegation had been unable to speak.

*The meeting rose at 1.30 p.m.*