



Wednesday, 15 December 1971,
at 3.30 p.m.

NEW YORK

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

AGENDA ITEM 40

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/8389 and Corr.1 and 2 and Add.1, A/8472, A/8478, A/SPC/149, A/SPC/L.235, A/SPC/L.237)

1. Mr. HANDL (Czechoslovakia) observed that the General Assembly had adopted a significant resolution (2799 (XXVI) of 13 December 1971) designed to secure a peaceful settlement of the conflict in the Middle East, in conformity with the provisions of Security Council resolution 242 (1967). The task now before the Committee was to discuss a particularly important aspect of the crisis, namely, the activities of the Israeli occupation forces and authorities in the Arab territories occupied as a result of the 1967 aggression.

2. He wished to commend the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which had been carried out under difficult circumstances. Despite the fact that, from the outset, Israel had refused to co-operate with the Special Committee, the latter had compiled extensive documentary material clearly demonstrating that the Israeli occupation authorities were pursuing a policy which flagrantly violated the human rights and fundamental freedoms of the civilian population, thereby openly contravening the fundamental norms of international law concerning the protection of the civilian population in time of armed conflict and, in particular, the provisions of part III, section III, of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹

3. Chapter III, section B, of the Special Committee's report (A/8389 and Corr.1 and 2) confirmed that the Arab population was being forcibly deported to neighbouring Arab countries. Indeed, the Special Committee had been compelled to arrive at the conclusion that deportation was an inherent part of the policy pursued by the Government of Israel. Such action constituted a gross violation of article 49 of the fourth Geneva Convention, which explicitly prohibited individual or mass forcible deportations of protected persons. The Israeli troops and administrative authorities also employed force in many other forms. As could be seen from the report, Arabs had been expelled from homes which had then been razed, a fact which had also been brought to light in the report of the

Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/8413). Moreover, Arab refugees who had suffered from the actions of the Israeli authorities were not allowed to live in peace in their temporary homes. Apparently, the temporary homes of approximately 15,000 refugees—some of them built with UNRWA funds—had been destroyed and the persons involved had been left with no housing.

4. The report of the Special Committee offered additional proof clearly attesting to the fact that the policies currently pursued by Israel in the occupied territories were designed to bring about the expansion of Israel and to strengthen it as a permanent imperialist base against the Arab countries. Those policies, which contravened the basic principle of international law regarding the inadmissibility of the acquisition of territory by force, should be resolutely denounced, for they merely aimed at securing *Lebensraum*. In addition to preventing a political settlement of the situation in the Middle East, such policies were both dangerous and short-sighted, as were the policies aimed at enlisting the political, military, economic and moral support of the United States and certain other Western Powers. There was no doubt that Israel could not carry on its expansionist policy without such support.

5. A prerequisite for the settlement of the situation was the complete withdrawal of Israeli armed forces from the occupied Arab territories, in accordance with Security Council resolution 242 (1967). He shared the view of the Special Committee that the fundamental violation of the human rights of the Arab population in the territories in question lay in the very fact of occupation. At the same time, the Government of Israel should be strongly urged to fulfil its obligations, particularly those deriving from the third and fourth Geneva Conventions of 1949, to which it was a signatory. He endorsed the measures proposed by the Special Committee to enable expelled persons and deportees to return to their homes, for it was essential to put an end to Israeli settlement of the occupied territories and to any efforts to change the status of the occupied section of Jerusalem.

6. In view of the indivisible nature of world peace and the traditional ties of friendship between Czechoslovakia and the Arab countries, his Government attached great importance to a settlement of the situation in the Middle East. It fully supported the struggle of the peoples of the Arab countries for the liberation of all occupied Arab territories, the restoration of the legitimate rights of the Palestinian people and the full exercise of their inalienable right to self-determination. His delegation continued to regard Security Council resolution 242 (1967) as the basis for a political settlement of the crisis and hoped that the Special

¹ United Nations, *Treaty Series*, vol. 75 (1950), No. 973.

Political Committee would play its part in furthering the just cause of the Arab people by adopting appropriate measures to help to end a state of affairs which aroused the conscience of the world.

7. Mr. TREKI (Libyan Arab Republic) commended the Chairman and the members of the Special Committee on the objective report which they had submitted (A/8389 and Corr.1 and 2 and Add.1) and which he felt was well documented and objective. In spite of tremendous difficulties and obstacles, the Special Committee had managed to submit a factual report on the violations of human rights committed by the racist, Zionist régime in Israel. At the 799th meeting, the Israeli representative had resorted to lies and fabrications in an attempt to convince the Special Political Committee of the non-objectivity of the report, which condemned the Zionist policy of deportation, annexation and torture.

8. The occupied territories referred to in the report of the Special Committee had been in the hands of the aggressors for more than four years. The Arab people in those territories were the victims of an inhuman military occupation; they were deported and tortured and their homes were destroyed. Anyone familiar with the history of Israel was aware of its criminal policy of racial discrimination in Palestine and in the Arab territories occupied in 1967. A glance at a map showed the extent to which Israel had expanded since its establishment in 1948 by the British imperialists. He wondered how Israeli representatives in the United Nations could speak of their desire for peace and coexistence when, since 1948, the racist State of Israel had committed thousands of acts of aggression against the Arab countries. Those acts had been recorded by the Armistice Commission and by the Security Council, which on many occasions had condemned Israel for its aggressive policy.

9. The Zionist leaders of the State of Israel made no attempt to conceal their imperialistic designs. For example, paragraph 16 of document A/8389/Add.1 referred to Israeli letters and reports which confirmed the existence of a policy of annexation and settlement. As stated in the letter of transmittal accompanying the report of the Special Committee (A/8389 and Corr.1 and 2), the evidence presented to the Special Committee during its investigation in 1971 had confirmed its impression that policies and practices violating the human rights of the population of the occupied territories had continued and had become even more manifest. The Golan heights and certain parts of the west bank were cited as examples of the policy of settlement, while eastern Jerusalem was given as a clear instance of the policy of annexation. He wondered whether the Israeli representative who had spoken of his country's policy of peace and coexistence, could declare that his Government had not annexed the Arab part of Jerusalem and had not installed Jewish settlers in the Arab occupied territories. It was undeniable that the Government of Israel was violating the human rights of people in the occupied Arab territories and was committing crimes unprecedented in the history of the world. Even the crimes committed by the Nazis before and during the Second World War paled in comparison. The aim of the Zionists was the total depopulation of the occupied territories in order to make room for Zionist immigrants.

10. The situation in the occupied Arab territories was very serious and was deteriorating daily. The United Nations could not remain indifferent to Israeli defiance of its resolutions and of the provisions of its Charter. The time had come to deal with Israel in an effective way. It was essential that the Special Political Committee should condemn Israel's policy with regard to the occupied territories. No one had difficulty in condemning the policies of South Africa, yet the practices of Israel were even more inhuman. At least, the representative of South Africa did not attend meetings of the Committee in which the policies of *apartheid* were under discussion. The representative of Israel, on the other hand, not only attended all the meetings but even pleaded the cause of his Government. The Government of the Libyan Arab Republic strongly condemned the racist policy of Zionism practised in occupied Palestine and other Arab territories. The Arab people would not long remain inactive in the face of that policy and Israel would pay for its crimes. Like the Nazis, Israel would destroy itself.

11. At the previous meeting, the representative of Costa Rica had defended the Zionist cause. He wondered whether the representative of Costa Rica, who was a priest of the Roman Catholic Church, had taken account of the views expressed by the Pope with regard to Israel's occupation of the Holy City of Jerusalem. If occupation by Israel was as beneficial as the Costa Rican representative seemed to think it was, he wondered why the Costa Rican Government did not invite the Zionists to occupy Costa Rica. The Costa Rican representative had also expressed a desire for the members of the Special Committee to see conditions in occupied Jerusalem at first hand; that being the case, he wondered whether the Costa Rican representative would be willing to ask the Prime Minister of Israel to permit the Special Committee to investigate Israeli practices in the occupied territories.

12. Mr. ABADA (Algeria) said that his delegation believed in a global approach to the problem of Israeli practices in the occupied territories, an approach which it had taken in its statements with regard to the Palestinian refugees in the Special Political Committee and in the debate on the situation in the Middle East in the General Assembly, where it had taken an over-all view of the evil consequences of Israel's presence in the Arab territories and had spoken of the aggressive nature of Israel's policies, which were contrary to the principles of law and justice.

13. The report of the Special Committee (A/8389 and Corr.1 and 2 and Add.1) constituted a severe indictment of Israeli practices. It contained a wealth of material regarding the conduct of the Israeli authorities and armed forces in those territories which Israel had taken by force. The report revealed that the occupying Power continued to commit the most flagrant violations of human rights, displaying utter contempt for the universally accepted principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the Geneva Conventions of 1949. It was not surprising that Israel objected to such a factual report and it was understandable that the Government in Tel Aviv had refused to allow an international investigation of its practices and was trying to discredit the competence, impartiality and integrity of the Special Committee. The attitude of the Israeli Government

was identical to that of all oppressors, who always wished to believe, and to make others believe, that they were promoting the well-being and comfort of their poor victims. The colonialist Powers had explained their policies in much the same language as Israel. The Israeli representative had been well within his rights in attempting to show that the Arab citizens in the occupied territories were living in the best of all possible worlds. However, he hoped that that representative did not think he could delude the international community. The Israeli army was an army of occupation and anyone who had suffered foreign occupation was very well aware of the terror, suffering and misery which accompanied such occupation.

14. His Government was obliged to protest against the inhuman practices of the Israeli authorities and army. The Algerian people were deeply concerned over the untold sufferings inflicted on their Arab brothers and appealed to the conscience of the members of the international community, whose highest mission was to uphold human rights. His delegation felt that the Special Committee had carried out its mission nobly, and he assured its Chairman and members that his Government placed full confidence in their future work. The suffering would not cease, and the law would continue to be violated until the Zionists had withdrawn from the territories they had occupied in 1948 and 1967 and until the inalienable rights of the Palestinian people had been restored in accordance with the principles of the Charter and of international law and justice.

15. Mr. ZENKYAVICHYUS (Union of Soviet Socialist Republics) said that the facts adduced in the report of the Special Committee (A/8389 and Corr.1 and 2 and Add.1) threw new light on the criminal policies and actions of the Israeli authorities in the occupied Arab territories. For four and a half years Israel had committed outrages in the Arab lands it had illegally seized, carrying out a policy of annexation and systematic colonization of those lands, expelling the Arab inhabitants from their homelands in order to settle them with Jewish settlers, destroying Arab houses, cultural monuments and villages and using terrorism and violence against the Arabs. The facts showed that there was almost no article of the Universal Declaration of Human Rights or the Geneva Convention relative to the Protection of Civilian Persons in Time of War which the Israeli aggressor had not violated. That was no accident but resulted from the very nature of Israel's aggressive policies with regard to neighbouring Arab countries and from the racist ideology of Zionism. The aggressors could not maintain their régime without resorting to violence, repression, arbitrary rule and mass arrests. The realization of the goals of aggression, the retention of territories seized from other peoples and the suppression of the liberation movement among the enslaved Arab population were all crimes under contemporary international law.

16. The world had not forgotten what Hitler and his followers had done to the peoples of Europe and it would also not forget what the Zionists were doing to the Palestinian Arabs and the people of the temporarily occupied territories. Just as the goal of Hitler and his followers had been to win *Lebensraum* at the expense of neighbouring European peoples, the aim of the Zionist ruling circles was to usurp *Lebensraum* for more and more Jewish immigrants by ousting the Palestine and other

neighbouring Arab peoples from their land. Just as Hitler and his followers had claimed that they were the supreme race, so the Zionists claimed to be the chosen people. It was that racist ideology which was one of the reasons for the criminal policies and practices of the Israeli authorities in the occupied territories, the contemptuous attitude of the Zionists towards other peoples, especially the Arab peoples, and Israel's cynical violation of fundamental human rights in the occupied territories. The racist theories which were used to justify such violations of human rights lay at the very basis of Zionism. The Zionist theorist Theodor Herzl had written that the Jews in Palestine would be the vanguard of the civilized world against barbarism, and all the ensuing policies of the Zionist leaders merely developed and gave practical effect to that colonialist doctrine. That was why numerous representatives of African and Asian countries had been fully justified in saying that the Zionists were the ideological and political brothers of the South African and Southern Rhodesian racists.

17. His delegation supported the conclusions and recommendations the Special Committee had formulated in its report and drew particular attention to the fact that the fundamental violation of human rights lay in the very fact of occupation. It fully shared the conclusion in paragraph 83 of the report that "the most effective way of safeguarding the human rights of the population of the occupied territories, therefore, is to end the occupation of these territories". World public opinion in general was alarmed and concerned at the situation created by Israel in the occupied Arab territories. It was the duty of the United Nations and of all States and Governments desiring to establish peace and justice in the region to condemn Israel's actions and firmly call upon Israel to put an end to the policy of aggression and expansionism, to withdraw its troops from the occupied Arab territories and to implement the United Nations decisions relating to a peaceful political settlement in the Middle East. The Soviet Union pursued a consistent policy of providing broad assistance to the Arab Governments so that they could defend their legitimate national rights and interests.

18. His delegation considered that, as long as Israel continued to violate the decisions of the United Nations and to sabotage a peaceful political settlement in the Middle East by refusing to withdraw its forces from the Arab territories, every effort would have to be made to unmask the crimes of the Israeli authorities and to mobilize world public opinion in order to put an end to Israel's aggressive policy. His delegation therefore supported draft resolution A/SPC/L.235 and would vote in favour of it.

19. Mr. AL-ZAHAWIE (Iraq) said that his delegation was grateful to the Chairman and members of the Special Committee for the outstanding work they had accomplished, which was reflected in their report (A/8389 and Corr.1 and 2 and Add.1). The dedication and integrity with which the Special Committee had carried out its work merited the highest esteem, especially in view of the obstacles which it had encountered in the performance of its duties and the scandalous attacks to which its members had been subjected by the representatives of the Zionists.

20. Although the plight and suffering of the Palestinian people were similar in many respects to those of most

refugees and innocent victims of political injustices and military occupation, the Palestinians were unique in that they had been evicted from their homeland or subjected to occupation twice in one generation. For them, history had indeed repeated itself with merciless accuracy. In view of the current situation in the occupied territories, the future seemed to offer the Palestinians nothing but further tragedies. History and bitter experience had taught them that while the Zionists spoke of peace and brotherhood, they lived by the sword. The Zionists wanted Palestine for the Jews and for the Jews alone. They would allow nothing and no one to stand in their way and they considered that any means, no matter how cruel, immoral, unethical or disastrous for anyone else, justified the attainment of their fanatical dream.

21. It was not surprising that the representatives of Israel were declaring that their Government was not expansionist, that it desired no more territories for Israel and that it only wanted to live in peace with its Arab neighbours. They had uttered the same false platitudes fifty years earlier. In *Altneuland*,² the last book he had written, Herzl, the founding father of Zionism, had said that life in the Jewish State should not be based on Jewish traditions, nor should Hebrew be spoken there; it should not be a new ghetto animated by a feeling of hostility towards its environment. Furthermore, he had expressed the view that it would be immoral to exclude anyone, whatever his origin, his descent or his religion, from participating in the achievements of the Jewish State which would owe a debt to the preparatory work of other peoples, a debt which could only be repaid by the highest tolerance. Those words had, however, been intended for the general public. In his private diaries, Herzl, referring to the Arab majority living in Palestine, which constituted the major obstacle to the establishment of a Jewish State, had expressed the view that the private property on the estates assigned to the Jews must be expropriated quickly and the penniless population spirited across the border by the offer of employment in transit countries and the denial of employment in its own land.

22. The same two-faced approach had been taken by Zionist leaders after Herzl. On the eve of the Seventeenth Zionist Congress in 1931, Chaim Weizmann, who was later to become Israel's first President, had opposed the proclamation of a Jewish State because he felt that the world would construe such a demand to mean that the Zionists wished to acquire a majority in order to drive out the Arabs. In a speech before the Congress, Weizmann had rejected that interpretation as unfounded, claiming that a numerical majority alone would not be a sufficient guarantee of the security of the Zionists' national home; that security had to be created by reliable political guarantees and by friendly relations with the surrounding non-Jewish world. Privately, however, Weizmann had expressed his aim as being to make Palestine as Jewish as England was English.

23. David Ben-Gurion had spoken more openly of the aggressive policies of Zionism. In 1931, he had proclaimed that Jordan was not necessarily the perpetual limit to Jewish immigration and settlement and that, without amending the Mandate, the Jewish people were entitled to

ask for the right to enter and settle in Trans-Jordan. More recently, too, Ben-Gurion had expressed the view that the State of Israel, as established in 1948, was not complete.

24. In his diary, published under the title *To Jerusalem*,³ Count Bernadotte had recounted a conversation in which Moshe Shertock, the Foreign Minister of Israel, had told him that the Jewish Government could in no circumstances permit the return of the Arabs who had fled or been driven from their homes during the war and had suggested that the whole of Palestine should belong to Israel.

25. The statements made by the current leaders of Israel also had a direct bearing on current Israeli practices in the whole of Palestine. On 5 June 1967, General Moshe Dayan had stated that Israel had no aim of territorial conquest. Six days later, he had told a United States television audience that the occupied part of Jordan contained about 1 million Arabs which Israel did not want as citizens since that would turn Israel into either a bi-national or poly-Arab-Jewish State; that the Arabs could be absorbed, but then it would not be the same country; and that the Gaza strip should in no way be returned to Egypt or the western part of Jordan to King Hussein. On 9 August 1967, he had said that Israel needed not only permanent borders but frontiers that would ensure tranquillity and that the Israelis would on no account force themselves to leave such places as Hebron. On 18 June 1967, Abba Eban, the Israeli Foreign Minister, had stated that if the General Assembly were to vote by 121 to 1 in favour of Israel returning to the Armistice lines, Israel would refuse to comply with that decision, as had been made clear to the major Powers. On 21 September 1969 Mrs. Golda Meir had been quoted in the *London Observer* as having said that outsiders had never, and would never, determine the borders of Israel; wherever the Israelis settled, there would their borders be. Such statements revealed the true face of Zionist expansionism, notwithstanding the claims of the Israeli representatives.

26. It was not surprising that the representative of Costa Rica had defended Israel at the previous meeting. The Costa Rican delegation had been one of a very small minority which had voted against General Assembly resolutions condemning Israeli practices in Gaza and upholding the right of the Palestinian refugees to return to their homeland. Perhaps the Costa Rican representative was not aware of Jewish opposition to the ideals of Zionism. On 3 December 1971, *The New York Times* had published an open letter from an association of Orthodox Jews protesting against injustices practised by the Israeli Government against religious Jews wishing to live in the Holy Land. In the same connexion, he drew attention to a letter dated 25 June 1971 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/8335), enclosing a transcript of an interview given by the President of the Israeli League for Human and Civil Rights, which had been published in *Témoignage Chrétien* of Paris on 13 August 1970. He also read out part of a letter from an Israeli citizen which had appeared in the *Spectator* on 21 August 1971, quoting from an article in a periodical issued by the Jewish Agency in which it had been concluded that the Arabs had to be exterminated in a holy war. Surely such an attitude constituted a strange notion of neighbourliness.

² Berlin, B. Harz, 1919.

³ London, Hodder and Stoughton, 1951.

27. Miss DINCER (Turkey) said that it was regrettable that the Special Committee had once again been obliged to report to the General Assembly that there had been no improvement in the situation in the occupied territories and that Israel continued to refuse to co-operate with the Special Committee in its efforts to investigate alleged violations of human rights in the occupied territories. The findings of the report (A/8389 and Corr.1 and 2 and Add.1) clearly indicated that Israel's policy of annexation and such practices as the demolition of houses, the deportation of civilians and the promotion of Israeli settlement of the occupied territories had continued on an even wider scale since 1967, adding to the misery caused in those areas. In view of the urgency of the matter, the Security Council had, in its resolution 298 (1971), called upon Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which might purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace.

28. Her delegation, not only in the United Nations but in all official statements, had repeatedly stated that the Turkish Government could not condone the acquisition of territorial gains and political advantage through the use of force. Similarly, it could not tolerate the measures taken by Israel with a view to changing the status of Jerusalem or the other occupied territories by means of a *fait accompli*. Since 1967, her delegation had in fact voted in favour of all resolutions to that effect.

29. Consistent with that position, she considered that Israel's failure to comply with United Nations resolutions posed a serious threat to international peace and security. Moreover, she viewed the establishment of a just and lasting peace in the Middle East, in accordance with Security Council resolution 242 (1967), as a fundamental objective which was in itself the surest guarantee of the human rights in the occupied areas.

30. She concurred with the conclusion in paragraph 83 of the Special Committee's report that the fundamental violation of human rights lay in the very fact of occupation and that, accordingly, the most effective way of safeguarding the human rights of the population was to put an end to the occupation itself. In conclusion, her delegation believed that the rights of several thousands of innocent persons living under military occupation should be a matter of prime concern. She sincerely hoped that, pending a final settlement, a way would be found to put an end to the suffering of countless human beings who had been evicted from their homes and had been forced to live under foreign occupation.

31. Mr. MOUSSA (Tunisia) said that the violations of human rights in the occupied territories were the direct result of a monumental error of Zionist ideology. In wishing to create a homeland in Palestine for the Jews, the Zionists had overlooked the fact that Palestine was already inhabited by the Palestinians. Since the goal of Zionism had been to create an exclusively Jewish State, Palestine had been partitioned and its people had been expelled from their own country. War upon war had followed, other territories had been conquered by force and other Arabs

had been subjected to Israeli domination. That was how the current unjust situation had been created. It was a colonial situation, resulting from a policy of settlement, and was similar to other colonial situations in Africa and Asia. The methods used to violate human rights in all such colonial régimes were undeniably similar and there was nothing to be gained from refusing to accept investigating missions.

32. A previous speaker had referred to the President of Tunisia. In order that there should be no misunderstanding, he pointed out that his Government had recently published an account of an interview which President Bourguiba had granted to the Associated Press during which he had criticized Israel's refusal to negotiate and had stressed the precariousness of Israel's borders, which had been acquired by force and could only perpetuate the state of war.

33. Mr. GHAUS (Afghanistan) thanked the Special Committee for the efforts it had made to safeguard the human rights of the inhabitants of the occupied Arab territories. As the report of the Special Committee (A/8389 and Corr.1 and 2 and Add.1) indicated, Israel had once again refused to allow the Special Committee to carry out an on-the-spot investigation of the situation in the occupied territories. Israel's defiance of the United Nations was significant since the Israeli authorities could not be taken seriously if they would go so far as to cast doubt on the legality and impartiality of the Special Committee. Israel's real motives were clear: it wished to prevent an outflow of information regarding its unspeakable practices in the occupied Arab lands. Despite the difficulties, however, the Special Committee had succeeded in submitting an objective and well-balanced report. It was a catalogue of violations of human rights by an occupying Power which felt that it could with impunity continue to commit acts that were in flagrant violation of the fundamental human rights of the inhabitants of the occupied territories and adversely affected the cause of peace in the Middle East.

34. The most disturbing of Israel's actions was the establishment of Israeli settlements in the occupied Arab lands and the demolition of entire villages and dwellings and the expulsion and deportation of their inhabitants. Such policies which were being carried out with particular vigour in Jerusalem, the Gaza strip, the west bank of Jordan and the Golan heights, would obviously change the Arab character of the territories and were proof that Israel had decided to retain them. His delegation considered all the measures taken by Israel to settle the occupied territories as completely null and void. They not only violated the human rights of the inhabitants but were also at variance with one of the most basic principles of international law, namely the inadmissibility of the acquisition of territory by force of arms. An occupying Power was responsible for the welfare of the people of the occupied territories. Israel therefore had an obligation to abide scrupulously by the provisions of the fourth Geneva Convention, to which it was a party. His delegation agreed that the most effective way of safeguarding the human rights of the population of the occupied territories was the total and immediate withdrawal of Israeli forces from all those territories. That was the crux of the matter and was the most important conclusion the Special Committee had reached.

35. His delegation welcomed draft resolution A/SPC/L.235 and would support it.

36. Mr. EL-FATTAL (Syrian Arab Republic), speaking in exercise of the right of reply, said that he intended to reply not only to the representative of Israel but also to the representative of Costa Rica, who, at the 801st meeting, had spoken of the spirit of coexistence which existed between Jews and Arabs. That was not new; it had existed for more than 2,000 years. What was new was that the representative of Costa Rica had used that historical fact to try to improve the image of the Zionist occupier. The conflict was not one between Jews and Arabs but between colonialist settlers and the original inhabitants of the area. To plant trees was a constructive act, but there was a difference between planting trees and reaping their fruit and that was the crux of the matter. The Agricultural Settlement Law of 1 August 1967 was at first sight a normal civil law passed to remedy an important defect in the system of agricultural settlement but it was in reality aimed at preserving the traditional Zionist practice under which land was settled as far as possible by Jews alone, a practice which had meant that most of the land in Israel, although owned by Arabs before 1948, was currently inalienable Jewish land which could not even be leased to Arabs. The provisions of the law compelled Jewish settlers who had formerly leased land to Arabs or had employed Arabs to dismiss them subject to being deprived of their property for non-compliance. Yet the representative of Costa Rica had callously described the Israeli occupation as a benevolent one.

37. The representative of Costa Rica had objected to the composition of the Special Committee and had asked to have it changed. It should not be forgotten that many Latin American States had been invited to accept membership but had refused because they did not want to have a confrontation with Israel since that would mean a confrontation with the United States, which condoned and protected the Israeli occupation and annexation. He doubted very much whether Costa Rica would be prepared to become a member of the Special Committee. The representative of Costa Rica had also suggested that there should be a change in the terms of reference of the Special Committee. That could only be because he wanted to further Israel's policy and to sap the very foundations of Arab society and culture.

38. The statement by the representative of Israel at the 799th meeting had been a masterpiece of propaganda. He doubted, however, that the Committee had believed it. There had been three basic distortions in that statement.

39. In the first place, by attempting a character assassination of the members of the Special Committee, Israel was clearly trying to cover up the fact that it rejected any international body which did not condone its war crimes and crimes against humanity. The first instance of that rejection had occurred in 1948 when the Zionist establishment had assassinated the United Nations Mediator for Palestine. Since then, Israel had constantly frustrated all other international efforts. It was quite clear that the crux of the matter was not the membership or terms of reference of an individual committee or mission but the fact that Israel wanted to prevent any questioning of its actions. It would reject whatever conclusions were reached by the international community and did not differentiate between occupation and annexation. As Moshe Dayan had stated,

Israel intended to regard itself as the permanent régime in the occupied Arab territories and to carry out the necessary projects there without waiting for the day of peace which might be very late in coming.

40. The second distortion in the Israeli representative's statement related to testimony cited in paragraphs 79 and 80 of the previous year's report of the Special Committee.⁴ The information given by the Israeli representative had contradicted the findings of the Special Committee. That representative had said that the Syrian citizen in question had not been blinded by Israeli torture but by an exploding shell. Before any credence could be given to that statement, however, the Committee would have to have documentary evidence confirming the Israeli account.

41. The third distortion was the Israeli representative's attempt to cover up his Government's annexationist policies. The Israeli representative had referred to the statement made by his country's Minister for Foreign Affairs at the 1946th plenary meeting of the General Assembly on 30 September 1971 to the effect that Israel had no policy of expansionism. Who was to be believed, however, since, on 10 October 1971, the Israeli Prime Minister had said that her country's borders were fixed by the people who lived along them?

42. He felt that the Committee was in a position to vote on a draft resolution which fully reflected the true situation.

43. Mr. CAHANA (Israel) said that he could not reply in detail to all the lies and distortions which had been levelled against his country by the Arab representatives. The debate could hardly be described as balanced; while it was perhaps true that his earlier statement on the item under consideration had lasted for 92 minutes, the various Arab delegations had spoken on the matter for a total of more than 10 hours. Under the circumstances, it was difficult to see what purpose could be served by replying to their statements; no matter how reasonable the arguments advanced against them, they would undoubtedly adhere to their prejudices and preconceived fantasies.

44. Fortunately, his delegation's task had been made considerably easier by the first-hand testimony provided by the representative of Costa Rica, which carried a great deal more weight than statements which bore no relation to the real facts of the matter. It was hardly surprising that the Syrian representative should have become enraged at hearing his own fallacious arguments dissipated by the truth; indeed, so much did he fear the truth that he would stoop to personal attacks against those who expressed views which differed from his own.

45. One representative had referred to the demolition of houses in the Arab village of Nebi Samwil, near Jerusalem; he explained that the houses in question had been vacant and dilapidated and that the local Arab Council had requested that they be destroyed since, in its view, they had constituted a safety hazard. The allegation that a number of families had been permanently removed to Abu Zenima was also incorrect, for the families in question had since been returned to their homes.

⁴ *Official Records of the General Assembly, Twenty-fifth Session, agenda item 101, document A/8089*

46. The representative of Jordan had referred (800th meeting) to the fact that the Israeli authorities were making preparations for the holding of municipal elections in a number of towns in the west bank. Actually, those measures had been taken with considerable reluctance and only in response to strong local demands. Under the circumstances, the Israeli authorities had felt that it would be improper to deny the local population the basic human right to choose their own representatives.

47. He wished to point out that the man referred to by the representative of Jordan, and by the Special Committee in its report, as the "Mayor of Jerusalem" was not in fact an elected official, but had been appointed by the Amman Government. A few local elections had indeed been held in eastern Jerusalem under the authority of the Jordanian Government, although only a few thousand citizens had been permitted to participate in them, but the person in question had ranked only third or fourth among the candidates in terms of the number of votes received. It was worth nothing, in that connexion, that the man who currently held the office of Mayor of Jerusalem under the Israeli administration had received more Arab votes than the "Mayor" recognized by Jordan.

48. In speaking of Israeli practices in the Gaza strip (800th meeting), the representative of Egypt had neglected to recall that during its 19-year occupation of the strip, the Egyptian authorities had subjected the population to ruthless oppression and treated them as prisoners. The record of that period would be a disgrace to any civilized Government.

49. Turning to the case of Moayad El-Bahsh, who was reported to be suffering from partial paralysis as a result of alleged ill-treatment at the hands of the Israeli authorities, he pointed out that the medical report by Dr. T. H. H. Wade contained in the Special Committee's report (A/8389/Add.1, annex III) actually confirmed the diagnosis of the Israeli medical authorities (A/8389/Add.1, annex II), namely that the paralysis was either feigned or hysterical in origin; the remainder of Dr. Wade's report merely reproduced the tales told by the patient. El-Bahsh, a man who had attempted to murder his friend and whose disability, according to reliable medical authorities, was a sham, was being sent around the world on a propaganda mission for Al-Fatah.

50. In the view of his delegation, the representative of Syria was poorly placed to speak on matters of human rights. A succession of Syrian Governments had conducted a constant policy of persecution against the 200,000 Kurds who lived along Syria's north-eastern border with Turkey and Iraq. The very few schools that existed in the area provided instruction only in Arabic, and all publications in the Kurdish language were prohibited. According to recent reports, the Syrian Government was initiating an "Arab belt" project designed to evict the Kurds from a belt 15 km. deep along the border and encircle the remaining Kurds with Arab settlements. If there was any phenomenon in the Middle East which could be compared to South Africa's policy of *apartheid* and the establishment of Bantustans, it was the policy of the Syrian Government towards the Kurds.

51. Mr. AL-ZAHAWIE (Iraq), speaking on a point of order, pointed out that the Committee was discussing practices affecting the human rights of the population of the occupied territories, and not the rights of minorities in independent countries. He hoped the representative of Israel would take account of that fact.

52. Mr. CAHANA (Israel) said that the Special Committee had exceeded its mandate by considering the "policies" as well as the practices of his Government in the occupied territories. The representative of Iraq had gone even further by introducing the speculations, dreams and fantasies of persons long since dead. The item before the Committee related to the actions of his Government, and not to the intentions or ideologies of its leaders as expressed to their own people. Criticism of States based on poetry or mystical writings had no place in the United Nations.

53. In the course of the debate, comparisons had been made between the Israeli administration in the occupied territories and the occupation of other areas in other parts of the world. If there was any valid comparison, it was with the occupation of Germany by the Allies following their triumph over Nazi aggression. Just as Germany had invaded much of Europe, the Arab States had tried, in May 1967, to invade and conquer Israel. Acting in self-defence, Israel had thrown them back and now, like the Allies in Germany, held their territory pending the establishment of peace and the recognition of boundaries.

54. Mr. BAL (Mauritania) said that the lengthy statement made by the representative of Costa Rica (801st meeting) in defence of international zionism constituted the greatest distortion of fact yet heard by the Committee. As a member of an ecclesiastical order, the representative of Costa Rica should have had some understanding of the elementary principles of human decency. The harsh facts reported by the Special Committee had been confirmed not only by the Israeli press, but also by the statements of high-ranking Israeli officials. Yet it should come as no surprise to see a man of the cloth defend colonialism and violations of human rights, for the representative of Portugal in the Third Committee, also a priest, had defended the policies of the Portuguese Government in the same way as the Costa Rican representative had done in the case of the policies of the Government of Israel.

55. When he had implied that there was nothing wrong with military occupation as long as it contributed to the development of the territory in question, the representative of Costa Rica had been speaking not with the voice of the Church, but with that of zionism. Numerous United Nations organs had affirmed that Israel was deliberately violating the human rights of the population of the occupied territories. He called for an end to the plunder of the Middle East and for peace, justice and the restoration of Palestine to its people.

56. Mr. AZZOUNI (Jordan) said that at the preceding meeting the representative of Costa Rica had presented a rosy picture of the situation in the territories under Israeli occupation, speaking at length of development and prosperity. In fact, he had repeated the usual statements of Israeli officials. The Prime Minister of Israel, Mrs. Meir, in an attempt to justify the annexation of Arab Jerusalem,

had stated that the city had been dirty until the Israelis had cleaned it up. That was merely another form of the colonialist argument that the life of the natives improved under colonial rule. The international community, however, had finally rejected that argument by recognizing the right to self-determination, which was a fundamental human right.

57. Instead of joining other States in calling upon Israel to terminate its occupation, the representative of Costa Rica expected the United Nations to thank Israel for its generosity in providing the people of the occupied territories with better roads, running water and newly planted trees. It was not surprising that the representative of Costa Rica had never witnessed any acts of torture or imprisonment or other violations of human rights during his visit to the occupied west bank, for such violations were not usually committed in public, and certainly not before the eyes of foreign diplomats.

58. The representative of Costa Rica had assured the Committee that Israel had no desire for additional territory. There was no need to go into the details of Israel's policy of expansion to show that the existing boundaries of Israel were not where the United Nations had recommended that they be drawn in 1947. The Costa Rican representative had failed to make any reference to the recent Israeli legislation extending the borders of Jerusalem to incorporate three more Arab towns and 27 more Arab villages in addition to the territory illegally annexed in June 1967. Pope Paul VI had on many occasions expressed his deep concern over the measures taken by Israel in Jerusalem. Yet, instead of joining in those expressions of concern, the Costa Rican delegation had recently associated itself with the Israeli delegation, thus isolating itself from the international community, on the occasion of an important vote in the General Assembly.

59. Mr. MOUSSA (Egypt) said that he wished to reply to a few points raised by the representative of Israel. As far as the destruction of houses in the village of Nebi Samwil was concerned, the Egyptian delegation had merely quoted a report issued by the International Committee of the Red Cross (ICRC) expressing grave concern at the incident. In regard to the removal of families to Abu Zenima, his delegation had cited a report published in the *International Herald Tribune*, which stated, *inter alia*, that the families in question would be released only when the members of the resistance movement whom they had sheltered had been killed or captured by the Israeli authorities. If those families had been returned to their homes, as the Israeli representative had indicated, the implication was clearly that those freedom fighters had been either slain or imprisoned. With respect to the situation in the Gaza strip, the resolution recently adopted by an overwhelming majority of the General Assembly had referred to the destruction of refugee camps by Israel. Moreover, the Secretary-General and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had expressed grave concern over Israeli practices in that area. Before condemning the Arab delegations for allegedly exaggerating the facts, the representative of Israel should condemn ICRC, the General Assembly, the Secretary-General and the Commissioner-General of UNRWA for recognizing the truth of those facts.

60. In his statement at the previous meeting, the representative of Costa Rica had said that he was unable to understand why the Arabs were so hostile to Zionism and why they refused to recognize the benevolent character of the Israeli occupation, the one-sidedness of the composition of the Special Committee, and Israel's desire for coexistence with its neighbours. Like other members of his delegation, the representative of Costa Rica had clearly missed the point of the Committee's debates. The essential point at issue was the violation of fundamental human rights, the forcible displacement of hundreds of thousands of people and the military occupation of the territories of sovereign States. Such practices as those, which could hardly facilitate coexistence, must be recognized as inadmissible.

61. The allegedly one-sided membership of the Special Committee was a false issue, for Israel had refused on a number of occasions to co-operate with international bodies composed of persons from countries which were friendly towards Israel. In inviting the members of the Special Committee to visit Israel, the representative of Costa Rica had again missed the point. If the situation was as pleasant as he had contended, why had Israel refused to admit the representative of the Secretary-General?

62. The representative of Costa Rica had called for an investigation into the situation of certain groups in countries bordering on Israel. He had apparently not understood that the item under consideration related not to Israel itself, but to the territories under Israeli occupation. If he had meant to refer to territories under Arab military occupation, such territories simply did not exist. In any case, the widespread violations of human rights within Israel itself were well known to members of the Committee. The Costa Rican representative appeared to have rejected the principles of the inadmissibility of territorial acquisition by force and non-intervention in the internal affairs of States and to have accepted the idea that all Jews were represented by the representative of Israel, and not by the representatives of the countries of which they were citizens.

63. Mr. DAWOOD (Sudan), speaking in exercise of the right of reply, said that it was obvious that the purpose of the allegations against his country and several others in Africa and Asia made by the Israeli delegation in the statement in document A/8472 was to divert the Committee's attention from the item under discussion.

64. The Sudan, as an emerging third world country, had inherited certain problems, one of which was the unequal development of the southern area as compared to that of the other parts of the country. That situation had been created in the era of British colonialism so that it could be exploited later to facilitate the infiltration of imperialist agents. The short-sighted reactionary régimes ruling the country after the attainment of independence had been unable to deal with the problem effectively but when the Revolutionary Government had taken power in 1969, it had adopted a realistic attitude and acknowledged the existence of certain cultural differences between the various parts of the country, especially in the south. Accordingly, it had granted regional autonomy to the south and had put the whole administration of the southern provinces in the hands of southerners. One of the three Vice-Presidents of

the Sudan was a southerner and the south was represented in the central Government by several ministers. The Vice-President and the southern ministers were working to promote the welfare of the entire country. The Government of the Sudan was making vigorous efforts to rehabilitate the Sudanese refugees who had left the country under the pre-revolutionary régime and those efforts were recognized and appreciated by the neighbouring African States.

65. In that connexion, he wished to protest against the malicious interference of the Israelis in the affairs of African countries which were solving their common problems within their regional organizations. It was the Zionist State of Israel which was working against the sovereignty and territorial integrity of the African States, and it was no wonder that the Organization of African Unity had refused to accept Israel's so-called assistance in connexion with the liberation fund. Israel had been trying to apply the same policy of subversion against Sudan but had failed. He drew attention in that connexion to the recent trial at Khartoum of a West German mercenary, Rolf Steiner, who had given evidence concerning Israel's participation in subversive and separatist movements in several African countries. It was Israel, not the Sudan, which was guilty of violating human rights.

66. In the Committee's discussion of item 37, the policies of *apartheid* of the Government of South Africa, too, the Israeli representative had made false allegations about the Sudan. The fact was, however, that the Sudan was free from any kind of religious or racial discrimination. Indeed, delegations from the World Council of Churches had visited the Sudan several times and in January 1972 an international conference in which that body, together with many other non-governmental organizations, would take part, was to meet at Khartoum to help the Government in its efforts to rehabilitate the Sudanese refugees. The State of Israel, on the contrary, was based on the principle of racial exclusiveness. Jews of African or Asian origin were treated as second-class citizens in relation to Jews immigrating from Europe or America. That racial policy was consistent with Israel's relations with the Government of South Africa. In that connexion he would like to refer the Committee to the report of a seminar on the evils of racial discrimination, held at Yaoundé in June 1971,⁵ in which the racial character of the State of Israel was clearly demonstrated. *The Christian Science Monitor*, of 23 November 1971, had published a letter from a Sephardic Jew stating that the Sephardim had lived in peace with their Arab neighbours until the establishment of the State of Israel: the Sephardic Jews who had emigrated to Israel from Europe had been disappointed in their hopes of a better life, for they were discriminated against by the Ashkenazim in every field of activity.

67. The Reverend NUÑEZ (Costa Rica), speaking in exercise of the right of reply, said that he had never asserted that there could be any justification for military occupation with the purpose of annexing territory; rather, he had urged that an immediate solution should be worked out in a spirit of goodwill by the parties concerned. As many in the United Nations were aware, he had been a

staunch champion of Algeria when that country had been the victim of military occupation by a foreign Power, and he had supported the independence movements in Cyprus and Indonesia. It could thus be seen that he had a consistent record of opposition to the domination of one people by another, whether military, economic or cultural.

68. As for the remarks which the Mauritanian representative had made about him in his capacity as a cleric, he wished only to state that he interpreted Christianity in accordance with the dictates of his conscience; Christians were free to ask questions, and he, for his part, did not hesitate to question situations that seemed to him unjust. He was not sermonizing; he merely wished to see the same high principles which were enshrined in his country's Constitution prevail in other parts of the world, including the Middle East, and he looked forward to the time when capital investment would be devoted to such purposes as feeding the hungry and promoting education rather than the purchase of weapons.

69. He had not suggested that the terms of reference of the Special Committee should be changed, but had urged that they should be broadened to take account of the fact that human rights were being violated in many parts of the world. He would like to assure the Egyptian representative that he wished to co-operate fully in efforts to put an end to the conflict in the Middle East, including the military occupation of the territories under discussion, a process which could be accelerated through negotiation. It was not true that in his statement at the 2015th plenary meeting of the General Assembly he had expressed opposition to the aspirations of the Arab people—on the contrary, he had expressed Costa Rica's desire to see the independence, sovereignty and territorial integrity of their countries ensured and their progress promoted.

70. In reply to the comments which had been made about Israel's laws governing land tenure, he said that he wondered whether the members of the Special Political Committee had sufficient legal expertise to discuss that subject; he wished only to add that it was his understanding that those laws were in conformity with internationally recognized principles.

71. The CHAIRMAN appealed to those members who still wished to speak in exercise of the right of reply not to exceed the time-limit set by the General Committee.

72. Mr. EL-FATTAL (Syrian Arab Republic), noting the Israeli representative's reference to the Kurds and a so-called Arab belt, said that he was unaware of the existence of any such area. However, since the Israeli representative had also referred to northern Syria, he wished to explain that the area in question was undergoing a process of profound economic and social change with the construction of the Euphrates Dam, which would be the second highest dam in the Middle East. It was natural that feudalistic elements should be opposed to the changes which that development would bring, but their opposition was not based on racism, as the Israeli representative, who could think only in racist terms, seemed to believe. If Israel was going to persist in its assertion that Syria discriminated against the Kurds, it would have to be asked why Israel was discriminating against the black Jews.

⁵ See document ST/TAO/HR/42

73. Mr. CAHANA (Israel) said that in view of the lateness of the hour he would not exercise his right of reply with reference to the remarks of the Syrian representative. The Sudanese representative, for his part, seemed to be acutely sensitive about a subject which Israel had not brought up in the Committee—indeed, there had been no need to do so, for the situation in the southern part of Sudan was well known throughout the world. With reference to the Egyptian representative's remarks about the destruction of the village of Nebi Samwil, he said that his own delegation's comment on that subject was based on information which was also available to the International Committee of the Red Cross. With regard to the Egyptian representative's remarks about the families removed to Abu Zenima, their return had taken place after April 1971, the date of the information to which the Egyptian representative had referred.

74. In reply to the comments made on Israel's practices in the Gaza strip, he wished to quote from a statement broadcast over Radio Mecca on 10 March 1962 complaining that the Nasser régime had "lowered an Iron Curtain around the strip" and that the inhabitants were being ill-treated and allowed to starve while the Egyptian Governor "basked in the wealth of the strip". Needless to say, no Committee had been established to investigate that situation. Similarly, although the Gussing mission in 1967 had looked into the situation of Jews in Arab countries which lay within the "area of conflict" referred to in Security Council resolution 237 (1967), succeeding missions had adopted a discriminatory attitude, ignoring that whole aspect of the question. That was one of Israel's main objections to the activities of bodies such as the Special Committee. With regard to the question of Israel's receiving the Special Committee, he could only say that each member would be welcomed to visit Israel as an individual and to talk freely to persons there, including those who had been detained in Israeli prisons, but that Israel did not wish to receive the Special Committee as such, for the reasons he had just set forth.

75. Mr. EL-FATTAL (Syrian Arab Republic) observed that Security Council resolution 237 (1967) had been interpreted by the Legal Counsel, who had explained that it applied solely to occupied territories. Presumably, the representative of Israel considered Czechoslovakia, India, Poland and the Union of Soviet Socialist Republics to be occupied territories, for he had referred to them in connexion with the item under consideration, which related solely to occupied territories. If those countries were occupied territories, then every country in the world could be regarded as an occupied territory.

76. Mr. EDREMODA (Nigeria) said that, fortunately, draft resolution A/SPC/L.235 did not question Israel's right to exist as a State, for the Nigerian delegation had stated in the General Assembly that it could not support a draft resolution which repudiated that right. At the same time, his country maintained excellent relations with the three Member States represented on the Special Committee and was opposed to the acquisition of territory by force. Similarly, it had great sympathy for persons compelled to live under foreign occupation through no fault of their own, and he felt that, despite the good intentions of any occupying Power, violations of human rights were almost certain to be committed by officials in the lower echelons of authority.

77. At the twenty-fifth session, his delegation had voted in favour of the corresponding General Assembly resolution (2727 (XXV)) relating to the current item and would wish to do so in the case of the draft resolution before the Committee (A/SPC/L.235). However, he noted that the text was somewhat different in the current instance. Accordingly, he introduced the amendments contained in document A/SPC/L.237 and stated that, if they were not acceptable to the sponsors of the draft, he would be compelled to seek further instructions.

The meeting rose at 7.10 p.m.