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THIRTY-FIFTH YEAR

**2223**<sup>rd</sup> MEETING: 20 MAY 1980

NEW YORK

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CONTENTS

|  | <i>Page</i> |
|--|-------------|
| Provisional agenda (S/Agenda/2223) .....   | 1           |
| Adoption of the agenda .....   | 1           |
| The situation in the occupied Arab territories:<br>Letter dated 16 May 1980 from the Permanent Representative of Jordan<br>to the United Nations addressed to the President of the Security Council<br>(S/13941) ..... | 1           |

#### NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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.

## 2223rd MEETING

Held in New York on Tuesday, 20 May 1980, at 3 p.m.

*President:* Mr. Idé OUMAROU (Niger).

*Present:* The representatives of the following States: Bangladesh, China, France, German Democratic Republic, Jamaica, Mexico, Niger, Norway, Philippines, Portugal, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

### Provisional agenda (S/Agenda/2223)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:  
Letter dated 16 May 1980 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/13941)

*The meeting was called to order at 3.30 p.m.*

### Adoption of the agenda

*The agenda was adopted.*

**The situation in the occupied Arab territories:**  
Letter dated 16 May 1980 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/13941)

1. The PRESIDENT (*interpretation from French*): In accordance with the decisions taken at the 2222nd meeting, I invite the representative of Jordan to take a place at the Council table, I invite the representative of Israel to take the place reserved for him at the side of the Council chamber and I invite the representative of the Palestine Liberation Organization to take a place at the Council table.

*At the invitation of the President, Mr. Nuseibeh (Jordan) took a place at the Council table; Mr. Blum (Israel) took the place reserved for him 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 Mr. Mohamed Milhem, Mayor of Halhoul, to whom the Council, at its 2222nd meeting, extended an invitation under rule 39 of the provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

3. Mr. MILHEM: I greatly wish that Mr. Blum were present at the moment.

4. Mr. President, thank you for having given me the opportunity to address the Council today. I extend my gratitude also to those who strove to make my presence here possible.

5. I am speaking to members of the Council not only as a father of nine, who was kidnapped, seized from home and family and thrown across borders, but also as a member of a people which has suffered so much harassment since the Balfour Declaration of 1917. Over the last 60 years Palestinians have resisted the denial of their inalienable right of national self-determination, and the colonization of their land by non-Palestinians.

6. In 1937 the Peel Commission reported that the continuous rise of Jewish immigration would result in an intolerable prospect of Palestinian Arabs being ruled by Jews. Now, in 1980, about 1.5 million Palestinians are ruled by Jews. Another 3 million or thereabouts dispossessed Palestinians are also subjugated by the extended striking arm of the Israeli army and the Israeli Mossad, both of which receive aid from the United States. The endless flow of billions of American dollars has enabled Israel to expropriate Palestinian land, to settle on it, to harass the Palestinians in the occupied territories—not in the liberated territories, as Mr. Begin put it—and to raid in southern Lebanon. When I crossed southern Lebanon I saw no soldiers other than Israeli soldiers, who escorted me up to the Nigerian check-point. The Israelis also raided refugee camps, killing and destroying indiscriminately.

7. This intolerable persecution of our people has intensified over the last 13 years. The Israelis have demolished thousands of Palestinian homes. In this connexion, I refer the Council to today's edition of *The New York Times*, which reports that a number of stores in Hebron were demolished on 2 May. To whom did they belong? They belonged to one of the residents of Hebron (Al-Khalil), whose name is Idris Hirbawi, whose family in 1929 were hosts of and gave protection to 20 Jewish families. Now their reward is that Mr. Hirbawi's stores and house have been demolished.

8. In 1968, Israeli bulldozers levelled the old sector of my town of Halhoul, and it is open, anybody can see it. The Israelis have expelled thousands of Pal-

estonian residents and have thrown thousands more into prisons. Many are detained, and I dare say not a single family in any town or village is without a member who has been detained or imprisoned for periods ranging from life to a month or two. Why? The Israelis say it is for security reasons. The Palestinians are imprisoned without trial, suffer inhuman conditions and are subjected to torture. On the day of my deportation, the mother of a prisoner in my town—her name is Um Jihad—told me that her son, who was serving a life sentence in Ashkelon gaol, had difficulty sleeping because his cell was too small for him even to stretch his legs. There are hundreds of such examples.

9. On 15 March 1979, in my town, Halhoul, a boy named Nasri Anani and a girl named Raba Shelaldi were killed. It was said at the time that the soldiers had been shooting in the air and thought that the boy and girl were flying birds. The killers were identified and detained, but later released. The reason given for their release was—and it was published in Israeli newspapers—that they had killed the two students in self-defence—I am quoting the newspapers. Self-defence? Who was acting in self-defence? The killers carrying sub-machine-guns? Or the two young students with nothing in their hands but Palestinian flags? Moreover, after the two innocent students were killed, a curfew was imposed on our town of Halhoul. I ask here: Who should be put under curfew, the victims or the killers? What is the rationale for punishing the victims by imposing a curfew on them instead of on the killers? And one of the killers is a settler in Kiryat Arba.

10. Additionally, during the curfew windows in scores of houses were smashed. Why? Because when a child or a woman happened to cross the doorstep, the soldiers would come right to the house and smash every single piece of glass in that house. Israeli soldiers broke into three homes and helped themselves to jewellery and other valuables. The names in the cases are to be found in the police station in Hebron. They have cases; they have folders; and they have been investigating for the last 14 months or so. Some of the members of the Council may not know that Halhoul is a small agricultural town, mostly farms and vineyards, and the worst thing of all is that during the curfew farmers were prevented from spraying their fields, and March is the spraying month. Those farmers caught in the early hours of the morning trying to reach their fields were badly beaten—and I have names and they have records in the hospital in Hebron—and their spraying machines were confiscated.

11. Ironically, on 26 March 1979, while we in the West Bank town of Halhoul were under the strictest curfew, the Camp David accords were being signed at the White House. What kind of peace process is this that means practically no peace for our people or our land? And now why were the three of us expelled? It was only because we, as well as the people who elected us, have rejected the proposed autonomy plan.

12. As I said before, they are inviting us to autonomy, which, as Mr. Begin and his Cabinet put it, means no rule over land, no rule over sources of water or power, no rule even over telephone communications. What kind of rule is that? I had enough authority over my wife and children before I was deported. We have enough authority over our school students. So autonomy means the continuation of the present situation, the perpetuation of the occupation.

13. So we have been rejecting this ever since it started: the perpetuation of a brutal occupation and the efforts to legitimize it. We said "No" to settlements. We said "No" to the killing of innocent students in Jerusalem and Anabta. I believe that last month in Anabta a student was killed. And how was he killed? The Governor of Tulkarm, whose name is Massafi, came at the end of a peaceful demonstration by the high-school students and, when the students were going back into the school, he called the boy who was later killed. But the boy ran away; he was afraid. Massafi shot him in the leg. The boy fell down. Then Massafi followed him and shot him in the head. Where is Massafi now? He is the Governor of Tulkarm. He has the law in his hands.

14. We said "No" also to the destruction of our homes and property. Two months ago, 150 cars were destroyed or smashed in Ramallah and about 40 in Halhoul by the Gush Emunim and the Kahane followers. When the Mayors of the towns concerned received telephone calls to the effect that someone was smashing the cars and so on, they got in touch with the Governor's office because the Mayors under the occupation are not in charge of the police force. We have no police force. We have no authority at all, as Mr. Blum put it, to keep order. We were supposed to keep order. How? The police forces are under their control; their soldiers and settlers have sub-machine-guns and they are roaming the streets indiscriminately killing and destroying. The Mayors of Al-Bireh and Ramallah called the Governor in Ramallah and told him: "There is something wrong happening and cars are being smashed and we are receiving a flow of telephone calls". Do you know who was in the office? The secretary of the Governor, who was half asleep, and he told him: "Wait until the Governor comes in some 10 hours".

15. How can we keep order? Who has law and order in his hands? If a mayor cannot contact Jerusalem six days every week, where is the law, where is the order?

16. We said "No" to the conversion of the Holy Mosque of Abraham. And you see here the Imam who preaches in the Mosque. It is an Islamic mosque, and now it is almost changed into what looks like a synagogue.

17. We said "No" to Israeli torture, which has left some of our people in hospitals. Some are paralysed

and in hospitals, and some are in insane asylums. There are 20 of them in the Bethlehem Asylum. They are insane because they have been beaten on the head. And others are in graveyards—from the prison to the graveyard.

18. We said “No” to the imposition of heavy taxation, not on merchants and traders but on municipal projects and services. I have a water project. I have to give the authority taxes. Instead of giving me money to help with the project, they take taxes from me as Mayor, and from the contractor, too.

19. And, above all, we said “No”, and we will continue to say “No”, and the world will continue to say “No”, to occupation.

20. To all of this we said “No”. And who among us would agree to the continued persecution of his people, of any people, by an occupying power? We said “Yes” in the mean time. We are not rejectionist forces who say “No, no, no”, as it is put sometimes. We said “Yes” to self-determination for our people, “Yes” to control over our natural resources and land, and “Yes” to the security and the prosperity of our people, to their ensured well-being. Who is it who needs security? The Mayor of Hebron or the Sheikh or the Mayor of Halhoul, or the officer, the Governor of Tulkarm who killed the boy and who is still Governor? He is still there, on my land. We said “Yes” to the right of Palestinians to establish their sovereign State on their soil. We said “Yes” to repatriation.

21. Now I should like to refer to Mr. Blum’s statements, in particular to his statement of 8 May [2221st meeting] in which he spoke of freedom of expression. As members are aware, I was expelled about 18 days ago. I wonder if by freedom of expression Mr. Blum means the ban currently imposed on the elected Mayors which prohibits them from talking to the press? Does he mean the ban on the elected Mayors which restricts their travelling beyond the borders of their towns? It is being implemented now. Does he mean the scores of check-points that have often prevented Palestinians from reaching the Al-Aqsa Mosque for the Friday prayers? Does he mean the electronic devices placed in the telephones of the elected Mayors and the representatives of labour unions and chambers of commerce and benevolent societies—the bugging of our telephones? Every word I say is recorded. Does he mean the isolation of the towns of Al-Khalil (Hebron), Anabta and Halhoul and the Jalazon Dhaisha and Nur Shams refugee camps from the rest of the world?

22. How can freedom of expression include censoring the local newspapers in the occupied West Bank, or suppressing the voice of our people, or even prohibiting the journalists who had wanted to see the 600 dunums of destroyed wheat crops in the Hebron district? Three months ago helicopters sprayed about

600 dunums of wheat and barley, and all the crops of the poor farmers are now ashes. And also about 100 dunums of olive groves in the west sector of Hebron district. When the journalists wanted to visit the place, there was a check-point with 20 soldiers, who did not allow them to go there. If what was done was lawful and justified, leave it open for the whole world to see.

23. Mr. Blum talked about the Defence (Emergency) Regulations of 1945, and he said that they were implemented by Jordan, and he brought in the name of Jaffa. It seems that Mr. Blum does not know much geography. Jaffa is part of Jordan. These Regulations were issued by the British Mandatory authorities, and the British Mandate is no more. He alleged that those Regulations were enforced by Jordan prior to 4 June 1967. Such an emergency law did not in fact exist under Jordanian rule, nor does it exist now. Consequently, the Regulations were never applied by Jordan in what Mr. Blum calls Judea and Samaria. What are Judea and Samaria? Judea and Samaria are the occupied West Bank. He is changing the names of towns and areas. They are disfiguring things. And the bulldozers are disfiguring the land.

24. Moreover, may I remind Mr. Blum of article 49 of the fourth Geneva Convention of 1949.<sup>1</sup> He says they do not recognize the Geneva Convention; they do not recognize the Red Cross; they do not recognize the resolutions of the Security Council. What do they recognize? They do not recognize the existence of a people, of the Palestinians. And sometimes they say that we have tails. Look: I do not have a tail. Article 49 of the fourth Geneva Convention states:

“Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.”

25. According to today’s newspapers, including *The New York Times*, two families, one from Beit Sahur, were transferred to an abandoned refugee camp near Jericho. Do members know what lives in the camps? Snakes and wild dogs. Those families were transferred there. It is desert, and very hot in summer. One family consists of a father, who is an employee; his daughter, who is an employee; and his son or daughter, who is, I think, at Bir Zeit University. Of course, no one can go to his job, and the students cannot go to their colleges. But they can stay in the refugee camps near Jericho.

26. If, as Mr. Blum put it in his statement of 8 May, “International terrorism has been brought under control worldwide” [*ibid.*, para. 35], I should like to ask members of the Council and the whole world who is going to bring under control the terrorism and the persecution of our Palestinian people in the occupied territories. The delegations that were supposed to go

to the West Bank were banned by Israel; they could not reach it. So how can the terrorism that is being practised by day and by night be stopped? Who will stop the terrorism that has been practised not only by gangs of Gush Emunim and settlers—and this is very important—but also by the army of a State Member of the United Nations? Who is going to put an end to the military authority's practice of rejecting or disapproving our municipal projects, like the drinking-water project in Hebron? The Mayor and Council of Hebron wanted to dig a drinking-water well in Bani Naim village, but the Israelis said "No". Is there anything against the security of the Middle East in that or in the wholesale fruit and vegetable market and the agricultural road in Halhoul? If Mr. Blum were asked he would say, "The market is close to the schools". I know what he would say, and I tell the Council that I would accept that any member of the Council would show interest in and care for the welfare of our students, but not Mr. Blum, whose soldiers interrupted the classes and beat the students, whose blood still stains the class-room floors. The wholesale market could not be either a nuisance or a disturbing factor to our schoolboys.

27. In his statement Mr. Blum spoke of Jewish worshippers—and this is very important—in Al-Khalil. Let us speak quietly. I wish Mr. Blum were here at the moment. Jewish worshippers go to synagogues, not to mosques. Since we have no synagogues in Hebron, the Jewish settlers are trying to convert the holy Mosque of Abraham into a synagogue. What were Eli Hazeev—whose name was James Mahon Jr.—and his gang doing in the streets of Al-Khalil with sub-machine-guns? Were they praying, with no synagogues in Hebron? Who is Hazeev and what does his story mean for the inhabitants of Palestine and, in particular, for the inhabitants of Hebron? How does Hazeev's story contribute to the horrors of our life under Israeli occupation? Here is a man, born in Virginia and raised as a Christian. Having developed a taste for violence and killing in Viet Nam, he travelled to Israel, became a convert to Judaism and was granted Israeli citizenship. The Israeli settlements on the occupied West Bank provided the perfect setting for this man, who valued violence and who was committed to war. He came to Israel expressly to fight Arabs and served as a sharpshooter in the Israeli élite corps. Last May he was gaoled for breaking into Arab homes in Hebron, beating the residents and smashing their furniture and possessions. Shortly after his release he was arrested, but not charged, for smashing car windows in my town of Halhoul.

28. I ask the Council again: Were such people, with such convictions and with sub-machine-guns, praying? No; they were doing everything but worship. They were tearing the Holy Koran in the Abraham Mosque back in 1976. They were breaking into houses at midnight, terrorizing women and children. They were smashing private cars in Halhoul, Ramallah and Shufat, which is a village near Jerusalem. They were

breaking into supermarkets, assaulting the shoppers and destroying the merchandise. They were cutting down vineyards around Kiryat Arba.

29. Once, a journalist asked me: When did your forefathers come to Palestine? I told him: "My forefathers came right after Adam. Waves of Greeks and Romans and Jews and others came and went, and I was sitting on my doorstep watching those waves come and go, and I stayed there."

30. I should like to make a final comment on Mr. Blum's statement. The last man qualified to talk about what he called the Soviet occupation of Afghanistan is Mr. Blum, and I would remind him of this proverb: "People in glass houses shouldn't throw stones."

31. Let us work for genuine peace under the umbrella of the United Nations and its resolutions. Let our wives and children live under the care of both parents. Incidentally, the wife of the Sheikh died two months ago, so that his four children are left without a father or mother, and when he wanted to call them—he has a telephone in his house—he could not because the telephones had been disconnected. He wanted to ask his sons whether they were well provided for, how their health was, and so on, but he could not reach them; he could not talk to his sons. Their mother is dead and their father is expelled. Where is the law? This is jungle law, in the twentieth century. Let us go back to the people who elected us and who are badly in need of our services. Let us return to our people so that we may attend to the ambitious projects we had in mind for them.

32. We have always voiced the aspirations of our people to all—and when I say "to all" I include the Israelis. Phantoms and sophisticated weapons do not bring peace. The only way to peace is through recognition of and respect for the right of the Palestinian people to return to our homes and to exercise our inalienable right to self-determination and the establishment of our sovereign State in our homeland, Palestine. We are not a people committed to war, and Mr. Weizman and Mr. Bar-Lev put it correctly when they said that the operation in Hebron would have happened even if the Mayors deported had said not a single thing. We are not a people committed to war, nor do we value violence. The presence of our State would preserve peace, while its continued negation only threatens peace.

33. Israel is committed to abiding by the relevant Security Council resolutions and the articles of the fourth Geneva Convention of 1949. However, it violated those texts, with grave consequences, and now it has again violated those agreements, first by expelling us and then by denying us re-entry. The Israelis expelled us without charging us and without giving us the right to defend ourselves. They did not take us to court, but told us falsely that we would be

taken to the office of the Minister of Defence. We never saw anybody. We were masked and thrown across the border. After we had been denied re-entry at the bridge—and members know about that—the only weapon we had was the Security Council resolution. We had it in writing, but the Israelis said “No”, despite the almost unanimous decision of the Council.

34. I am sorry that I have taken up so much of the Council's time. Let us implement the resolution; let us go hand in hand with the Secretary-General, let us go back to our homes. We need no escorts, we need no guards, because we have no sub-machine-guns, and the Secretary-General and members of the Council have only to say the word of truth that will preserve peace in the world.

35. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Fahd Qawasma, Mayor of Al-Khalil, whom the Council, at its 2222nd meeting, invited to participate in the discussion, in accordance with rule 39 of the provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

36. Mr. QAWASMA: I come to the Council from Al-Khalil, the second oldest city in the history of mankind. Our Patriarch, Abraham, after several sojourns in Ur of the Chaldees, was hospitably received by the people of Al-Khalil. There, in the good city of Al-Khalil, Abraham chose to remain until his death. Throughout history Palestinians of all faiths have lived in Al-Khalil in amity.

37. Suliman Abdul Malik built Al-Ibrahimi Mosque 1,300 years ago to venerate the memory of our Patriarch. Al-Ibrahimi Mosque stands as one of the holiest shrines to Moslems all over the world. Religious freedom in Al-Khalil weathered the storms of history—a tribute to our Patriarch, Abraham. It was not until the early part of this century that the encroachment of the Zionist movement wrought turmoil and division among the citizens of Al-Khalil.

38. In 1967, when the city fell under Israeli occupation, the Israelis, in absolute defiance of all basic human and legal standards, violated the religious sanctity of the Mosque by dividing the holy shrine and establishing a synagogue in it. And now Moslems may pray only in half of the Mosque, and then only under Israeli guns.

39. In 1968, the Zionist occupation forces, attempting to fortify their expansionist policy, approved the establishment of Jewish settlements in the occupied Palestinian territories. That was done in violation of article 49 of the fourth Geneva Convention, which prohibits the occupying Power from transferring its own population into the occupied area.

40. On 10 February of this year the Israeli Cabinet approved the settlement of Jews in the midst of the

city. At that time we protested about the illegal Israeli decision to the Security Council, which immediately convened to consider that illegal action. The Secretary-General, acting upon the request made by this body, extended an invitation to me, in my capacity as the Mayor of Al-Khalil, to appear before the Council and testify on the dangerous situation resulting from the very grave decision of the Israeli Cabinet. However, as the Council may recall, Israel rejected that decision of the Council and thus prevented me from travelling to the Headquarters of the United Nations. Consequently, on 29 February, I sent a letter to the Council, which was circulated in document S/13830. In my letter I described some of the illegal and inhuman activities of the settlers, as well as those of the occupation authorities, against the people of Al-Khalil.

41. I do not intend to abuse members' indulgence or to tax their patience by repeating the contents of that document. Nevertheless, since the international community and world public opinion have been seized repeatedly of the tragic events which have engulfed our beloved city, I believe it helpful to highlight several aspects of our plight.

42. The acts of vigilantism committed by henchmen of Rabbi Levinger and the atrocities committed by the Zionist forces of occupation against the unarmed citizens of the city of Al-Khalil are living testimony to the racist character of those who are intent on colonizing our land, uprooting us from our homes and property and depriving us of our freedom.

43. Since the very first day the settlers arrived in our city, they have been terrorizing our women and children. Just five days ago, the Israeli army entered my house; they went right into the house and beat the women and children inside the house, after I had been deported. They have been terrorizing our women and children, shooting at our houses and destroying our crops. This is continuing up to this very moment as the Council is in session. Only two days ago, the Israeli authorities themselves announced the detention of Rabbi Meir Kahane and some of his followers because of his plans to commit heinous crimes against the Palestinian citizens of the occupied territories.

44. It is in this context that I would like to call the attention of the members of the Council to the fact that those barbaric and brutal crimes have not been confined to our city of Al-Khalil: they have involved every single Palestinian city and town. Neither the Palestinian population nor the land has been spared violent mutilation by the occupying Power. The Palestinian land, the Palestinian people, were and are its victims.

45. We protested by peaceful means. We complained to the Israeli authorities, who, under international law, are obliged to guarantee our safety as citizens under occupation. But our complaints went unheard. On the contrary, the Israeli army offered protection to the

perpetrators and in most cases were party to the crimes. And when we came to the Security Council, which is entrusted with the maintenance of peace and security in the world, the Council adopted resolution 465 (1980), which strongly deplored those Israeli practices and declared them illegal and in violation of United Nations resolutions. With total contempt for the international will expressed in the resolution, the Israeli authorities intensified their oppression of our people by imposing curfews on the towns and cities, limiting the freedom of movement of the inhabitants, enforcing collective punishment, destroying houses and restricting the political activities of the elected officials and leaders of the community.

46. As is to be expected of any people that is subjected to alien and oppressive domination, our people continues its struggle by peaceful as well as by armed means. In the same way as the French people fought against nazism and the people of South Africa continue their struggle against racism, our people brought their struggle to its culmination with the events that took place on 2 May at the site of the designated location of the Jewish settlement in the heart of my city, Al-Khalil.

47. On that same day, despite the Israeli authorities' knowledge that we had no connexion with that act of resistance, the Zionists expelled my colleagues and me from our homeland to Lebanon. Our expulsion was conducted in a very dramatic and brutal fashion. They kidnapped the three of us from our homes and from among our families in a despicable manner, similar to that of the Nazis. This was done without any respect for our position as elected officials, and this greatly insulted the integrity of our highest religious authority, Sharia Judge Rajab Attamimi, by putting canvas bags over our heads from the beginning of the journey until we arrived in southern Lebanon.

48. On 8 May, the Council was convened once again to discuss our expulsion by the Israeli authorities. On that occasion, the Council resolved to call upon Israel to rescind its illegal action and permit our return to our homeland. Following the decision of the Council, my colleagues Mr. Milhem and Judge Attamimi and I proceeded towards the King Hussein bridge carrying signs bearing the text of the Council resolution. The Israeli officers, acting upon instructions from the Military Governor, prevented us from exercising this basic human right.

49. The Israeli Zionist authorities gave, as a justification for the expulsion of my colleagues and myself, the pretext that statements made by us created the environment for violence in my city, Al-Khalil. This is sheer nonsense; this is a fallacy.

50. The decision to expel us was made long before the events of early May. The Zionists decided to expel us when we opposed the Camp David accords and the autonomy plan. Our people consider both as a

declaration of war against our right to self-determination, against our right to live in freedom and against the right of the Palestinian to return to his homeland. Those accords are aimed at undermining the national unity of the Palestinian people and at perpetuating the occupation of our country and the subjugation of our people. The Zionists decided to expel us before we fought against the Israeli policies of settlement of our lands. They decided to expel us because of our resistance to all the illegal measures and practices adopted by Israel, such as the demolishing of houses, the illegal detention of our people in prisons, the collective punishment imposed upon our people and the expulsion of community leaders. They expelled us because we exposed the ugly face of Zionist policies and philosophies to world public opinion. They expelled us because we sent letters to the Council describing the inhuman and brutal realities of occupation. Those were the real reasons for our expulsion on 2 May, and not those alleged by Israel.

51. Allow me to ask you, Mr. President, and the other members of the Council, and through you to put a question to the conscience of the entire world: Who deserves to be expelled—the victims or the victimizers, the oppressed or the oppressors, the colonial settlers or the indigenous people? I ask the Council who should be expelled: Rabbi Kahane of Brooklyn or the Mayor of Halhoul? Who deserves to be expelled: Rabbi Levinger of Germany or Judge Attamimi, whose family ties extend back 2,000 years in Hebron history? Who deserves to be expelled: those who enter Al-Khalil bearing machine-guns or those who are elected by the people of Al-Khalil?

52. The Council is facing a challenge at this very moment. Its credibility is at stake. If the Council, the highest organ of the United Nations, is unable to ensure the return of three individuals expelled illegally from their homes, how can it expect a whole people to have faith in its decisions?

53. In my closing words, I wish to address the representative of the United States and ask him: Sir, your Government claims that it is committed to human rights, democracy, equality and liberty—and to peace and security in the Middle East. And now, if on this moral issue, which is clearly one of basic human rights, your Government chooses to remain silent, then how can we, the Palestinian people, have any confidence or trust in you? How can we trust the United States when it announces in a clear way that the settlements are illegal and, at the same time, gives Israel \$3 billion yearly to build settlements on our land? How can we trust the United States when we listen to it say that it wants peace in the Middle East and, at the same time, it is sending all kinds of weapons, tanks and aircraft to Israel to kill the Palestinian people on the West Bank, in the occupied territories, in Lebanon and elsewhere? How can we trust the United States when it speaks about human rights but now is silent and does not support our return as free persons to our homeland?



54. The Council has granted me an opportunity to express our plight. Mr. President, I wish to thank you and the other members of the Council. I assure you that we are determined to return to our homes by all means. Freedom is indivisible and justice will prevail.

55. The PRESIDENT (*interpretation from French*): It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it [S/13949]. If I hear no objection, I shall put it to the vote.

*A vote was taken by show of hands.*

*In favour:* Bangladesh, China, France, German Democratic Republic, Jamaica, Mexico, Niger, Norway, Philippines, Portugal, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Zambia

*Against:* None

*Abstaining:* United States of America

*The draft resolution was adopted by 14 to none, with 1 abstention (resolution 469 (1980)).*

56. Mr. vanden HEUVEL (United States of America): The position of my Government on the issue before the Council was set forth in the United States statement of 8 May [2221st meeting] and has not changed. My delegation therefore abstained in the vote on the draft resolution.

57. The PRESIDENT (*interpretation from French*): I call on the representative of the Palestine Liberation Organization, who has asked to speak.

58. Mr. TERZI (Palestine Liberation Organization): Well, here is a poor excuse again from the United States, flouting its commitment with respect to the fourth Geneva Convention. This is a very dangerous moment in the history of treaties and conventions. Article 1 of the fourth Geneva Convention states that:

“The High Contracting Parties”—and I take it that the United States is one of them—“undertake to respect and to ensure respect for the present Convention in all circumstances.”

The United States has openly declared and put on record its failure to ensure respect for the Geneva Convention. I do not see any reason why the United States still considers itself to be a party to that Convention.

59. It makes no difference whether or not the United States votes in favour of this resolution. The resolution is there and our people know that the world is backing them with full support. If the United States wants to single itself out and remain as a minority of one, that is its right. But then it must think of the

consequences of that isolationist policy which it is following, especially against human rights and the exercise of human rights in the world.

60. It was no surprise this morning that the representative of Tel Aviv should have told the Council that Israel

“does not recognize the formal application of the fourth Geneva Convention in the administered areas, it nevertheless does apply, on a *de facto* basis, the humanitarian provisions of that Convention” [2222nd meeting, para. 57].

That was no surprise because back in 1968 a certain Professor Yehuda Zvi Blum, who now represents Tel Aviv, presented an Israeli argument which denied the applicability of the Convention to the West Bank and Gaza. Israel's argument was based on its contention that the Convention applied only to the occupation of territory legitimately held by a contracting party. If a party is not a contracting party then the law of the jungle prevails and the Convention is open to violation by everybody. It is a well-established fact that in the Convention the word “territory” includes, in addition to *de jure* title, mere *de facto* title to that territory. In the specific case of occupied Palestinian territory, *de jure* and *de facto* title to the territory and sovereignty over that territory rest with the people of that territory: the Palestinian people. The presence of Israel in that territory remains illegal and has the capacity of a military occupation. To that extent, the world is unanimously agreed. In its resolution 465 (1980), which was adopted unanimously, the Council clearly affirmed that the fourth Geneva Convention is applicable to the Arab territories occupied by Israel since 1967, including Jerusalem.

61. It is a well-known fact that the military administration of any territory by an occupying Power is never benign. Military occupation and administration are of necessity brutal because alien military occupation against the will of a people is a violation of its rights, and the people will resist. Consequently, the occupying Power has to be brutal. I am not justifying brutality, but armed resistance is engendered by the brutality of the foreign occupation force.

62. In its resolution 465 (1980), the Council reaffirmed that the Arab territories occupied by Israel since 1967, including Jerusalem, should be protected by the fourth Geneva Convention. Nevertheless, the allegation was made this morning that resolution 465 (1980) was agreed upon by hypocrites and was the product of hypocrisy, a selective conscience and eclectic vision. That is what the fuhrer of Tel Aviv and of the Zionist movement said. But if Tel Aviv is right, then the rest of the world is wrong.

63. The representative of Tel Aviv repeated the source of laws and regulations which are in force in the occupied territories. First and foremost among

them are the Defence (Emergency) Regulations of 1945 issued by the British Mandatory authorities. I am not here to explain why they were issued, but I agree that those Defence (Emergency) Regulations were brutal and anti-human and constituted a flagrant violation of basic human rights, to the extent that some Palestinian Jews described them as befitting only a Nazi régime. A Zionist régime, a Nazi régime, what is the difference? In essence they are both exclusivist, expansionist and aggressive. So the application of those regulations against the Arab population of the occupied Palestinian territory is only further proof, if that were needed, of the colonialist and racist nature of the Zionist movement. In the words of an Israeli journalist:

“The policy and practices of Israel are imitations of the practices of the British Mandatory Government and are a form of punishment that is hard to accept. If people have committed crimes, they should be brought to trial. In special cases they could be allowed to choose between exile and prison.”

64. The expelled leaders the Council has kindly invited to address it committed only one crime: they voiced their opposition to occupation and illegal Israeli rule over them. If that is a crime, then further expulsions are warranted and Israel may not be far from the day when thousands more will have to be treated the same way. Then we shall be faced with thousands more Palestinian Arabs being expelled simply because they voice their opposition. As a matter of fact, on 9 May, Ariel Sharon, a Cabinet member in Tel Aviv, told the newspaper *Ma'ariv*: “We have expelled two mayors and nothing has happened to the world. Then why not expel 20 others?” Of course, the Israelis may be depending on an eventual veto by the United States. Well, the Sharia Judge and the elected Mayors voiced their opposition to Israeli occupation and to Israeli practices.

65. The Prophet Mohammed addressed the Muslims, saying—and I beg indulgence for my translation as I do not know how exact it is:

“Whoever sees a vice or evil, let him try to adjust it by action; if not by action, then by words; and if not by words, then by hope and that is the most feeble of all.”

What the expelled leaders did was simply to raise their voices in rejection of and opposition to a vice and an evil. What is a greater vice and evil than prolonged illegal occupation and its derivatives, be they expropriation of land, illegal detention, murder of students, defoliation of land, spraying of poison on agricultural products, or whatever?

66. On 11 November 1976, the President of the Council made the following statement to which the representative of the United States was a party:

“... the Council has agreed:

“... ”

“To consider once more that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon and the transfer of populations, which tend to change the legal status of Jerusalem, are invalid and cannot change that status, and urgently to call upon Israel once more to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem.” [1969th meeting, para. 41.]

67. How did Tel Aviv respond? How did Washington respond? Let us start with Washington. Since 1976 Washington has, I think, poured or pumped into Israel more than \$10 billion, if not as encouragement, at least out of pity; but at the least it led to the crimes that are being committed. How did Tel Aviv respond? The answer is in the books and in the verbatim records of the Council, if we are to judge by the number of meetings that the Council has had to hold to consider the situation in the occupied territories as a result of Israeli-Zionist atrocities.

68. I cannot fail to protest in the strongest possible terms at the behaviour of the Mayor of New York, who, only the other day, joined in a procession celebrating defiance of United Nations resolutions and rejection of the declared policy of the Government of the United States regarding the situation and status of Jerusalem.

69. The Mayors who appeared before us here today are not officials of the Administration and much less of the military occupation authorities. They are elected by the people to discharge responsibilities for the benefit and welfare of the people. They are not just messenger boys or secretaries. They are elected by the people to perform duties. And if, as appears from today's cables, the forces of occupation are thinking of finding some new appointees as Mayors of Hebron and Halhoul, I can tell them from here that they will fail because there are no quislings among our people. They have elected persons to those posts; they will fight for their elected representatives to be enabled to perform their duties until the day they elect others in their place.

70. There is a beautiful article in *The New York Times* today that speaks of Israel taking a tougher stand against Arab violence. I have just read that article, and what did I find? What is Arab violence? A 17-year-old boy throwing a stone at an army car? The result was collective punishment against his family, including his father who is 60 years old, and, as was stated by the Mayor of Halhoul, the removal of the entire family.

71. I can understand that criminals commit acts and try to justify them. But they also tell lies. Apparently

as the result of a beating and being kicked by the boots of the soldiers, the boy had to be transferred to a hospital where he is recovering from surgery. The official Israeli version was that the boy fell off his bicycle; a 17-year-old boy gets on a bicycle for the first time and hits a car. And yet other officers confirmed that there was a beating. The boy was beaten and taken to surgery. And think of the crimes and violence of demolishing houses and the *Kristallnacht* when the cars and the windows were smashed by henchmen of Begin, by henchmen of the Zionist movement, by people who receive hundreds of millions of Israeli pounds to maintain their activities against the Arabs, to create an atmosphere of terror so that the rest of the Arabs would leave their homes. But they will not. We shall not respond to the *Kristallnacht* by keeping quiet; we shall fight back.

72. In his statement this morning, the representative of Tel Aviv complained that the Mayor of Hebron was calling "for the day of battle and triumph and to use the oil weapon against the United States and Israel" [2222nd meeting, para. 49]. I do not know if it is a crime for the mayor of a city under occupation to appeal to his brethren, his friends, that they should use their resources in order to alleviate his grievance and to right injustice. Only the other day we saw Mr. Muskie, the United States Secretary of State, fly to Europe and ask the Europeans to impose sanctions on Iran because that country is holding 50 American hostages. Well, how should the other Arabs and Moslems respond when there are 4 million Palestinians taken hostage? Is it not our right to appeal to all our brothers—and not only them but also our friends—that they should use whatever resources they have, whether it is oil or anything else, in order to alleviate that situation? That is not a crime.

73. And, trying to pretend ignorance, the representative of Tel Aviv this morning, referring to the fourth Geneva Convention, said:

"Presumably this refers to the fourth Red Cross Convention of 12 August 1949, and not to the Geneva Convention on road traffic." [Ibid., para. 57.]

Now, that is an insult. Of course, since he accused everybody of being a hypocrite, why not insult the intelligence? He knows very well that what we are referring to is the fourth Geneva Convention and that the Council, in its resolution 465 (1980), indicated that the Convention was applicable to the territories under occupation.

74. Also in that statement he tried to invoke "the Jordanian Municipal Council Law, No. 29 of 1955, which stresses the obligation of a mayor to act for the municipal good and public order" [Ibid., para. 60]. What can a mayor do but liberate his town? That is the best he can do for his town. A mayor's duty is not only to have a drainage system, or an irrigation system, open a school or act in such a way as not

to be prevented from having a wholesale market for vegetables. A mayor is also responsible for liberating his people from foreign occupation. Those in the Council who fought against the Nazis all recall that the first task of their priests, their mayors, their elected representatives was to liberate their country from the occupation forces and not to become quislings.

75. And now I come to the following statement, and here I hope in fact that my intelligence misleads me. We were told this morning that "Today, the Supreme Court of Israel, sitting as a High Court of Justice, decided to grant the petition" [Ibid., para. 63] and to hear the case. Well, does that mean that the expelled persons will be permitted to return in order to appear before the court and defend their case? Or will there be a judgement passed *in absentia*? Or will it be something completely different? After the innocent is executed in a gas chamber or hanged, is the court to meet to decide whether the action was legal or illegal? I would say, if there is any justice, that these persons should be permitted to return immediately in order to prepare their case and appear before the court, because there is no court of justice that can listen to and argue a case in the absence of the party concerned. Otherwise, that would be a judgement *in absentia*, which would really be a mockery of justice.

76. Then we had some pontificating this morning. Of course, the Council does not require that those appearing before it come with clean hands. I just leave it to the members of the Council to interpret it the way they want.

77. Finally, we were reminded of a statement made by Chairman Yasser Arafat, President of the Executive Committee of the Palestine Liberation Organization, the representative of the Palestinian people, the internationally recognized representative of the Palestinian people, which was quoted in *The New York Times* concerning a threat to Western Europe that its interests would be gravely affected by any non-compliance with his demands. Well, that is a distortion. Chairman Arafat did not threaten, "If you do not comply with my demands I shall threaten your interests." That is the mentality of the fuehrer who sits in Tel Aviv.

78. Of course, we know that the rest of the world should understand our plight. We really are happy that some of them are understanding us more and supporting us more and more. We see that reflected here. We have not become desperadoes that threaten to demolish the world.

79. I am sure that the Council and the Secretary-General will see to it that the expelled leaders are permitted to return as soon as they can—if I may say so, even immediately—to their country to perform their duties. Should the resolution just adopted also be disregarded, we shall still have faith. The Charter has the remedy. We shall come back to the Council at the earliest possible date and try to get the Council to

perform its duties and shoulder its responsibilities. There is a remedy in the Charter, and we know that it is within the power of the Council to implement its resolutions. Otherwise, I assure the Council, it will see us here again. On 8 May we said we should be back, and we were back, again with a further appeal to the Council that the two Mayors and the Judge should be permitted to return to do their duty for their people. And, as a father, I would say that they should be back with their families, with their wives and their children.

80. Mr. MUTUKWA (Zambia): Mr. President, it is an honour and a privilege to see you, a distinguished son of Africa, presiding over the deliberations of the Council. We have worked hand in glove in the true spirit of African unity and solidarity since your country became a member of the Council at the beginning of this year. The full co-operation of the Zambian delegation with the presidency for the rest of this month can therefore be taken for granted.

81. I wish to make a few remarks, because the Zambian delegation is appalled by the serious turn of events in the occupied territories. Once again the Security Council is confronted with the defiance of a Member State in the implementation of its resolutions. Israel has again flouted a resolution of the Council with impunity and characteristic arrogance. The Council should ensure that the resolution which has just been adopted is implemented in full.

82. The Zambian delegation is of the firm view that all States, especially States Members of the United Nations, are obliged to accept and give effect to the decisions of the Council, which is the custodian of international peace and security. That applies to all States. On the other hand, all members of the Council must, as a matter of principle, ascertain and ensure that a civilized code of conduct in observing decisions of the Council is enforced. The Charter prescribes methods of dealing with recalcitrants such as Israel and the racist *apartheid* régime of South Africa.

83. The Council has just heard a sad account of how Israel continues to oppress and repress the people of Palestine in the occupied territories it has colonized. It is distressing that human beings can sink so low in treating others. We have before us the heroic Mayor of Hebron, Mr. Qawasma, the Mayor of Halhoul, Mr. Milhem, and the Sharia Judge of Hebron, who have come here to plead what must be a very obvious

case. These distinguished Palestinians are the latest victims of Israeli brutality.

84. Israel continues to prevent the Palestinians from returning to their own native cities in their homeland of Palestine. They have no other home to go to. Israel must be told unequivocally that it is totally illegal and inhuman to prevent the 3 million Palestinians from returning to their homes, whether by force or by any other means. We, the members of the international community, will not and cannot be wooed by Israeli propaganda justifying those barbaric acts against fellow men. We condemn such acts.

85. The Zambian Government has repeatedly stated that, unless the inalienable rights of the Palestinians are respected, observed and restored, there can be no settlement or peace in the troubled region of the Middle East. This must be a truism by now, and the Israelis must know it for a fact. Palestine belongs to the Palestinians. It is also time for those who support human rights to come forward and be counted on the side of the Palestinians, whose human existence is in mortal danger. We demand justice for all on principle, and we condemn the double standards of those who practise such vices.

86. I wish in conclusion to place on record the abhorrence of the Zambian delegation at the moves of Israel to annex the Holy City of Jerusalem, which it dubiously claims to be the capital of Israel. This is a great illusion which cannot succeed.

87. It is now a fact that the Israeli régime is by its actions bent on provoking a catastrophe in the Middle East by continuing to pursue its provocative and aggressive policies of conquest, confrontation and defiance. Our simple advice is for them to know that the only way in which Israel can secure a peaceful future is through conciliation and justice.

88. The PRESIDENT (*interpretation from French*): There are no more speakers. The Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 5.10 p.m.*

NOTE

<sup>1</sup> United Nations, *Treaty Series*, vol. 75, p. 287.