

understandably disconcerted by his questions. He would therefore ignore his intemperate remarks and personal abuse and concentrate on the substance of his statement. He had said that Israel had no policy of annexation but facts documented at the highest level stated the exact opposite. A policy was being implemented to establish settlements which the highest officials of the Israeli Government said were to remain part of the Jewish State, from which Israel would not withdraw. Everyone knew that East Jerusalem had been formally annexed by Israel, which was a contradiction of the Israeli representative's statements at the current and past sessions of the General Assembly. Although he had said that the juridical status of those territories had not been changed, courts applying Israeli law had been established in the occupied territories. Jewish emigrants sent to settle in the occupied territories were entitled to vote in Israeli elections. All those were acts of annexation, at least in the areas where settlements had been established, and showed that annexation was a fact and not mere conjecture.

46. With regard to Quneitra, he himself had not twisted the statement by the Israeli Prime Minister. He had quoted its objective interpretation by a United States news agency as a tacit admission that Israel had destroyed that town. It was true that the Israeli Prime Minister had subsequently authorized his office to issue a statement saying that he had made no such admission, but had merely meant that Israel wanted to make an orderly withdrawal from the oil fields in order not to leave itself open to similar accusations from Egypt. That in essence was what the Israeli representative had also said but it did not tally with the Prime Minister's initial statement, which was that Israel was facing a test. Surely he would not have used that word if he had been referring to alleged fabrications by the Syrian Arab Republic and Egypt. On 4 September 1975, the Jewish Telegraphic Agency had issued yet another interpretation: that although it had initially been denied by Israel, it had subsequently been learned that property in Quneitra had been destroyed without the knowledge of the Israeli authorities. It was that multiplicity of interpretations that had led him to ask the Israeli representative how he interpreted that very important statement by his Prime Minister.

47. Mr. GAMMOH (Jordan), speaking in exercise of the right of reply, said that he would not refute the silly statement by the Israeli representative in detail. Israel's action in the occupied territories was familiar to the Committee and the world at large. However, with regard to the destruction of synagogues by the Jordanian Army in 1948, it was an accepted fact, which the Israeli representative well knew, that synagogues and churches had been destroyed in 1948 as a result of war and not deliberately. The only holy places deliberately destroyed and robbed were mosques and churches in the territories under Israeli occupation. With regard to access to holy places, it was also known to the Israeli representative and to the United Nations Conciliation Commission for Palestine that Jordan, Lebanon and the Syrian Arab Republic had expressed the wish that all people of all religions should have such access, but Israel had refused to allow that on the usual pretext of security. The reference to Jordan's occupation of Jerusalem was ridiculous. Jordan had never occupied the old city of Jerusalem but, when it had been part of Jordan, it had been kept intact and all people had been allowed to visit the holy places. The documentary film shown to the Committee in the course of the preceding meeting had given some examples of Israeli democracy and of the way it destroyed houses to build accommodation for Jews from all over the world. Those facts were described in the report of the Special Committee (A/10272), which gave the Committee more information than the Israeli representative could by twisting facts.

48. Mr. DORON (Israel) said that the attempt by the representative of Jordan to deny historical facts was pathetic. It could not be considered "silly" to quote a statement by the Commander of the Jordanian forces, when describing the capture of the old city of Jerusalem in a book published in Cairo, that the operations of calculated destruction had been set in motion.

49. Mr. GAMMOH (Jordan) said that destruction of property was acceptable during war, but ever since 1967 the Israeli authorities had been deliberately demolishing houses, churches and mosques.

*The meeting rose at 1.15 p.m.*

## 987th meeting

Monday, 1 December 1975, at 3.35 p.m.

*Chairman:* Mr. Roberto MARTINEZ ORDOÑEZ (Honduras).

A/SPC/SR.987

### AGENDA ITEM 52

### GENERAL DEBATE (*continued*)

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/10074, A/10128, A/10163-S/11780, A/10164-S/11784, A/10174-S/11797, A/10178-S/11799, A/10204-S/11809, A/10272, A/10286, A/10370)

1. Mr. NEYTCHEV (Bulgaria) said that the General Assembly had recently concluded its consideration of the question of Palestine and had adopted new resolutions recognizing the inalienable rights of the Palestinian people and the fact that the attainment of those rights was an indispensable requirement for peace in the Middle East

(resolutions 3375 (XXX) and 3376 (XXX). A burning issue was involved, which could not be reduced merely to the question of refugees, for it was part of the Middle East problem, a consequence of Israeli expansionism.

2. The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/10272) contained proof of the violations of the human rights of the population of the territories occupied by Israel. The occupation of those territories since 1967 was in itself a violation of human rights. Although the Government of Israel had not permitted the Special Committee to enter the occupied territories, the Committee had gathered proof demonstrating that human rights had indeed been violated.

3. The Special Committee had indicated that the prevailing situation in the occupied territories had not changed. The population continued to suffer from the consequences of the occupation, which the Bulgarian people understood very well, since they had been the victims of a similar situation.

4. The Israeli Government had accelerated the implementation of its policy of annexation by building settlements in the Golan heights, Sinai and on the west bank and by altering the demographic composition of the occupied zones. The situation which had prevailed since 1967 continued to be a cause for concern; it had had a particular impact on young people, whose feelings of indignation and rage were increasing. Consequently, the number of incidents and arrests had also increased.

5. The population of the occupied territories continued to be economically dependent on Israel, which exploited it as a source of cheap labour. Plundering, including the plundering of the archaeological and artistic heritage, was also continuing, causing great indignation.

6. The Special Committee had been unable to complete its report on Quneitra on time; however, there could be no doubt that its destruction had been a deliberate act. Such acts were particularly disquieting because they reflected Israel's policy of annexation and the policy of the "fait accompli", which made it very difficult to reach a settlement on the Middle East problem.

7. His delegation agreed with the Special Committee that the occupying Power continued to behave in the occupied territories and to act towards the population of those territories in flagrant violation of the basic rights of the above-mentioned population and in defiance of relevant international conventions, and that the termination of the occupation would alone provide the surest guarantee of the restoration of the basic human rights of the population of the occupied territories (*ibid.*, paras. 188 and 189). A just and lasting solution could be reached only with the withdrawal of Israel and the restoration of the legitimate rights of the Palestinian people, including the right to establish their own State.

8. Now more than ever, it was essential to reconvene the Geneva Peace Conference in order to find a definitive solution to the Middle East problem. The Palestine Libera-

tion Organization (PLO) should participate in that Conference on an equal footing.

9. Mr. GREGORIADES (Greece) said that his delegation had not been surprised by the report of the Special Committee, since the practices reported were part and parcel of military occupation and a deplorable anomaly inherent in the anomaly of military occupation. The occupation forces continued to deny the Special Committee access to the occupied territories, a fact which increased apprehensions concerning the situation.

10. The most serious question dealt with in the report was the policy of annexation and settlement carried out by virtue of the presence of the occupying military forces. The policy of population replacement ran counter to articles 47 and 49 of the fourth Geneva Convention<sup>1</sup> and to the principles of the Charter of the United Nations and had therefore been strongly condemned by the international community.

11. Military occupation entailed opposition to all the principles of the Charter of the United Nations and the Universal Declaration of Human Rights; foreign military occupation was a denial of the very reason for the establishment and existence of the United Nations.

12. His delegation deeply deplored not only the practices resulting from the military occupation of the occupied territories but also the fact that those practices were being applied by a people which had suffered immensely throughout its long history. It was an anomalous state of affairs in more than one respect, a deplorable and dangerous chain of reactions.

13. Lastly, he said that on earlier occasions the Minister for Foreign Affairs and the Permanent Representative of Greece to the United Nations had clearly stated the position of the Greek Government on the entire question of Palestine and the Middle East.

14. Mr. HOUNGAYU (Dahomey) said that the seventh report of the Special Committee (A/10272), like the reports it had submitted earlier, was an objective, clear and precise document, and he praised the members of the Committee for having conducted their work impartially.

15. The Israeli practices in the occupied territories—namely, the application of a policy of colonization and annexation, arbitrary mass arrests, inhuman conditions in prisons and other places of detention, banishment and expulsion, and the exploitation of the resources of the occupied territories—were flagrant violations of the human rights of the population.

16. Those Israeli practices would only step up the struggle against Zionism, which was rightly considered a form of racism. The struggle against Zionism must be intensified at all levels in order to compel Israel to implement the decisions of the United Nations, to withdraw from the territories it occupied by force and to recognize the Palestinian people, whose sole representative was PLO.

<sup>1</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War (United Nations, *Treaty Series*, vol. 75, No. 973, p. 287).

17. The inhuman practices of Israel in the occupied territories should be unanimously condemned by the international community.

18. Mr. SIBAHI (Syrian Arab Republic) commended the Special Committee for the excellent work it had carried out despite Israel's refusal to allow it to enter the occupied territories, a refusal motivated by a desire to hide other more revealing proof of one of the most obnoxious crimes in history. That position of Israel was not surprising, for Israel had flouted the Charter, international agreements and the Universal Declaration of Human Rights and did not abide by United Nations resolutions. The Israeli representative had attempted to justify that position by stating that the members of the Special Committee were nationals of countries that had severed diplomatic relations with Israel; however, at least two of those countries had had diplomatic relations with Israel at the time of the Special Committee's establishment in 1968. Moreover, the mission of the Committee had been entrusted to it by the international community, to whose will Israel should have bowed. It should also be recalled that Israel had refused to receive the Special Representative of the Secretary-General sent pursuant to Security Council resolution 259 (1968), a group of experts sent by the Commission on Human Rights to investigate violations of the Geneva Convention, and the mission authorized by the Security Council in its resolution 298 (1971) to investigate changes in the status of Jerusalem.

19. It was therefore obvious that the report of the Special Committee was the only vehicle whereby the international community could learn about Israeli practices in Palestine and the occupied Arab territories. That impartial report had exposed the imperialist, expansionist and colonialist sides of Israel, which confiscated properties and annexed territories to build settlements in the occupied territories. Those plans violated basic human rights and international law, in particular, the fourth Geneva Convention and the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.<sup>2</sup>

20. The Israeli authorities persisted in destroying the Arab archaeological heritage in the occupied territories or in eliminating its Arab character. A case in point was the excavations by an Israeli archaeological mission to the west of the wall surrounding the Mosque of Omar in Jerusalem: three Omayyad palaces had been discovered, and it was planned to demolish them. In a note verbale, dated 26 September 1975, his delegation had given the information to the Secretary-General and had asked the United Nations Secretariat, in consultation with UNESCO, to put an end to the destruction of the archaeological treasures of Arab civilization (A/10286). An international archaeological mission, recognized by the Arab side, could prepare a study to stop the implementation of all Israeli projects which affected those treasures in any manner.

21. The Special Committee's report also described the economic exploitation of the occupied territories, which the Israeli representative saw as constituting "reforms", whereas in fact it was merely a source of cheap labour for Israel. The report likewise revealed the retaliatory, oppres-

sive and terrorist measures and Nazi methods—administrative detention and mass arrests and military tribunals—used by the Israeli authorities to exert pressure on the nationalist elements. Paragraph 106 of the report gave a clear example of such repressive measures.

22. The report also revealed a bleak picture from the spiritual and religious angle. The measures taken with regard to the Ibrahimi Mosque—designed, according to the Israeli authorities, to permit its use by both Jews and Moslems—in fact constituted a violation of the provisions of the fourth Geneva Convention.

23. It was necessary to examine the seriousness of the Israeli practices not only in relation to the Charter of the United Nations, international law and the Universal Declaration of Human Rights, but also with respect to the Geneva Conventions,<sup>3</sup> which Israel had signed but then rejected, especially the fourth one. Israel's rejection of the fourth Geneva Convention was an attempt to free itself from its guilt complex for its inhuman practices and provided additional proof of its criminal intentions and its disregard for international resolutions and international law.

24. His delegation drew attention to the conclusion reached in the report that it was essential that the United Nations change its attitude with regard to the occupation problem. It was high time for the international community to think seriously about the possibility of imposing international sanctions in all fields against the Zionist racist entity existing in Israel, according to the provisions of the Charter, and for a time-table to be established for the implementation by Israel of the General Assembly and Security Council resolutions calling for an end to the occupation and aggression and for recognition of the inalienable rights of the inhabitants of the occupied territories.

25. There were grounds for optimism in the fact that the United Nations had condemned the Israeli Zionist and racist presence in the occupied Arab territories and called for an end to the occupation and for the restoration of the legitimate rights of the Arab people of Palestine.

26. In paragraph 33 of the report, an article in an Israeli newspaper was quoted; according to that, 800 million Israel pounds had been invested since 1967 in building settlements in the occupied territories, 44 settlements had been built and eight others were under construction. Since the Israeli representative had stated that Israel practised no policy aimed at expansion, settlement of territories or annexation, it might be wondered why all those settlements were being built and whether the territories were Arab or Israeli. Judging by the words of Prime Minister Rabin, who had said during a visit to the Golan heights that Israel would not have established those settlements if it was to withdraw from them later on (*ibid.*, para. 63), the settlements seemed to have been built with the sole aim of perpetuating the occupation. Similarly, the Israeli Minister of Housing had stated that the establishment of settlements in the occupied territories was the biggest settlement project since the creation of the State of Israel and that those settlements

<sup>2</sup> United Nations, *Treaty Series*, vol. 249, No. 3511, p. 215.

<sup>3</sup> *Ibid.*, vol. 75, Nos. 970-973.

were of vital importance not only for defining the boundaries of the State but also for strengthening its security (*ibid.*, para. 64). Moreover, the Defence Minister had stated that Israel would not relinquish the settlements built on the Golan heights even after negotiations (*ibid.*, para. 70). Those statements were merely a sample of many statements by Israeli leaders.

27. With regard to Quneitra, he hoped that the Special Committee would soon complete its investigation so that the United Nations would have decisive proof of one of the most obnoxious crimes ever perpetrated by foreign occupation forces. Israeli officials were currently denying the statements made by their Prime Minister to the correspondent of *The New York Times* in September 1975 when he talked of Israel facing two tests in its agreement with Egypt, the first being the systematic transfer of the oil fields to Egypt and the second that there should not be another Quneitra. Israeli officials were currently trying to justify the statements and saying that they knew nothing about the destruction of Quneitra or that their instructions had been misunderstood, although that would not free them from responsibility. In that connexion, he thanked the representative of Kuwait for his explanation at the previous meeting, clarifying the statement made by the Israeli Prime Minister in that regard. Israel claimed that the destruction of Quneitra had been the direct result of the acts of aggression perpetrated by the Syrian Arab Republic at various periods since 1967. The falsity of that allegation was demonstrated by the very scope of the destruction of Quneitra.

28. In its resolution 3336 (XXIX), the General Assembly had requested the Secretary-General to prepare a report on the adverse economic effects on the Arab States and peoples resulting from repeated Israeli aggression and continued occupation of their territories, to be submitted to the General Assembly at its thirtieth session. It appeared from the report of the Special Committee that the expert responsible for investigating the question of the destruction of Quneitra for the survey requested by the General Assembly in its resolution 3240 C (XXIX) had not completed his investigation. However, he had given oral evidence before the Special Committee (*ibid.*, chap. V).

29. In that connexion, the Syrian representative felt it was useful to draw attention to the fact that the total value of damage and losses suffered by the Syrian Arab Republic amounted to \$7,019,209, in addition to an annual loss valued at \$184 million since 1967 due to the loss of agricultural land. It sufficed to note that the losses resulting from the destruction of Quneitra and the agricultural damage resulting from the occupation of the District of Quneitra, in addition to the looted archaeological treasures and the assistance provided to the refugees since 1967, amounted to \$9,096,660.

30. The film shown at the 985th meeting reflected the historic tragedy of the City of Jerusalem and the Palestinian people. He hoped that the Special Committee would also give the Special Political Committee the opportunity of witnessing the destruction and damage caused by Israeli occupation forces in the Golan heights and Quneitra.

31. The most odious example of Israeli practices in the occupied territories was the case of Archbishop Capucci, who had been tried in a court that was not properly constituted under international law, as stated in the report of the Special Committee (*ibid.*, para. 186), and imprisoned on the basis of false charges.

32. The United Nations must continue its efforts to restore peace to the land of peace, to restore the sacred rights of the inhabitants of Palestine—whether Jews, Christians or Moslems—and to put an end to occupation and aggression, and take the necessary steps to ensure that the Charter was respected.

33. Mr. FEZZANI (Tunisia) recalled that in his statement at the 985th meeting the Chairman of the Special Committee had stressed the desire of the members of that Committee to submit a report based on irrefutable facts and information from Israeli sources. The report was indeed based on statements by high Government officials and other Israeli leaders and on articles published in Israeli newspapers, and all those sources confirmed the intention of the Israeli authorities to pursue and intensify their policy of partial or total settlement and annexation of the occupied Arab territories.

34. The film on Israeli practices in Jerusalem had provided the Special Political Committee with confirmation of the scope of the demolition operations in the occupied territories and the speed with which the inhabitants of those territories were expelled so that foreign Jewish immigrants could take their place. It was obvious that those changes and population movements were carried out in accordance with a planned policy designed to alter the physical and demographic character of the occupied Arab territories.

35. Since its establishment, Israel had consistently seized every pretext to implement its policy of hegemony and expansion. Arab inhabitants were expelled, Jewish settlers were installed, campaigns were organized to attract Jews from all over the world, and housing and industrial areas were established for the use of the new immigrants. Those changes had not even spared holy places, especially Moslem holy places. Moslems were submitted to arbitrary regulations which endangered their right to practise their religion freely. In those circumstances, it was understandable that the number of Arab political prisoners in Israel was constantly increasing. Nor was it surprising that those prisoners should be subjected to mistreatment, since the Zionist authorities could not be expected to have the slightest respect for the human person or human rights.

36. In his various statements, the representative of Israel had confined himself to making virulent attacks on the members of the Special Committee and then to defending the virtues of colonization. He had spoken, *inter alia*, of the rise in the living standard of the Arab population of the occupied territories, which was, to say the least, absurd. His language was strangely reminiscent of that which had been used by the colonial Powers to justify their domination. For the rest, the representative of Israel resorted to arguments which only the racist régime in South Africa currently ventured to use. He might think that in that way he could prevent Member States from condemning Israel's



colonialist policy. However, it was clear that that country could not escape the condemnation of history.

37. There was reason to believe that the Government of Israel would not put an end to those violations of human rights as long as it continued to occupy Arab territories, since that was the crux of the problem, nor did it appear to have given serious consideration to evacuating those territories. Accordingly, it was the duty of the United Nations to put an end to Israel's expansionist ambitions in conformity with the Charter. In that connexion, he recalled that the General Assembly of the World Jewish Congress, which was dominated by representatives of the World Zionist Organization, had been held in Jerusalem in 1975. The United Nations had a special responsibility towards the population of the occupied territories and could not remain indifferent to the flagrant violations of the Geneva Conventions and other international instruments. The Israeli authorities, for their part, should realize that membership in the United Nations imposed obligations upon them and that they could not continue to disregard the trend in international relations. They were greatly mistaken if they felt that they could erase centuries of history and pursue a colonialist policy of hegemony and expansion in an era of co-operation and détente.

38. Mr. KAPLLANI (Albania) said that the systematic policies of terror, violence and destruction pursued by the Israeli invaders in the occupied Arab territories was entirely consistent with the expansionist ambitions of the Tel Aviv ruling circles, which were seeking to break the will of the Arab peoples by means of terror.

39. The Albanian people, who unswervingly supported the just cause of the Arab peoples, denounced the expansionist and aggressive policy of the Israeli Zionists, who, with the support of the two super-Powers, were doing all they could to denationalize and annex those territories, while they denied the Arab peoples in general and the Palestinian people in particular their inalienable right to recover their usurped lands.

40. The Israeli Zionists proclaimed their desire to solve the question of the Middle East in a "peaceful way", but developments there proved the falsity of their words, since the Israeli Zionists were continuing the aggression and violence they had institutionalized and had no intention of abandoning. They were using every means available to them to displace the Arab population: torture and persecution, arbitrary detention and the destruction or confiscation of their property. As if that was not enough, the Zionists were trying to justify themselves by resorting to neo-Nazi propaganda which attributed to the Israelis a sort of genetic superiority over the Arabs. It was therefore clear that the Zionists had expansionist and colonialist ambitions and that they cherished the hope of building a "pure" Jewish State. However, nothing could stifle the resistance of the Arab peoples, since their strength lay in their desire to regain their homeland, and no kind of propaganda or demagoguery could cover up the crimes of the Zionists.

41. Naturally, in view of the situation, there arose the question of the source from which Israel derived the strength to perpetrate that policy of aggression. The answer was obvious: Israel obtained all the support it needed from

the United States imperialists as well as camouflaged aid from the Soviet social-imperialists. One of those super-Powers supplied Israel with weapons and military equipment, and the other furnished the human resources it needed. For both the United States and the Soviet Union, Israel was a precious card in their gamble for hegemony in the Middle East. The United States imperialists were using Israel as a constant threat against the Arab world, and at the same time the Soviet social-imperialists were exploiting the Israeli threat to penetrate deeper and deeper into the Middle East, masking their hegemonistic designs in the guise of the "aid" and "support" they were allegedly providing to the Arab peoples.

42. Of late, the rivalry between the two super-Powers had been intensified, and that could only result in a worsening of conditions for the Palestinians and other Arab peoples. The alleged "concern" of the United States and the Soviet Union with solving the problem of the Middle East was nothing more than concern with maintaining a situation where there was neither war nor peace and which favoured their presence in the region.

43. Consequently, Albania held the view that the Arab peoples could not expect anyone to achieve their historic objectives for them. They could only achieve those objectives by resolute struggle. For its part, Albania wished to express its unreserved support for the just cause and the legitimate rights of the Arab peoples.

44. Mr. SAHAD (Libyan Arab Republic) said that the report of the Special Committee (A/10272) clearly and unequivocally reflected the objectivity with which the latter had carried out its difficult task, a task which had been complicated even further by the fact that Israel had denied the Special Committee access to the occupied Arab territories. There was no need to recall all the resolutions of the General Assembly in which it had called upon Israel to permit the Special Committee to visit the territories; Israel's refusal to permit the Special Committee to enter the occupied territories was in itself a violation of the resolutions of the Assembly. The international community was now well aware of why the Zionists persisted in denying the Special Committee access to the Arab territories. First, they were trying to prevent the international community from obtaining direct knowledge of what was happening in those territories, so that the occupiers could continue to carry out, free from restraint, their criminal schemes for the attainment of the Zionists' expansionist ambitions. Despite that, the Special Committee had been able to present reports which clearly reflected what was happening in the occupied Arab territories. Thus, it was no longer possible to conceal the Zionists' racist crimes. He was certain that the Zionist speaker in the Special Political Committee was fully convinced of that, although he might not have enough courage to admit it. However, the fact that the world community was aware of the situation in the occupied Arab territories did not prevent the Zionists from continuing to perpetrate their crimes.

45. Another reason for denying the Special Committee access to the occupied Arab territories was to give the Zionist speaker a pretext for raising doubts regarding the validity of the information contained in the reports of that Committee. However, the Special Committee had relied on

statements and plans drawn up by the Zionist leaders, news reports in the Western and Zionist press, and facts established by other international organizations, such as the International Red Cross. Thus, the Zionist spokesman, in attempting to question the truth of the Special Committee's information, had resorted to fallacious arguments which could deceive no one.

46. The third reason for preventing the Special Committee from visiting the occupied territories had been to prevent the allies of the Zionists from finding themselves in an embarrassing situation vis-à-vis the world community, and, although that had perhaps been achieved, it was very difficult for those people, who talked so much of human rights, to silence the voice of their conscience.

47. In concerning itself with the conditions of the population of the occupied Arab territories, the United Nations was only assuming responsibilities proclaimed in the Charter as well as in other international conventions and instruments. Occupation in itself, whatever its origin might be, was a situation not approved by the Charter, which stipulated that the acquisition of land by force of arms was inadmissible. International conventions and instruments did not condone aggression and considered occupation to be a temporary and unnatural state. However, despite all the resolutions of the United Nations calling for the withdrawal of the Zionist occupation forces from the Arab territories, the occupiers continued to implement their plans, a part of which had already been carried out in the land of Palestine.

48. Zionism was a European racist and imperialist movement, alien to the Middle East region, which had used mythical interpretations of the history of the Old Testament in order to impose its authority in Palestine and the neighbouring countries. It had called and continued to call on all Jews throughout the world to congregate in Palestine and in other parts of Arab lands and was thus preparing for further aggression and expansion with each wave of imported immigrants. What had happened in Palestine and what was happening in the occupied Arab territories was the outcome of the racist ideology of Zionism, the objective of which was to expand at the expense of the Arab countries, to expel the Arabs from their homes and to destroy their identity.

49. The Special Committee's report had revealed beyond any doubt the following manifestations of Zionist occupation: annexation of parts of the occupied territories; demolition of Arab houses and towns, with a view to obliterating their features; confiscation or expropriation of Arab land; expulsion and deportation of the Arab inhabitants and denial of their right to return; administrative detention and mass arrests of Arab inhabitants; establishment of Zionist settlements in occupied Arab territories; restriction of the freedom of worship and interference in the observance of religious rites and family customs and traditions; the plundering of archaeological and cultural property in the occupied territories; and illegitimate exploitation of the human and natural resources of the occupied territories.

50. In fact, those manifestations covered all domains of the economic, social, political and private life of the

inhabitants of the occupied Arab territories. Besides being a violation of human rights and a crime against humanity, those practices constituted an overt violation of international conventions and instruments, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict; they also contravened the relevant United Nations resolutions.

51. In that connexion, it should be pointed out that the Zionist speaker had once again stated that the Geneva Convention was inapplicable to the situation in the occupied Arab territories, in spite of the confirmation contained in General Assembly resolutions and other resolutions adopted by various international organizations, such as the International Red Cross.

52. The Special Committee's report reiterated that the Zionist occupiers were persisting in their criminal schemes and that the manifestations of occupation were unchanged. In paragraphs 31 to 102, the report presented evidence of the continued existence of a policy of annexation and settlement, which could be divided into three categories. First, the Zionist occupation authorities expropriated or confiscated Arab land; secondly, they established Zionist settlements on that land and elsewhere; thirdly, they removed Arab inhabitants from their residences or expelled them entirely from the occupied Arab territories. All those measures, which were undertaken "for security reasons" or under the pretext of "introducing improvements", merely assisted in attaining the goals of Zionist expansion.

53. Perhaps the most outstanding evidence of those repressive measures was that contained in paragraph 104 of the report, which referred to the measures taken against Bir Zeit College in order to inhibit the cultural life of the inhabitants of the occupied Arab territories, as well as the evidence contained in paragraph 137 relating to a policy of reprisal against civilians, a policy which included expulsion, demolition of houses, the closing of shops and businesses, prohibition of the export of produce as punishment for incidents, and mass arrests. All those measures were aimed at forcing the Arab inhabitants to leave the occupied territories so that Zionism could continue the policy that it had previously carried out in Palestine.

54. More than ever before, the United Nations was now aware of the true nature of those measures. For that reason, the General Assembly had year after year declared null and void all measures taken by the Zionist régime in the occupied Arab territories.

55. It should be pointed out that, although Zionism constantly violated United Nations resolutions, it still found support and help from some Members of the Organization. It was no secret that the United States was an accomplice of the Zionist régime and that the funds which it advanced were largely used for the establishment of settlements for new immigrants in the occupied territories. The Committee need hardly be reminded of the bill sponsored by Senator Muskie and adopted by the United States Senate which granted the Zionist régime assistance of more than \$70 million for the establishment of new settlements. With its aid, the United States was consecrating

the occupation and raising an obstacle to the return of the Palestinians and Arab inhabitants to their homes and the restitution of their property and land.

56. The United Nations could not fulfil its responsibilities without the co-operation and support of all its Members. History had taught that oppression, aggression and occupation were all destined to disappear and that the will of peoples to achieve freedom, equality and justice would finally triumph.

57. The Reverend Benjamin NUÑEZ (Costa Rica) noted that, on the basis of the report of the Special Committee, the Special Political Committee had to decide whether the State of Israel, which administered those territories as a result of a war into which it had been provoked, was respecting the human rights of the inhabitants of the occupied territories. The Government of Costa Rica had always shown a keen interest in the effective implementation of human rights whenever those rights might be in danger. It had also indicated its concern for the living conditions of the peoples of the Middle East as a result of the conflicts in that region.

58. His delegation once more reiterated its position with regard to the composition and work of the Special Committee, a position which it had already stated at the previous session. It considered that the composition of that Committee violated the most elementary standards of legal equity and impartiality required of a committee which carried out investigatory tasks.

59. The Committee was composed of Sri Lanka, Yugoslavia and Senegal, three countries which did not maintain diplomatic relations with the State of Israel and which belonged to the bloc of nations which, despite the protest of a large section of world public opinion, had recently declared that the Zionist movement, with its goal of national rebirth, was a form of racism constituting a danger to world peace. He therefore wondered whether it was possible to maintain that the Special Committee's report was impartial, fair and worthy of being analysed. He also wondered whether the Arab countries would accept a situation in which a committee of Zionists submitted a report on the treatment that had been and was being given to the Jews who were still suffering within their frontiers.

60. Mr. RASOLONDRAIBE (Madagascar), speaking on a point of order, said that the representative of Costa Rica was passing judgement on the integrity of the members of the Special Committee and requested him to indicate whether his judgement was based on a reading of the report. If not, he would be setting an extraordinary precedent in the Special Political Committee whereby a representative referred to the integrity of a committee appointed by the General Assembly.

61. The CHAIRMAN replied that the delegation of Costa Rica had the sovereign right to express its views.

62. Mr. SIBAHI (Syrian Arab Republic), speaking on a point of order, said that the Special Political Committee had no reason to reconsider a General Assembly resolution setting up a committee. The Special Political Committee was currently considering the report submitted by the

Special Committee, and the remarks of the Costa Rican delegation referred not to that report but to the composition of the Special Committee.

63. The CHAIRMAN requested the representative of the Syrian Arab Republic to indicate to what his point of order referred.

64. Mr. SIBAHI (Syrian Arab Republic) said that the Committee should be discussing the Special Committee's report, not a resolution already adopted by the General Assembly. Any reconsideration of the decision taken by the General Assembly must take place in conformity with the provisions of the Charter.

65. The CHAIRMAN asked the representative of the Syrian Arab Republic under which rule of the rules of procedure he had raised a point of order.

66. Mr. SIBAHI (Syrian Arab Republic) replied that the Special Political Committee was considering the Special Committee's report and that the representative of Costa Rica had referred to a decision adopted by the General Assembly several years earlier and had suggested that the composition of the Special Committee was illegal. His delegation maintained that the Special Political Committee had no right to reconsider a decision taken by the General Assembly.

67. As to the doubts cast upon the integrity of the members of the Special Committee, that question was not pertinent to the discussion now in progress.

68. The CHAIRMAN took the view that the representative of Costa Rica had violated no rule of procedure.

69. The Reverend Benjamin NUÑEZ (Costa Rica) said he wondered whether the Special Political Committee could make a judgement on the basis of a report prepared by a committee which had reached conclusions concerning the situation to be investigated before beginning its investigation. His delegation was ready to consider a report prepared on a fair basis by a committee made up of neutral persons who analysed the situation objectively. But Costa Rica could not accept the activities of the Special Committee unless the General Assembly changed its mandate to ensure that it was concerned with the fate of all human beings who had been victims of the various conflicts occurring in the area, and who lived under the jurisdiction of Israel or another State.

70. His delegation did not believe that the entire contents of the report were false, but felt that it was necessary to guard against half-truths.

71. He had been an eye-witness in Israel for more than two years and could attest to certain facts. There were no oil agreements or economic ties between Costa Rica and Israel, and the only bonds uniting them were their commitment to social democracy and to the same moral and spiritual ideals. In Israel he had seen Jews and Arabs coexisting peacefully, and had also seen the improvement in the living standards of the Arabs and in public health conditions. He had had complete freedom to visit the Christian holy places and had in his possession a declaration

signed by religious leaders in Israel indicating that there was freedom of worship and respect for all religions.

72. In the occupied territories the Arabs enjoyed freedom of expression and were employed on equal terms with the Jews. Furthermore, in contrast to the times when the Gaza strip had been administered by another Power, they had full freedom of movement. He thought that a committee, made up of persons not involved in the Middle East question and sincerely interested in ascertaining the truth, should visit the occupied territories and talk to the inhabitants. The current report would then be eclipsed.

73. His delegation was aware that the occupation was an abnormal, traumatic and painful situation which had to be ended, but he would not be doing justice if he did not state that the occupying Power had done its best to make that anomalous situation less painful. His delegation would like the leaders of the affected areas to meet in order to work out a solution, in a desire to achieve peace.

74. Mr. HAMMAD (United Arab Emirates), speaking in exercise of the right of reply, said that, although it was not worth replying to many of the points raised by the representative of Costa Rica, he could not ignore that representative's attack on the integrity of the Special Committee. Everyone knew the bias which Costa Rica had always shown with regard to the Palestine question, and the Costa Rican representative should therefore be the last to talk about bias. That representative had said that he would like a more impartial and fairer committee to be established. It would be recalled that, years ago, the Security Council had requested the Secretary-General to appoint a representative to investigate Israeli practices. He wondered if the representative of Costa Rica also considered the Secretary-General to be biased. If that representative wished to establish another committee, he might recall that the Chairman of the Special Committee had said that anyone who thought that that Committee was biased should try to create another one, and the Costa Rican representative could, if he wished, submit a draft resolution proposing the formation of a new committee.

75. The representative of Costa Rica had apparently not seen, or had not wished to see, displaced persons, prisons, camps, expropriations, or confiscations in the occupied territories, yet he took the liberty of attacking the Special Committee's report, which was based on articles published in the press and on statements by Israeli leaders.

76. The CHAIRMAN invited the representative of the Palestine Liberation Organization to address the Committee.

77. Mr. TERZI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that the representative of Costa Rica had insinuated that the Special Committee's report was biased or that judgement had been passed *in absentia*. He wished to point out that paragraph 1 of the Special Committee's report (A/10272) stated that that Committee had been established by the General Assembly under resolution 2443 (XXIII) and that paragraph 18 stated that the Special Committee had continued its investigation of allegations of violations of human rights of the population of the occupied territories. In

paragraph 19, the Committee stated that, although still denied access by the Government of Israel to the occupied territories to conduct its investigation on the spot, it had continued to follow, on a day-to-day basis, developments in those territories and reports of statements by members of the Government of Israel and other Israeli leaders. If the representative of Costa Rica had read the Special Committee's report, he would realize that if that Committee had been allowed to enter the occupied territories no one would now be able to cast doubt on the accuracy of the report. For that very reason the Special Committee had been denied access, because otherwise the report would have been irrefutable.

78. He also drew attention to paragraph 186 of the report, which discussed the case of Archbishop Capucci, who had been tried by a court that had not been properly constituted under international law. He reminded the representative of Costa Rica of the appeals made by the Pope and of the concern expressed by the Pontiff about the fate of Christians and of the Christian holy places in the occupied territories.

79. The representative of Costa Rica was owed respect as a priest, but he must also be told the truth. The Palestinians still hoped to live in peace, and he recalled that in 1940 there had been quarters of Jerusalem in which Jews and Arabs had lived in peace and harmony.

80. Mr. FADHLI (Democratic Yemen), speaking in exercise of the right of reply, noted that the representative of Costa Rica had spoken of peaceful coexistence between Arabs and Jews. Actually, there were Arab Jews, Christian Jews, Christian Arabs and Moslem Arabs. That representative had also spoken of Israeli administration of the occupied territories. That was a euphemism for a colonial area, the situation in which could well be considered by the Fourth Committee. The Costa Rican representative had also indicated that the Arabs living in the Gaza strip when it had been administered by another country—presumably Egypt—had not had freedom of movement. It should be pointed out that freedom of movement, as understood by the Zionist State, meant that the Palestinians could leave their homeland, never to return.

81. Mr. SENGHOR (Senegal), speaking in exercise of the right of reply, rejected the comments made by the Costa Rican representative reflecting on the integrity of the Ambassador of Senegal, a member of the Special Committee, who had taken part in the drafting of the report submitted by the Committee.

82. The Reverend Benjamin NUÑEZ (Costa Rica), speaking in exercise of the right of reply, said that when he had spoken of disqualifying the Committee he had not been referring to the ethics of its members. He had not accused the members of the Special Committee of lack of integrity, but considered that they lacked the legal capacity to perform that particular task.

83. Referring to the case of Archbishop Capucci, he said he was not familiar with the legal machinery of the State of Israel, but had read a letter signed by representatives of the Ecumenical Theological Research Fraternity in Israel reflecting the accusations concerning arbitrary imprisonment



and ill-treatment in the case of Archbishop Capucci and expressing the conviction that he had been fairly treated.

84. He wished to make it clear that, in his statement, he had only dealt with points that were never referred to in the Special Political Committee.

85. Mr. TERZI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, reminded the representative of Costa Rica that the members of the Special Committee, in that capacity, no longer acted as representatives of their Governments. They should therefore be allowed access to the occupied territories as members of a United Nations committee.

86. The activities of the clergy were also, and indeed principally, concerned with the struggle against injustice, and the trial of Archbishop Capucci had been a case of injustice since the court that had tried him had not been legally constituted.

87. Mr. HAMMAD (United Arab Emirates), speaking in exercise of the right of reply, said that the representative of

Costa Rica had cast doubt on the qualifications of the members of the Special Committee because of their relations with the Arab States and their attitude towards Israel. He doubted whether the representative of Costa Rica, in view of his relations with Israel and his attitude towards the Arab countries, could question the Committee's qualifications.

88. If the Costa Rican representative was not satisfied with the report, he could propose something constructive, such as an investigation by the Secretary-General in the occupied territories, or he could submit a draft resolution.

89. The Reverend Benjamin NÚÑEZ (Costa Rica), speaking in exercise of the right of reply, said that he would be prepared to submit a draft resolution but would have to follow the instructions given him by his Government in the matter.

*The meeting rose at 6.20 p.m.*

## 988th meeting

Tuesday, 2 December 1975, at 10.45 a.m.

*Chairman:* Mr. Roberto MARTINEZ ORDOÑEZ (Honduras).

A/SPC/SR.988

### AGENDA ITEM 51

Comprehensive review of the whole question of peace-keeping operations in all their aspects: report of the Special Committee on Peace-keeping Operations (*continued*)\* (A/10366, A/SPC/L.339)

1. The CHAIRMAN announced that Madagascar and Senegal had become sponsors of draft resolution A/SPC/L.339.

### AGENDA ITEM 52

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (*continued*) (A/10074, A/10128, A/10163-S/11780, A/10164-S/11784, A/10174-S/11797, A/10178-S/11799, A/10204-S/11809, A/10272, A/10286, A/10370)

#### GENERAL DEBATE (*continued*)

2. Mr. PASHKEVICH (Byelorussian Soviet Socialist Republic) said that, if the situation in the Middle East was to be prevented from leading to a resumption of hostilities, it was necessary, as the Byelorussian SSR and other peace-loving countries had constantly demanded, to arrive at a final settlement based on the resolutions of the Security Council, which required the withdrawal of Israeli troops from all territories occupied since 1967 and respect for the

rights of the Palestinian people and of all the States and peoples of the region. The negative attitude adopted by Israel, despite a few trivial concessions, towards the implementation of United Nations resolutions must not discourage the peace-loving countries, which should show their solidarity with the population of the occupied territories in order to repel the aggressor.

3. The item under discussion related to one of the most important aspects of the question. The seventh report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/10272) afforded much information on the ideology underlying Israel's actions and highlighted the need to protect the occupied territories. It provided evidence of the deterioration of material conditions and the mental suffering imposed on innocent people. It contradicted the Israeli representative's statements to the effect that the authorities of his country would take every step to protect the rights of the population of territories which Israel was supposedly occupying solely for its own defence; as for exactions, if they in fact occurred, they were aberrant acts by individuals and were always severely punished.

4. If that was true, he wondered why, by refusing to allow members of the Special Committee to enter the territories, Israel itself gave proof of the contempt in which it held the resolutions of the United Nations.

5. There could be no talk of humanitarian acts in connexion with the situation prevailing in the occupied

\* Resumed from the 984th meeting.