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#### NOTE

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Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

## 2461st MEETING

Held in New York on Tuesday, 2 August 1983, at 3.30 p.m.

*President:* Mr. Luc de La BARRE de NANTEUIL  
(France).

*Present:* The representatives of the following States:  
China, France, Guyana, Jordan, Malta, Netherlands,  
Nicaragua, Pakistan, Poland, Togo, Union of Soviet  
Socialist Republics, United Kingdom of Great Britain  
and Northern Ireland, United States of America, Zaire,  
Zimbabwe.

### Provisional agenda (S/Agenda/2461)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
  - Letter dated 5 November 1982 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council (S/15481);
  - Letter dated 9 November 1982 from the Permanent Representative of the Niger to the United Nations addressed to the President of the Security Council (S/15483);
  - Letter dated 8 February 1983 from the Chargé d'affaires a. i. of the Permanent Mission of Jordan to the United Nations addressed to the President of the Security Council (S/15599);
  - Letter dated 13 May 1983 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/15764);
  - Letter dated 27 July 1983 from the Permanent Representative of Democratic Yemen to the United Nations addressed to the President of the Security Council (S/15890).

*The meeting was called to order at 4.25 p.m.*

### Adoption of the agenda

*The agenda was adopted.*

### The situation in the occupied Arab territories:

- Letter dated 5 November 1982 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council (S/15481);
- Letter dated 9 November 1982 from the Permanent Representative of the Niger to the United Nations addressed to the President of the Security Council (S/15483);

Letter dated 8 February 1983 from the Chargé d'affaires a. i. of the Permanent Mission of Jordan to the United Nations addressed to the President of the Security Council (S/15599);

Letter dated 13 May 1983 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council (S/15764);

Letter dated 27 July 1983 from the Permanent Representative of Democratic Yemen to the United Nations addressed to the President of the Security Council (S/15890)

1. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at previous meetings on this item [2401st, 2412th to 2414th, 2438th, 2457th, 2459th and 2460th meetings], I invite the representative of Israel to take a place at the Council table; I invite the representatives of Afghanistan, Algeria, Bahrain, Bangladesh, Cuba, Djibouti, Democratic Yemen, Egypt, the German Democratic Republic, Greece, India, Iraq, the Islamic Republic of Iran, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, the Niger, Oman, Qatar, Saudi Arabia, Senegal, Somalia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber. I invite the representative of the Palestine Liberation Organization (PLO) to take a place at the Council table.

*At the invitation of the President, Mr. Blum (Israel) took a place at the Council table; Mr. Zarif (Afghanistan), Mr. Sahnoun (Algeria), Mr. Al-Sabbagh (Bahrain), Mr. Wasiuddin (Bangladesh), Mr. Caballero Rodríguez (Cuba), Mr. Houfane (Djibouti), Mr. Al-Ashtal (Democratic Yemen), Mr. Khalil (Egypt), Mr. Hucke (German Democratic Republic), Mr. Dountas (Greece), Mr. Krishnan (India), Mr. Mohammad (Iraq), Mr. Rajaie-Khorassani (Islamic Republic of Iran), Mr. Abulhassan (Kuwait), Mr. Fakhoury (Lebanon), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Zainal Abidin (Malaysia), Mr. Traore (Mali), Mr. Ould Hamody (Mauritania), Mr. Lahlou (Morocco), Mr. Oumarou (Niger), Mr. Ali (Oman), Mr. Al-Boainin (Qatar), Mr. Zowawi (Saudi Arabia), Mr. Sarré (Senegal), Mr. Madar (Somalia), Mr. Elfaki (Sudan), Mr. El-Fattal (Syrian Arab Republic), Mr. Lessir (Tunisia), Mr. Gökçe (Turkey), Mr. Al-Qasimi (United Arab Emirates), Mr. Sallam (Yemen) and Mr. Golob (Yugoslavia) took the places reserved for them at the side of the Council chamber; Mr. Terzi (Palestine Liberation Organization) took a place at the Council table.*

2. The PRESIDENT (*interpretation from French*): The first speaker is the representative of Mauritania. I invite him to take a place at the Council table and to make his statement.

3. Mr. OULD HAMODY (Mauritania) (*interpretation from French*): Sir, it is certainly a personal pleasure for me to congratulate you on behalf of the delegation of the Islamic Republic of Mauritania on your assumption of the presidency for the month of August. This is a well-deserved recognition for an ambassador of your great intellectual and moral stature. Another source of satisfaction for me and for my delegation is that this confidence has been placed in the representative of a country, France, with which my country has maintained constant and multi-faceted relations for more than three quarters of a century.

4. I should like also to congratulate most sincerely the representative of the People's Republic of China, Mr. Ling Qing, for the wise, competent and devoted work he did as President of the Council last month. The People's Republic of China, whose support for the Arab and African peoples in their liberation struggle has always been constant and consistent, has earned the trust and respect of Africa and of the Arab nation, of which my country is a perfect synthesis.

5. Truly, the Arab peoples of the Middle East have been spared nothing since the brutal introduction into their region of zionism and the gradual usurpation of their land since the creation of Israel in 1948 in conditions which are well known. Thus, the peoples of the Middle East will have suffered the full panoply of the terrors of Fascist régimes: unprovoked aggression, genocide, mass deportations, indiscriminate bombardment, terrorism, and all the other types of individual and collective punishment of evil memory.

6. Once again the Security Council has before it as a matter of urgency the problem of the Middle East and Israeli practices in violation of human rights and the rights of peoples. The overall picture always remains the same, even if the scene of the crime always changes. Today, it is a matter of new sufferings inflicted on the courageous martyred people of Palestine. The Council is also to pass judgement on criminal acts committed in the name of religious fanaticism and racial contempt by the usurper whom nothing seems to stop anymore. Finally, the Council is faced with an arrogant challenge to the Organization, the United Nations, and to its principal instrument for peace and security: the Council itself.

7. The premeditated and cold-blooded attack against the Islamic University of Al-Khalil and the savage repression at Bir Zeit, Jerusalem, Nablus and elsewhere is shocking in its gratuitous brutality, the dire consequences of which are ground for concern. But unfortunately these deeds are neither isolated nor surprising. This terrorism elevated to State philosophy—which we all condemn today—is part and parcel of the neo-Nazi logic of zionism. Worse still, this attack, whose goal is to terrorize the Palestinian Arab populations, is designed to help achieve

a proudly and openly proclaimed objective of Israel: creeping colonization of the West Bank and Gaza in the name of a legitimacy going back thousands of years.

8. The usurpation of Palestinian lands in 1948 is no longer enough, no more than the unilateral and illegal annexation of Jerusalem or that of the Syrian Golan Heights. The whole land of Palestine must be delivered to the unrestrained and chauvinistic imagination of Zionist settlers before being annexed for all time. In order to facilitate this dream, the theocratic State of Israel must expel all Palestinians—in short, purify the land to make room for others.

9. It goes without saying that I am not telling the Council anything new. These broadly expanded and proclaimed theories are known to all its members. As Chairman Yasser Arafat said immediately after the crimes perpetrated in Sabra and Shatila—these barbarous acts that are yet another wrong inflicted on Palestine and on the Arab nation—these crimes are contrary to the humanism of Judaism and an insult to the sufferings and discrimination imposed on the Jewish people for more than 2,000 years. It goes without saying that such acts do ensure peace and security for the peoples of the region and, first and foremost, not for the Jewish populations in Palestine. Prospects for the Middle East and with it for the rest of the world are truly threatened if such practices continue with impunity. The fleeting military superiority accorded to the usurper by its allies—first and foremost the United States of America—offers no real guarantee for peace and a secure life in the Middle East for the populations brought from five continents to dispossess a people of its land and deny it its inalienable rights.

10. Just and lasting security can be achieved only by restoring the basic rights of the Arab peoples, and especially through the total and unconditional withdrawal from all our lands, including the Holy City of Al-Quds, the creation of a sovereign Palestinian State under the guidance of the PLO, the sole authentic representative of the Arab people of Palestine, and its participation in any comprehensive, definitive and just settlement of this issue.

11. For the immediate present, the Council must face up to the explosive situation in the occupied Arab territories in view of the events in Al-Khalil, and hence a repetition of similar acts must be prevented. First of all, there must be a thorough examination of the terrorism of which Palestinians are today victims; then the latest crimes committed in cold blood must be vigorously condemned—crimes for which the direct and active responsibility of the occupying authorities can be neither denied nor even limited.

12. The Council bears a heavy responsibility for the maintenance of peace and security in an atmosphere of justice and legality in such an explosive and a sensitive region—which is so necessary for the stability of the world. Indeed, if international legality is not restored in Arab Palestine, it is the law of "an eye for an eye, a tooth for a tooth" that will prevail. There can be no question that in that case the Arab nation will obtain justice—in

one year, 10 years or 100 years the balance of forces will shift in its favour.

13. Also, we have no doubt that the Security Council is aware of this awesome responsibility and that it will discharge it. That is one of the motivations and the genuine hope of the sponsors of the draft resolution S/15895 before the Council for its consideration.

14. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

15. Mr. LAHLOU (Morocco) (*interpretation from French*): Sir, at the outset I should like most sincerely and warmly to congratulate you, on behalf of my delegation, on your assumption of the presidency for the month of August. This is a pleasure for us for many reasons: first of all, because you have many qualities of which we are all well aware—tact, courage, heart and clear thinking—and because you come from France, a country with which my own country, Morocco, has for centuries, and particularly since our independence, enjoyed very close ties of co-operation to the mutual benefit of both the Moroccan and the French peoples.

16. I should like also to tell the representative of China how grateful we are for the wisdom and competence with which he guided the work of the Council in July and to recall the obvious relations of friendship and co-operation existing between our two countries.

17. Also, I wish to thank the Council for allowing me to speak in this debate.

[*The speaker continued in Arabic.*]

18. The Council is once more seized of the question of the deteriorating situation in the occupied Arab territories. Its constant interest in this serious problem stems from grave events there and the ensuing deteriorating situation that is worsening day by day.

19. Israel's aggressive practices in the occupied Arab territories and its insistence on expanding, by force and terrorism, are ample evidence of its reliance on the logic of subjugation and domination. The painful events reported to the Council and to the international community, whose details provide irrefutable proof that the escalation of the Israeli aggression against the Arab inhabitants and, in particular against the Palestinians, in the occupied Arab territories indeed reflect an established policy that has clear-cut aims exceeding in ruthlessness and scope those of the dark ages of colonialism.

20. What is even worse and more painful is the fact that the Israeli leaders do not deny what is ascribed to them regarding their expansionist ambitions. Instead, they state them publicly and admit that they resort to repressive and oppressive acts as necessary collective reprisals against the Arabs.

21. The Israeli presence in the occupied territories, including the Palestinian territories and Jerusalem, is the result of military invasion. Following that invasion, Israel has repeatedly, arbitrarily and defiantly violated the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.<sup>1</sup> It also trampled upon The Hague Convention respecting the laws and customs of war on land, of 18 October 1907.<sup>2</sup> All Israel's actions prove that its sole aim is to tighten its grip over all the Arab territories it has ravaged.

22. Provocations and all forms of invidious oppression that took place during the last few days in Bir Zeit, Nablus and Jerusalem, as well as the firing of automatic weapons and the hurling of grenades at the students of the Islamic University in the city of Al-Khalil, killing some and injuring many, are viewed within the clear-cut framework of persecution and harassment of the inhabitants so as to force those remaining in the occupied territories to leave their homes and take the path of displacement.

23. Our attention is drawn to the organic relationship between the oppression of Arabs and the establishment of illegal Israeli settlements, since the events in Al-Khalil have coincided with the Israeli decision to build settlements in the heart of that city.

24. The reality of the Israeli policy aimed at depopulating the Palestinian cities represents a new dimension in the Israeli practices where the inhabited cities have become fresh targets for illegal Israeli settlements. The tragedy will be repeated, because the inhabitants of these cities will be persecuted until they leave their homes and neighbourhoods and become refugees.

25. This premeditated and wilful violence can be seen as part of the design represented by Israel's continuing occupation of Palestinian and other Arab territories in preparation for their assimilation and annexation and the replacement of their Arab populations by Israelis.

26. We all know that the Palestinian question is the crux of the conflict prevailing in the Middle East. It is a question of an uprooted people that has been displaced by intimidation and oppression. Year after year has gone by and this people is still waiting for the United Nations, especially the Security Council, to fulfil the obligations and pledges made to it. It yearns for its own country and homeland in which to find security and a State of its own, thus ending its Diaspora. It did not become a refugee people by choice; it did not struggle because it hated peace; it did not prefer banishment to its own homeland. It is high time now for Israel to realize that bloodshed and harassment of the Palestinian inhabitants in the lands it occupies will never achieve the peace to which it aspires.

27. The fundamental principles and the natural framework for the establishment of peace in the area can be found in the numerous relevant General Assembly and Security Council resolutions—those resolutions that are flouted by Israel because they are not in keeping with its expansionist greed.

28. The Arab States, as well as the PLO, as they look anew to the Council, reaffirm their adherence to their rights enshrined in international instruments and display their faith in the United Nations and its principles and noble aims. They have provided ample evidence of their desire to achieve permanent and just peace in the area. When the international community responded unanimously here in the Council, as well as in the General Assembly, to the Fez plan [see S/15510, annex], it endorsed this plan in its resolutions to resolve the Palestinian question and settle the Middle East conflict, committing itself to make every effort to ensure that the plan would bear fruit.

29. This plan was conveyed to the United Nations by His Majesty King Hassan II of Morocco. In the General Assembly he was the spokesman of all the Arabs when he addressed the Members of the United Nations, indicating they shared responsibility for putting an end to the tragic state of affairs in the area. He spoke as follows:

“We wished to come to the Assembly, in this building dedicated to brotherhood, peace and security, to assure you that we depend on each one of you to be faithful apostles of our will and determination for peace and our desire to contribute to the building of a world community based on equality and the safeguarding of the rights of all . . .

“There is no doubt that you, the representatives members of the Assembly, will again provide us, as in the past, with strong support. I am confident that, on being informed of our decisions and our plans, you will be even more determined in your support of our cause.”<sup>3</sup>

30. Mr. ADJOYI (Togo) (*interpretation from French*): Sir, my delegation wishes to express its great satisfaction at seeing you presiding over the work of the Council during this month of August. You represent a country with which my own country is linked by deep ties of friendship and co-operation and a country for which freedom and fraternity are not empty words. Your skill at the helm, your human sensibilities, your great qualities as a diplomat and your outstanding knowledge of international issues guarantee the success of our work.

31. I should also like to pay a well-deserved tribute to your predecessor, Mr. Ling Qing, for the moderation and wisdom with which he guided our work last month.

32. In speaking, my delegation would like once again to express the Togolese Government's deepest concern over the distressing problem of the Middle East in general and the Palestinian problem in particular.

33. The facts are in; they speak for themselves and each one is more edifying than the next; and there is no need for my delegation to recall them, especially since previous speakers have already provided sufficient information. However, it is fitting to emphasize that the latest events that have occurred at the Islamic University of Al-Khalil would have taken on the character of every-day events had they happened elsewhere and in other circumstances.

But viewed in the socio-political context of the region, these fresh events emerge as a link in a series of acts all aimed towards the same goal, namely, to render permanent the occupation of invaded territories. These events involve the responsibility of Israel, the occupying Power, which should ensure the protection and security of the populations of the occupied areas. It follows from the lack of protection and security these events have shown that Israel's behaviour is in contravention of Article 47 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.<sup>1</sup>

34. We should once again recall here that by imposing its laws on the population of those occupied territories and establishing new settlements there Israel is also trampling underfoot that convention which forbids the occupying Power from modifying the legal status of populations of occupied territories. Furthermore, this behaviour is in contradiction with the principles of the Charter of the United Nations and Council resolutions on the subject.

35. These violations stem from the long occupation that followed the events of 1967, and the Palestinian people will not be able to exercise its basic rights as long as it is denied the right to self-determination. It is therefore quite correct that the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories says, in paragraph 287 of its report in document A/37/485, “that the violation of human rights in the occupied territories will cease only when the Palestinian people are allowed to enjoy their right to self-determination”. That necessarily implies the withdrawal of Israel from the occupied territories.

36. The Israeli attitude in the occupied territories only increases tension in a region where the situation is already one of the greatest concern. It compromises in a dangerous manner the efforts undertaken by certain countries, groups of countries or organizations with a view to finding a negotiated settlement to the Middle East conflict.

37. The situation in Lebanon and the occupied territories, as well as the other problems in the region, all revolve around one basic problem, namely, the Palestinian problem which finds its origins and roots in the refusal of two peoples which were once brothers to live in peace.

38. Why cannot those two peoples no longer live together? Are the interests of those peoples so divergent? One finds it difficult to believe that that region which gave rise to two major revealed religions and to a large number of philosophical or spiritual movements the final objective of which is the fulfilment of man in peace might be turned into a powder keg and a battlefield. One finds it difficult to believe that the word “tolerance” has disappeared from the life of those peoples to the point where they are bent on destroying each other.

39. For its part, the Togolese Government has always supported Israel's claim of the right to a homeland. But the Togolese Government supports that same right for others, especially for Palestinians, led by their sole legitimate representative, the PLO. Any attempt to settle the

Middle East conflict and any negotiation that might lead to a positive peaceful result must necessarily involve the participation of the PLO. The PLO, the sole representative of the Palestinian people, is a party to the conflict and, as such, it must participate on an equal footing with all the other parties in all efforts to arrive at a comprehensive peace.

40. As has been stated by General Gnassingbe Eyadéma, the Founding President of the Rassemblement du peuple togolais and President of the Togolese Republic:

“We remain absolutely convinced that there will be no lasting peace in the Middle East as long as the true parties to the conflict are not all involved in negotiations with a view to reaching mutual recognition and guarantee for peaceful coexistence as neighbouring peoples destined to live together.”

41. It is with those words that the Togolese delegation would like to conclude and express the firm hope that the recent events will be an opportunity for new awareness on the part of all the parties concerned and that they will no longer delay in coming to the negotiation table finally to put an end to more than a quarter century of wars that have caused upheaval for the populations of that area which aspire only to live in peace.

42. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Djibouti. I invite him to take a place at the Council table and to make his statement.

43. Mr. HOUFANE (Djibouti) (*interpretation from French*): May I be permitted to express our profound gratitude to a friendly country—France. My delegation is very happy to see you, Sir, presiding over the Council during the month of August, given your diplomatic experience and skills.

44. I should also like to congratulate your predecessor, Mr. Ling Qing, the representative of the People's Republic of China, with which my country has very close cordial relations, for the competent and wise manner in which he conducted the proceedings of the Council last month.

45. I wish also to thank the members of the Council for allowing my delegation to take part in the debate.

46. Once again the Council is meeting to discuss the grave and distressing question of the occupied Arab territories. Male and female students of the Islamic University of Al-Khalil have died and more than 30 have been wounded. Those are premeditated criminal acts designed to intimidate the Arab population of the occupied territories. These are also the usual political practices of occupation of Israel, the occupying Power, whose goal is the building of a greater Israel in disregard of the relevant provisions of the Charter of the United Nations and international law.

47. The Council has on many occasions condemned Israeli policies and practices aimed at establishing settler colonies in the occupied Arab territories and Israel's constant attempts to change the natural, political, cultural, religious and demographic character of those territories. The Council has in many resolutions affirmed that those policies constitute a major obstacle to the establishment of lasting peace in the region.

48. The whole world is aware of the impossibility of achieving just and lasting peace in the Middle East without full and complete recognition of the Palestinian people and achievement of its inalienable rights, including its right to return to its homeland and to the establishment of an independent State there. All attempts to find solutions of the crisis in the Middle East must include consideration and full acceptance of the participation of the PLO, the sole representative of the Palestinian people.

49. The arrogance of the State of Israel reveals its true face, which is that of an expansionist and a colonialist. Regrettably Israel has led us to relive the spectacle that history attempted to bury at Nuremburg, which we had thought would be erased forever from our memory. In the face of this situation, which is a threat to international peace and security, in the face of this genocide, in the face of this holocaust whose victims are the peoples of Palestine and of the occupied Arab territories, we reaffirm our staunch support for their just cause, which we embrace as our own.

50. The Palestinian people cannot relinquish its right to self-determination and independence. The Council, which is the guardian of peace and security, is the body that must take the necessary and relevant measures with respect to Israel so that it will cease these inhuman and barbaric practices against the Palestinian Arab peoples in the occupied territories.

51. The legitimate struggle of the Palestinian people in the occupied Arab territories against the Zionist occupier is clearly a just struggle. That people is entitled to freedom and the well-being enshrined in the Charter. Hence it is all the more up to the Council to take all necessary measures to restore those rights.

52. We hope that the Council will adopt the draft resolution [S/15895] of which my country is a sponsor.

53. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the German Democratic Republic. I invite him to take a place at the Council table and to make his statement.

54. Mr. HUCKE (German Democratic Republic): Let me first of all congratulate you, Sir, on your assumption of the presidency for the month of August and to wish you success in the discharge of the functions of that responsible office.

55. At the same time I should like on behalf of the delegation of the German Democratic Republic to express appreciation to the representative of the People's Republic

lic of China, Mr. Ling Qing, for the work he accomplished in his capacity as President of the Council in July.

56. The delegation of the German Democratic Republic thanks the members of the Council for giving us this opportunity to explain the views of my country on the important issues on the agenda.

57. The delegation of the German Democratic Republic fully understands that an immediate meeting of the Council was requested by the representative of the People's Democratic Republic of Yemen in his capacity as Chairman of the Group of Arab States at the United Nations for the month of July [S/15890] in view of the serious situation in the occupied Arab territories.

58. Indeed, the situation has further deteriorated in the illegal occupied Arab territories over the last few days and weeks. Day by day news is reaching us about acts of oppression and violence in the Israeli occupied West Bank, the Gaza Strip, the Syrian Golan Heights and southern Lebanon. It very clearly shows that the Israeli policy of aggression and occupation towards the Arab peoples contradicts international law.

59. The esteemed representative of the PLO, Terzi, has impressively pointed out here before the Council the extent of and the background to the most recent Israeli measures of terror against the Palestinian population [2457th meeting].

60. Those brutal acts of violence against Palestinian students in Hebron demonstrate anew that the aggressive policy pursued by Israel and its accomplices is aimed at preventing the Palestinian people from exercising its inalienable rights, in particular its right to an independent State.

61. It is quite obvious that the ruling circles of Israel have to bear responsibility for the most recent excesses in Hebron. Characteristic of the escalation of the Israeli policy of occupation are new attacks against communal institutions, against the local economy, the national culture and the educational system of the Arab people of Palestine. By means of martial law, incarceration and brutal force, the ruling circles of Israel attempt to break the Palestinian people's legitimate will to resist.

62. The current acts of terror of the Israeli occupants are a continuation of the policy of aggression against the Palestinian people; the brutal character of such acts has shocked world public opinion, particularly during the aggression against Lebanon in the summer of 1982 and at the time of the massacres at Sabra and Shatila.

63. The dangers created by the stepped-up implementation of the settlement policy of the Israeli rulers have rightfully been pointed out by speakers in the Council. The nature of that policy is to drive the Palestinians out of their homeland by force and ultimately to bring about the annexation of Palestinian territories by Israel. This policy is in flagrant contradiction to the generally recognized norms of international law and to numerous United

Nations decisions; it arouses the legitimate resistance of the Palestinian people.

64. Nobody can ignore the fact that the present escalation of Israel's policy of aggression and occupation is possible only with the unqualified support of the United States. The "strategic alliance" enables the ruling circles in Israel to disregard with impunity the decisions taken by the United Nations and to continue with their policy of aggression against the Arab peoples. The fateful collaboration between the ruling circles of the United States and Israel becomes ever more obvious in their striving to force the Arab peoples into a course of confrontation and super-armament and thereby to put a stop to the struggle of peoples for national independence.

65. It is with great sympathy and concern that the world is following the heroic struggle of the Arab people of Palestine. The German Democratic Republic would like to reaffirm in the Council its support for the just and courageous struggle of the Palestinian people under the leadership of its sole, legitimate representative, the PLO. It strongly condemns the criminal acts of terror and violence perpetrated by Israel in the occupied Arab territories and demands an immediate stop to such acts.

66. The German Democratic Republic holds the view that it is high time the Council rose to its responsibility for the preservation of peace and security according to the Charter of the United Nations and took resolute measures for the immediate cessation of the Israeli aggression and occupation.

67. The shocking events that occurred recently in the Israeli-occupied West Bank underscore the urgent need for the immediate and unconditional withdrawal of the Israeli occupation forces from all Arab territories occupied since 1967, in compliance with the relevant United Nations decisions, and for a just, comprehensive and lasting solution to the Middle East conflict, at the core of which is the issue of Palestine.

68. The German Democratic Republic therefore continues resolutely to advocate the exercise of the inalienable rights of the Palestinian people, including its right to return to its homeland, achieve self-determination and establish an independent State of its own.

69. Proceeding from this principled position, the German Democratic Republic fully supports the proposals for a just, comprehensive and durable solution in the Middle East as put forward by the Soviet Union on 15 September 1982 [see S/15403] and by the States Parties to the Warsaw Treaty in the political declaration adopted at Prague on 5 January 1983 [see S/15556, annex].

70. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Israel, upon whom I now call.

71. Mr. BLUM (Israel): At the outset, permit me to tell you, Sir, how pleased we are to see a diplomat of your experience and wisdom guide the business of the Council



in the month of August. In addition to your outstanding qualities we also salute in you a son of France, a country that has indelibly imprinted its name in the annals of mankind as a champion of the struggle for liberty and human dignity.

72. May I take this opportunity also to express our appreciation to the representative of China for the exemplary manner in which he conducted the Council's business last month.

73. At the 2427th meeting of the Council, held on 29 March 1983, the then President of the Council, the representative of the United Kingdom, stated:

"Speaking as President of the Council, I must confess that I have had moments of considerable discomfort during the debate on this agenda item."

The Council was on that occasion dealing with a different matter.

"It would have been embarrassing for me to have ruled speakers out of order, but equally I was embarrassed not to rule them out of order. As President I have been put in a difficult position by the way in which some speakers have taken advantage of the laxness which has crept into our procedures. Some have spoken on matters well outside the agenda item under discussion. Some have also used unhelpfully strong language which went beyond the bounds of civility. All this is bad for the Council's standing, whereas the Secretary-General in his report on the work of the Organization<sup>4</sup> has stressed the urgency of enhancing its standing. This prospect is one which should give Council members pause and should set limits to their own conduct in the Council as well as the standards they would expect of others." [2427th meeting, para. 75.]

74. The representative of the United Kingdom has been mercifully spared this debate. I wonder what his comments would have been had he attended the deliberations of the Council in recent days and, in particular, yesterday. Two representatives in the Council have also remarked today on the tone and form of this debate. We appreciate their remarks for, as far as I can remember, they were the first to have objected in recent years to the kind of foul, abusive and offensive language which has become customary in reference to my country.

75. I will have something to say about the substance of this language a little bit later. But let me say right away that this kind of language is not being employed only by our Arab colleagues. Some of their supporters have in fact encouraged them over the years to use this kind of language rather than deterred them from it.

76. The representative of the United Kingdom, in his intervention on 18 July [2456th meeting], when the question of the extension of the mandate of the United Nations Interim Force in Lebanon was discussed, rightly saw fit to remark on what he termed "the extraordinarily unbalanced and unhelpful account of recent history in

Lebanon that my Soviet colleague has chosen to give us". The sad truth is that one of the permanent members of the Council has been systematically engaging in this kind of foul and abusive language with reference to my country. In his intervention last Friday [2458th meeting], Mr. Ovinikov repeatedly referred to the ruling clique of Israel, meaning, of course, the Government of my country. The Prime Minister of Israel did not deserve any reference to his official title; he was repeatedly referred to as "Begin". It was not even "Mr. Begin". The normal rules of courtesy do not apply to Israel and to its democratically elected Government. When the Soviet representative speaks, apparently certain atavistic impulses and instincts come to the fore and prevent him from using the normal procedures in referring to a head of Government of another country, of another Member State.

77. Nor was the Soviet representative alone. Other speakers followed him in this reference to the ruling circles or ruling clique. It would appear that they find it difficult to familiarize themselves with the workings of a parliamentary democracy and that they do not realize that it is not circles that rule a democratic country but the elected representatives of the majority unlike the situation in those countries which they are probably more familiar with.

78. So much for the tone and the form. I must, with all due respect, disagree with the representative of the United Kingdom that it is just the tone and the form that should be faulted. The tone and the form reflect the substance. These are wrappings that cover the merchandise, and we have known all these years what that merchandise is. This foul, abusive and offensive language reflects the inability or unwillingness, or both, of Israel's enemies to come to terms with the very existence of my country and its right to exist. This has been the root cause of the Arab-Israel conflict all along, ever since 1948, since the establishment of Israel as an independent State, and before. Everything else, including the various pretexts for convening the Council on one or another aspect of the Arab-Israel conflict, is a pretext or subterfuge.

79. Sometimes Arab speakers are candid enough to admit this to the Council. Some of them have been brazen enough to tell the Council that the very existence of Israel is illegitimate, irrespective of the passage of time, and that even if it took 150 or 200 years to destroy Israel they could wait. Our Syrian colleague told the Council last year, on 2 April 1982 [2348th meeting]:

"Our people, the Palestinians, Syrians and others, have lost tens of thousands of martyrs. But the population of the Arab nation is 120 or 130 million, and we can afford to lose 10, 20, 30 or 40 million to fight American imperialism and the United States and Israeli racist, Zionist, imported, synthetic occupation."

This is the philosophy, the substance, behind the foul language, even if some of the Arab speakers will not go so far as to spell it out in the way that the Syrian representative and some other representatives have done from time to time.

80. It has been suggested that Israel welcomes, as it were, this kind of language, because it makes it easier for us to ignore the proceedings of the Council. Nothing could be further from the truth. The sad fact is that the Council over the years has systematically disqualified itself on matters relating to the Arab-Israel conflict. Any impartial observer of the United Nations scene would have to admit that Israel simply cannot get a fair deal in the Council. I do not have to go into the reasons for that. But it is an obvious fact, and no objective and impartial observer of the United Nations scene would deny it.

81. Let us look at the record. Mr. Ovinnikov told us last Friday that these debates had become a permanent feature of the Council's agenda, and he also figured that about one fifth of the Council's time was devoted to debates on what is called here in Council parlance "The situation in the occupied Arab territories". Let me update these statistics. It is not one fifth of the Council's time that is being devoted to Arab obsession with Israel and to the exploitation of that obsession by some cynical supporters of the Arabs from outside the region. The figures speak for themselves. In 1979, the Security Council held 76 meetings. Of those, 29 to 38 per cent were devoted to Israel and the remainder to the rest of the world. In the year 1980, the Council again held 76 meetings. Of those, 37 to 49 per cent were devoted to Israel, and the remaining 51 per cent to the rest of the world. In the year 1981, the Council held 60 meetings. Of those, 21 to 35 per cent were devoted to Israel, and the remaining 65 per cent to the rest of the world. In the year 1982, last year, the Council held 88 meetings. Forty-five of them—that is, 51 per cent—were devoted to Israel, and the remaining 49 per cent to the rest of the world.

82. Is this a true reflection of what is happening around us? Should we forget that during those years we had, for instance, a Soviet invasion of Afghanistan? We had a large-scale massacre of the people of Kampuchea by the Vietnamese forces. We have had a war between Iraq and Iran for the last three years, which rarely attracts the attention of the Council. We have had repeated petty and not so petty aggressions by Libya committed against various neighbours—immediate neighbours and more distant neighbours. We have had a rather critical situation in Poland, which we were told was an internal matter and had nothing to do with the international scene—so the Council was not aware of that situation.

83. So let us ask ourselves, how does one explain this situation? I hope I will be forgiven for devoting a few minutes to these questions; they touch directly on some of the remarks made by the various representatives in the course of this debate. There are, I believe, three main reasons for this lopsided approach.

84. The first is the well-known Arab obsession with Israel, and I have two or three examples to offer this Council to prove my point. I do not believe I have to belabour this point.

85. The second is the existence of a bloc of States which is always willing to exploit the Arab fixation with Israel in

an attempt to fish in the troubled waters of the Middle East and, in the process, also to divert attention away from inconvenient trouble-spots around the world. The leader of this second category is the Soviet Union. Obviously, it is much more convenient for Mr. Ovinnikov to discuss the situation in the Middle East than for him to discuss the situation in Afghanistan. The Council has not had even one meeting on Afghanistan since January 1980—for three and a half years. Eyewitnesses who have come out of that country since have told us about the large-scale killings that have been going on in that country. Tens of thousands of people have lost their lives; hundreds of villages have been razed to the ground; there have been allegations of the use of bacteriological weapons by the Soviet invaders against the people of Afghanistan. The Council is not interested, and obviously the situation is extremely convenient for Mr. Ovinnikov.

86. The last time the Council discussed Kampuchea was in January 1979—four and a half years ago. The Council does have occasional meetings devoted to the Iraq-Iran war; I believe the last one was held a year ago.

87. But that, of course, does not prevent such speakers as the representatives of Afghanistan and Libya and Poland from leaping into this debate. What could have been more grotesque than the participation of the representative of Afghanistan this morning in this debate [*2460th meeting*], denouncing the evils of occupation—not, heaven forbid, of the occupation of his country: he went to look for greener pastures.

88. And this brings me to the third reason: a group of States which fully understands what is happening in the Council, the travesty that is being played out here, but which at the same time, for a variety of reasons, primarily expediency, is not willing to stand up and object to this despicable performance. Instead, it is more expedient to rationalize their silence of inactivity or passivity.

89. The cumulative effect of all this is that every minor matter that affects my country is being inflated here, and becomes the subject of urgent meetings, emergency meetings and so on, whereas serious crises confronting the international community go unnoticed. Who in this building and in this chamber seriously cares about the massive violations of human rights in most of the States Members of the United Nations, including the mass expulsions of hundreds of thousands of people that occurred in recent months, which never reached the Council?

90. Racial violence: we all know it as newspaper-readers and as tele-viewers, but we have no official knowledge of those atrocities being perpetrated on a much larger scale than the crime in Hebron—and a crime it was; I shall come to it in a moment—perpetrated last week.

91. This brings me to the ostensible cause for these meetings: the crime committed in Hebron last week. I want this to be crystal-clear: the Government and people of Israel unreservedly condemn the murders perpetrated last week in the city of Hebron. We did so on the very day of

the perpetration of those crimes. The President of the State of Israel on 26 July stated:

“A crime was committed in Hebron today. The murder of members of the Islamic Academy is no less vicious than was that of Yeshiva student Aharon Gross. In both cases innocent blood was spilled for which there can be no atonement. The law of Israel does not make distinction between blood and blood. No man’s blood runs redder than another’s. I utterly condemn this repugnant crime and I am confident that the Security Forces will spare no effort to apprehend those responsible and bring them to justice.

“I must caution against hasty judgement or any accusatory allegations before the criminals are apprehended and identified. Let no man claim to know the identity of the dastardly killers before it has been authoritatively verified.”

92. Prime Minister Menachem Begin on the same day termed the murders a loathesome crime and pledged the Government of Israel to do everything possible to apprehend the culprits so that they can answer for their crimes.

93. The Minister of Justice spoke in the same vein in the Knesset, Israel’s parliament, last week. So did the Chief of Staff of the Israel Defence Forces and other officials of my Government.

94. But we, in contradistinction to many if not most seated around this table, are not selective in our condemnation of terrorism. We condemn terrorism irrespective of the identity of those who are involved in it. This unfortunately has not been the position of the Council. What galvanized the Council into action? The crime committed in Hebron last week. It was not the first one. Only two weeks before, I had informed the Secretary-General of the murder on 7 July of this year of Aharon Gross, a student at the Religious Seminary in Hebron who was brutally stabbed to death by a number of assailants in the town’s market place [S/15865]. In the same letter I also made reference to the death on 12 February of this year of Esther Ochana, a 22-year-old woman who had been mortally wounded on 29 January when the car in which she was travelling was stoned south of Hebron. The Council was not interested. What is more, in the draft resolution before us [S/15895] the Council seeks to condemn “the recent attacks perpetrated against Arab civilian population in the occupied Arab territories, especially the killing and wounding of students at the Islamic university of the Arab city of Al-Khalil”. Hebron is taboo. Even in English one has to make reference these days to Al-Khalil. The name Hebron, which has been the traditional name of this city for thousands of years is being systematically erased from United Nations documentation. But that is beside the point.

95. The point I wish to make is that the Council does not condemn the murder of Jews. Jewish blood apparently is cheaper in the eyes of the Council than is non-Jewish blood.

96. But this is not the first time. On 4 May 1980 [S/13923], I informed the Secretary-General of the murder of six Jews, including women and children, who were murdered on 2 May 1980 when returning from their Friday eve devotions at the Tomb of the Hebrew Patriarchs, the Cave of Machpela in Hebron. No emergency meeting of the Council was convened on that occasion either, just as the Council was not interested when on 5 February 1980 [S/13781], in my letter to the Secretary-General, I informed him—and through him the Security Council—of the cold-blooded murder of a 23-year-old resident of Kiryat Arba, a rabbinical student, on 31 January 1980, which murder also occurred in the city of Hebron.

97. When may I ask—and I ask this question with all due respect—has the Council ever evinced any serious concern over the murder of Jews? Was it when the school children of Avivim were murdered in 1970? I cannot recall any emergency meeting or special meeting of the Council or any condemnation. Was it when Israeli athletes were murdered in Munich? Was it when school children were murdered in Ma’alot in 1974, or when PLO terrorists murdered a two-year-old girl on the Nahariya beach in front of her father in 1979? Or when they seized the nursery of Kibbutz Misgav-Am in 1980? I challenge you: please show me. When did the Council ever express any concern over the murder of Jews? Why, may I ask the representative of the United Kingdom, are we supposed to believe in the impartiality of this body when it comes to Israel?

98. I would make one admission. The representative of the United Kingdom finds himself in a more comfortable position than I because, under the rules of the Charter of the United Nations, he can prevent the passage of Council resolutions which he deems inimical to his country. I do not quarrel with the provision itself. It is constitutional. But I would expect a higher degree of empathy from him when it comes to those Member States which find themselves in a less fortunate position.

99. And, as the representative of the United Kingdom very well knows, his country from time to time does resort to this constitutional device which is available to it—for instance, last year on 4 June 1982, when it prevented the adoption of a draft resolution on the Falkland Islands (Malvinas) dispute.

100. But let me come to another example which, I think, fully illustrates the point I wish to make and which brings together the various elements of the malaise—and a malaise it is—which has gripped the Council in its dealings with any matter affecting Israel.

101. Last Thursday, the representative of Jordan in his statement made reference to the cases of mass poisoning which mysteriously occurred among schoolgirls in the West Bank last February [2457th meeting, para. 23]. The representative of Democratic Yemen in his statement at the same meeting also claimed that “Students in cities of the West Bank have been poisoned” [*ibid.*, para. 43].

102. I believe all of us must view statements of this kind with the utmost gravity—not because the representative of Jordan was wrong with regard to the date, which he spoke of as last February whereas the episodes he was referring to occurred in March and early April. This is a minor inaccuracy and, as the ancient Romans have taught us, *de minimis non curat praetor*. I am not concerned with that. I am concerned with the fact that months after it has been established that there have been no poisonings a member of the Security Council should find it so difficult to face up to reality.

103. We all remember what preceded his statement. Last March—since the Council was involved in all this and, I think, since it has not finished its business, I shall, with your permission, Mr. President, detain it for several minutes—schoolgirls in a number of localities in Judea and Samaria complained of dizziness, headaches and so on. Thereupon the Israeli medical authorities immediately instituted inquiries. Those inquiries did not yield any organic cause, in the clinical sense, for those complaints.

104. Now, this was known at the time, but despite the information made available by the Israeli medical authorities, the representative of Iraq on 29 March 1983, in a letter to the President of the Council, stated:

“Israeli terrorism has reached the point of the implementation of schemes for the collective poisoning of students and inhabitants” [see S/15660].

105. On the very same day the representative of Jordan, in a letter to the President of the Council, claimed that there had occurred

“incidents of collective poisoning to which more than 1,000 Palestinian schoolgirls were exposed in the West Bank” [see S/15659].

106. The representative of Iraq, apparently thinking that he was having a field day, two days later came back with another letter. I had the feeling at the time that, since he was representing Baghdad, he thought that he had to add to the one thousand and one nights the one thousand and second night. In that letter he said:

“These poisoning cases”—he knew already that these were poisonings—“were not coincidental. They were caused by a yellow substance containing sulphur concentrates which emitted poisonous gases with dangerous physical and psychological consequences as well as other possible consequences” [see S/15673].

107. Of course, the representative of Syria could not lag behind. For some reason he did not send a letter, but he used the Council debate [2426th meeting] on another matter—Nicaragua—in order to tell the Council that Israel

“kills the Arabs, displaces them, desecrates their Holy Places and even poisons their schoolchildren . . . Poisonous gases are used on Arab schools in the West

Bank . . . What is the use of murdering and poisoning our schoolchildren?”

108. Before I come to my own letter, I should add that the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People also fell in. He also reported to the Council that:

“Local residents believe the illness to have been induced by some kind of poison, perhaps even gas poisoning, in the girls' classrooms” [see S/15667].

109. So, against this background, I sent my letter to the President of the Council on 3 April [S/15674], in which I informed her of the real state of facts and of the medical inquiries that had been started, adding that, since the Israel medical authorities could not determine the origins of this disease—if it was a disease—the Israel Ministry of Health decided to request also international health authorities to independently assess the causes of the phenomenon. I informed the President of the Council, and through her the members of the Council, that the representatives of the International Committee of the Red Cross (ICRC) had already investigated that phenomenon and could not determine the existence of any organic cause and that, in addition to him, the Government of Israel also approached the United States Centers for Disease Control in Atlanta, Georgia, as well as the World Health Organization (WHO) and requested that both send experts to Israel to investigate the case.

110. Even before those experts had a chance to arrive in Israel, the Council convened in informal meeting and authorized its President to issue on 4 April a presidential statement, which I should like to read out to the Council—although I believe many of the members of the Council may still remember it:

“The members of the Security Council have met in informal consultations with great concern on 4 April 1983 to discuss cases of mass poisoning in the occupied Arab territory of the West Bank as referred to in document S/15673.

“The members of the Security Council request the Secretary-General to conduct independent inquiries concerning the causes and effects of the serious problem of the reported cases of poisoning and urgently to report on the findings” [S/15680].

111. Some three weeks later the experts of the Centers for Disease Control concluded:

“that this epidemic of acute illness was induced by anxiety, may have been triggered initially either by psychological factors or by sub-toxic exposure to hydrogen sulfide. Its subsequent spread was mediated by psychogenic factors. Newspaper and radio reports may have contributed to this spread. We observed no evidence of reproductive impairment in affected patients.”

112. Then two weeks later, WHO also reported and the Secretary-General submitted its report to the Security

Council. The salient passage is to be found in paragraph 26:

“the WHO inquiry has not been able to indicate any specific cause or causes of this ill-defined health emergency” [S/15756].

113. What has the Council done since to redress the wrong that has been done to my country, in maligning it? We have been waiting in vain for three months for the Council to meet again in informal consultations and to say it is very happy that no poisoning has taken place. Heaven forbid. I would not expect a statement by the Council to say: “We are sorry if the State of Israel found itself offended by what we did last April”—that would go too far—but at least to express happiness that no poisoning had taken place. Were you all not concerned about the reported cases of poisoning last April?

114. This is, incidentally, what one of the newspapers saw fit to do. *The New York Times* on 18 June apologized to its readers for the disparity in its reporting in that it gave much greater space to Arab accusations—which have been disproved—than to American and Israeli explanations. There was, the paper said, no journalistic justification for the disparity.

115. The Council did not take note of that. Instead, three months later two representatives—one of them a member of the Council—come back with this discredited story and refer again to “poisonings”. How should one characterize such behaviour? I ask you, Mr. President, and members of the Council, in all candour and humility: please help me define it.

116. I should have thought that the least that could be expected, as far as moral and intellectual integrity is concerned, is to keep silent. Those letters of last March and April are on the record; they cannot be erased. If they could, I would suggest to the representative of Jordan and his other colleagues to withdraw those documents. But at least keep silent; do not come back with these inflammatory charges which have been disproved.

117. The World Health Organization and the Centers for Disease Control have been extremely cautious. The phenomenon apparently is known in the medical world. In an article published in the *British Medical Journal* of 26 November 1966 by Peter D. Moss and Colin P. McEvedy, on page 1295, the following case is reported:

“At mid-day on Thursday, 7 October 1965, the Blackburn Medical Officer of Health received a phone call from the Headmistress of a girls’ secondary school. In the earlier part of the morning a few of the girls in the school had complained of feeling dizzy and peculiar and some had fainted; later in the morning the affection had become epidemic and the girls were going down like ninepins. A medical officer immediately went to the school, the girls looked not only frightened but shocked. Ambulances took 85 of the most severely affected girls to hospitals; the rest of the pupils were dismissed and told not to return until the following

Monday. Of the girls taken to hospitals all but 34 recovered sufficiently in the course of the afternoon to be sent home. Six required readmission over the week-end and three new cases were taken in during this period, but there were no cases among the girls’ families or from the community at large.

“On Monday the school reassembled, and in the course of the morning another epidemic broke out, almost identical to the first in character and consequence. Fifty-four girls were taken to hospitals; school was dismissed for the remainder of the week.”

There was no report that Israeli authorities had closed the school.

“Many of the Monday cases had been affected on the first day and, as previously, the symptoms subsided quickly enough to allow the majority to be sent home by the evening.”

And so it goes on. And what are the conclusions? The following is found on page 1299:

“What became epidemic was a piece of behaviour consequent on an emotional state: excitement or, in the latter stages, frank fear led to overbreathing, with its characteristic sequelae—faintness, dizziness, paraesthesiae, and tetany. Once learned, this self-reinforcing piece of behaviour restarted spontaneously whenever the school was assembled. By day 12”—because the episode lasted for 12 days—“however, the hysterical nature of the epidemic was generally accepted, and a firm line prevented the behaviour propagating as extensively as it had on the previous occasions.

“Clinically the symptoms are entirely explicable in terms of overbreathing due to emotional tension.”

118. On 17 March 1983 another article was published, in *The New England Journal of Medicine*, entitled “Outbreak of illness in a school chorus”. The following description is given on page 632:

“On the morning of May 20, 1981, 102 elementary-school students from East Templeton, Massachusetts, rode buses to their regional high school. They joined another 300 students from other schools to rehearse the chorus for their annual spring concert. After half an hour, illness suddenly interrupted the rehearsal. Several chorus members fell to the stage floor, grabbed their abdomens and throats and complained of nausea, abdominal pain and shortness of breath. Teachers escorted the stricken children outside, but every few minutes another chorus member began to have similar symptoms . . .”

And so it goes.

119. The conclusion?

“Mass hysteria is defined as the occurrence in a group of people of the constellation of physical symp-

toms suggesting an organic illness but resulting from a psychological cause, with each member of the group experiencing one or more of the symptoms. Several characteristic features of mass hysteria help differentiate such epidemics from those due to physical causes: the absence of laboratory results and physical findings confirming the specific organic cause; a preponderance of illness in girls or women, the apparent transmission of illness by sight or sound, or both; the presence of hyperventilation or syncope; a preponderance of illness in adolescents or preadolescents; benign morbidity, often with rapid spread followed by rapid remission of symptoms”.

and so on.

120. The representative of Jordan was cautious enough in his statement last week [2457th meeting] to say that:

“the mass anxiety that ensued among the civilian populations [as well as the poisoning] are considered a moral and political condemnation of Israel’s oppressive policies and inhuman practices.”

No poisoning, really, perhaps, but the fear of poisoning is a result of anxiety, and the anxiety of course stems from the presence of Israeli occupation.

121. I wonder whether Blackburn, in England, has also been occupied by the Israel Defence Forces, and if not what were the causes of anxiety there. Similarly I am not aware of the fact that the Israel Defence Forces have reached East Templeton, Massachusetts.

122. And I have more examples. *The Courier Post* of New Jersey reported on 23 June of this year that musical students from New Jersey and North Carolina had been taken ill at an award ceremony, complaining of nausea and stomach cramps. Two hundred high school musicians went to Riverside Hospital in Newport News, Virginia.

123. The Council did not issue a presidential statement about those cases, nor did WHO examine the latrines and toilets of those schools, as was the case in Judea and Samaria.

124. Let me ask you in all sincerity: given this dismal record, and dismal it is, why do you expect us to look for pretexts so as not to have to put our confidence in the Council? Who of you in similar circumstances would have any confidence in the impartiality and objectivity of the Council?

125. Let us leave it at that. Let us place it on record that the Council owes an apology to my country for having maligned it last April and for having refrained from redressing that wrong ever since.

126. As I said before, the real reason for these systematic rehearsals and rehashes of anti-Israel exercises in the Council is to be found elsewhere, primarily though not exclusively in Arab obsession with the very existence of the State of Israel. Our Arab friends are looking for all

kinds of excuses. The issue of Israeli settlements in Judea and Samaria is one of those excuses. It was rightly stated by Professor Fred Gottheil of the University of Illinois before the United States House of Representatives Committee on International Relations, on 12 September 1977, that:

“Jewish settlements on the West Bank is an issue today only because the existence of Israel is an issue. The issue of Jewish settlements in the West Bank today is simply one thin layer that emanates from and partially conceals the core of the conflict, namely the non-recognition by the Arab States of Israel’s right to exist.”

127. And, since the matter has been raised, I do wish to address myself also to the issue which ostensibly is the cause of these deliberations: the Jewish presence, the presence of Jewish civilians in Judea and Samaria.

128. Israel’s position on the matter of the right of Jews to live in any part of the Land of Israel has been stated many times, both in this body and in other United Nations forums. I can be very brief. We do not regard ourselves as strangers in any part of the Land of Israel, as foreigners in Judea or Samaria or any other part of the Land of Israel. The Israeli villages are there as of right. We cannot accept that Jews should be prohibited from settling and living in areas which are the very heart of our homeland. Hebron specifically happens to be the cradle of the Jewish people. Hebron has had an uninterrupted Jewish presence over the millenia, until the massacre of 1929 occurred and in its wake the Jewish community of Hebron was liquidated. We shall not accept any attempt to perpetuate that massacre by barring Jews from Hebron. Jews as of right may live in Hebron, Nebraska; or in Bethel, Connecticut; or in Bethlehem, Pennsylvania; or in Jericho, New York. We shall not accept that Jews *qua* Jews shall be barred from living in Hebron, Judea; or in Bethlehem, Judea; or Bethel, Samaria; or Jericho, Samaria.

129. At the same time it has never been the aim of Israel to exercise control over the lives and activities of the Arab inhabitants there. We have repeatedly stated, and I wish to state it here again, that we seek to live as equals with them, not to replace them. Furthermore, it has been the policy of the Government of Israel that no single Palestinian Arab resident of these areas legally holding claim to land should be made homeless by the establishment of these villages. Incidentally, many of the present-day Jewish villages in Judea, Samaria and the Gaza district have been established on Jewish-owned land expropriated in 1948 by the Jordanian or Egyptian Government. Most of them have been set up on government and public land which had been barren for centuries.

130. The right of Jews to live in Judea and Samaria has also been challenged here by some on legal grounds. I should therefore like to dwell on this matter at some length. As is well known, with the termination of the British Mandate over Palestine on 14 May 1948 the armies of seven Arab States—Egypt, Iraq, Lebanon,

Saudi Arabia, Syria, Transjordan and Yemen—illegally crossed the international boundaries in clear violation of general international law and in breach of the Charter of the United Nations, which prohibits the use or even threat of force against the territorial integrity or political independence of any State. The avowed purpose of that armed aggression by the seven Arab States which I mentioned was to crush the fledgling State of Israel, and the Governments which dispatched them had the effrontery to make formal announcements of their illegal action to the Council. Referring specifically to the communication sent by Transjordan to the Council, the representative of the United States stated to the Council on 22 May 1948 that the position of the King of Transjordan was characterized by

“a certain contumacy towards the United Nations and the Security Council.

“ . . .

“The contumacy of that reply to the Security Council is the very best evidence of the illegal purpose of this Government in invading Palestine with armed forces and conducting the war which it is waging there. It is against the peace; it is . . . with a definite purpose.

“ . . .

“Therefore, here we have the highest type of evidence of the international violation of the law: the admission by those who are committing this violation.” [302nd meeting, pp. 41, 42 and 43.]

131. The representative of the Ukrainian Soviet Socialist Republic said the following in the Council on 20 May of the same year:

“We are concerned with the plain fact that a number of Palestine’s neighbour States have sent their troops into Palestine. Our knowledge of that fact is based not on rumours, or on newspaper reports, but on official documents signed by the Governments of those States informing the Security Council that their troops have entered Palestine . . .

“Nor can there be any doubt of the purpose for which those forces have entered Palestine. We may be sure they have not gone there for a summer camp vacation or for exercises. Those forces have a definite military and political purpose.” [297th meeting, pp. 4 and 5.]

132. There was another speaker who, on behalf of his delegation, stated the following to the Council on 21 May:

“[We] cannot but express surprise at the position adopted by the Arab States in the Palestine question, and particularly at the fact that those States—or some of them, at least—have resorted to such action as sending their troops into Palestine and carrying out military operations aimed at the suppression of the national liberation movement in Palestine.” [299th meeting, p. 7.]

The speaker who uttered those words was the representative of the Union of Soviet Socialist Republics, Mr. Andrei Gromyko. I do not believe I need add that the national liberation movement to which he was referring was Zionism the national liberation movement of the Jewish people.

133. Times change. History is being rewritten by some; even encyclopedias are being rewritten and pages are torn out. But as far as we are concerned we shall not permit this rewriting of history here.

134. The violation of the international boundaries of Palestine by the Arab armies having constituted an act of armed aggression, the consequent illegal occupation by them of any territory previously forming part of the Mandated Territory of Palestine could not give rise to any legitimate claim of sovereignty. Thus the purported “annexation” of Judea and Samaria by Jordan in 1950 was in violation both of general international law and of the General Armistice Agreement between the Hashemite Jordan Kingdom and Israel, signed in 1949.<sup>5</sup> It is not without interest to note in this connection that this purported annexation was not recognized at the time by the international community, except for one country, the United Kingdom, which had a very special relationship with Transjordan in those days and that even the League of Arab States, in 1950, threatened Jordan with expulsion from its ranks because of that purported annexation.

135. On 5 June 1967, King Hussein of Jordan spurned an official message from Israel delivered through the intermediary of the United Nations, inviting him to stay out of the Six Day War, which began that day. Instead, the Jordanian army of occupation of Judea and Samaria opened fire on Jerusalem and all along the armistice lines with Israel, and as a result of its renewed aggression Jordan lost control of Judea and Samaria. Thus, when the Israel Defence Forces entered Judea and Samaria in June 1967, in the course of repelling that renewed Jordanian aggression, they ousted from those territories an illegal invader who enjoyed at the most the rights of a belligerent occupant. However, the rights of such a belligerent occupant under the international law of belligerent occupation are self-terminating upon the conclusion of the occupation, and no rights survive for him thereafter.

136. Eminent authorities on international law throughout the world have repeatedly stated in recent years that in the light of the facts and the applicable law Israel has better title to any territory of the former Palestine Mandate than any other State. These distinguished authorities include Eugene Rostow of Yale Law School, Elihu Lauterpacht of the University of Cambridge, England, Julius Stone of the University of Sydney, Australia, and Stephen Schwebel, formerly of Johns Hopkins University and currently a Judge of the International Court of Justice. The latter, in an article published in 1970 in the *American Journal of International Law*, rightly stated that:

“Where the prior holder of territory had seized that territory unlawfully, the State which subsequently

takes that territory in the lawful exercise of self-defence has, against that prior holder, better title.”

Stephen Schwebel concluded:

“Israel has better title in the territory of what was Palestine . . . than do Jordan or Egypt.”<sup>6</sup>

137. If there has been an unwillingness to hear our arguments, still more has there been a reluctance to consider them. When, for example, Israel is on the record with a well-defined legal position with regard to the inapplicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>1</sup> to Judea, Samaria and the Gaza district, it is not enough for members to reject it out of hand, as has been done in most cases here. Differences of opinion are legitimate, and they deserve serious consideration. Suffice it for me to say here that the terms “occupying Power” and “occupied territory” have a well-defined meaning in international law and refer to the seizure by one Power of territory under the sovereignty of another Power. Since, for the reasons I have just mentioned, Jordan in no way constituted a legitimate sovereign in Judea and Samaria, the fourth Geneva Convention cannot be said to apply to Israel’s present administration of Judea and Samaria.

138. Furthermore, even if the laws of belligerent occupation were for some reason applicable here, it would have to be pointed out that article 49, which has been mentioned in the course of this debate, bans forcible transfers, not voluntary acts of individuals taking up residence in the areas under consideration. Moreover, it must also be remembered that article 49 was written in the wake of the mass expulsion from their lands of population groups by the Nazis in order to make room for the settlement of Germans in those areas in place of the original inhabitants. However, no Arab inhabitants have been displaced by the establishment of the villages in question. Thus, for this reason, too, article 49 of the Convention does not apply here.

139. In addition, in this particular instance consideration should be given to the fact that Israel not only applies the principles of the fourth Geneva Convention with regard to the residents of the territories in question but goes significantly beyond them. The Convention, for example, allows for the application of capital punishment. Israel has never applied the death penalty in the territories in question, despite some atrocious crimes committed there. The Convention does not provide for access by local populations to courts of the administering Power. Israel allows the people in those territories to have access to Israeli courts, whether the cases are against individuals, against the Government of Israel, or against any of its officials, including military officers in those regions.

140. There is no provision in the Convention requiring that movement of the local population outside the territories be facilitated. Israel facilitates such movement in both directions, including movement to the Arab countries which regard themselves as being in a state of war with us. In particular, it facilitates pilgrimages to Mecca. The Con-

vention says nothing about trade abroad by the territories in question. Israel facilitates such trade, including trade with Arab countries. The Convention accepts the jurisdiction of military tribunals of the administering Power. Israel goes further than that, and requires that the presidents of those tribunals should have been lawyers for at least six years and that they should be members of the Bar and fully qualified. Similarly, the civil and religious tribunals made up of local judges continue to function in those regions, applying civil and religious laws that were already in force.

141. The argument has also been raised that the presence of Israeli villagers and farmers in Judea and Samaria constitutes an obstacle to peace. Israel utterly rejects this assertion. Let me point out right away that due to Jordan’s *Judenrein* policies—the expulsion of all Jews from the territories captured by Jordan in 1948 and the destruction of their property and villages—there was not one Israeli farmer living in Judea and Samaria between 1948 and 1967 and yet there was no willingness on Jordan’s part at that time either to conclude peace with Israel. These villages are certainly, it is true, an obstacle. They are an obstacle to the enemies of peace, to those rejectionist elements in the Arab world who continue to seek the destruction of my country, to whom any peace or co-existence with Israel is anathema. These villages evidently frustrate the designs of those who would see in Judea and Samaria the first stage in a process of politicicide—a weakening and eventual dismemberment of Israel, and its replacement by a terrorist entity and fresh source of instability in the region.

142. The constant recourse to futile and meaningless debate in the United Nations is but one more weapon in an obsolete arsenal. Reason, common sense and sheer humanity demand its abandonment once and for all in favour of the successfully proved way of direct and substantive negotiation between the States concerned.

143. Far from constituting an obstacle to peace, the Israeli villages are in fact a vital deterrent to war. Even a cursory glance at the map of the region shows clearly that along Israel’s narrow central coastline, where 80 per cent of Israel’s population lives, the distance between the pre-1967 armistice lines and the Mediterranean Sea averages between 9 and 15 miles, or about the distance from the northern tip of Manhattan island to the World Trade Center. Until 1967 all of Israel’s major towns and cities were within range of medium Arab artillery, and our capital, Jerusalem, was within light mortar range of Arab forces. Villages of the kind we are discussing have proved to be an effective form of early warning system.

144. It is clearly the objective of Israel’s enemies to try to have the territories leading to the outskirts of Jerusalem and Tel Aviv cleared of any Israeli presence which may stand in the way of their bellicose designs. But anyone prepared to consider seriously the security problems facing Israel would recognize that Israel being, as it is, still threatened on its northern and eastern frontiers by implacably hostile Arab neighbours, the presence of those villages is vital also for Israel’s security. Judea, Samaria and



the Gaza district were used repeatedly in the period from 1948 to 1967 as staging grounds for ceaseless and unremitting aggression against Israel. Israel's major towns and cities were within easy range of Arab artillery and faced constant threats of attack. The Israeli villages in Judea and Samaria today are thus an effective form of early warning system, as well as a vital deterrent to war.

145. Yesterday in this debate [2459th meeting], Mr. Maksoud posed some rhetorical questions. He asked the Council what he and the group of countries for which he speaks is supposed to do. Should they resort to force? Should they come again before the Council when on so many occasions in the past, to quote him, the Council's deliberations have proved fruitless? Mr. Maksoud did not answer those questions. Let me answer them for him.

146. The most obvious answer, the most obvious choice and option, did not even occur to him. Rather than speculate about the use of force or about engaging the Council in these interminable debates—which, I agree with him, are exercises in futility—why not sit down and discuss all our outstanding problems as is customary in the rest of the world? Is it not absurd that this possibility does not even occur to him? He wishes to involve everyone, except for the party to the dispute—which brings me back to my introductory remarks. The root cause of the Arab-Israel conflict has been all along this unwillingness to recognize Israel's existence and its right to exist. The expression of this unwillingness has been a refusal to sit down with us and to negotiate without any prior conditions.

147. Now, where has all this led you, Mr. Maksoud, and the States which you represent? Are you any better off after 35 years of unrelenting hostility towards Israel than you were 35 years ago? Have not you and the rest of the Arab leadership led your peoples from one disaster to another? Has not the time come for you and for the leaders of the Arab States to reconsider your position?

148. If the Council wishes to make a constructive contribution to the Arab-Israel conflict, it would certainly encourage our Arab friends to reconsider their position. It would encourage the Arab States to sit down at long last to negotiate with Israel without any prior conditions on all the outstanding issues between us.

149. Mr. GAUCI (Malta) (*interpretation from French*): Sir, permit me first of all to express to you my friendly congratulations on your assumption of the presidency for the month of August. The very fact that you presided over a meeting on the very first day of such a hot month augurs well for the effectiveness of your presidency and is a sign of your country's determination to bring about a resolution of the question before us.

150. I should like also to congratulate most warmly Mr. Ling Qing of the People's Republic of China, your predecessor, whose guidance of the Council's work through an equally busy July was impeccable.

[*The speaker continued in English.*]

151. My expressed its views on Israeli policies in the illegally occupied territories on 14 February last [2413th meeting]; we shall therefore only confirm those views today without any unnecessary repetition.

152. It is to the future that we must look, after briefly reviewing the past, and without going into minute details.

153. The events brought to our attention on this occasion are, of course, tragic in themselves, but they are only symptoms of a wider malady. The Council, in a way, has become an inadvertent and reluctant party to a wider tragedy, in that its attention is frequently diverted from the real focus meriting its undivided attention to issues which are in themselves of a nature which demands immediate action but which, as I have already indicated, are only part of a much wider malaise. The Council, therefore, only reacts to grave situations or, even worse, to *faits accomplis*; it has not been able so far to initiate an objectively independent and comprehensive course of action.

154. This was not the case with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which took on the assignment given to it by the United Nations seven weary years ago. Throughout 1976, free from the pressure of immediate events, the Committee, by international consensus among its members, diligently drew up a prescription for a peaceful resolution of the Palestine issue within the Middle East complex.

155. The Committee then treated the question of Palestine as the central issue, which it is, while respecting previous decisions of the United Nations directly relevant to the Middle East. There was abundant material to use as the source and the inspiration for the Committee's recommendations. The number of meetings and the number of decisions taken on this question is, unfortunately, only a reaction to what has actually taken place on the spot.

156. The hopes generated by those recommendations, which were endorsed in each successive year by the General Assembly by an even more resounding majority, at least preserved for a few years a relative calm in the region, and violence, though not completely eliminated, was contained. The Palestinian people and its recognized leadership were encouraged to pursue their diplomatic initiative. However, the high hopes of the Assembly were not taken up by the Council, which continued to neglect the question of Palestine, or else, when frequently called upon to do so by the nature of events, was only able to react in a voice muted by dissent.

157. The end result was predictable. The attention of the Council was, in fact, drawn time and time again to several signals of a major storm gathering on the horizon. Israel was clearly taking advantage of the Council's hesitation, and it acted forcefully on the spot, allegedly in reprisal, but out of all proportion to any acts which it may have considered as a pretext. As usual, it chose to strike at the most vulnerable target. As a result, Lebanon—a small and friendly country valiantly striving to heal its internal problems—was singled out last year for a devastating blow. Today, Lebanon, a founding Member of the Organ-

ization, is, to say the least, in an unprecedentedly dangerous situation, to our regret, even to our shame.

158. The accumulated evidence is clear and receives confirmation practically every day. The approaches of the past cannot yield positive results. Israel itself, far from gaining the respect and security it seeks, is only sowing the seeds of further future conflict by its present militaristic policy, from whatever perspective one looks at it.

159. There can no longer be any doubt that Israel is now embarked on an insidious effort to take over the West Bank and the Gaza Strip. This has been confirmed. It is sufficient to mention that in just three years both the number of settlements and the number of settlers have more than doubled. Soon there will come a point of no return. We cannot remain helpless witnesses. The truth can no longer be obscured. It is difficult against cumulative and widely reported evidence to escape the conclusion that Israel is not only flouting international law but also that many of its civilians seem to take the law into their own hands. The genuine fear of West Bank Palestinians engendered by these illegal Israeli practices was intelligently described in the article by Mr. Jonathan Kuttub published in *The New York Times* yesterday. It is encouraging that the Israeli authorities have deplored this latest incident, but the fears remain and evidently they are not unfounded. We must act if we wish to prevent even worse disasters.

160. So even its best-intentioned friends, with all the good will in the world, must act together to persuade Israel not to continue with its present policies. Similarly the partial approaches that have deflected and by-passed the efforts of the United Nations clearly also are not enough. They too divert attention from the real problem and on account of their limited scope bring scant consolation—if, indeed, they bring any consolation at all—to the dispossessed Palestinians subjected daily to ever more repressive Israeli measures.

161. Let us now admit it once and for all: many elements are, of course, involved in the complex Middle East equation, but the Palestinian question deserves concentrated and priority attention.

162. Over the past seven years the Committee on the Exercise of the Inalienable Rights of the Palestinian People has laboured to bring out objectively all the elements of this question. These elements have already been the subject of concentrated attention in all the regions of the world, in particular during the past two years, in preparation for the climax during the International Conference on the Question of Palestine to be held in Geneva later this month. The preparatory work, therefore, has all been done. The stage is thus set for a determined effort, open to the contribution of all.

163. Innumerable Governments, including my own, have not contributed a single bullet to feed the violence of the Israel-Arab conflict. We have not once encouraged the escalation of animosity, verbal or otherwise. On the contrary, we have racked our brains and devoted much

time and energy in advocating the benefits of dialogue, understanding, reconciliation and recognition, as well as constantly urging the start of a reverse momentum away from war and in the direction of peace in the Middle East.

164. A unique opportunity, which will not easily be repeated, therefore lies ahead in the proposed International Conference on the Question of Palestine. I wish to point out and to stress that it has already been agreed in advance to propose that the Conference make its best effort to ensure that its recommendations are adopted by general agreement. Here lies an opportunity for a breakthrough in overcoming the obstacles and the stalemate that have plagued the Middle East for more than a generation. We trust that the leaders of all the nations in the world will seize this opportunity to set down the fundamental guidelines that will truly recognize the legitimate rights of the Palestinian people and respond positively to their yearnings for a place among the family of nations, not by lip service but by resolute, concerted international agreement. Let all national leaders without exception devote one benevolent week this month to devising together a new approach to Palestine and the Middle East instead of recklessly fanning the fires of discontent by authorizing enormous sums for the dispatch of lethal arms to what is probably the most volatile region in the world—a region that unfortunately is already oversaturated with the weapons of war and whose soil is strewn with thousands of hapless victims. The former course would truly be a universal investment for peace in the years ahead, sorely needed and long overdue.

165. Eventually the Council will have to assume its proper role in world affairs. It is the only place in the world where all parties can meet around the same table and where other flexible arrangements can also be envisaged to facilitate contact, negotiation and reconciliation. The countries of the region and the major Powers, which wield such tremendous influence on the protagonists, should play their predominant part in a positive way in moulding a truly universal consensus on the imperatives of the Palestinian dimension to the Middle East conflict. It is the only way to change direction from antagonism and confrontation to tolerance and rapprochement, backed if necessary by strong international guarantees to satisfy the legitimate preoccupations of those who may wish to seek them.

166. Once more the Secretary-General set the right tone in his latest report on the work of the Organization:

“It is absolutely essential that serious negotiations on the various aspects of that problem”—that is, the Middle East problem—“involve all the parties concerned at the earliest possible time. Far too much time has already elapsed, far too many lives and far too many opportunities have been lost, and too many *faits accomplis* have been created.”<sup>4</sup>

It would be an even graver tragedy if, through uncertainty, division or indifference, the prospects offered by this beneficial opportunity were to be once again jeopardized or squandered in acrimony and thereby lost.

167. In these circumstances, I honestly feel that all nations should rise to the occasion, not to re-write history, but to right wrong. Malta for its part will do so, both at the Conference itself and in the Council during the remainder of our tenure. We desperately need something constructive for a region which lies in prolonged torment and which has tormented the international conscience for far too long. Surely it is not too much to ask that after a decade and a half of dithering with symptoms and partial remedies the international community, acting in concert, will finally direct efforts towards a road to peace based not on the sinews of war but on the sound principles of justice, human rights and national dignity.

168. Today we will vote in favour of the draft resolution presented [S/15895], but our expectations lie in the future, on the more difficult but constructive road that we should all choose.

169. Mr. SALAH (Jordan) (*interpretation from Arabic*): As is his custom, the Israeli representative has tried to distract the attention of the Council and to turn the focus of attention away from the item on the agenda, the situation in the occupied Arab territories.

170. He has tried to prompt representatives on the way to formulate their statements concerning the aggression of Israel against the Palestinian people and the Arab nation. He has tried also to set himself up as judge of the Council and of the representatives of States—as an arbiter of the accuracy of their statements and of their condemnation of aggression, expansion and occupation.

171. The anger displayed by the Israeli representative and his grudge against the Council and the Organization is not unusual, because here in the Council Israel is unmasked and here we see the process of unveiling its expansionist aggressive policy.

172. What has been stated by the Israeli representative about the Council and the United Nations devoting most of their time to Israel actually reflects the reality. He himself mentioned that the Council spends more than half its time on Israeli practices. However, he did not indicate the reason. It takes moral courage to state the reason since it involves self-condemnation. The Israeli representative forgot to mention, or was oblivious of the fact that the record of Israel's occupation of the Arab territories and its oppressive, arbitrary policies against the civilian inhabitants are the reasons for the Council's preoccupation with Israel. It behoves me to say that there is an unwillingness—and oftentimes a desire not to overburden the Council with the implications of Israeli practices and oppressive policy. I believe with all objectivity that the Council should meet constantly to grapple with the results of Israel's extremism, rash behaviour and expansionism.

173. The conceit and arrogance of the Israeli representative have gone so far that he arrogates the right to assess the content and formulation of statements of representatives concerning Israel's brutal and aggressive practices. I believe that what has been mentioned in the Council condemns Israel. It stems from the feelings of anxiety, con-

cern and even revulsion as regards Israeli practices and hypocrisy.

174. The Israeli representative stated that a bone of contention is the lack of desire on the part of the enemies of Israel to recognize its existence and that of its people. He speaks about what he calls the desire and intention of others to destroy Israel. He refers to statements that were prompted by a feeling of danger and by the life threat posed by Israel's practices. There is before the Council a long record of Israel's daily practices designed to dismember the Arab nation, especially the Palestinian people. The Israeli representative was oblivious to the fact that until recent times his rulers did not even recognize the existence of the Palestinian people. He wonders why the Security Council showed disregard for and did not meet to consider what he called the murder of Jews.

175. He forgot that Israel has turned its people into an expansionist aggressor, and that the Zionist philosophy has turned the Israeli Jews into a people which occupies other States and achieves its ambitions at the expense of others, especially at the expense of the Palestinian people. What took place recently at the Islamic University of Al-Khalil is just one example of Israel's feverish quest to expel the indigenous Arab inhabitants from their homes and replace them with "imported" Jewish settlers. This is what has been said even by some Jews who oppose the racist Zionist philosophy.

176. In 1948 Jordan and a number of Arab States went to the rescue of the Palestinian people, which asked for help to prevent its elimination and expulsion at the hands of armed Jewish bands that resorted to terrorism to eject civilian Arab populations from their territories. Today, settlers use the same method in Nablus, Al-Khalil and the West Bank towns, as well as in the Gaza Strip and the Golan.

177. When Jordan and its Army heroically rose up in 1948 to prevent the genocide of the Palestinian people at the hands of the Irgun and Stern gangs, that was legal and legitimate under the rules of international law and the provisions of the Charter of the United Nations. Jordan is proud of its historical link with the Palestinian people and with Palestinian-Jordanian unity. It is the country which hosted the Palestinians after they were expelled by Israel from their territories in Palestine. It is the country which has shared with the Palestinians their pains, hopes and livelihood and has done its utmost to ease the pains caused by Israel.

178. We are well aware of the fact that it is impossible for the representative of Israel to understand those historical and equal bonds that exist between two peoples and two regions outside the framework of his State, which is based on the usurpation of the rights of others and replacing one people with another. The legitimate rights of the Palestinian people cannot be replaced with temporary shelters and humane action to ameliorate the suffering caused by the Israeli occupation and the displacement that has taken place at Israel's hands. The rights of the Palestinians are political, legal and historical in the land

of their fathers and forefathers, in Palestine. As regards the claim of the Israeli representative to the effect that his country desires peace, I wish to state that peace consists in deeds, not in words only. The representatives in the Council are meeting today to consider Israel's actions that contravene the most rudimentary requirements of peace. But if we really want to consider Israel's aggressive record, our debate will be lengthy, and I do not believe that there is anyone in the Council who is not aware of that record. Just to refresh representatives' recollections, I shall recall that Israel is the only State which the international community has unanimously agreed is not a peace-loving nation, in accordance with the relevant resolution of the General Assembly. I wish also to recall to representatives that since the 1967 war Israel has been obstructing peace efforts with a view to keeping the West Bank and Gaza. Israel has refused to implement resolution 242 (1967) and has thwarted all attempts aimed at its implementation. Its most recent rejection of peace initiatives was its prompt rejection of President Reagan's initiative of 1 September last.<sup>7</sup>

179. The unlawful acts of Israel in the occupied Arab territories such as the building of settlements, the confiscation of territory and the expulsion of inhabitants condemn in the strongest way possible the claims of Israel and its falsifications and statements to the effect that it desires peace. The international community has unanimously adopted the principles of a just and lasting peace, most important of which are the withdrawal of Israel from all the Arab territories occupied since 1967 and recognition of the legitimate rights of the Palestinian people. The only State that departs from that international unanimity is Israel.

180. I will be revealing no secret when I say that the motive behind the actions of Israel is its desire to keep the occupied territories since it prefers that to peace. Here lies the disease.

181. We were expecting that at this meeting the Israeli representative would give an indication of good faith, and move from mere words to deeds. There is no doubt that until Israel states its intention to follow the path of peace the international community will continue to judge it on the basis of its acts and practices and not on the basis of its claims.

182. In conclusion I wish to refer to what was stated by the Israeli representative when he spoke of precision. He said that in my statement of last Thursday [2457th meeting, para. 23] I mentioned that the incidents of the mass poisoning of schoolgirls had taken place in February. I want to correct him. In my statement I said that these cases took place last March. I call upon him to make sure by consulting the verbatim record of that meeting if he wishes to do so. If correctness is a measure of credibility, I hope that that criterion will be used as far as concerns what has been said by the representative of Israel this evening.

183. The PRESIDENT (*interpretation from French*): The representative of the Palestine Liberation Organization wishes to make a statement. I call upon him.

184. Mr. TERZI (Palestine Liberation Organization): Mr. President, since this is the first opportunity we have had to address you since you assumed the presidency, let me express our sincere recognition of the efforts of your Government to help contribute to an organic solution of this situation.

185. In June I was in your country, Sir; I visited Quay d'Orsay and, with your colleagues there, I sensed concern regarding where the Israeli settlement policy is leading us. I wish here only to record that your efforts in July 1982 in the Council and as manifested in the Franco-Egyptian draft resolution [S/15317] speak extremely highly of your endeavours to obtain a peaceful solution to the miseries of our people and to bring them to an end.

186. We have heard a very lengthy lecture dealing with legalisms, morals and so on. We have heard some accusations being launched against the Council. We could have been spared all those accusations of misinformation or misreporting if only the Commission that was established by the Security Council under its resolution 446 (1979) had been permitted to go into the occupied territories and to investigate for itself to find out exactly what was true and what was not true. By preventing such a visit by a Commission established by the Council, the criminals tried to hide some of their crimes. If they were so sure of themselves, why did they not permit the Council to carry out its duties?

187. I am glad to hear from the Council that there are of course differences of opinion on what is legitimate and what is not legitimate. But such differences of opinion should in no way be construed as an interpretation or misinterpretation of the provisions of the Charter of the United Nations. The Charter tells us very clearly that all Members shall refrain from the threat or use of force against the territorial integrity or political independence of States. This morning the representative of the United Kingdom told us:

"we consider these settlements to be contrary to international law and to the principle of the inadmissibility of the acquisition of territory by force" [2460th meeting, para. 76].

According to the Charter, according to the unanimous decision of this Council—and many decisions have been adopted unanimously to this effect—the presence of the Israeli forces in the occupied Palestinian and other Arab territories, including Jerusalem, is illegal. I do not think we can convert this place into a class for the interpretation of legalisms.

188. According to the sixth paragraph of article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949:<sup>1</sup>

"The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

We have concrete evidence that the Deputy Prime Minister, and the Minister for Housing, I think, Mr. Levi, says

that in Hebron he will settle 500 Jewish families in the coming three years—this in an area already settled by Arabs. The result will be that those Arabs will have to be evicted or, let us say, thrown out of their homes.

189. The Commission that the Security Council entrusted with the task of investigating Israeli practices presented a report on 25 November 1980 [S/14268]. That report was never brought to the attention of the Council; I really cannot explain why. I only know that the report exists and the Security Council never considered it. What is relevant in that report is contained in its conclusions. The Commission found as follows:

“the Commission would like to reaffirm the entirety of the conclusions contained in its two previous reports, and more specifically the following:

“ . . .

(b) A correlation exists between the establishment of Israeli settlements and the displacement of the Arab population;

(c) In the implementation of its policy of settlements, Israel is resorting to methods—often coercive and sometimes more subtle—which include the control of water resources, the seizure of private property, the destruction of houses and the banishment of persons in complete disregard for basic human rights;

(d) The settlement policy has brought drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population and is causing profound changes of a geographical and demographic—and I would underline the word “demographic”—“nature in the occupied territories, including Jerusalem” [*ibid.*, para. 234].

That report was presented by the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem, that consisted of the representatives of Portugal, Bolivia and Zambia. I do not think anybody could question the integrity of the members of the Commission.

190. It was alleged—or rather, stated—here that the crime committed in Hebron—or perpetrated against those students in Hebron—was condemned by the President of Israel and by Mr. Menachem Begin, the Prime Minister. It was also condemned by the mayor of Hebron. What happened? He was fired because he condemned the crime. Here we have a discriminatory criterion for condemning or not condemning crimes. Concerning illegality, I should like to recall what President Carter said on 28 July 1977. He stated:

“This matter of settlements in the occupied territories has always been characterized by our Government, by me and my predecessors, as an illegal action.”

Those are the words of a President of the Government of the United States, an elected President. I do know that in the United States the legislative branch changes, the eco-

nomics change, the executive changes, but there is a continuity and full credibility in that country's legal system and in its judiciary. If, with a change in the executive, there is a change in the concept of law and legalism, of legalities and legitimacies, I wonder what will happen when we have the next President in this country.

191. Frankly, all this is academic. In the Council we do, of course, need some academic background for being here, but the fact remains that the Council has met to deal with a crime perpetrated against students, a crime that was continued by the Israeli army proper that fired on students in Bir Zeit, that fired on students in Nablus, that imposed further restrictions even on the burial of those victims of crimes against students in Hebron.

192. And there is nothing incidental about this. We recall that on 25 December 1975 the ex-commander of the Zionist paratroops, Mr. David Aaron, lecturing at the Ben Eleazar National College in Tel Aviv, told his audience:

“If we really want to spare Jewish and Arab blood, then the final solution”—I repeat—“the final solution that we must strive for is that of transfer—that is, the removal of all Arabs from here to the Arab countries, which should, of course, be achieved by reasonable ways and means.”

Mr. Aaron did not come out with anything new to us, because the founder of political Zionism, Theodor Herzl, had said:

“We shall try to spirit the penniless population across the border. The process must be carried out discreetly and circumspectly.”

It boils down exactly to: “Kill them without pain”.

193. But we the Palestinian people are not willing to participate in a final solution. Of course, the Irgun Zeva'i Leumi, which is the root of the present Likud and Herut Parties in Israel, was fishing for a final solution for the Jewish question. This appears in a document entitled “Basic outlines of the proposal of the National Military Organization in Palestine (Irgun Zeva'i Leumi) concerning the solution of the Jewish question of Europe and the active participation of the National Military Organization in the war at the side of Germany”. This came out in the late 1930s, and I should like to read out exactly how the Irgun Zeva'i Leumi thought it would contribute to the solution of the Jewish question:

“On numerous occasions prominent statesmen of National Socialist Germany”—in other words, Nazi Germany—“underlined in their remarks that the new order of Europe required a radical solution to the Jewish question through evacuation.

“The evacuation of the Jewish masses from Europe is a precondition for the solution of the Jewish question, which, however, solely and finally becomes possible through resettling those masses in the homeland of

the Jewish people in Palestine and through establishing a Jewish State in its historic frontiers.

"To solve the Jewish question that way and thereby to free the Jewish people once and for all times is the aim of the political activity and long-standing struggle of the Israeli liberation movement, of the National Military Organization in Palestine, the Irgun Zeva'i Leumi.

194. The PLO has no intention whatsoever of co-operating with the neo-Nazis in Tel Aviv in order to find a solution to the Palestine question, either by evacuating the Palestinians from their home or by eliminating them, as was the result of this co-operation in Dachau and Auschwitz and other places. In that connection, we know how the Irgun Zeva'i Leumi, which is the root of the present Likud alignment in Israel, contributed to the elimination of those victims.

195. The PRESIDENT (*interpretation from French*): I shall now make a statement in my capacity as representative of FRANCE.

196. The Council is meeting to consider the complaint submitted by the Group of Arab States following an attack in the Islamic University of Hebron. [S/15890].

197. The French Government cannot remain indifferent to this new tragedy affecting an already sorely tried city. It firmly condemns this act of terrorism, which has caused many victims.

198. The Israeli authorities must take all the steps necessary to prevent such tragedies. On this occasion, France recalls that, in accordance with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,<sup>1</sup> the Israeli authorities, as the occupying Power in the West Bank and Gaza, are responsible for the protection of Palestinian civilian populations. Consequently, we urge Israel to comply strictly with its obligations in this regard. More generally, in line with a basic principle of its policy, France cannot but disapprove of any unilateral measure imposed on any State or people whatsoever. It calls for respect for democratic freedoms and for cessation of the escalation of violence and repression.

199. In this regard, we are bound to note that the policy of *fait accompli* pursued by Israel in the territories occupied by it since 1967 is harmful to any peace efforts. The Israeli settlements are without legal basis and create an atmosphere of tension. That is the reason for the violent incidents that have been deplored for years.

200. It is through dialogue and negotiation, and not through violence and repression, that we can arrive at a peace that will ensure the security of all States in the region and justice for all peoples desirous of exercising their legitimate rights in their own homelands.

201. For that reason, my delegation will vote in favour of the draft resolution submitted by almost all of the Arab States [S/15895].

202. I now resume my function as PRESIDENT.

203. The representative of the United States has asked to speak in exercise of the right of reply, and I now call upon him.

204. Mr. LICHENSTEIN (United States of America): I shall be very brief on this occasion, Mr. President. I intend to speak again after we have voted on the draft resolution.

205. Apparently, the representative of Jordan has decided to exclude the representative republican democracy whose entity and ruling clique operate out of Washington, D.C. these days from the international community. He referred to the unanimous opinion of the international community in support of the infamous General Assembly resolution of last year identifying Israel as a "non-peace-loving State". I remind the representative of Jordan that on that occasion the representative of the United States, which, to the best of my knowledge, remains a member in good standing of the United Nations, if not of the international community, voted "No". I reiterate today that that representative voted "No". To the best of my recollection, it was this very forefinger which proudly pushed the appropriate button.

206. It is my further recollection that between 15 and 20 modest republics throughout the world, some of them Western European, some of them Latin American, some of them Asian, abstained from voting on that resolution.

207. So much for the unanimous opinion of the international community. The representative of Jordan conjoined in his remarks credibility and confidence. So much for credibility; so much for confidence.

208. The PRESIDENT (*interpretation from French*): I take it that the Council is prepared to vote on the draft resolution before it [*ibid.*]. If there is no objection, I shall now put the draft resolution to the vote.

209. Mr. SALAH (Jordan) (*interpretation from Arabic*): The delegation of Jordan is pleased on behalf of the member States of the League of Arab States to introduce the draft resolution contained in document S/15895 of 1 August 1983. In this connection, I wish to state the following.

210. First, the conflict dealt with by the draft resolution is well known to representatives. It has been on the Council's agenda for a long time. Despite the attempts of the Council to deal with the matter, Israel's arbitrary practices and measures against the civilian Arab populations, languishing under the Israeli occupation for 16 years, have been on the increase. Moreover, the pace of Israel's settlement activities has increased, jeopardizing peace and security in the area.

211. Secondly, the elements of the draft resolution are basic, fundamental principles for any international posi-

tion, especially on the part of the Council, with a view to dealing with the deteriorating situation in the occupied Arab territories. No attempt to deal with the situation will be meaningful and effective unless it contains these principles in their entirety. To reject them or to show lack of enthusiasm for supporting them would undermine the credibility of any action aimed at achieving a comprehensive, just and lasting peace.

212. The draft contains the following principles.

213. First, the Israeli settlement policy is illegal and illegitimate and constitutes a major obstruction to achieving a comprehensive, just and lasting solution to the Middle East problem.

214. Secondly, the Israeli policies in the occupied Arab territories are in contravention of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.<sup>1</sup> The Council calls upon Israel to abide scrupulously by the Convention and to desist from taking any action which would result in changing the legal status and geographical nature and in materially affecting the demographic composition of the occupied Arab territories.

215. Thirdly, the Council affirms all its previous relevant resolutions.

216. Fourthly, in operative paragraph 5, the Council rejects all Israeli arbitrary and illegal actions, for which it uses its settlers. These measures aim at forcing the Arab inhabitants of the West Bank and Gaza to leave their homes and their lands in preparation for their replacement by Israeli settlers. Israel's intentions have been clear. They are to create an economic, psychological, social and security state that makes it difficult for the Arab inhabitants to live on their land and in their homes, thus impelling them to leave for the neighbouring States. In my statement to the Council last Thursday [2457th meeting], I indicated the grave implications of this policy for Jordan and other Arab countries.

217. Fifthly, the Council reaffirms its determination to take follow-up action in dealing with the situation and to examine ways and means to secure Israel's full implementation of the provisions of the resolution.

218. In short, the draft resolution reflects the past positions of the Security Council, adopted in many resolutions. It also reflects the situation in the occupied Arab territories and the grave implications of the continuation of the Israeli occupation, of the escalation of Israel's oppressive practices and of the settlement and immigration policies pursued by Israel.

219. The Secretary-General has pointed his finger at the root-cause of the malaise that the international Organization suffers from—the absolute adherence of States to their national interests, the arbitrary placing of the service of those interests over the interests of the international system. Representatives also have applied themselves for a long time to the analysis of the reasons for the paralysis

which the Council is suffering from, as well as for its inability to deal with international crises that pose a grave threat to international peace and security. It has become clear that putting self-interest and narrow chauvinism, in the absence of a genuine threat, above considerations of collective security is the main reason for the paralysis. The draft resolution gives the Council a chance to affirm its validity and effectiveness in grappling with a matter of paramount importance that jeopardizes international peace and security.

220. The Group of Arab States and, through that Group, Jordan have tried to set out this problem rationally and objectively, and in such a way as to secure for everyone every opportunity to uphold the principles of justice, equity and equality so that the legitimate principled national or regional interests of no party will be compromised.

221. After painstaking effort, Jordan has pledged not to place any party in a position where upholding the principles of right and justice would clash with its legitimate national interests. On that basis, we hope that the Council will be able to adopt this draft resolution unanimously.

222. The PRESIDENT (*interpretation from French*): I shall now call on members of the Council wishing to make statements before the vote.

223. Mr. KABEYA MILAMBU (Zaire) (*interpretation from French*): Mr. President, we shall take the opportunity in due course to offer you and your predecessor the customary words of congratulation.

224. There is no need to remind the Council that in the many debates devoted to this item, most recently in May 1983, it has been stated that Israel's practice of establishing settlements in occupied Arab lands is contrary to international law they have thus been condemned by the international community.

225. Today again—just as it was yesterday and as it will be again in the future—the Council is called upon to pronounce itself on the situation in the occupied Arab territories. The draft resolution to be put to the vote [S/15895], if endorsed by the Council, like others in the past will not lead to actions. We might wonder why the Council is being called upon to repeat itself. This state of affairs undermines the credibility of the Council both for its own members and for the international community, and it casts serious doubt on the applicability of its decisions.

226. Furthermore, looking at operative paragraph 6 of the draft resolution, we must see that it is not balanced. In the view of my delegation, murder—whether perpetrated by Israel or by our Arab brothers—cannot be tolerated, and must be condemned.

227. For all those reasons, my delegation will abstain in the vote.

228. Mr. KARRAN (Guyana): I should like first of all to congratulate you, Sir, on your assumption of the presi-

dency for the month of August. With your demonstrated skill and competence as a diplomat, my delegation is confident that you will guide the work of the Council successfully through this month.

229. I should like also to pay a special tribute, and to express my delegation's appreciation, to your predecessor, Mr. Ling Qing of the People's Republic of China, and to his delegation for the efficient conduct of the business of the Council during the month of July.

230. The Council is again called upon to consider the situation in the occupied Arab territories, and more particularly the grave situation and the recent tragic events in that region. My delegation, to say the least, was shocked to learn of the incidents in the city of Al-Khalil (Hebron) and particularly those at the Islamic University, where as a result of the criminal acts of armed elements 3 students were killed and about 40 others injured.

231. These incidents have taken place in Israeli-occupied Palestinian territory, and Israel, as the occupying Power, must be held responsible for the atrocities visited on the innocent students. This is another instance of the systematic Israeli policy of aggression and annexation.

232. It is clearly a policy of creeping colonization combined with violent suppression of the rights of the Arab population, designed to weaken and demoralize the Arab people, in particular the Palestinians, and thereby to suffocate all nationalist sentiments within them and force them into submission.

233. As Guyana has said on several occasions before, any attempt to liquidate the Palestinian people or to erase the Palestinian national identity will never bring peace in that region. Peace and any lasting solution of the Middle East question can be found only in the recognition of the inalienable rights of the Palestinian people, including their right to self-determination and to the establishment of their own independent sovereign State in their homeland, Palestine. Israel must come to terms with the Palestinian people. I should like to reiterate my country's position: Guyana recognizes the right of all States in the region to live in peace and security, and we believe that all negotiations must involve the PLO, as the sole authentic representative of the Palestinian people.

234. The recent incidents in Al-Khalil (Hebron) can only lead to greater tension and act as an obstacle to the achievement of a comprehensive, just and lasting peace in the Middle East. It is high time for the Council to take appropriate action to ensure Israel's compliance with the relevant resolutions of the Council.

235. The draft resolution set out in document S/15895, which has just been introduced by the representative of Jordan, is balanced and is, in my delegation's opinion, a genuine attempt to deal with a deteriorating situation.

236. Israel's policies and practices in establishing settlements in the Palestinian and other Arab territories occu-

ried since 1967, including Jerusalem, are of no legal validity and constitute a major and serious obstruction of the achievement of a comprehensive, just and lasting peace in the Middle East.

237. Guyana strongly abhors the use of force or the threat of force in the acquisition of territory and believes in the settlement of disputes by peaceful means. The Council must act, and act now, before it is too late. My delegation will vote in favour of the draft resolution before us.

238. The PRESIDENT (*interpretation from French*): I shall now put to the vote the draft resolution.

*A vote was taken by show of hands.*

*In favour:* China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

*Against:* United States of America.

*Abstaining:* Zaire.

*The result of the vote was 13 in favour, 1 against, and 1 abstention.*

*The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.*

239. The PRESIDENT (*interpretation from French*): I shall now call on those members of the Council wishing to make statements after the vote.

240. Mr. LICHENSTEIN (United States of America): I wish, first of all, to join in the universality of tribute to you, Sir, and to the great Republic that you represent as we welcome you to the presidency this month. You personally and your nation are widely and properly known for adherence to the rule of reason, to clarity and precision, to the rule of law and to an abiding concern for the rights of all human beings to live in freedom. We look to you for guidance and effective leadership with great confidence in this month.

241. I wish also to join in the many tributes expressed here to your predecessor, the representative of the People's Republic of China. He exercised leadership last month with calm, cool judiciousness and we are all in his debt.

242. One final preliminary remark: my memory has been further refreshed as to the present standing of the universality of the opinion of the international community regarding the resolution of the General Assembly. The vote on that resolution was something like 86 in favour, 20 opposed—including the United States—and some 45 abstentions. As I said before, some universality.

243. The issue before the Council today is a grave one and it is far-reaching. It stems from the continuing vio-



lence in the West Bank which disrupts the hopes of peace-loving people everywhere for an early settlement of the Middle East conflict. The United States shares the anguish expressed by many speakers in these meetings about the loss of life and destruction of property that the West Bank has witnessed in recent weeks, and indeed months and years. We are eternally opposed to violence and terrorism from whatever quarter such acts may come, not only because of the human tragedies involved but also because of the resulting damage to the spirit of reconciliation, which is so necessary to peace.

244. The draft resolution before us today reflects this feeling of anguish, but regrettably does so only in one operative paragraph condemning the Hebron events. It does not adequately address the recent series of criminal attacks in the West Bank. We, of course, join the other members of the Council in condemning these attacks against civilians. We condemn all such acts, including the murder on 7 July of an Israeli settler in Hebron and the wanton destruction of part of the Hebron market that occurred immediately thereafter. The brutal terrorist attack at Hebron University on 26 July was but the latest, the most horrifying of these criminal acts.

245. We also share the view expressed in the draft resolution that The Hague Convention of 1907<sup>2</sup> and the Geneva Convention relative to the Protection of Civilian Persons in Time War, of 12 August 1949,<sup>1</sup> are applicable to the territories occupied by Israel. The United States Government has stated this position on numerous occasions, and I affirm it again today. Israel, as the occupying Power in the West Bank, is in our judgement bound by the terms of the fourth Geneva Convention.

246. The draft resolution contain elements which are wholly unacceptable to the United States. Therefore we were obliged to vote against it. Let me make clear, however, that we did not vote against the draft resolution because we approved of Israel's settlement policy. On the contrary, President Reagan said on 1 September 1982—and I reaffirm it today: "further settlement activity is in no way necessary for the security of Israel and only diminishes the confidence of the Arabs that a final outcome can be freely and fairly negotiated". The most obvious flaw in the text of the draft resolution is its clear implication that Israel has carried out forcible transfers of Arab population from the occupied territories. The allegation made here is not one of individual deportations—which have, observers recognize, reprehensibly taken place—but rather that a policy of large-scale transfers of the Arab population has been deliberately pursued. There is no body of evidence to support this allegation.

247. Moreover, turning to the provisions relating specifically to Israeli settlements, let me reiterate that we believe that settlement activity in the occupied territories constitutes an obstacle to a fair and lasting settlement in accordance with Council resolutions 242 (1967) and 338 (1973), and in particular that further settlement activity in urbanized areas such as Hebron can only exacerbate tension. As President Reagan emphasized on 1 September, a freeze on settlements throughout the occupied terri-

tories, more perhaps than any other single action, would foster the kind of atmosphere needed for negotiations leading to peace.

248. We do not believe, however, that it is at all practical or even appropriate to call for the dismantling of the existing settlements. The future of the settlements is precisely one of the key issues which will need to be addressed in negotiations. Nor can we accept continuing the sterile argument as to whether the settlements are "legal" or "illegal", an argument which unfortunately has dominated discussions in the United Nations on this question to the detriment of the basic issue, namely, how to bring about a just and peaceful resolution of the conflict—precisely the conflict—over the occupied territories, of which the recent events in Hebron are a tragic manifestation.

249. The problems of the West Bank are real; they are agonizing. The United States remains committed to the resolution of all aspects of the Arab-Israel conflict and its underlying causes. A debate in the Council, as I have just suggested, over whether the Israeli settlements are "legal" or "illegal" fails to address the real problem and encourages the kind of rhetorical, legalistic arguments that tend to polarize differences which can be bridged only by unconditional negotiations. We make these differences appear much wider and deeper than they are. Indeed, this polarization exacerbates the relations of the protagonists on the ground, the very parties who must be induced to come to the bargaining table in a spirit of mutual accommodation which is essential if there is ever to be peace in the Middle East.

250. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): Since this is the first time that I have spoken in the Council this month, may I congratulate you, Sir, on your assumption of the lofty post of President of the Council and wish you success in your responsible work.

251. I should like to avail myself of this opportunity to express my gratitude to your predecessor as President last month, the representative of the People's Republic of China, Mr. Ling Qing, for his skilful organization of the Council's work during the month of July.

252. Today's statements by the representative of the United States have shown quite clearly the enormous gap existing between words and deeds of the United States. I shall speak of the deeds of the United States.

253. In voting today in full isolation against the draft resolution submitted [*ibid.*], the current United States Administration for the seventh time—I repeat: for the seventh time—has blocked the path to a just peace in the Middle East. This is some kind of record for the United States Administration. But in today's United States vote there is not only a numerical aspect; there is also a qualitative aspect. It might be boiled down to the three following ideas.

254. First, the current draft resolution was submitted by 20 Arab States. In other words, this is the united voice,

the united view, of all Arab nations. Consequently, in blocking the adoption of this draft resolution the United States has flagrantly disregarded the just demands of Arab countries and peoples.

255. Secondly, in its contents, the Arab draft resolution was a minimum. Its purpose was to prevent the swallowing up by Israel of Arab lands. Accordingly, the United States veto is a direct sanctioning by Washington of such a swallowing up and, first and foremost, a sanctioning of annexation by Israel of the West Bank.

256. Thirdly, after today's United States vote no one should have any illusions as to the essence of the policy of Washington itself in the Middle East. This is an anti-Arab policy. This is a pro-Israeli policy. This is an imperialistic policy. That is what today's United States vote tells us.

257. Just a few words in connection with the lengthy statement made by the representative of Israel, Mr. Blum. He spoke a great deal about others' restraint, but he was once again very surprising and in fact in a very sick way showed no restraint. The fact is that for the umpteenth time at a meeting of the Security Council Mr. Blum is expressing fears—in an almost maniacal way—that someone is supposedly fishing in troubled waters in the Middle East. But it is clear that for such an operation of fishing in troubled waters to be carried out one would need the necessary technical conditions. Some else would have to be stirring up the waters a great deal—and, in fact, that is what is being done in the Middle East, as is well known, by Israel, the aggressor State, the occupying State, the annexationist State. So for Mr. Blum finally to be cured of this illness there is one very simple prescription. It would be enough for Israel to withdraw its troops from all the Arab territories occupied in and after 1967. And, in light of Mr. Blum's statement, I think it should be very clear to all that such a step by Israel would, in addition to everything else, have a favourable effect on the health of Mr. Blum himself.

258. Mr. LICHENSTEIN (United States of America): I do keep on having difficulties with the representative of the Soviet Union, whose professional association I do also cherish. Probably it is a consequence of his lack of practice in dealing with democratic nations and with free peoples.

259. The United States, for its part, rarely tries to enforce decisions which do not arise out of the genuine self-initiated will of the parties to a conflict or to any form of dispute. Our vote today is characterized by none of the three qualities that the representative of the Soviet Union has attributed to it.

260. The policy of my Government and of my President, Ronald Reagan, has been clearly, explicitly and repeatedly stated over the two years and eight months of this Administration and in the course of the seven vetoes to which Mr. Ovinnikov refers.

261. The path to peace, in the view of my Government, is the path that has always existed and that was specifi-

cally affirmed by the Council in its resolutions 242 (1967) and 338 (1973)—unconditional negotiation without pre-judgement, without precondition, precluding no issue, on the basis of the principles stated in resolution 242 (1967) and reiterated and reaffirmed in resolution 338 (1973). That has always been the policy of my Government; that is today the policy of my Government. And I sometimes suspect that the representative of the Soviet Union really knows that, although he never lets on.

262. Mr. OVINNIKOV (Union of Soviet Socialist Republics) (*interpretation from Russian*): I am not disputing the words and statements of the United States, just as I do not intend to dispute what was just said by the representative of the United States. That would be pointless. I am talking about the deeds of the United States. The representative of the United States was not able to refute the obvious fact that the major flaw in United States policy in the Middle East is that the United States says one thing and does something else.

263. The PRESIDENT (*interpretation from French*): The representative of the Palestine Liberation Organization wishes to speak. I call upon him.

264. Mr. TERZI (Palestine Liberation Organization): Let me express our gratitude and deep appreciation for the result of the voting. It is not the numbers that count but the substance. That one permanent member has opted to take a different course and to be the Lone Ranger in an adverse sense does not in any way surprise me. What really does confuse me is the statement that has been made to justify that course of action. It is really very confusing.

265. At a time when we are told by the representative of the Government of the United States that the United States shares the view expressed in the draft resolution—that the annex to The Hague Convention of 1907<sup>2</sup> and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, are applicable to the territories occupied by Israel, and that the United States Government has stated that position on numerous occasions—he has again affirmed that Israel, as the occupying Power, is bound by the terms of the fourth Geneva Convention. I take it that that is exactly in conformity with article 49 of the "Civilians" Convention, which says that the occupying Power shall not deport, and so on.

266. He then leads us into the following paragraphs, and he says that the settlements are the key issue that will need to be addressed in negotiations. Here my confusion is this. Since he admits that this is territory seized by force and Israel is the occupying Power, how can he permit these territories to become chips in the negotiations? Is he opening up the road to anybody to seize the territory of others, despite their admitting that they are illegally militarily occupying that territory? Can they still utilize such occupation as a chip in bargaining or in negotiations? I think that the paper he read should have been revised a little more before it was given as a statement. But naturally that is entirely up to him.

267. From his statement I would say that he also is rather confused. He says that the most obvious flaw in the text of the draft resolution is its clear implication that Israel has carried out forcible transfers of Arab populations from the occupied territories.

268. The commentary of the ICRC on the Geneva Convention confirmed that each article was to be treated separately and distinctly, so the draft resolution refers to the sixth paragraph of article 49, which states that the occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies. What he may be referring to—and I admit he must have been confused—is the first paragraph of article 49, not the sixth paragraph, and there is no reference to the first paragraph in the draft resolution the Council has before it.

269. Going further, Israel is creating facts by this settlement policy—that is the purpose of those settlements—just like the Nazi facts that were created to facilitate the acquisition of territory. Here it is meant to facilitate the acquisition of territory so that it may become a bargaining chip in the so-called negotiations.

270. Of course I fully agree with him—he may not like that—that the question is not the legalisms, not the confusion, not the misinformation or misinterpretation, but how to bring about a just and peaceful resolution of the conflict. There I fully agree with him. And I fully agree with him that the parties must be induced to come to the bargaining table. The bargaining table is the Security Council table. As a matter of fact, that is why the Council was created. And if memory serves, in January 1976 occurred the first attempt to utilize this bargaining table—although I do not like to call it a bargaining table: it is a forum, a vehicle for peace, and that is what we should use it for. Since January 1976 the PLO has repeatedly said that within the Council, on the basis of the principles of the Charter of the United Nations and the relevant resolutions of the United Nations. Let the Council become the vehicle for peace. After all, people say they do not want any conditions. No, we do not want any conditions. Our only conditions are the principles of the Charter, and one of those speaks clearly of friendly relations among nations based on respect for the principle of equal rights and the self-determination of peoples. This is precisely what the Palestinian people is asking for: to go to the negotiating table with the right to self-determination affirmed and confirmed as per the provisions and principles of the Charter.

271. I am really somewhat confused, for the representative of the United States said that there is no body of evidence to support the allegation that mass deportation or forcible transfer of population exists. Again, if he had done his homework and had read the report submitted on 25 November 1980—that may have been before his time, so I do not blame him—of the Security Council Commission established under resolution 446 (1979), he would have found the following specific statement:

“The Israeli policy of settlements has led to major displacements and dispossession of Palestinians,

adding to the ever-growing number of refugees, with all the attendant consequences.

“Available evidence”—that is, evidence available to the Council Commission—“shows that Israeli occupying authorities continue to deplete the natural resources, particularly water resources, in the occupied territories for their advantage and to the detriment of the Palestinian people.” [*S/14268, paras, 237 and 238.*]

272. It is clear, therefore, that the argument presented by the representative of the United States is based either on misinformation or on a misinterpretation and misconception of what the draft resolution contained, as well as of the provisions of the fourth Geneva Convention.

273. The PRESIDENT (*interpretation from French*): Mr. Clovis Maksoud, permanent observer of the League of Arab States, whom the Council invited to the 2412th meeting, has asked to make a statement. With the consent of the Council, I invite him to take a place at the Council table and to make his statement.

274. Mr. MAKSOUD: I wish to thank you once again, Sir, for allowing me the privilege of addressing this Council, because the Group of Arab States has worked very hard to focus on the primary concerns that preoccupy the world community. Needless to say, the draft resolution that has been vetoed by the United States represented our unanimous Arab eagerness to secure international unanimity. We have not diagnosed the entirety of the crisis in the Middle East, nor have we evolved what we deem to be a just and comprehensive solution. What we have realized is that in order to achieve justice, we unfortunately have to be gradualists, and in order to be gradualists we have to be pragmatists. We were therefore more eager to be relevant than we were to be principled and consistent.

275. We have undertaken a historic compromise, and we have submitted our collective assessment of what is achievable and of what, in the present circumstances and international equations, can be relatively equitable. We have deliberately sought to accommodate many States members of the Council whose strategic relationships with the United States might constrain them from full-fledged acceptance of what we deem to be full justice for the Palestinian people.

276. What this draft resolution has sought to do is not to achieve justice for the Palestinians but to mitigate the flagrant injustices to the Palestinians. We have acted as we have in a conscious act of compromise and what has been called moderation. We have sought the input of many among the non-aligned, socialist and Western European countries. We wanted to bring about a unanimous decision in the Council. We worked hard. Many in the Arab States had reservations. Many thought that no matter how eager we are to accommodate there will always be a stumbling-block—and why should we be accommodating and pragmatic when the principal philosopher of international pragmatism would not budge even if his closest allies in Western Europe were convinced of the conclu-

sions that have been factored into the draft resolution submitted to the Council?

277. Yet we swallowed a great deal of our pride—despite the fact that we realized that those Palestinians who are suffering the oppressive nature of occupation, who are languishing in various refugee camps, would not look with great favour on our collective disposition to be pragmatic, to accommodate, to toe the line with international realism and the balance of power—in order, in our eagerness, to avoid a deadlock. For we thought that our Western friends would broker another condition within the Council, and yet the collective reason of the allies of the United States in Western Europe has failed to persuade that country, if not to vote in favour of the draft resolution, then at least to abstain in the voting—not out of deference to Palestinian rights or to the many friends of the United States among the Arab States, but out of deference to the many strategic allies members of the North Atlantic Treaty Organization. We found that what a super-Power can get away with is really sometimes beyond our moral comprehension.

278. It has been stated firmly that it is a legal privilege for a permanent member of the Council to exercise the right of veto. Therefore, under no circumstances would any Arab challenge that right or the legality of exercising it. But we have reservations about certain ethical aspects of the exercise of that right, because we have worked very hard to accommodate, to moderate, to compromise. Those many millions of Arabs who have reservations will perhaps be justified, while the credibility of those Arabs who have always said “Let us give the United States another chance” may be eroded a little.

279. People have asked many times “What do the Arabs want? If some Arabs want something, others don’t.” We have come to the Council, through the representative of the Hashemite Kingdom of Jordan, with a unanimous document that was accommodating. We deeply appreciate the international consensus that has been achieved, although the Council has failed to achieve international unanimity. Unfortunately, the discrepancy between the consensus and unanimity can develop into a further contribution to the destabilization of a region already excessively volatile. We are hopeful that the damage done by the exercise of the veto can be controlled, although many of us are beginning to entertain doubts. We do not want this veto to be a rupture in Arab-American communications. We do not want it to lead to the logical conclusions. On the contrary, in many ways it might restimulate a dialogue, although we are not sure of the results. We are eager to show that flexibility does not mean willingness to reach a breaking point.

280. With our knowledge of the American system, our appreciation of the interplay of forces within the American body politic, we realize that what is at this particular moment is not necessarily permanent, that the collective moral, intellectual and political forces within the United States—that constituency of conscience that has evolved and exhibited itself during Israel’s invasion of Lebanon,

the questioning process that has been interrupted by today’s debate—can, hopefully, resume their activities.

281. Many of us, in the Arab group and outside it, have always said that the United States is, of course, a super-Power, but that what is challenging is that it is not important for a super-Power to be a super-Power: it is equally important that a super-Power be a great Power. Greatness is not measured exclusively by the strategic framework and global impact that a super-Power’s policies have. It is equally important that vitality and resilience and principled commitment to human rights, to self-determination and to legal rights become predominant determining factors in policy-making and decision-making processes.

282. Is the veto a rupture or a scar? We do not know. But the judgement of the United States is predicated upon the reports of many in its diplomatic service, in its embassies, in its intelligence services and among the correspondents who have achieved notoriety and who have reported objectively on what has taken place in the West Bank and in the occupied territories. These have had a modifying impact on many aspects of the bias that has characterized American policy in the Middle East. Unfortunately, they have not yet had the necessary impact.

283. What is it, therefore, that makes the United States unable to crystallize its judgements into policies as they pertain to the Arab-Israeli conflict? The United States is an open society which allows the interplay of forces. Opinion reaches certain conclusions about the situation in the Middle East, when the aggression and violations by Israel are so visible, clear, categorical and conclusive in the opinion of many people in the White House, the State Department, the Pentagon and the legislative branch. Those judgements are then arrested and paralysed. By what? By a flaw, a basic strategic flaw, in the dealings of the United States with the Middle East. It is a belief, unfortunately sometimes pervasive—yet in many instances challenged, fortunately—that Israel is the only strategic instrument of United States policies in the Middle East, that in order to persuade Israel to comply, not with international law, not with the United Nations resolutions, but with declared policies of the United States itself, the United States has to placate Israel, to please it, to satisfy it, to allow it a free hand.

284. Apparently the United States believes that under no circumstances should Israel—even at times or intermittently—be penalized. It is as if President Eisenhower’s legacy is not a part of contemporary American history.

285. And then we have the projection of Israel to the liberal constituency—especially within Congress—as the legatee of Jewish history and destiny and as the “only democracy” in the Middle East. And we have a certain colour-blindness, for their position on Viet Nam has never been matched by a similar condemnation of Israel’s aggression on Arab territories.

286. Israel's projection to the so-called conservative constituency as the latest colonizer in West Asia brings feelings of vengeance to that constituency, vengeance against the decolonizing process that has characterized the third world.

287. It is thus that Arab communication with both those constituencies becomes sort of parasitical to the comfort that Israel seeks to establish and consolidate within the American body politic. Therefore, we have a situation where politics blocks policies in the United States and in many instances the finger is proudly raised in veto—as the representative of the United States stated earlier—taking into consideration elements that are outside the framework of the United States judgements on issues that characterized the conflict in the Middle East.

288. Today is a sad day: while it is night here, it may already be daylight in many Arab countries: in Egypt, in Saudi Arabia, in the Sudan, in Kuwait, in Lebanon, in Morocco, in Qatar, in Tunisia. When these countries—with which the United States has such good bilateral relations—read that the raising of that finger was a matter of pride, I hope that they will not feel terrible shame at that friendship, a friendship that we intend to continue.

289. We have witnessed tonight a sad episode which I hope is only an interruption, however traumatic it might be. For we realize that within the United States body politic the resilient vitality of the constituency of conscience will not lie low. There are, however, pragmatic considerations, and they comments, inasmuch as those considerations tally with some of the remarks made earlier by the Israeli representative.

290. We are repeatedly told that negotiation is the only way to achieve genuine peace. We agree. But is the Council not a mechanism for negotiation, as the representative of the PLO has asked that it should be? Then, even if we grant the point of negotiations, we have a new problem: are the settlements—the subject of these Council deliberations—settlements? The representative of Israel does not even recognize that there is something called settlements. In the new lexicon of zionism, they are now called “villages”. And they are not called Jewish villages; they are called Israeli villages. What does that mean? What does the United States think of this new terminology which the Israeli representative wants to slip in? Or is this only another expression of semantic acrobatics?

291. If they are villages, they can develop into towns, and a town can become a city, and a city can become an Israeli city. Are we expected to negotiate the future of villages? Is it correct to dismantle villages? It is easier to accept the dismantling of settlements. Even the United States at one stage called for the dismantling of settlements: Secretary of State Cyrus Vance called them illegal.

292. Now, the representative of the United States does not want us to get rhetorical, to get legalistic. But I want to know, on behalf of the entire Arab nation. Villages cannot be dismantled. The Israeli representative slipped that word in so in the next debate in the Council “settle-

ments” should not arise. And villages will go the way of settlements, because later the Israeli representative will be talking about Israeli towns. These settlements are illegal whether or not they are called villages. They are illegal.

293. The Israeli representative has exposed himself: he was talking about Jewish blood and about how the Council does not discuss Jewish blood, in a way inferring that if we do not accept his assumptions we are collectively harbouring lingering anti-semitism. This is a form of intellectual and diplomatic terrorism that has characterized many of the pronouncements of Israeli propagandists and diplomats.

294. We are not concerned about Jewish blood? I should like to state emphatically that the present Israeli régime itself is undertaking a policy of settlements that is making Jews cannon fodder for the expansionist, revisionist Zionist objectives of the Begin-Likud Government. That is why many people who are in the constituency of conscience within Israel have protested the various massacres that the Israeli Government has undertaken, and continue to show that what is taking place within Israel is the rebellion of Jewish humanism against Zionist revisionism. We are not exclusivists. Judaism is part of our heritage and Judaism can be part of our destiny. It is zionism that assumes a total alienation of the Jew and seeks to interrupt his sense of belonging. It is high time that the Israeli position did not get away with the proliferation of false actions and assumptions which, if not challenged on the spot, become novel jurisprudence, new politics. If the Israeli representative wants to open the whole question of Palestine, we are ready. Yet the United States representative wants us not to paraphrase the past, and he is right; but we want to spell out a future. If we are to negotiate we want to negotiate a feasible, mutually acceptable outcome. The United States representative, as well as the Israeli representative, says that negotiations should be unconditional. All right. Whoever it is that is attempting to broker the negotiations, I want to know: Is East Jerusalem negotiable? Are the Golan Heights negotiable? Should those territories not be outside the framework of negotiations since they have been annexed illegally?

295. *Ex cathedra* declarations were made by the Israeli representative that Jews have every right to be in Judea and Samaria, the right to be in Israel. The question is directed not to the Israeli representative but to the American United States: which Israel does the United States recognize? President Reagan rightly said that these are occupied territories. If they are occupied territories Israel should be treated as an occupier and therefore Israel cannot establish settlements. The United States should be consistent with what its President has declared: that the West Bank and the Gaza Strip are part of an Arab political patrimony. Although he denied the right of the Palestinians to self-determination, at least in President Reagan's plan, which was quoted extensively by the United States representative this evening, the territorial parameters of the West Bank and the Gaza Strip are part of a political patrimony, and the so-called villages, otherwise known as settlements, are an attempt at a demographic and geogra-

phic dislocation, distortion and mutilation of the West Bank. They are deliberate attempts to pre-empt the emergence of any form of a Palestinian identity—any form of Palestinian self-determination.

296. It is no use to dilate on the counter-legitimacy to international legitimacy that Israel is seeking to provoke. However, when the United States asks us to moderate our positions we ask it: how much have you been able to moderate Israel's intransigence and aggression?

297. The PRESIDENT (*interpretation from French*): Council has thus concluded the current stage of its consideration of this agenda item.

*The meeting rose at 9 p.m.*

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## NOTES

<sup>1</sup> United Nations, *Treaty Series*, vol. 75, No. 973.

<sup>2</sup> Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

<sup>3</sup> *Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings*, 44th meeting, paras. 90 and 91.

<sup>4</sup> *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 1 (A/37/1)*.

<sup>5</sup> *Official Records of the Security Council, Fourth Year, Special Supplement No. 1*.

<sup>6</sup> Stephen M. Schwebel, "What Weight to Conquest?", *American Journal of International Law*, 1970, vol. 64, pp. 344-347.

<sup>7</sup> See *Weekly Compilation of Presidential Documents*, (Washington, D.C., United States Government Printing Office, 1982), vol. 18, No. 35, p. 1081.

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