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SUMMARY RECORD OF THE 20th MEETING

Chairman: Mr. KORHONEN (Finland)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 75: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/40/702, A/40/686, A/40/575, A/40/541, A/40/649 and Add.1, A/40/542, A/40/583)

1. Mr. BUSCH (German Democratic Republic) said that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/40/702) provided ample proof that the ruling Israeli circles were further extending the sphere of their occupation. The policy of State terrorism pursued by Israel against the Palestinian people and the Arab States had aggravated the already explosive situation in the region. That policy was marked by brutal excesses perpetrated by the Israeli occupiers in the occupied Arab and Palestinian territories, including southern Lebanon, and by acts of aggression against Arab States.
2. The statement made by the representative of the Palestine Liberation Organization (PLO) to the Special Political Committee confirmed the human rights violations already noted in the Special Committee's report. It was obvious that the aim of the Israeli rulers was to create a situation which would enable them to annex the Palestinian territories of the West Bank and Gaza Strip. There could be no doubt that the settlement policy was an essential part of Israel's intention to de-Arabize and colonize the occupied territories, as could be seen in paragraph 321 of the report. Moreover, Israel was escalating its attacks against the local institutions, economy, national culture and educational systems of the Palestinians. The occupation authorities had been taking measures aimed at changing the demographic, geographical and political situation of the occupied territories. At the same time, the Palestinian people had been further oppressed, in disregard for the norms of international law, United Nations resolutions and the provisions of the fourth Geneva Convention, as could be seen in paragraph 326 of the Special Committee's report.
3. Another objective of Israeli practices was to create in the occupied territories a climate of terror in order to intimidate the Palestinian population and thus break its will to resist. The German Democratic Republic emphatically condemned the policy of terror practised by Israel against the Palestinian people and urged the application of resolute measures against the aggressor.
4. The Middle East conflict and its core, the question of Palestine, could have been settled long ago if Israel did not enjoy the political, economic and especially military support of its "strategic ally": it was obvious that the United States not only approved of Israel's practices in the occupied territories but also supported them; another proof of that was the United States veto of the draft resolution submitted by various non-aligned countries in September to the Security Council (S/17459).

(Mr. Busch, German
Democratic Republic)

5. The German Democratic Republic endorsed and reaffirmed the Declaration formulated by the States parties to the Warsaw Treaty at the meeting of the Political Consultative Committee held at Sofia on 22 and 23 October 1985, which stated, with regard to the Middle East problem, that a comprehensive, just and lasting settlement of that problem could be achieved only through the collective efforts of all the parties concerned on the basis of a complete withdrawal of the Israeli troops from all Arab territories occupied since 1967, implementation of the legitimate rights of the Arab people of Palestine, including its right to self-determination and to the establishment of an independent State, and guarantees for the right of all States in that region to independent existence and development. A practical step in that direction would be the convening of an international peace conference on the Middle East, under United Nations auspices and with the participation of all the parties concerned, including PLO. The strengthening of the unity of the Arab countries and the Palestinian movement would be conducive to a settlement of Middle East problems.
6. Mr. MOHAMAD RAZLAN (Malaysia) said that the Special Committee's report showed once again Israel's disregard for the human rights of the peoples living in the occupied territories. Undoubtedly Israel would again dismiss the accusations as fabrications inspired by anti-Semitism. The truth was that Israel felt itself in a position of strength which enabled it to continue to ignore the international community's repudiation of its actions in the occupied territories. In those circumstances, it was relevant to ask what more the international community could do. Obviously, the United Nations could not take punitive action against Israel because of the protection which it received from the strongest Power in the world. Nor had results been obtained by invoking the Geneva Convention relative to the Protection of Civilian Persons in Time of War or the moral precepts which had nevertheless motivated the entire world when the Jewish people had been threatened with extinction by Nazi Germany. The Tel Aviv régime had consistently refused to respect the human rights of the peoples of the occupied territories, and had even challenged the historical existence of the Palestinian people, despite the fact that there were several million Palestinians with a strong national identity and rich historical and cultural heritage.
7. The Special Committee's report, like all previous reports, was an indictment of the policies of Tel Aviv. Israel's contemporary parallel was South Africa. Both régimes shared the concept of racial superiority, and both continued to ignore the international community's pleas and opinions. Just as the wages of the blacks in South Africa were lower than those of the whites, the wages of the Arabs in Israel were lower than those of the Jews. The position of the Arabs in Israel, who were subject to special laws different from those for Jews, was comparable to the position of blacks in South Africa, whose degree of protection was much less than that of whites.
8. Israel's policy of annexation and expropriation of Arab lands and properties was well known to all. Under Military Order No. 59, the military Governor was entitled to declare Arab lands to be State lands. Television had shown

(Mr. Mohamad Razlan, Malaysia)

Rabbi Kahane, who was almost a folk hero in Israel, urging the expulsion of Arabs from the boundaries of Israel.

9. The international community, true to the principles of the United Nations Charter and the norms of international law, must continue to oppose the injustices perpetrated by Israel. In the end, truth would prevail.

10. Mr. MITAU (Kenya) said that the Special Committee's report showed that Israel had continued to ignore fundamental human rights in the occupied territories, and persisted in its attitude of non-co-operation with the Special Committee despite the provisions of General Assembly resolution 39/95 D.

11. The international community, including Israel, accepted the fact that the occupied territories belonged to other States and that Israel could therefore occupy them only by threatening the use of force. Israel had followed a clear policy of settlement without regard for the human rights of the Arab people, the legitimate owner of the territories. The Arab population of the occupied territories lived in fear and insecurity, under the threats of the occupation authorities and Israeli settlers. Violent deaths, arrests, disappearances and evictions were heightening the tension between the settlers and the Arab population. History and geography textbooks distorted the facts to reflect Israel's requirements, and in many cases Arabs were encouraged or forced to accept Israeli citizenship. Israel's refusal to allow the Special Committee to visit the occupied territories was an indication that there were facts which it wished to hide.

12. Israel's activities in the occupied territories violated the Geneva Conventions and various Security Council and General Assembly resolutions. The international community condemned the acquisition of territories by the threat or use of force, and Kenya shared that view. Israel should unconditionally withdraw from all the territories occupied in 1967 and should respect the internationally recognized borders. It could not continue to justify its existence at the expense of its neighbours. No just and lasting solution of the Middle East problem could be achieved unless the legitimate rights of the Palestinian people were recognized. A settlement would be achieved only through the collective efforts of all the parties concerned, including PLO.

13. In Kenya's view, Israel and Palestine could and should coexist. Israel should stop its aggressions against Arab territories and guarantee the inalienable rights of the Arab population of the occupied territories, pending a complete and unconditional withdrawal of Israeli troops and settlers from the occupied territories. His delegation, together with the majority of Member States, supported the proposal to convene an international peace conference on the Middle East, to find an overall solution to the problem.

14. Mr. RAMANDRAIARISOA (Madagascar) said that the Israeli practices were reprehensible from the point of view of both law and morality. Their aim was to destroy the Arab nature of the territories occupied since 1967 in order to build "Greater Israel". Through the obstinate repetition of acts that the entire

(Mr. Ramandraiarisoa, Madagascar)

19. As it had in the past, Madagascar would continue to denounce the Israeli practices in the occupied territories, and it urged those States which could exert a decisive influence to persuade Israel to discontinue its deplorable practices and withdraw from the occupied territories, including Jerusalem, in order, to create prospects for peace in the region. Madagascar, as a non-permanent member of the Security Council and a member of the Movement of Non-Aligned Countries, would work untiringly together with all peace- and justice-loving countries to bring about the triumph of the legitimate rights of the Palestinian people. As long as Israel had not withdrawn from the occupied territories, it would continue to demand strict compliance with the provisions of the fourth Geneva Convention relative to the protection of Civilian Persons in Time of War, of 12 August 1949, which was applicable to the Arab territories occupied by Israel since 1967 and to Jerusalem.

20. Mr. KULAWIEC (Czechoslovakia) said that, in violation of all norms of international law and all the resolutions of the Security Council and the General Assembly, Israel was persisting in its occupation of vast areas of the Arab territories with a view to annexing them, and was violating the fundamental principle of international law concerning the non-acquisition of territory by force. Through such activity, Israel was creating a dangerous precedent in international relations and subjecting the Palestinian people, both within and outside the occupied territories, to systematic and cruel repression. Israel's constant attacks on the refugee camps were an extension of its policy of open genocide against the Arab people. The world was also witnessing an intensification of economic pressure aimed at forcing the Palestinians to abandon their homes and lands so that Israel could colonize them. The Prime Minister of Israel himself, who had alluded at a recent plenary meeting of the General Assembly to his Government's "peaceful policy", had failed to mention that that Government was openly fostering a climate of violence and repression against the Palestinians. Academic institutions were also the object of arbitrary measures: universities were frequently closed and students accused of alleged activities against Israeli citizens were arrested.

21. The report of the Special Committee referred to the many crimes committed by the Israel occupiers in the occupied territories. Unfortunately, it was clear that the situation had deteriorated and that the human rights of the Arab population were subjected to increasingly serious violations. The Israeli armed forces had made air and land attacks on Tripoli and the Bekaa valley, as well as in south Lebanon, the victims of which were the civilian population and the inhabitants of the refugee camps. Special groups of saboteurs and Israeli intelligence forces were sowing terror in the villages so as to eliminate Arab resistance movements. It was a policy of real State terrorism, aimed at destroying the legitimate resistance of the Arab population, which had been condemned and stigmatized throughout the world. The United Nations had a duty to awaken the world public conscience and to intensify its efforts to put an end to those inhuman acts. The danger of that racist policy and Israel's scorn for humanitarian ideals constituted a threat to the survival of democratic principles in relations among peoples. The continuation of acts aimed at forcing a whole people to forget its national consciousness and renounce its objectives as a nation could no longer be tolerated. If world public opinion and

(Mr. Kulawiec, Czechoslovakia)

the international organizations, foremost among them the United Nations, did not take decisive steps, the Palestinian people would continue to be threatened by the possibility of a repetition of the massacres at Sabra and Shatila, as proved by the recent barbarous attack on the PLO headquarters in Tunis. The victim of that genocidal policy was one of the oldest peoples on earth which, despite the deplorable conditions in which it found itself, continued to win the admiration of the world through its determination to possess a national life and its tenacious struggle for survival. The basic condition for a successful effort to prevent such acts against the Palestinian people would be the immediate adoption of vigorous measures in accordance with the United Nations Charter. Indifference could not be maintained in the face of Zionist policy, the scorn shown for the United Nations, and the acts of aggression committed by Israel. The United Nations must take urgent and specific steps. The moral strength displayed by the Palestinian people had earned it the sympathy and loyal moral support of the people of Czechoslovakia, and inspired the belief that its liberation struggle under the leadership of PLO would result in victory. In the interest of justice and with a view to eliminating a dangerous source of tension in the Middle East, it was vital for Israel to withdraw its occupying troops totally and unconditionally from all the Arab territories occupied after the aggression of 1967. In addition, Israel should give up East Jerusalem and the Golan Heights. The exercise by the Arab people of Palestine of all its rights, including the right to self-determination and the right to establish its own independent State, was an essential prerequisite for achieving a just, peaceful and lasting settlement in the Middle East.

22. A good basis on which to start the peace process would be an international peace conference on the Middle East, with the participation of all the parties, concerned, including the Palestine Liberation Organization. Negotiation was the only way to safeguard the legitimate interests of all parties.

23. Mr. ALSHAWKANI (Yemen) said that, once again, the report of the Special Committee showed a deteriorating situation in regard to human rights and the violation of relevant agreements. Israel was persisting in its policy of annexation. The report of the Special Committee threw light on only some of the Israeli practices, since the difficulties created for the United Nations representatives by Israel, despite the praiseworthy efforts of the Secretary-General, had made it impossible to visit the territories. That was yet another aspect of Israel's cynical disregard for the international community and additional proof of the critical situation in which the people of the occupied territories lived. Yemen condemned Israel's intransigence and praised the co-operative attitude of PLO during the preparation of the report.

24. The report mentioned the Israeli practices which involved violations of the fundamental human rights of the population of the occupied territories and reflected the deliberate policy of annexation of the territories and expulsion of their rightful inhabitants. With regard to education, particularly with respect to young Palestinians, Israel sought to eliminate any notion related to the Palestinian homeland. Military Decree No. 854 of the occupying forces provided for any reference to the Palestinian Arab heritage to be removed from the reading programmes

(Mr. Alshawkani, Yemen)

of schools. Moreover, Israel imposed restrictive laws on educational institutions, subjected them to repeated and arbitrary closure orders, interfered in the hiring of teaching staff and expelled teachers and students. It also imposed Israeli school curricula which distorted every aspect of Arab history. At the same time, it imposed severe restrictions on publications, on the organization of Arab cultural events and on the freedom of movement of Palestinian journalists. It confiscated the works of Arab artists and did not recognize the right to perform Christian and Islamic religious rites. The report contained numerous examples of acts of violence and terrorism committed by Zionist settlers against Arabs.

25. Paragraph 323 of the report stated that the settlers constituted the real political force in the occupied territories. They were the ones who enforced the law, while the civilian population was left totally unprotected. There were two different systems of justice in Israel. Arabs, including minors, received harsh sentences for accusations of stone-throwing or raising the Palestinian flag. In contrast, those same authorities treated members of clandestine groups who were convicted of murder and physical abuse of the civilian population with moderation and indulgence.

26. Paragraph 324 stated that new settlements continued to be built and planned and that considerable sums of money were being earmarked for that purpose. According to the report, such measures affected the integrity of the occupied territories from the Golan Heights to the Gaza Strip. The same paragraph mentioned the closing of the hospital located in the Old City of Jerusalem, which had served hundreds of thousands of Arab patients. That measure had been clearly intended to strengthen the overall policy to de-Arabize Jerusalem and was similar to those adopted by nazism and fascism and comparable to those currently employed by the racist régime of Pretoria, the collaborator of the Zionist régime of Tel Aviv.

27. It was essential to force the Zionist entity to put an end to its repressive and arbitrary measures and to put in place legal measures consistent with the provisions of the United Nations Charter. The Palestinian people, under the leadership of the Palestine Liberation Organization, firmly believed in the historical justice of its cause and in their national destiny. That faith should further strengthen the sense of responsibility of the United Nations and all Member States, particularly the permanent members of the Security Council, so that they would help to put an end to the Israeli occupation of the Arab territories and make it possible for the Palestinian people to exercise its inalienable rights in conformity with the relevant resolutions of the United Nations, so that peace, justice and stability might prevail in the Middle East.

28. Mr. ZAHID (Morocco) said that, in spite of the lack of co-operation from Israel, the Special Committee had succeeded in presenting in its report an eloquent testimony of the violation of human rights in the occupied Arab territories, which represented a threat to international peace and security.

29. The perpetuation of the occupation was, in itself, a violation of human rights which the Government of Israel seemed prepared to maintain through its settlements

(Mr. Zahid, Morocco)

policy, as had been demonstrated by the statements of Mr. Yitzhak Shamir contained in paragraph 248 of the report.

30. The occupying authorities had adopted various measures aimed at changing the demographic composition, the legal status and the geographic character of the occupied territories, in violation of the 1949 Geneva Conventions and the Hague Conventions of 1899, 1907 and 1954. They continued the expropriations and the demolition of dwellings, which forced the population to abandon their homes, while at the same time they established new settlements under a clear policy of imposing a Jewish presence. Between 1982 and 1983 the Arab population of Jerusalem had dropped by 8 per cent from 36 per cent to 28 per cent of the total, while the Jewish population had risen from 100,980 to 306,000, with an annual growth rate of 3.1 per cent. That increase was partly due to the presence of 140,000 new settlers in East Jerusalem. Moreover, according to statements by Mr. Yitzhak Shamir, the number of Jews in the West Bank would double in the following two or three years. All of that was being achieved and would continue to be achieved at the expense of the expulsion of the indigenous inhabitants. Mention must also be made of the closing of the hospital in the Old City of Jerusalem, described in paragraph 324 of the report.

31. Measures adopted under the policy of annexation, aimed at harassment, oppression and intimidation, placed grave restrictions on the exercise by Palestinians of their fundamental freedoms, with excessive and arbitrary limitations on their freedom of movement, the banning and censoring of publications which affected freedom of expression and interference in the freedom of education by the military authorities, which sometimes even took the form of closing vocational training institutions and universities. Not even religious freedom escaped those practices, since the Holy Places of Islam continued to be desecrated. Detained persons were deprived of their right to be defended by a lawyer and were subjected to inhumane treatment as recorded in the report submitted by Amnesty International in 1985. The detainees had begun several hunger strikes to protest the poor conditions.

32. The human rights situation in the Arab and Palestinian territories continued to deteriorate, in contravention of the fourth Geneva Convention and the resolutions and decisions of the General Assembly and the Security Council. His delegation was, however, convinced that persecution, torture, imprisonment and terrorism would not daunt the Palestinian people nor put an end to their heroic resistance until the establishment of those conditions which were essential for a just and lasting peace in the Middle East, namely, the withdrawal of Israel from all occupied Arab and Palestinian territories, including the Holy City of Al-Quds, and the exercise by the Palestinian people of its inalienable rights to self-determination and independence.

33. Mr. FREUDENSCHUSS (Austria) said that, although the Special Committee had been unable to base its report on evidence obtained in the occupied Arab territories themselves, the report gave cause for grave concern with regard to respect for the human rights of the Arab population and the political implications of some of the Israeli practices.

(Mr. Freudenschuss, Austria)

34. During the 18 years of occupation, those territories had undergone changes in their legal status which went beyond the limits established by international law for any occupying Power which administered a foreign territory and which converted Israel's policy in the occupied Arab territories into a process of open annexation. One of the most serious facets of that problem was the Israeli policy of settlements, which caused far-reaching changes in the composition of the population of the territories and was based on expropriations and confiscations of land. The latter had reached alarming proportions and threatened to convert the local population into second-class citizens or even strangers in their own land. Austria considered that policy of settlements, which the General Assembly and the Security Council had rejected on various occasions, unacceptable. In spite of the condemnation of the international community, the Government of Israel, in August 1985, had promulgated a decree on the basis of which deportations or administrative detentions could be carried out without any specific charges. Such a step could further aggravate the already serious situation.

35. The numerous peace initiatives had not achieved any significant progress so far and Israel's current policy in the occupied Arab territories made the possibility of reconciliation in the region even more remote by provoking violent resistance among the civilian population. Austria therefore urged the Government of Israel to conduct its policy in the occupied Arab territories in accordance with the relevant instruments of international law, particularly the 1949 Geneva Conventions relative to the Protection of Civilian Persons in Time of War, to respect the rights of the population and to avoid new tensions. A climate could thereby be created which would make it possible to begin an Arab-Israeli dialogue aimed at seeking a solution to the conflict in the Middle East.

36. Mrs. NAVCHAA (Mongolia) said that, in spite of the difficulties brought about by the lack of co-operation from Israel, the Special Committee had carried out a considerable task. The report presented a broad picture of the human rights situation of the population, which not only had not improved but which had deteriorated even further during the period under consideration.

37. More and more measures were being taken to encroach on the fundamental freedoms of the Palestinians, which affected all aspects of their human rights. Cases of detention and collective punishment had increased. On 4 August 1985, legislation providing for administrative detention had been adopted for the purpose of legitimizing violations of human rights. Arab lands continued to be expropriated to build new settlements, thereby causing demographic changes in the region and altering the life-style of the Palestinian population.

38. The aim of such practices was none other than the definitive annexation of the occupied Arab territories, while living conditions continued to deteriorate for the population, the victim of the settlements policy, the terror and the violence perpetrated against them by settlers, as well as the repressive measures of the Zionist Government, which forced them to abandon their lands and their country. All that constituted a clear violation of international law and, particularly, the fourth Geneva Convention and the principle of the non-acquisition of territory by force.

(Mrs. Navchaa, Mongolia)

39. That conduct, which was preventing a just settlement of the problem from being reached, went unpunished because of the support provided by the United States, which was encouraging Israel and helping it unstintingly in all spheres. The latest example had been the act of aggression committed by Israel against the PLO mission at Tunis, a deed for which the United States shared responsibility.

40. Her country strongly condemned Israel's policy of expansion and State terrorism; the United Nations must take effective action to oblige Israel to desist from those practices, which could only increase violence in the region. The security of one State could not be safeguarded at the expense of the security of others or by the forcible occupation of territory.

41. Mongolia supported the Palestinian people's just struggle to uphold its dignity and rights. That issue was part of the complex problem of the Middle East, which stemmed from Israel's aggression. The United Nations had on many occasions expressed its desire to achieve a just and lasting peace for the region through the convening of an international peace conference on the Middle East, with the participation of all interested parties, including the PLO; her country wanted to see such a conference held as soon as possible, with a view to solving the problem and enabling the Palestinian people to exercise its inalienable rights.

42. Mr. ALFARSI (Oman) said that the picture presented by the Special Committee report was just as bleak as that of the earlier reports. For 17 years the Special Committee had been describing in detail Israel's pursuit of its evil and premeditated plans aimed at full and final annexation of the occupied Arab territories, the fate which had befallen Jerusalem and the Golan. Israel was proceeding to clear those territories of the indigenous inhabitants and install Jewish settlers there, so as to relegate the Arab population to a minority status, thus obliging Arabs to abandon their lands and emigrate.

43. The Committee should acknowledge and commend the report, which had been drawn up with complete impartiality despite the fact that the Special Committee had not been allowed to set foot in the occupied territories. The report reviewed the situation of Arab citizens languishing under Israeli occupation of their land and described the measures adopted by the Israeli Government, based on the notion that the territories occupied in 1967 were an internal part of the Israeli State; it described new insurmountable obstacles raised by Israel to make the Arab citizens' everyday life impossible by imposing all sorts of restrictions on the freedoms of movement, education, association, expression and worship. Not even hospitals escaped the outrages perpetrated by Israel; doctors were subjected to exorbitant taxes simply because they treated Arab citizens, even when they did so free of charge. The outrages committed by the Government fell on all without regard to sex, religion, age or any other distinction; all Arab inhabitants were disposable and to be eliminated, and only Israel had the right to sovereignty and life. It sufficed, as an illustration, to cite one incident at Ramallah, in which a group of Christians had been the victims. The Municipal Council had organized a Boy Scout parade for Easter, but Israeli troops had broken up the marchers, detained some 50 persons, forced them to strip, doused them with firehoses and then forced them to clean the floor with their clothing; in other words, innocent persons who had not taken part in any incident or demonstration had been subjected to intolerable abuse.

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(Mr. Alfarsi, Oman)

44. Israel's refusal to allow the Special Committee access to the occupied territories could mean only two things. First, it signified Israel's utter disdain of the world community and its decisions. Since the founding of the United Nations, Israel had persistently defied General Assembly and Security Council resolutions; the disdain reflected in its conduct, therefore, caused no one surprise. The surprising thing was the international community's silence about such conduct. Secondly, the denial of access for the Special Committee to the occupied Arab territories clearly revealed the existence of outrages and situations which Israel wished to conceal.

45. Israel was clearly in breach of the provisions of the Geneva Conventions, particularly article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, pursuant to which forced movements of groups or individuals, on whatever pretext, were prohibited, as were deportations of protected persons from the occupied territory.

46. Under the Geneva Conventions, the occupation by a State of another State's territory must be of a temporary nature. Israel rejected that concept and assumed a right to occupation in perpetuity; it was trying to transform the demographic pattern, changing geographic names, diverting water resources, establishing settlements and trying to restrict the livelihood of Arab citizens. The situation was confirmed by Yitzak Shamir's statement that nothing had changed and that the policy of settlements would continue according to plan, in Judea, Samaria and Golan, which were an integral and inseparable part of Israel.

47. One cause for particular concern was that the Israeli authorities were applying the theory of violence as an integral part of their philosophy and day-to-day administrative practice. The violence was not limited to that perpetrated by the State through the army or police, but included violence committed by settlers at the Government's instigation.

48. Israel imposed the severest penalties on so-called "Arab crimes" - stone-throwing, for example. Pursuant to Decree 1108, military courts had been empowered to impose sentences of up to 20 years' imprisonment for stone-throwing. But the courts were extremely indulgent in regard to offences committed by Israeli settlers; the laws and regulations were tortuously formulated to protect them, even when firearms had been used. The courts had wide powers to determine when firearms were used in self-defence and made extensive use of those powers in order to exonerate Israeli settlers.

49. The current situation was a repeat of others in the past, when there had been armed bands such as Stern and Irgun, which had resorted to violence to achieve their ends. The sole difference in the current situation was that such groups were now protected by the law; some, such as the Kash group, were even invested with parliamentary immunity. Violence had been institutionalized. The Israelis must be made to see that their violent repression of Arab citizens could only arouse resistance which, if countered by further violence, would increase to such a scale as to explode uncontrollably. Arab resistance in the occupied territories against

(Mr. Alfarsi, Oman)

the outrages committed by Israel would persist, however limited the means, until Israel desisted from its inhuman methods and withdrew from the occupied Arab territories.

50. The Israeli representative, replying to comments made by some delegations during the current debate, had referred to mere side issues in a vain attempt to divert attention from the true situation and had avoided any reference to the Special Committee's report - proof indeed that the situation was as bad as indicated in the report, if not worse.

51. Oman condemned Israeli policies and practices in general; in particular it deplored the annexation by Israel of the occupied Arab territories, including the city of Jerusalem and the Golan in flagrant violation of the standards of international law. It denounced the arbitrary measures against Arab citizens of the occupied territories, and reaffirmed the applicability of the Geneva Conventions to all the occupied territories, including Jerusalem. The international community should speak out strongly against Israel's conduct, in order to bring the suffering in the occupied territories to an end; Israel should be forced to comply with the General Assembly and Security Council resolutions, as well as all relevant international conventions, agreements and treaties.

52. The Arab-Israeli conflict and the situation of the Palestinian people constituted the issue which had been longest before the United Nations. In the year of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, Israel was still denying the Palestinian people the right to live in peace in a secure, stable State. The real obstacle was Israel's refusal to abide by United Nations resolutions and to respond to initiatives aimed at a just solution of the Palestinian problem, including the Venice Declaration, the initiative of the late Mr. Brezhnev, the General Secretary of the Communist Party of the Soviet Union, the initiative of President Reagan, the Declaration of the Fez Summit Meeting, the 1983 Geneva Declaration and the recent Palestinian-Jordanian initiative at the Summit Meeting held at Casablanca. The Arabs, by accepting all legitimate initiatives, had demonstrated their will to uphold peace and security - not the status quo which Israel wished to impose but a sound peace based on justice and the norms of international law and on compliance with United Nations resolutions.

53. Time had shown that security and stability were impossible so long as Israel continued to trample on the rights of Arabs and occupy neighbouring countries in violation of their sovereignty. Israel's military might would never establish peace and stability in the region. The only way to achieve peace and stability was through constructive dialogue. Those countries having good relations with Israel should urge it to match the level of wisdom and judgement evinced by Arabs and Palestinians and show, before it was too late, that it was truly interested in achieving a just and lasting peace for all.

54. Mr. BAALI (Algeria) said that the latest report of the Special Committee had supplemented the long list of evidence regarding the crimes which the Zionist occupier was perpetrating with complete impunity against the Palestinian people on the territory of Palestine. Once again the indictment was overwhelming: the oppression of the civilian population was becoming increasingly brutal, the occupation more oppressive, the attack on Palestinian national rights more persistent. Once again the conscience of mankind had been outraged by the brutality of the tragedy experienced by a people which the Organization had deprived of its home, reduced to exile and dismemberment, by disregarding geography and distorting history. The international community must take collective action to bring justice to a people which, in adversity and torment, refused to abdicate its rights and continued to believe in the justice of its cause.

55. Every year the Committee uncovered new atrocities, new demands and new injustices committed by the Zionist forces in the occupied territories. Each year the Special Political Committee was invited to vote on resolutions which condemned those practices and the violation of basic human rights, which called on the occupying Power to respect the spirit and letter of the Geneva Conventions, which reaffirmed the need to restore the legitimate national rights of the Palestinian people and which called for the total and unconditional withdrawal of Israel from the occupied territories; Zionist leaders had responded with disdain and had intensified their aggression and repression against the Arab peoples of the region. All that was because Zionism, which had driven an entire people from the land of its ancestors, which had occupied the territory of that people and exploited its resources and had persecuted it, into exile, knew no other language than that of terror and overwhelming force and had no other goal than the infinite expansion of its living space and the final extermination of the Palestinian people.

56. It would be a dangerous illusion to believe that the leaders who proclaimed a philosophy which denied the concepts of justice and equity would one day submit to the rule of law. It would also be an illusion to believe that the Zionists would respect the human rights and fundamental freedoms of the Palestinian people and feel constrained to respect the provisions of the Geneva Conventions when they questioned the very existence of the Palestinian people whose land they occupied and whose resources they exploited.

57. What meaning could freedom of association or education have for a Palestinian whose belongings had been confiscated, whose land had been occupied by colonists and the fruit of whose labour had been pillaged and when he had been deprived of something as essential as his right to self-determination and independence in a free and sovereign State? How important could freedom of movement be to a Palestinian when he was regarded as a foreigner in the land of his ancestors, when his country was no more than an immense concentration camp and when the aggressors behaved like conquerors and enjoyed every freedom? To what rights could a Palestinian aspire when his fundamental national rights were ignored, his dignity and identity outraged, and when his national character had been trampled underfoot? It was to be hoped that the discussion which had clearly established the warlike and inhuman character of the Zionists by virtue of the extortions and brutality through which they had victimized the Palestinian people, would not distract the Committee from

(Mr. Baali, Algeria)

the real problem which was that the Palestinian people had been deprived of its inalienable rights and its homeland destroyed by the systematic use of terror, violence and aggression.

58. The situation in the occupied Arab territories had continued to deteriorate. The oppression of the civilian population had never been so brutal. Mass arrests, administrative detention, collective punishment and summary and iniquitous trials, were aspects of the daily life of a population which had suffered 18 years of occupation. Every day new lands were confiscated, plantations were destroyed, walls were erected around the camps and houses destroyed, on the most disingenuous grounds and in the name of a perverse interpretation of security.

59. The objective pursued by the Zionists was well-known: it was to impose terror on the Arab population, threaten them so that they would abandon their lands and goods and leave the way open for the Israeli leaders to implement their sinister purpose of Zionization and ultimate annexation of the occupied territories. The campaign of terror, to which the colonists contributed arms, and the activities of Israeli terrorist groups in complicity with political and religious circles and with the experience inherited from the dismal period of Irgun, had been accompanied by the methodical pursuit of the policy of colonization and the establishment of new settlements. Through expropriation, confiscation and the expulsion of Arab proprietors, the Zionist occupiers had been able to seize Arab lands and resources, including water resources, and had introduced radical and irreversible changes in the physical character and geographical composition of the occupied territories in gross violation of the provisions of the Geneva Conventions and the rules of international law.

60. According to a number of Zionist leaders, those territories where Jewish names prevailed were already an integral part of Eretz Israel and their formal annexation would not be necessary. In that way population transfers, which were expressly prohibited by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, together with the establishment of settlements and the exploitation of the natural resources of the occupied territories would be licit measures which would fall within the normal powers of a State to organize and exploit its national territory, in exercise of its sovereignty. The statements of some leaders who alleged that nothing had changed in Israel's policy and that colonization would continue throughout the country should not therefore be a matter for surprise.

61. In the occupied Arab territories, from the Gaza Strip to the Golan Heights, the West Bank and Jerusalem, the Zionist occupier was performing faits accomplis daily, and was using terrorism in an attempt to break the resistance of the Palestinian and Syrian peoples. The institutionalized terror and the terrorism of the colonists and bands of fanatics who supported the occupation forces, could only be countered by the Palestinian people with revolutionary violence and the continuation of its struggle for freedom. To the attempts to humiliate it and destroy its identity, it could only oppose its firm will to resist and to pursue its historic destiny. To the negation of its right to manage its own affairs and to build its independent State, the Palestinian people could only reply by continuing to proclaim the justice of its cause and the inevitability of its final victory.

(Mr. Baali, Algeria)

62. Partial approaches, sectoral and hasty remedies, humanitarian assistance to refugees living in tents, useless condemnations of violations of human rights in the occupied territories were not sufficient; such approaches could not replace the overriding need to ensure justice for the Palestinian people and give it its proper place in the concert of nations.

63. The settlement of the Palestinian question, which was at the centre of the endless process of destruction which had laid the Middle East waste during the last 40 years, required the withdrawal of the Israeli forces from the occupied territories and the restoration of the legitimate national rights of the Palestinian people, including its right to return, its right to self-determination and its right to the establishment of its independent State on its national territory in Palestine. Only through the restoration of the full enjoyment of its inalienable rights to the Palestinian people could peace come once again to the region; only then would the United Nations be able to return to its original purpose and its message of hope and faith in a better world.

64. Mr. BA-ISSA (Democratic Yemen) said that the discussion on the issue of Israeli practices in the occupied territories was repeated year after year. What was surprising was not that such practices were condemned but that they continued to exist notwithstanding the condemnation of the international community which the Tel Aviv régime continued to defy. Israel would continue its policies of aggression so long as condemnation was limited to verbal statements and effective measures were not taken on the basis of the Charter of the United Nations. In the current situation the effectiveness of the United Nations must be questioned if Israel could shield itself behind the inability of the Organization to implement its resolutions.

65. Israeli practices were an open secret but Israel, with the protection of the United States, ignored international opinion and continued to refuse to receive the Special Committee on its territory. The report was eloquent although the information contained in it was not exhaustive but only a representative sample. Israel continued to persist in its policy of annexation and suppression of fundamental freedoms and rights, in order to impose a policy of faits accomplis and reach a point from which it could not retreat. The inhuman character of Israeli policy was clear from its rejection of the fourth Geneva Convention.

66. The situation in the occupied territories continued to deteriorate, as evidenced by paragraph 326 of the report. Organizations of Jewish activists perpetrated violence against the Arab population. The Israeli ideology was racist, and its justice was derived from that ideology: a judicial system created exclusively for the Jews could not be a just arbiter in conflicts between Jews and Palestinians.

67. The Israeli practices were part of the Palestinian problem, which could not be resolved without a full withdrawal by Israel. His country supported the proposal to hold an international peace conference on the Middle East, under the auspices of the United Nations, to seek a general solution to the problem.

68. Mr. BOGDANOV (Byelorussian Soviet Socialist Republic) said that the report of the Special Committee brought the human rights violations in the occupied Arab territories to the attention of the international community. At the time of the commemoration of the fortieth anniversary of the victory over fascism and nazism, and the fortieth anniversary of the establishment of the United Nations, the people of his country, who remembered the tragedy of the Second World War, and the bloody struggle during the occupation by Hitler's troops, well understood the suffering experienced by an indigenous population under foreign domination and fully supported its claims.

69. The report led to the conclusion that the Government of Israel had continued to implement the same policy of terror and illegality against the Arab population. No one could remain unmoved by that tragedy, the pain and the tears of thousands of people dispossessed of their lands and water resources, when Israel had confiscated practically half of those lands. In the territories usurped from the Arabs, the establishment of more than 250 Israeli settlements could be witnessed, while Israel's leaders continued to declare that their colonization policy would remain the same. That policy affected all aspects of the life of the Palestinians, who were denied all economic, political, social and cultural rights and were submitted to intolerable living conditions, in order to force them to abandon their ancestral lands. At the same time, those lands were used for all kinds of strategic purposes, which reduced the area of arable land and irreparably damaged the economy and the agriculture of the occupied zones.

70. The determination to end all Arab political activity in Palestinian territories was reported in paragraphs 42, 43, 59, and 150 to 154. In the occupied zones the Palestinians experienced serious difficulties with education, due to the heavy censorship of textbooks for the purpose of destroying the concept of the Palestinian fatherland; in many of those textbooks the word "Palestine" had been replaced by the word "Israel" and no reference was made to Arab history or heritage. The aim was to deprive a people of its cultural heritage, and awareness of its own existence, and to undermine its identity. It was a matter of stifling the just protests of an entire people and justifying acts of repression, on the pretext that they were measures to re-establish order. Arabs were imprisoned on a massive scale and Arab protesters were dispersed with truncheons, teargas and even firearms. Dozens of Arabs had been killed in 1984, and hundreds had been imprisoned.

71. The inhuman conditions in the cells, the torture and humiliation constituted flagrant violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of the Hague Convention of 1907. The Israeli objective in acting in this manner was to continue its dominion over the invaded Arab territories. The numerous resolutions adopted by the General Assembly and the Security Council should be complied with. It was imperative that Israel withdraw its troops and recognize the right of the Palestinian people to form its own State. It was clear that without the major assistance provided by the United States in all senses - political, moral and material - to its strategic ally, Israel would not dare to behave in such an arrogant manner. Joint domination by the United States and Israel was being imposed on the region to integrate it into the aggressive world-wide strategic plan of the United States, and to prevent a just and

(Mr. Bogdanov, Byelorussian SSR)

comprehensive solution in the Middle East. Separate solutions were being forced upon certain Arab States. Washington and Tel Aviv had made strenuous efforts to adapt the Amman Agreement, reached in February of this year, to their objectives. Experience had shown, however, that separate agreements could not guarantee a just and lasting peace in the Middle East. Collective efforts were therefore necessary, and an international conference should be convened with the full participation of the PLO, as indicated in General Assembly resolutions 38/58 C and 39/49 D, as well as in the decisions of the Arab Summit Conference held in Fez, and in accordance with the Soviet proposal of 29 July 1984.

72. His country vigorously condemned the inhuman policy and practices of Israel in the occupied Arab territories and noted the heavy responsibility of those who gave the Israelis extensive aid and encouraged such conduct by the Israeli authorities. His delegation reaffirmed its firm support of the just struggle of the Palestinian people and other Arab peoples to eliminate the consequences of Israeli aggression and to reach a just, wide-ranging and lasting solution in the Middle East. That would only be possible if Israel abandoned the Territories occupied since 1967, if the inalienable rights of the Palestinian people to self-determination and the establishment of their own independent State were guaranteed and if the rights of all the States in the region, including Israel, to live in independence and security, were upheld.

73. Mr. TORRES (Nicaragua) expressed concern about the impunity with which the Israeli Government continued to be guilty of practices which violated the rights of the Palestinian people and its fundamental freedoms in the Arab occupied territories. It had repeatedly ignored the Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Charter of the United Nations and the resolutions of the General Assembly and the Security Council.

74. His country considered that the occupation of the Arab territories in itself represented a violation of human rights, and therefore required institutionalized violence for its continuation. However, that situation would not continue if Israel could not rely on the unconditional support of the United States, which regarded that country as a strategic component of its geopolitical interests. His country supported the resolution adopted by the Non-Aligned Movement, of which it was a member, at its latest Ministerial Conference, which condemned all those Israeli practices, and the support provided for them by the United States.

75. The recent Israeli attack against the PLO in Tunis demonstrated that the argument put forward by Israel about its security was false, since its Government showed that it did not hesitate to violate the sovereignty of other territories to carry out a violent attack against the Palestinian people.

76. His country enthusiastically supported the initiative to hold an international peace conference on the Middle East, with the participation of all interested parties, including the PLO, but regretted that the process had been slowed down by the opposition of Israel and the United States. It also considered that the United Nations should compel Israel to observe its resolutions and withdraw from all the

(Mr. Torres, Nicaragua)

territories occupied since 1967, as a first step towards a definitive solution of the situation in the Middle East. To achieve that solution the problem of the Palestinian people must be finally resolved by the restitution of their inalienable rights: the right to return to their homes, the right to self-determination and the right to independence.

77. Mr. TARAR (Pakistan) said that as in previous years, the information provided by the Special Committee conclusively established that Israeli practices in the occupied Arab territories were in clear violation of the norms of international law and constituted gross violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

78. The hardships of day-to-day life of the civilian population were illustrated by the escalation of violence, and the aggression carried out by the settlers, who did not hesitate to impose their authority whenever the opportunity arose. The report also indicated that the military occupation authorities continued to apply measures that seriously affected the ability of civilians to exercise several fundamental freedoms: the freedom of expression, the freedom of movement, academic and religious freedom, and the freedom of association.

79. Israel continued its deplorable policy of colonization of the occupied territories through the establishment of new settlements and continued to show a total lack of respect for the human rights of the civilian population in the occupied territories. The situation had worsened during the year under review. On 31 May 1985 the Security Council, concerned at the latest developments, had adopted resolution 564 (1985), which expressed alarm "at the continued escalation of violence involving the civilian population ... resulting in grievous casualties and material destruction on all sides". The Security Council had taken the matter up again on 12 September 1985, when draft resolution S/17459 was submitted, deploring the repressive measures taken by Israel since 4 August 1985 against the civilian Palestinian population in the Israeli-occupied territories, especially in the West Bank and Gaza. That draft had not been adopted because of the negative vote of one of the permanent members of the Security Council.

80. It should be asked how long the international community would continue to allow Israel to flout world opinion and persist in carrying out its illegal and inhuman acts. Israel should see the folly of its actions and realize that none of those practices, regardless of the amount of land annexed, the unjustified use of force, the forcible expropriation of land and the continual and blatant violation of human rights, would bring peace to that troubled land or provide Israel the security which it yearned to have. On the contrary, such a policy could only lead to greater violence and increased instability in the area.

81. Pakistan had consistently supported the repeated calls of the international community urging Israel to return the occupied territories to their legitimate owners and restore to the Palestinian people their inalienable rights to freedom and independence. His country had always opposed the occupation of those territories by force and the imposition of "faits accomplis" and had openly expressed those views.

(Mr. Tarar, Pakistan)

Pakistan firmly condemned policies of aggression and expansionism wherever they were practised, and he urged Israel to withdraw from all occupied Arab lands, including Jerusalem, and to refrain from provocative acts that might ignite an already explosive situation.

82. He urged all Member States to renew their efforts to force Israel to act sensibly and withdraw from the Arab territories occupied by its military forces and grant the Palestinian people their national and human rights. The long and lonely struggle of the Palestinians for a just cause could not be denied or ignored. The Palestinian people, which had been bullied and massacred, had emerged stronger from each ordeal. The Israelis must clearly understand that they could not destroy the will and strength of an entire people imbued with a spirit of sacrifice for a just cause. The sooner Israel realized that and acted prudently and sensibly, the better it would be not only for Israel but also for peace throughout the world.

83. Mr. AL-GAYRAQDAR (Iraq), speaking in exercise of the right of reply, said that the existing Iraqi laws, enacted in 1969, guaranteed the right to return to their homeland to all Iraqis who had left the country under the circumstances imposed by colonialist hegemony, which followed the principle "divide and rule". Those laws were not limited to Iraqis from any particular region or religion: they applied to all without distinction.

84. In the statement which he had made at the 19th meeting of the Committee, the representative of the Zionist entity had referred to only a part of the total picture, distorting it in order to appear in a deceptively favourable light to a certain segment of the Iraqi people. Instead of doing that, he should have explained how he could justify Israeli policies and practices with regard to the population of the occupied territories, which was the item under consideration.

85. Mr. FARTAS (Libyan Arab Jamahiriya), speaking in exercise of the right of reply, referred to the speaker who, at the 19th meeting of the Committee, had asked who was ultimately responsible for the violence in the occupied territories and had read aloud a number of passages from letters written by David Ben-Gurion to his family between 1938 and 1946. In some of the letters, he told stories about his childhood in Poland, when he had already been a member of clandestine Zionist groups and had gathered arms which he had taken to Palestine with him in 1906; in other letters he expressed the determination of the Jews not to permit the establishment of an Arab State in Palestine and to expand the frontiers of Israel in order to absorb within them the greatest possible number of Jews. That was proof of the origins of the violence, and those were the persons who had unleashed it.

86. Mr. NAZARI-TAJABADI (Islamic Republic of Iran), speaking in exercise of the right of reply, inquired whether the representative of the Zionist régime had studied history. The current violence had begun as the representative of the Libyan Arab Jamahiriya had stated. The history of zionism was well known. No one had forgotten what had occurred at the Basel Congress, which had brought about the internationally financed emigration of millions of Zionists to Palestine. If he was so disturbed at the plight of the innocent victims of terrorism, he should realize

(Mr. Nazari-Tajabadi, Islamic Republic of Iran)

that some of those victims were Sephardi Jews born in Palestine, who were subjected to the domination of the Zionist Jews who had come from other countries. The same Zionists who had used terror as a weapon were now protesting and calling those who struggled for their rights fanatics or terrorists. That was Nazi terminology, reflecting the hegemonist values of the Israeli régime, which enjoyed the support of the Western information media.

87. Mr. BURAYZAT (Jordan), speaking in exercise of the right of reply, said that there were few surprises to be found in the monotonous monologue by the representative of Israel, who had distorted facts and had again resorted to old tactics in order to deceive and spread confusion. The attempt to call into question the integrity of the Special Committee was one such tactic. Another example was the reference to the so-called economic prosperity in the occupied territories. He had also attempted to perpetuate the myth of the Arab threat, while in reality Israel's military power was greater than that of any other in the region. Such statements made it possible to assess the credibility of Israel. That was also true with regard to the statements on relations between Jordan and Palestine, whose fraternal relations were historically documented.

88. Israel was attempting to expand its borders and nationalize the occupied territories in violation of the human rights of the indigenous inhabitants. He expressed surprise at the statement by the representative of Israel concerning the West Bank and the Gaza Strip and shock that the Israeli representative had spoken of the liberation of the West Bank, since it had formed part of a historic unit with the people of Jordan, and had mentioned freedom when freedom and occupation were incompatible. The so-called interest of Israel in the human rights of the inhabitants of the region was discredited when the facts showed that those rights were violated by its policy of aggression and intransigence. The Israeli representative had also spoken of so-called economic prosperity, an old colonialist theory which was unacceptable in the latter part of the twentieth century. No one could seriously maintain that colonialism civilized and brought prosperity to subjugated peoples.

89. Mr. ABOUCHAER (Syrian Arab Republic), speaking in exercise of the right of reply, said that, contrary to what had been stated by the Zionist representative, the Zionist leaders themselves had repeatedly recognized the premeditated nature of the plans to wage wars of aggression against the Arab States, which did not represent any threats to their existence, and had admitted that the objective of those wars had been the annexation of further territory. The famous terrorist Moshe Dayan had admitted, one year after the 1967 war, the true nature of the Israelis' ambitions. The previous generation had lived within the borders laid down in the Plan of Partition of 1947. During the span of that generation, the Zionists had reached Suez, Jordan and the Golan Heights. That was not the end; Israeli expansionism might devour parts of Lebanon and the central region of Syria if limits were not placed on its unjustified claims.

(Mr. Abouchaer, Syrian Arab Republic)

90. The statement by the Zionist representative that Syria and other Arab States had launched those wars of aggression was totally unfounded, since a country struggling against foreign forces which had invaded its territory could not be said to be committing an act of aggression.

91. The Zionist representative had also referred to the advantages resulting from the occupation and to the well-being and services which the Arabs enjoyed in the occupied territories, forgetting that human dignity and freedom could not be bought at any price. Furthermore, that welfare did not exist, because everyone knew the precarious economic situation of the Zionist régime, whose society was plagued by strikes and unemployment and which sustained itself only through the unconditional support provided by the United States.

92. Mr. AL-HASSANI (Kuwait), speaking in exercise of the right of reply, said that the statement by the Zionist representative at the 19th meeting did not deserve a serious reply because it was nothing more than a repetition of obsolete ideas based on patent falsehoods and distortions. Nevertheless, the persistent attempts of that representative to invoke the League of Nations Mandate for Palestine in order to justify Zionist claims raised a rhetorical question which the members of the Committee should consider. If the League of Nations Mandate over Palestine was so important, how could that be reconciled with the total disregard of the Zionists for all subsequent resolutions on the question of Palestine adopted by the League's successor?

93. Mr. BARROMI (Israel), speaking in exercise of the right of reply, referred to the statement by the representative of Austria and said that the Government of Israel had not enacted any new law concerning security matters in August 1985. The measures taken by his Government at that time were based on already existing laws. The legal structure and the basis for those measures had been explained in the statement which his delegation had made at the 19th meeting of the Committee.

The meeting rose at 6.20 p.m.