



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/1987/SR.7
10 February 1987

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS

Forty-third session

SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 5 February 1987, at 10 a.m.

Chairman: Mr. EVMENOV (Byelorussian Soviet
Socialist Republic)

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The meeting was called to order at 10.15 a.m.

STATEMENT BY THE MINISTER OF JUSTICE OF THE UNION OF SOVIET SOCIALIST REPUBLICS

1. The CHAIRMAN invited Mr. Kravstov, Minister of Justice of the Union of Soviet Socialist Republics, to take the floor.
2. Mr. KRAVSTOV (Minister of Justice of the Union of Soviet Socialist Republics) expressed his satisfaction at attending the Commission, the competent organ in areas of the highest importance for all mankind. The Soviet Union participated actively in the Commission's work, for the guarantee of human rights and fundamental freedoms was one of the foundations of its socio-economic development. It was also concerned with respect for human rights in the international sphere. It had acceded to many international instruments relating to human rights, including the Covenants, and it complied with its commitments concretely and scrupulously, in conformity with its laws and Constitution. If all States followed its example, co-operation would be made easier. There would also be fewer problems in the world if Governments concerned themselves first with the human rights situation in their own countries, constructively and without hypocrisy. Success in achieving human rights depended primarily on the sincerity of the efforts made at the national level and on the attitude of the national authorities towards the citizens. Domestic human rights policy determined to a considerable extent the citizens' level of participation in public life and the level of interest shown in international co-operation.
3. The Soviet Union had always done everything in its power to implement the human rights and fundamental freedoms of its citizens. That included economic, social, civil, cultural and political rights. It had taken forward-looking measures in respect of the right to work, the right to leisure, the right to education, the right to health protection, the right to maintenance in old age and sickness, the right to take part in State and public affairs, as well as in many other areas, in which the provisions of international instruments were confirmed by national laws.
4. However, the Soviet Union had not attained perfection, and the twenty-seventh Congress of the Communist Party of the Soviet Union had recently adopted new approaches to social and economic problems, especially those relating to development and the implementation of human rights. It had stressed that the concerns regarding the citizens and their rights were central to Soviet Union policy. The decisions of the Congress had rapidly been implemented. Only a few days before, the Central Committee of the Party had met to study questions relating to civil and political rights. It was impossible to mention all the issues taken up by the Central Committee. The important thing was that the Committee had confirmed the fundamental nature of the changes currently taking place in the country, stressing the fact that life should be considered in its entirety and all its complexity. In recent years, it had indeed been observed that the country's social fabric had been weakened in certain sectors, such as housing, supplies and health. Recognizing those shortcomings, the State had taken appropriate measures to increase the population's participation in creating conditions more favourable to consolidating democracy. Only the continuing development of democracy and the extension of forms of self-management could ensure development in science, technology, culture, freedom of thought and generally in all facets of social life. An extension of self-management would also make it possible to develop

democracy in production. All possibilities must be explored to enable workers' organizations to play their part. In the past, work collectives had participated in decisions of principle, planning, the allocation of funds and production discipline, and various laws permitted workers to exert their influence through their trade-union organizations.

5. The Soviet leaders had now decided to go further. They had elaborated a bill on State enterprises which should lead to new forms of self-management in which workers' councils would have broader powers. They were also preparing other bills aimed at developing democracy. In particular, they were considering the possibility of giving trade-union organizations the right in certain cases to oppose decisions taken by the State. Another bill under consideration concerned the possibility of holding referendums and major national debates to allow public opinion to be taken into account in the quest for solutions to the main problem at hand. It was important for that legislation to be put in practice. The very extensive projected legislative programme also envisaged improvements in the electoral law and for revision of the legislation on complaints about unlawful acts committed by cadres. Furthermore, the analysis and revision of the criminal laws would make it possible to improve the defence of the citizens and disadvantaged persons. In current conditions, all the criminal surveillance bodies and the courts had very high requirements. Democracy could not exist above or outside of the law. The guarantee of legitimacy was a primary condition for the implementation of any economic, social and political measures aimed at preventing negative development. The role and prestige of the law and the judicial bodies would therefore be strengthened. He believed that the measures he had just described and other subsequent provisions would make it possible to achieve better results in human rights in the Soviet Union.

6. The Soviet Union spared no effort in the sphere of international human rights co-operation. It had conceived the idea of a comprehensive collective security system encompassing all the political, economic, social and humanitarian aspects of international life, including human rights. It was prepared for tangible co-operation, as its participation in the Bern Conference on contacts between individuals had demonstrated. Because of the unconstructive attitude of a few Governments, that Conference had not been able to adopt an official document on the question, but the Soviet Union had taken action to implement the provisions contained in that document. A decree adopted in August 1986 which had entered into force in January 1987 made the necessary amendments to the regulations concerning travel in the Soviet Union, admission to the Soviet Union and departure from its territory.

7. Mention should also be made of the Vienna initiative, taken by the Soviet Union with a view to holding a conference on all humanitarian questions at Moscow. The Soviet Union was prepared to participate in open discussions which should make it possible to dispel the confusion surrounding certain humanitarian problems.

8. In conclusion, he hoped that international co-operation in the field of human rights would make it possible to avoid confrontations, to disseminate humanitarian and progressive ideas, to better the understanding among peoples, to reduce tension, to avoid the threat of self-destruction and to establish peace in all the regions of the world.

The meeting was suspended at 10.40 a.m. and resumed at 10.45 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) E/CN.4/1987/3, E/CN.4/1987/4/Rev.1, E/CN.4/1987/5, E/CN.4/1987/6, E/CN.4/1987/41, E/CN.4/1987/NGO/8, E/CN.4/1987/NGO/20, A/41/680)

9. Mr. DHANAPALA (Sri Lanka) recalled that the situation in the Middle East had received the special consideration of the United Nations since its inception. The question of the violation of human rights in the occupied Arab territories had first come to the attention of the Commission on Human Rights in 1968. Regrettably, the situation had not improved with time, and the continuation of systematic violations by an occupying Power which did not seem to have the slightest inclination to leave the territories it had occupied for nearly 20 years was a fact.

10. The tragedy that had befallen the people of the occupied Arab territories, including Palestine, was unprecedented in contemporary history. Their civil rights were systematically violated, they suffered humiliation and indignities, they were forced to take refuge in neighbouring States and not permitted to return to their homes. Sri Lanka, conscious of its responsibilities as a Member of the United Nations and the Non-Aligned Movement, had unflinchingly defended the cause of the Palestinian people and had spoken out repeatedly on the question of the violation of human rights in the occupied Arab territories. It had done so for a number of reasons. It had been a member of the Special Committee since its inception and had always discharged its duty in accordance with the mandate of the Committee.

11. When the General Assembly had established the Special Committee, it had requested the Government of Israel to receive the Committee, to co-operate with it and to facilitate its work. Members of the Commission were aware of the negative attitude adopted by Israel. Acting on the mandate given to it by General Assembly resolution 40/161 D, the Special Committee had once again sought the co-operation of Israel. The response received, however, had been negative, and the Committee had been forced, as in the past, to fulfil its mandate without the opportunity of visiting the occupied territories. However, it had enjoyed the co-operation of the Governments of Egypt, Jordan and the Syrian Arab Republic and of the Palestine Liberation Organization. Sri Lanka sincerely hoped that Israel would review its policy of non-co-operation with the Committee.

12. It had been alleged that Israel's refusal to co-operate with the Committee was due to two reasons, namely that resolutions 40/161 D included factual distortions which are based on biased assumptions that pre-judged the situation and that the Committee had chosen press material materials in a selective manner only to substantiate its claims while ignoring a wealth of accurate information published by the free press of Israel. First, it should be pointed out that the Committee functioned on a mandate given to it by the General Assembly, and second that over the years Israel had failed or refused to furnish any material in refutation of the findings of the Committee. Members of the Commission would agree that, in the circumstances, all the Committee could do was trust the unchallenged testimony available to it and arrive at an independent conclusion. Israel should therefore not complain at that stage, since it had decided not to refute the complaints when it had had an opportunity to do so.

13. Sri Lanka was disturbed by the deterioration in the situation of the population in respect of their basic human rights and fundamental freedoms. The Fourth Geneva Convention, which applied to the occupied territories, continued to be disregarded and the policy of annexation of Arab and Palestinian land continued. All were aware of the catalogue of violations perpetrated against the inhabitants of the occupied territories by Israel. What Israel actually wanted for was room to be made for Israeli settlers. Sri Lanka hoped at least that in 1987, the International Year of Shelter for the Homeless, the Israeli authorities would provide housing for the refugees, some of whose houses had been demolished in 1971.

14. The policy of arbitrary expulsion and occupation of Arab territories had had the following results, according to the Special Committee: more than 52 per cent of the agricultural land in the West Bank had been confiscated, and collective arbitrary dismissal had affected more than 10,000 workers. Other violations concerned freedom of movement (restricted residence) and freedom of education (interference with school curricula and closing of institutions) or were due to the arrogance of the Israeli settlers, whose activities included forced entry into the homes of civilians and physical attacks on the inhabitants.

15. It was reported that there were some 62,000 Israeli settlers in the occupied West Bank, and at the present growth rate, there might be 100,000 by 1990. It was now apparent that the occupying Power had decided to treat the occupied territories as part of the State of Israel, in flagrant violation of the international obligations contracted by Israel as a State party to the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War. That Convention stipulated that military occupation was to be considered as a temporary de facto situation, giving no right whatsoever to the occupying Power over the territorial integrity of the occupied territories.

16. Sri Lanka had consistently opposed the use of force in the conduct of international relations, and it would continue to oppose most vehemently the use of force against the political independence, territorial integrity and unity of another State, whatever the pretext. For that reason, in its view the States in the Middle East could not live in peace and security until the core of the Middle East problem, the question of Palestine, was solved fairly. The inalienable national rights of the Palestinian people must be restored, including their right to return to their homeland in safety, their right to self-determination and their right to establish an independent sovereign State without external interference. Israel must withdraw from all occupied Arab and Palestinian territories and dismantle the illegal settlements it had established in them. Sri Lanka had also recognized the PLO as the sole representative of the Palestinian people and had received in Colombo a resident PLO Mission with the diplomatic status of an embassy.

17. Finally, the President of Sri Lanka, in his message on the occasion of the International Day of Solidarity with the Palestinian People on 29 November 1986, had declared that the international community could not but feel concerned that the problem had become more complicated, carrying with it the potential for a further armed conflict, that Sri Lanka had always stood firmly behind the Palestinian people and its sole authentic representative, the Palestine Liberation Organization, in the quest for a speedy solution acceptable to the Palestinian people and that it would continue that support.

18. Mr. FRAMBACH (German Democratic Republic) said that the reason why it had not so far been possible to make tangible progress towards implementing the inalienable rights of the Palestinian people, such as, for instance, the right to self-determination, was the policy of the imperialist forces which sought to keep States and peoples under their tutelage, declared entire regions to be their sphere of influence and imposed what they call their ideals upon the world at large. Those who desired peace and security and were genuinely concerned about human rights and fundamental freedoms could not remain indifferent to the destiny of the Palestinian people and must not brook any further delay in the settlement of that question. That meant that the Palestinian people must be given the right to self-determination and to establish their own independent State.

19. In the report it had submitted to the forty-first session of the General Assembly, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680), concluded that during the period under consideration (30 August 1985 - 31 August 1986), "... the Government of Israel has pursued its annexation policy, continuing with the same determination as in previous years to establish and extend Israeli settlements in the occupied territories. The implementation of the Major Jerusalem Project, aiming at the extension, annexation and Judaization of an area representing 8 per cent of the aggregate occupied West Bank, the allocation by the Knesset of substantial sums for the expansion of settlements, the inauguration of new settlements, the illegal expropriation and seizure of Arab land, which has given rise, in the West Bank, to a vast network of fraudulent land deals ... all illustrate the importance attached by the Israeli authorities to the pursuit of this policy which, as stated before, constitutes a flagrant violation of the Fourth Geneva Convention."

20. At the forty-first session of the General Assembly, when the issue of Israeli practices had been considered, it was clear that the vast majority of States were not prepared to go along with those intrigues to achieve the annexation of the occupied territories. That was borne out by the Assembly's unanimous vote in favour of the restoration of peace and security in the Middle East through a just and lasting solution of the conflict in the interests of the States and peoples concerned. His country was firmly convinced that the proposal of the USSR to establish a preparatory committee of the Security Council for an international Middle East conference pointed the way to a settlement of the conflict. The widespread approval with which the proposal had won (see General Assembly resolutions 41/43 D and 41/162 A) was most encouraging.

21. The only obstacles standing in the way of a peaceful settlement were the refusal by Israel and its "strategic ally" to implement the relevant United Nations resolutions and the lack of political will to search honestly for solutions oriented towards the peaceful development of the peoples living in the region. The people and Government of the German Democratic Republic wished to assure once again the Palestinian people and its sole legitimate representative, the PLO, of their unqualified solidarity in their struggle for the implementation of their sovereign national rights. It was along those lines that the German Democratic Republic would participate in the work of the Commission.

22. Mr. BIGGAR (Ireland) noted that 1987 marked the twentieth anniversary of the events of June 1967 which had led the Commission to include the item under discussion on its agenda, events which had seen the occupation by Israel of territory belonging to a number of Arab States. Although Sinai had been returned to Egypt, the occupation of the other areas continued, and with it numerous violations of human rights and fundamental freedoms. Yet the principle of the inadmissibility of the acquisition of territory by war was a principle of international law enshrined in the Charter of the United Nations. A military occupation by its very nature was temporary and could not confer on the occupying Power any right to annex the occupied territory, nor could it confer rights to extend to that territory its law or place it under its jurisdiction.

23. His delegation was deeply concerned at the policy and practice of settlement in the occupied territories and believed that the demographic changes resulting from that policy were illegal. Alterations in the demographic structure were a fundamental cause of mistrust and violence and a serious obstacle to the search for a comprehensive settlement. His delegation was particularly concerned at the numerous acts of violence which had resulted in the death of many, and it condemned those acts, whether they were the result of repressive acts by the occupying authorities or of outrages perpetrated by extremist elements.

24. His delegation reiterated its frequently stated view that the provisions of The Hague Convention of 1907 and the Fourth Geneva Convention of 1949 were applicable to the occupied territories and called on Israel to apply those Conventions in their entirety. The list of unacceptable practices which continued to characterize the policies of the occupying authorities was long and familiar: arbitrary arrests and detentions, expulsions and deportations, closing of schools and universities, harassment of students and teachers, shutting down of newspapers and suspension of trade-union activities. There had also been group punishments, demolition or sealing of houses, and ill-treatment of prisoners and persons detained by the security forces.

25. The issue of the occupied territories was merely one facet of a more complex situation which had its roots in the conflict between the opposing rights of the Palestinians and those of Israel. Nevertheless, an equitable and practical equilibrium could be found through the acknowledgement and implementation of certain basic principles. Ireland supported a negotiated settlement which would bring about a just, comprehensive and enduring peace in the area. Its policy was based on Security Council resolutions 242 (1967) and 338 (1973) and on the Venice Declaration of June 1980; central to that was the conviction that all States of the region, including Israel, had the right to exist in peace and security and that the Palestinian people must be allowed to exercise their right to self-determination, with all that it implied. Ireland also recognized the right of the Palestine Liberation Organization to represent the Palestinian people.

26. Any resolution of the conflict must be based on the principles of non-recourse to force and of the inadmissibility of the acquisition of territory by force. In accordance with Security Council resolutions 242 (1967) and 338 (1973), Israel must cease its occupation of the Arab territories and must desist from actions which hindered the search for peace and an eventual solution. The most serious obstacles were the continued gradual absorption by Israel of the occupied territories and her continual

abuse of fundamental human rights. Negotiation and compromise would be needed to reconcile the respective rights of the Palestinian people and Israel, requiring courage and imagination on all sides. Yet until a solution was reached, there would be no prospect but continued oppression and further violations of fundamental human rights and freedoms.

27. Mrs. GU Yijie (China) noted that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/41/680) pointed out that many inhabitants of the West Bank and the Gaza Strip had been arrested, interrogated or expelled and that to date, Israel had already confiscated 52 per cent of farm land on the West Bank and directly controlled 42 per cent of the land in the Gaza Strip, where it had settled 60,000 people, set up 190 Jewish settlements and left 400,000 Arabs homeless in the process. Moreover, Israel was subjecting the population living in those territories to cruel repression.

28. Since 1967, Israel had confiscated 350 hectares of Syrian land on the Golan Heights and distributed it to 7,000 Jewish immigrants or used it for military purposes. Other illegal practices were common knowledge: in Jerusalem, for example, in order to Judaize the city, Israel had introduced a series of immigration measures, killed inhabitants, demolished Arab houses, taken over control of educational and medical facilities and desecrated a mosque sacred to Muslims throughout the world. By engaging in those perverse acts, Israel infringed the Charter of the United Nations and the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, thus violating the rules of international law. Israel's purpose was to change the geographical character, demographic composition and legal status of the occupied Arab territories and to perpetuate its occupation of those territories.

29. In order to recover its rights, the Palestinian people had waged a protracted and arduous struggle under the leadership of the Palestine Liberation Organization and had been supported by all countries committed to peace and to justice, and in particular the Chinese people and Government. Her country held that the question of Palestine considered was the crux of the Middle East question and that it stemmed from the military occupation by Israel. Israel must therefore withdraw from the Arab territories it had occupied since 1967 and restore completely to the people of Palestine their right to return to their homes, to exercise self-determination and to establish an independent State. The Chinese Government would support any proposal conducive to a comprehensive and fair solution to the question of the Middle East, including the proposal for convening an international conference under United Nations auspices. Finally, in view of Israel's acts of defiance vis-à-vis the international community, such as the establishment of Jewish settlements, the United Nations should adopt effective measures to prevent Israel from committing infringements of human rights in the occupied Arab territories.

30. Mr. LINDGREN ALVES (Brazil) said that the position of Brazil on human rights issues in international forums was based on the premise that States themselves bore major responsibility for the protection of those rights. The international community, however, could and should play a very important auxiliary role in ensuring that such fundamental rights were respected, if not promoted, by the States that should protect them. The first premise did not apply in the situation under consideration in agenda item 4. Arising from a

violation of international law, namely, the acquisition of territories by force, the plight of the population of the occupied Arab territories, deprived of a State, had to be dealt with by the international community via a protagonist which, in legal terms, was not only unlawful, but the cause of the situation, namely, the occupying Power.

31. For nearly 20 years, the question of the violation of human rights in the occupied Arab territories, including Palestine, had appeared on the Commission's agenda, and for nearly 20 years the international community and the occupying Power had made the same accusations and replies. It was not his delegation's intention to pass judgement on the substance of those charges and counter-charges; some might be true, others exaggerated or biased. The fact remained that by denying the Arabs of the occupied lands their elementary right to self-determination, Israel was violating international law and creating a situation in which any other human rights could very easily be flouted. History invariably showed a cause and effect relationship between foreign occupation and human rights violations.

32. Brazil, a country whose population and culture were the result of the immigration and miscegenation of peoples, traditions and even religions, was closely concerned with the situation in the Middle East. It had always recognized the right of Israelis to exist in their own State. But it also recognized that Palestinians had the same right and did not accept Israel's occupation of any territory seized by force from the Arabs. It therefore favoured serious negotiations, with the participation of all the parties concerned, including the Palestine Liberation Organization, as the only way of solving the problems arising from occupation and conflict, and of restoring peace and self-determination in the region. However, until there could be comprehensive and effective negotiations, the Commission on Human Rights and the United Nations in general was required to deal with the question of violations of human rights in the occupied Arab territories, including Palestine.

33. No doubt, in the present circumstances the Commission's scope for action was limited, but efforts must continue. Pending an effective settlement to the Middle East question, some steps could be taken to improve the situation of human rights in the occupied Arab territories. Some gestures of goodwill could be made, provided the parties involved abandoned their inflexible positions. Ever since the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories had been set up, Israel had refused to co-operate with it. The consequence was that the sources available to the Special Committee were necessarily one-sided, information unchecked and conclusions negative. If the attitude of refusal was replaced by one of co-operation, there was no doubt that the Special Committee's reports could show both sides of the situation. Such a change would represent a step in the right direction, fundamental for preparing the way towards really comprehensive negotiations to settle the question.

34. Mr. ABDEL GALIL (Observer for Sudan) stated that the human rights violations in the occupied Arab territories, which continued despite the numerous resolutions of the United Nations and its organs in condemnation of them, brought shame to the modern world. Israel's inhuman practices in those territories were borne out in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of

the Occupied Territories (A/41/680) which objectively described the situation in that region. Despite the untiring efforts of the international community, the Zionists continued to disregard United Nations resolutions and to flout the conscience of mankind. They continued to occupy those territories in violation of the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights, in the context of an expansionist and imperialist conspiracy, and engaged in a campaign of genocide against the Palestinian population. They confiscated lands, destroyed houses, closed schools and universities, desecrated Muslim and Christian places of worship and subjected the population of the region to increasingly inhuman treatment, as attested by the massacres at Sabra and Shatila in September 1982. Torture was also commonplace in the Israeli prisons where numerous Palestinians were held.

35. It was obvious that human rights could not be respected in the occupied territories unless Israel ended its occupation. The international community must find a just and durable solution to the problem, that guaranteed the Palestinian people all their rights, including the right to return to their homeland and the right to establish an independent State.

36. Mr. BUDAI (Observer for Hungary) said that the debate on item 4, which had been on the agenda of the Commission for 20 years, reflected the link between the protection and implementation of fundamental rights and freedoms of the individual and the realization of the right of peoples to self-determination.

37. The eighteenth report of the Special Committee described the systematic infringements of the fundamental rights of the Palestinians perpetrated by the Israeli authorities in the territories they still occupied and pointed to the deteriorating situation in the region due to Israel's continued policy of annexation and settlement. The events reported proved that arrest and detention of civilians, expulsion measures, restrictions on freedom of movement and education, and collective measures of punishment were steadily increasing. Despite the resolutions adopted by various United Nations bodies, Israel was seeking to change the administrative status and demographic structure of the occupied territories and to deprive the people of Palestine of their cultural and historical roots and national identity. Further, it should be borne in mind that, without outside support and assistance, Israel would not be able to pursue its unlawful policy, which not only threatened the peoples living in the region, but also endangered international peace and security.

38. His delegation considered that the best way of achieving a solution to the problem would be to convene the International Peace Conference on the Middle East. It welcomed the adoption by the General Assembly of resolution 41/162 A endorsing the call for setting up a preparatory committee, within the framework of the Security Council, with the participation of the permanent members, to take the necessary action to convene the Conference. A comprehensive and fair settlement of the problem would necessarily entail the unconditional withdrawal of the Israeli occupation forces from all the occupied territories, the acknowledgement of the sovereignty, territorial integrity and political independence of every State in the region and the recognition of the inalienable rights of the Palestinian people to self-determination, including the right to establish an independent State of their own. The means offered by the United Nations should be fully utilized in order to improve the climate for negotiations and to persuade the parties to the conflict to adopt a more realistic attitude and to initiate the process of settlement.

39. Mr. ORNEKOL (Observer for Turkey) called attention to the fact that no positive development had occurred in all the time since the question of the violation of human rights in the occupied territories, including Palestine, had appeared on the agenda of the Commission on Human Rights. The eighteenth report of the Special Committee (A/41/680), which the Commission had before it, drew attention to many human rights violations by Israel, which continued its policy of annexation and settlement in the occupied territories. The situation in those territories was deteriorating every day, due mainly to the implementation of new security measures and the increase in the number of arrests, convictions and administrative internment measures.

40. A just and lasting peace must be established to ensure respect for human rights in the region. To that end, a comprehensive settlement must be achieved, focusing on all aspects of the problem, including the question of Palestine, which was the core of the conflict in the Middle East. An end must be brought to the human suffering and to the escalation of violence, which constituted a serious threat to peace and security not only in the region but throughout the world.

41. By reason of its historical and cultural links with the Middle East and its geographical position, Turkey followed the developments in that part of the world with care and attention at all times. In its opinion, a comprehensive settlement in the Middle East should entail recognition for the legitimate and inalienable rights of the Palestinians, including the right to self-determination, and the withdrawal of Israel from the territories occupied since 1967, including Al-Quds Al-Sharif (Jerusalem). Further, all the States of the region should be able to live within secure and recognized borders. Turkey therefore followed with interest all efforts to reactivate the peace process, in the hope that a solution would be reached that was acceptable to all the parties concerned. It also believed that the Palestine Liberation Organization should participate on an equal footing, as the legitimate representative of the Palestinian people, in the efforts to find a solution to the problem.

42. While doing its utmost to finalize a peaceful, just and comprehensive settlement in the region as rapidly as possible, the international community must secure, as a matter of urgency, an immediate end to human rights violations in that region.

43. Mr. LITTMAN (World Union for Progressive Judaism) said that the very title of agenda item 4, "Question of the violation of human rights in the occupied Arab territories, including Palestine" was inherently deceptive. The adoption of that sibylline formula signified the beginning of a deliberate and gradual deligitimization of Israel by a massive propaganda and disinformation campaign, at both an ideological and symbolic level, under the very auspices of the United Nations. One quarter of the States Members of the United Nations, and over 20 States represented in the Commission on Human Rights, did not officially recognize Israel as a sovereign State and were therefore in flagrant contravention of Article 2 of the Charter of the United Nations. The aberrant General Assembly resolution 3379 (XXX) would remain as a lasting stigma on those nations which had succeeded in manipulating the General Assembly for the purpose of propagating worldwide hatred of the Jewish people and the State of Israel.

44. The crux of the matter was not the creation of a twenty-second Arab State, but whether the community of nations would knowingly condone, as a legitimate national aspiration, a strategy which sought the annihilation and expulsion of the Jewish population, as advocated in article 6 of the Charter of the Palestine Liberation Organization. It should be recalled that under article 19 of the Charter of the PLO, the partition of Palestine in 1947 and the establishment of Israel were entirely illegal, regardless of the passage of time. Nevertheless, as the representative of the United Kingdom had stated at a previous meeting, recognition of Israel's right to exist within secure and recognized borders and the suspension of acts of terrorism anywhere would undoubtedly help to open the door to progress towards a just and comprehensive settlement of the Arab-Israel conflict. The representative of the United States of America had also stressed that the lack of genuine efforts to make peace directly between the parties concerned was responsible for the continuation of Israel's military occupation, and that the goals of peace in the Middle East and legitimate rights for Palestine Arabs could not be achieved unless there was recognition of Israel's right to live in peace within secure borders and a cessation of terrorist actions aimed against Israel and other countries. There would be no peace and no end of the military occupation until the murderous cravings inspired by extremist Jihad concepts were universally denounced and abandoned forever by the Member States of the United Nations, including those which enjoyed observer status in the Commission, and who cherished those ideas.

45. Mr. DANIELI (Observer for Israel) stated that agenda item 4 was as usual an indictment of Israel by the self-styled advocates of human rights. Also as usual, Israel had been harshly condemned on 1 December 1986, the International Day of Solidarity with the Palestinian People, which was in fact nothing more than a pretext for anti-Israel propaganda. Those manifestations, like the slanderous resolutions passed annually at the prompting of the Arab delegations by a Commission ostensibly entrusted with a humanitarian mandate, were irrelevant to the real situation and needs of the Palestinians. That hypocritical comedy would be merely laughable were it not designed to keep alive hatred of Israel, because of the irresponsibility of certain Arab leaders who were still dreaming of wiping the State of Israel off the map. When it came to the Middle East, the Commission became very selective and at the same time rather permissive. It turned a deaf ear to the agony of millions, living in disastrous human rights conditions in most countries of the world, plagued by the "war of the cities" or the "war of the camps" or the more prosaic forms of bloodshed, common in the fraternal Arab family of nations. His delegation had no illusions about the political forces and interests which were behind the cynical onslaught on his country, making mockery of the very notion of respect for human rights. Those attacks were the fruit of the campaign aimed at politicizing every issue within the United Nations including the noble issue of human rights. That politicization was equally at the root of Arab indifference to the rights of the Palestinians prior to June 1967.

46. The State of Israel was at the present time, and had been for the previous 20 years, the only State directly engaged in the promotion of the well-being, safety and socio-economic development of the Palestinian Arabs. The Palestinians under the administration of the Israeli authorities had made substantial progress in every area of life as compared to the situation which had prevailed before 1967 or the present situation in most of the neighbouring countries. No report and no resolution could obliterate those facts. His

Government was not attempting to paint an idealistic picture of the situation and did not deny that behind everyday life there were political implications which went well beyond the mandate of the Commission. However, unlike certain neighbouring countries, it did not draw an iron curtain behind which it could freely oppress, suppress, execute or terrorize the local population. Israel had always acted openly as any truly democratic nation should do, but it would not co-operate with the Special Committee.

47. The territories of Judea, Samaria and the Gaza District had come under Israel's control as a result of the Six Day War in 1967, pending final determination of their status in a peace treaty among the parties concerned. The aim of the civil administration in those territories was to maintain normal life for the population, to secure its welfare, to ensure public order and to promote the economic growth of the region. To that end, his Government had fully co-operated, since the cessation of hostilities in 1967, with numerous international organizations such as UNRWA, to which the Israeli Administration had, since 1967, made available substantial financial support, amounting to over \$150 million, directly or indirectly, and with certain voluntary organizations and Governments, in implementing economic development projects.

48. The United Nations Development Programme (UNDP) had recently established a permanent representation in Jerusalem. It had begun operational activities in 1981 and had already completed or committed to specific projects a total of \$9.5 million. A further \$8 million had been earmarked for the 1987-1991 programming cycle. The Israeli Government was also co-operating with WHO, through UNDP, in running three health centres in the area so as to raise public health standards. The population of Judea, Samaria and the Gaza District had grown from 942,000 in 1968 to 1.3 million in 1984, due to high fertility and declining mortality rates. Life expectancy had risen by 20 years. The natural increase in population had accelerated recently with the return of thousands of Palestinians who had lost their jobs in the Gulf States. After 19 years of total economic stagnation under the former Jordanian administration, between 1967 and 1984 the population had increased its gross national product by 3.4 times in Judea and Samaria and 2.3 times in the Gaza District. Per capita consumption had grown 2.2 times, and the average net per capita income had reached \$1,534 in 1985. The rapid growth was explainable by economic ties with Israel since 1967, with maintenance of traditional trade relations in Arab markets.

49. Israel had established six universities and other institutions of higher education, whereas there had been none in June 1967. The number of pupils, teachers and classrooms had more than doubled. The first open heart surgery had been performed in the beginning of February at Ramallah hospital. Those and other important aspects were discussed in detail in a study published in July 1985 by the Ministry of Defence, which dealt with the period 1967-1985.

50. It could not be claimed that such progress had been imposed on the population: local participation was encouraged at all levels. Of the 17,000 persons working in the civil administration, 98 per cent were Arab residents. In all townships, Palestinian appointees were in charge. On the other hand, only a small minority of individuals were involved in terrorism or affected by the measures taken by the Israeli authorities to fight it. In 1986 as a whole, 26 local Palestinians and 2 Israelis had been killed, and 70 local inhabitants and 20 Israelis had been wounded. There had been

18 incidents of shooting, 7 incidents of grenade-throwing and 100 incidents involving Molotov cocktails. Fourteen local Palestinians had been expelled to Jordan in 1985 and 1986, 32 houses had been sealed and 17 destroyed in 1986. In any event, an appeal could be lodged before the Supreme Court against all acts by the Israeli administration. There was also talk of tension in the universities, but he stressed that by and large the territories were even more tranquil even than some regions in Europe, not to speak of other parts of the world.

51. He wondered what was meant by "occupied Arab territories, including Palestine". According to Mr. Farouk Kadoumi, head of the terrorist PLO's political department, who had recently stated in the Arabic daily Al-Sharq Al-Awsat on 7 October 1986 "... the West Bank is part of Palestine, Galilee is part of Palestine, we reject United Nations Security Council resolution 242, and we do not accept the 1967 borders". Mr. Abu Iyad, the terrorist PLO's second-in-command, had added on 1 January 1987 "... a Palestinian State in that narrow territory would serve as a springboard to liberate Jaffa, Acra and the whole of Palestine". It was well known that the terrorist organizations were supported by certain Arab Governments but there were also Arab States which sought to solve the conflict by means other than terrorism. His Government, for its part, would continue to work for a genuine dialogue with the Arab Governments and the Palestinians. Although it believed that the Camp David Accords were a proven recipe for peace, it had stated repeatedly that they were not a sine qua non condition for negotiations.

52. In contrast with his Government's will to negotiate, his delegation was shocked to see the representatives of certain States advocating hatred and bloodshed in the Commission. The Palestinians needed above all to be protected from the Arab States themselves; it was sufficient to look at what was happening in Syria, Lebanon, Iraq, Kuwait or Libya to grasp the perils posed by their rulers to the Palestinians in their territories, if not to their populations as a whole. The time had come to depart from the ways of terror and bloodshed and to seek a constructive peaceful co-existence.

53. Miss FERRIOL (Observer for Cuba) deeply regretted the fact that, despite all the resolutions adopted over a number of years condemning the exclusivist and discriminatory practices of Israel in the occupied territories, that country continued to violate the fundamental rights of the Palestinian Arab people. Israel persisted in its policy of annexation, repression and arbitrary expulsions, based on the unacceptable principle that the territories occupied since 1967 were part of the Israeli State. The Israeli annexation policy was a flagrant violation of the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War to which Israel was a party, as demonstrated in paragraphs 378 to 383 of report A/41/680. In particular, Israel was violating the provisions of that Convention by attempting to modify the demographic composition of the occupied territories by establishing Jewish settlements manu militari. In the summer of 1986, the Israeli Government had once more approved the establishment of six new militarized settlements in the Gaza Strip.

54. Freedom of expression was flouted in the occupied territories and school curricula distorted, there were not enough teachers, some were deported, and schools and universities were closed, including, since November 1986, the Bir Zeit and Al-Najah universities, where students had been killed. Military courts in the occupied territories convicted civilians, even minors, and

detainees suffered physical and psychological ill-treatment from the lack of health services (the average area allocated to each detainee was barely 1.5 m² in the Gaza and Hebron prisons). More than 7,000 Palestinians were detained in the occupied territories. In addition, natural resources and the archaeological inheritance were being plundered. In the Golan Heights territory, the Israeli authorities were forcing residents to show Israeli identity papers, in flagrant violation of Security Council resolution 497 (1981). Israel was also committing atrocities in southern Lebanon, in particular by bombing cities and Palestinian refugee camps.

55. All those practices would be impossible without the protection and economic and military aid of the United States of America. Together with racist South Africa, Israel was one of the pawns in the policy of the current Government of the United States, and Pretoria and Tel Aviv co-operated closely, in particular in the nuclear field. In the Middle East, only a political settlement coming about as a result of negotiations among all interested parties, including the PLO, could remove a serious threat to international peace and security and end the violations of the fundamental rights of the population of the occupied territories, amply described in the report of the Special Committee (A/42/680).

56. Mr. LEBAKINE (Observer for the Ukrainian Soviet Socialist Republic) recalled that 1,300,000 Palestinians had been living under Israeli occupation since 1968, and, since 1982, when Lebanon had been invaded by Israel, half a million persons more were living under Israeli occupation. Thus, there were nearly 2 million persons in the territories occupied by Israel, which was equivalent to half the population of Israel itself. The Ukraine, which itself had experienced occupation, could well understand the situation of the peoples of the occupied territories. It considered that the policy followed by Israel was derived from the very essence of zionism, which had been recognized as a form of racism in General Assembly resolution 3378 (XXX).

57. The observer for Israel had attempted to prove that the occupation brought only benefits. However, mention must also be made of the Palestinians who were mistreated, deported, murdered, whose houses were destroyed and property confiscated. Most of the delegations understood that the Jewish settlement policy was a form of insidious annexation, by the modification of the demographic structure. In the meantime, every Arab was becoming persona non grata on his own land. Furthermore, the Israeli authorities were attempting to destroy national awareness by preventing freedom of expression, censoring literature and deporting leading personalities. They were truly seeking to perpetuate a colonial order.

58. The observer for Israel insulted members of the Commission, totally disregarding the decisions of the Commission and the United Nations. He made an awkward attempt to justify his Government by imputing scandalous behaviour to extremist groups who supposedly had no connection with that Government. Such tactics could not deceive, and should not make the Commission lose sight of the fact that the Israeli troops must withdraw from the occupied Arab territories and that Israel must allow the Palestinians to establish a State of their own.

The meeting rose at 1.05 p.m.