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at 10 a.m.  
New York

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SUMMARY RECORD OF THE 20th MEETING

Chairman:

Mr. KARUKUBIRO-KAMUNANWIRE

(Uganda)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 75: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/45/84, 306, 576)

1. Mr. SALAH (Jordan) said that the human rights situation in the occupied territories had deteriorated over the past three years as a result of intensified Israeli repression. In a few days, the intifadah would mark its third anniversary. The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/45/576) showed that the life of the Palestinian people was becoming more difficult each day because of the physical and psychological suffering imposed by Israeli occupation. The United Nations must put an end to the situation by finding a just and durable solution to the Palestinian question. Israeli practices which flouted human rights were but one aspect of that question, which had been under consideration at the United Nations for over four decades. The Organization had a moral responsibility to resolve it, since the problem had been created by the United Nations.
2. Israel alleged that events occurring in Jerusalem were an internal matter, but that claim was invalid. The Israeli occupation of Palestine was a foreign occupation imposed by force and rejected by the Palestinian people as a violation of fundamental human rights. The Security Council had ruled that the fourth Geneva Convention applied to the occupied territories, but Israel had consistently rejected that position. Over the years, violations of the two Hague Conventions, the Universal Declaration of Human Rights, and its two Covenants had persisted.
3. Israel had declared recently its unwillingness to give up the occupied territories and had insisted on pursuing aggressive policies contrary to the peaceful aspirations of the Palestinian people. Paragraph 467 of the report of the Special Committee, contained statements by Israeli government officials affirming that Israel intended to remain in the occupied territories and continue their development. The report warned of an impending major conflagration in the area unless steps were taken to remedy the grave human rights violations and ensure effective protection of basic rights and freedoms.
4. In the more than two decades since the Israeli Occupation of Palestinian territory had begun, all its policies had been designed to perpetuate the occupation, in flagrant violation of international instruments and General Assembly and Security Council resolutions. Its clear aim was to terrorize the indigenous population in order to force them off the land in order to further Israeli territorial expansion. The international community had expressed alarm, yet no specific measures had been taken to protect the Palestinian people. The Security Council resolutions passed had dealt with secondary factors. Israel had rejected all such resolutions, although they had been adopted by overwhelming majorities.
5. The more the Palestinian people escalated their intifadah, the more Israel escalated its repressive measures. Deaths, including child victims, injuries,

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(Mr. Salah, Jordan)

detentions, destruction of homes, deportations, separation of families, the closing of school and university, confiscation of property, fines, curfews, interruptions in telephone and electrical service were but some of the measures imposed.

6. Justice in the occupied territories involved clear cases of discrimination. Palestinian offenders would be subjected to the most severe punishments, often with no legal safeguards and no evidence presented against them. Israelis appeared to receive more sympathy. They were often cleared of violations or given short sentences not commensurate with the crimes committed. Israel boasted that it was the only democracy in the region, yet occupation ran counter to the principles of democracy. In the absence of justice, there was no democracy. Israel also impeded the work of international humanitarian bodies such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the International Committee of the Red Cross (ICRC).

7. The Security Council, in its resolution 672 (1990), had condemned the massacre at the Haram Al-Sharif and had called on the Secretary-General to submit a report on the situation. Israel had refused to admit the Secretary-General's mission on the pretext that Jerusalem was its sovereign capital, in conflict with the provisions of the fourth Geneva Convention.

8. In the Secretary-General's report (S/21919) Palestinians had expressed the feeling that they were targeted at all times, and were not secure even in their own homes. That was the result of the climate of terror imposed by Israel. In early November, Israeli security forces had launched a campaign of repression in the Gaza Strip which had resulted in 700 casualties, more than 200 due to the use of live ammunition. That new repression was a frantic attempt to terminate the intifadah.

9. International sympathy for the Palestinian people should be transformed into effective action to put an end to the situation and to enable the exercise of their legitimate rights to self-determination in an independent State on their national soil. The report of the Special Committee had recommended urgent measures to safeguard the human rights of the Palestinian people. Israel must comply with the fourth Geneva Convention and with Security Council and General Assembly resolutions, and the International Peace Conference on the Middle East must be convened. Jordan also supported placing a United Nations force in the occupied Palestinian territories to protect the Palestinian people. Israel and one of the super-Powers were the only States not supporting those recommendations. His Government hoped that super-Power would change its position and would join the efforts to force Israel to abide by the international will.

10. Mr. GARDEZI (Pakistan) said that the intifadah, which was currently in its third year, had proved to be a landmark in the Palestinian people's struggle for independence from Israeli colonialism. The Palestinians had demonstrated to the world that the policies of repression aimed at creating a "Greater Israel" would not be permitted and that they were prepared to make the necessary sacrifices to liberate their homeland.

(Mr. Gardezi, Pakistan)

11. The efforts to promote a dialogue between the Israelis and the Palestinians had reached an impasse. The Israeli authorities had tried to suppress the intifadah with their usual brutality, details of which had been catalogued in the report of the Special Committee (A/45/576). All the charges made in the report had been corroborated by the international media and by non-governmental organizations following events in the occupied territory. Since the beginning of the uprising in December 1987, hundreds of Palestinians had been shot to death by the Israeli armed forces or had died from beatings, tear-gas and other causes; about 25 per cent of the fatalities had been children under 16. More than 90,000 Palestinians had suffered crushed bones in beatings administered at random by Israeli soldiers in implementation of the policy of "might, force and beatings".

12. In addition to the use of force, the Israeli authorities had resorted to a policy of mass arrests, administrative detention without charges or trial and deportations. Palestinian human rights organizations estimated that more than 85,000 Palestinians had been imprisoned. Several new prison camps had been built in which conditions were reported to be in clear violation of international human rights standards. Since the beginning of the uprising, the Israeli authorities had deported 60 Palestinians from the occupied territories in defiance of Security Council resolutions and the fourth Geneva Convention of 1949, bringing the total number deported since 1967 to nearly 2,000.

13. The Israeli authorities had also begun an escalation of collective punishment measures directed against the entire Palestinian population. Villages had been sealed and the delivery of foodstuffs and other essential items had been prevented, trees had been uprooted and crops bulldozed, and property had been randomly destroyed in raids on Palestinian homes.

14. The growing resort by Israel to the use of force against the Palestinian population had been accompanied by an intensification of measures against Palestinian economic, social and cultural institutions. Universities and other educational institutions in the West Bank and Gaza Strip had frequently been closed. Interim arrangements to permit the continuation of basic education for Palestinian children had been banned by the Israeli authorities.

15. The measures aimed at suppressing the intifadah had been taken against the backdrop of intensified de facto annexation of the occupied territories. The Israeli Government had compounded those crimes by bringing in Jewish immigrants from all parts of the world and settling them in the occupied Palestinian territories, including East Jerusalem, displacing the Palestinian and Arab owners, who were being driven out of their ancestral homeland by a systematic policy of oppression.

16. Also of growing concern was the Israeli desecration of the Al-Aqsa Mosque, one of the holiest shrines of Islam. The killing of 22 Palestinians and the wounding of more than 200 in October 1990 was yet another criminal act committed against the suffering Palestinian people.

(Mr. Gardezi, Pakistan)

17. The events of the past few years had demonstrated the necessity of ensuring international protection for the Palestinian people until such time as an Israeli withdrawal and a comprehensive peace had been established. The Israeli rejection of the efforts by the international community and the brutal acts of repression against the Palestinian people needed to be dealt with firmly, in accordance with the recent unanimity displayed by the Security Council in handling other cases involving non-compliance with United Nations resolutions and threats to international peace and security.

18. The intifadah had brought about new political attitudes on the part of the Palestinian leadership. The realistic and constructive attitude of the Palestine Liberation Organization (PLO) as reflected in the Palestinian acceptance of all United Nations resolutions relevant to the Palestine question, gave Israel an opportunity to work out its future relations with an Arab State in Palestine. The only realistic option remaining was for Israel to overcome its "Masada complex" and respond positively to the Palestinian proposals.

19. His country had consistently upheld the inalienable rights of the Palestinian people to self-determination and statehood under the leadership of the Palestine Liberation Organization. The proclamation of an independent Palestinian State had been an event of historic importance, constituting a milestone in the march of the Palestinian people towards their goal. Israel should seize the opportunity afforded by President Yasser Arafat's peace initiative to find a formula for peace in the region.

20. Mr. ADNAN (Malaysia) commended the Special Committee on its thorough and detailed report. Despite the constraints under which the Special Committee operated, the report had again underscored the continuing injustice being perpetrated by the Israeli authorities in the occupied territories. The Israeli authorities' refusal to co-operate could only be interpreted as yet another attempt to cover up the truth and pursue their policy of oppression.

21. The report exposed the various atrocities to which the Palestinians and other Arabs were subjected. First, the harassment of Palestinian civilians by Israeli authorities continued unabated. Prolonged curfews, collective punishments and limitations on freedom of expression, worship and other freedoms were still being imposed. Palestinian lands and property were still being seized.

22. Secondly, Palestinians were being illegally expelled from their homeland in violation of article 49 of the fourth Geneva Convention of 1949. Instead of responding to the demands of the international community for the abolition of such reprehensible practices, the Israeli defence authorities had added a new punitive measure, namely, the "conditional banishment" of persons alleged to be Palestinian activists.

23. Thirdly, in further violation of international law, the Israeli authorities were massively resettling Jewish citizens and new Jewish immigrants in the occupied territories and other Palestinian areas. Those settlers were participating in acts

(Mr. Adnan, Malaysia)

of violence against the civilian Palestinian population. The arrival of huge numbers of immigrant Jews was part of the Israeli authorities' policy for expansion and occupation and was obviously designed to facilitate the final annexation of the occupied territories.

24. His country deeply deplored Israel's policy of harassing and deporting Palestinians; together with other non-aligned members of the Security Council, it had worked for the adoption of Council resolutions 636 (1989) and 641 (1989). Israel must ensure the safe and immediate return to the occupied Palestinian territory of those deported and desist immediately from deporting any other Palestinian civilian. It must also abide by the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949.

25. He utterly rejected Israel's policy of establishing a "Greater Israel" through the settlement of Jews in the occupied territories. Such measures were a blatant attempt by Israel to change the demographic character of the occupied territories; the international community had a duty to prevail upon Israel to put an end to that policy.

26. The harassment and deportation of Palestinians, as well as other inhuman and repressive measures, were vividly described in document A/45/576. As recently as October 1990, he had learned with profound sorrow and anger that 20 Palestinian civilians had been unjustifiably killed by the Israeli security forces. The world demanded that Israel should fully comply with Security Council resolution 672 (1990) and co-operate in solving the Palestinian issue.

27. History had shown that no people could remain subjugated and deprived of their inalienable right to a homeland. When their rights were further trampled through a series of unjust laws, an uprising was inevitable. The intifadah could not be used as a pretext for Israeli oppression so long as the Israeli authorities continued to deprive the Palestinians of their legitimate rights.

28. His delegation shared the Special Committee's views concerning the worsening of the already precarious human rights conditions of the Palestinians and other Arabs in the occupied territories. At a recent meeting of the Security Council, his delegation had called on that body to institute the following measures to ensure the safety and protection of Palestinians: first, Israel, as the occupying Power, should accept the de jure applicability of the fourth Geneva Convention of 1949 and abide scrupulously by its provisions; secondly, a conference of the High Contracting Parties to the fourth Geneva Convention of 1949 should be convened to address the problem of Israeli compliance; thirdly, the International Committee of the Red Cross and UNRWA should play an enhanced role in the occupied territories; fourthly, a United Nations mechanism should be established to monitor the situation in the occupied territories and report back to the Security Council.

29. Given the new unity of purpose which the Security Council had demonstrated in the past three months in dealing with the situation between Iraq and Kuwait, it must show the same spirit and vigour in dealing with Israeli intransigence. He

(Mr. Adnan, Malaysia)

fully supported the measures outlined in the report of the Special Committee, while remaining convinced that the basic rights and freedoms of the Palestinian people could only be protected through a comprehensive, just and lasting settlement, which could be achieved through the convening of an International Peace Conference on the Middle East under the auspices of the United Nations.

30. Mr. YU Shunin (China) said that the report of the Special Committee and many other documents showed clearly that in the past year the Israeli authorities had continued to ignore the relevant General Assembly and Security Council resolutions and to violate the human rights of the Palestinian people and other Arabs in the occupied territories. Many Palestinians and Arabs had been killed, arrested, imprisoned, deported or had suffered collective punishment. Their houses had been demolished and their children had been deprived of the right to education. Recently, the oppression had escalated drastically, and the Palestinians in Jerusalem and the Gaza Strip had suffered further casualties, arousing universal condemnation and leading to an intensification of their protests and resistance.

31. The international community was deeply concerned with the problem of how to protect the Palestinian people and other Arabs in the occupied territories. It was of the utmost urgency that the Israeli Government, as a signatory State, should adhere in good faith to the relevant provisions of the fourth Geneva Convention of 1949. In that connection, he supported the initiative to increase the staff of UNRWA and to send United Nations monitoring personnel to the occupied territories.

32. It should not be forgotten that the fundamental solution to the problem lay in Israel's withdrawal from the Palestinian and other Arab territories occupied since 1967, the restoration of the legitimate national rights of the Palestinian people, including their right to self-determination, mutual recognition between the State of Palestine and the State of Israel and peaceful coexistence between the Arab and Jewish peoples. He supported the convening of an International Conference under the auspices of the United Nations with the participation of the five permanent members of the Security Council and the parties to the conflict and a direct dialogue between the parties concerned, including the Palestine Liberation Organization and Israel.

33. Mr. INBAR (Israel), speaking in exercise of the right of reply, said that Israel must act to maintain public safety and order in the face of the violence perpetrated against both Jews and those Arabs who dared to reject the line followed by terrorist organizations. There was little doubt that Jordan served as a platform for such organizations in their attacks on Israel and as the main base for the intifadah. The Jordanian embrace of Saddam Hussein was a mistake comparable to the one that it had committed in the 1960s when its attempts to co-operate with the PLO had led to Black September, when thousands of Palestinians had died. At that time Palestinians had fled Jordan and sought shelter in Israel. Israel, for its part, was determined to establish conditions which would enable Jews and Arabs to live in peace.

34. Mr. AWAWDEH (Jordan), speaking in exercise of the right of reply, said that it was quite clear that Israeli practices in the occupied territories violated human rights and contravened the relevant international instruments. In fact the broader issue was that of the national rights of the Palestinian people. Israel's attempts to divert attention from the central issue would not delude the Committee. His delegation rejected the Israeli allegation that Jordan served as a base for the uprising in the occupied territories.

35. The central issue was not one of public safety and order, as claimed by Israel, but a serious political question which had been unresolved for some 40 years. Israel's intransigence would not lead anywhere. The Israeli Government must respond to the Palestinian policy of peace. The Israeli allegation of Jordanian support for Iraq was beneath contempt.

36. Mr. INBAR (Israel) said that the representative of Jordan should see the situation in his country as it really was. As for Palestinians and the situation between Iraq and Kuwait, there had been reports implying that Palestinians could expect harsher treatment in future at the hands of the Kuwaitis.

37. Mr. MANSOUR (Observer for Palestine) said that if Israel was truly concerned about the fate of the Palestinian people it should immediately end its policies, which had caused pain and suffering to so many Palestinians. The imposition of harsh measures and the numbers of casualties belied the Israeli claim that the Government was simply seeking to maintain order. The real aim was to derail efforts by the international community to resolve the tragic situation of the Palestinian people. If Israel was really interested in dialogue and was genuinely tolerant, why had it imprisoned so many Palestinians, removed elected officials, imposed censorship and imprisoned journalists?

38. The PLO sought peace, not to inflame the situation. His delegation did not want to dwell on the past, but wished to seek a way forward in an effort to resolve the problem. The parties should lay aside their enmity and negotiate, under United Nations auspices, on a basis of justice and fairness, taking into account the right of the Palestinian people to self-determination and statehood. Such an approach would end the bloodshed and mark a new chapter in the history of the Middle East.

39. Mr. AWAWDEH (Jordan) said that the reports before the Committee documented many instances of Israeli inhumanity. Israel was an occupying Power, a fact recognized by all except the Israelis themselves, who had usurped the rights of the Palestinians. The representative of Israel should try to be realistic and respond to the points made by the observer for Palestine.

The meeting rose at 12.05 p.m.