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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
SEVEN HUNDRED AND EIGHTY-FIFTH MEETING

Held at Headquarters, New York,
on Wednesday, 27 January 1988, at 11.30 p.m.

President: Sir Crispin TICKELL

(United Kingdom of Great Britain and
Northern Ireland)

Members: Algeria
Argentina
Brazil
China
France
Germany, Federal Republic of
Italy
Japan
Nepal
Senegal
Union of Soviet Socialist
Republics
United States of America
Yugoslavia
Zambia

Mr. DJOUDI
Mr. BEAUGE
Mr. NOGUEIRA-BATISTA
Mr. LI Luye
Mr. BLANC
Count YORK von WARTENBURG
Mr. BUCCI
Mr. KIKUCHI
Mr. JOSSE
Mr. SARRE
Mr. SMIRNOV
Mr. WALTERS
Mr. PEJIC
Mr. ZUZE

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The meeting was called to order at 11.45 a.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL IN ACCORDANCE WITH RESOLUTION 605 (1987) (S/19443)

The PRESIDENT: I should like to inform the Council that I have received letters from the representatives of Czechoslovakia, Egypt, Jordan, Kuwait and the Syrian Arab Republic in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Zapotocky (Czechoslovakia), Mr. Badawi (Egypt), Mr. Salah (Jordan), Mr. Abulhasan (Kuwait), and Mr. Al-Masri (Syrian Arab Republic) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should also like to inform the Council that I have received a letter dated 27 January 1988 from the Permanent Representative of Algeria to the United Nations, which reads as follows:

"I have the honour to request that the Security Council extend an invitation to Mr. Zehdi Labib Terzi, Permanent Observer of the Palestine Liberation Organization to the United Nations, in accordance with the Council's past practice, in connection with the Council's consideration of the item 'The situation in the occupied Arab territories'."

That letter will be circulated as document S/19455.

The proposal by Algeria is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure of the Security Council, but if approved by the Council the invitation to participate in the debate would confer on the Palestine Liberation Organization the same rights of participation as those conferred on Member States when invited to participate pursuant to rule 37.

Does any member of the Council wish to speak on this proposal?

Mr. WALTERS (United States of America): The United States has consistently taken the position that under the provisional rules of procedure of the Security Council the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39. For four decades the United States has supported a generous interpretation of rule 39 and would certainly not object had this matter been raised under that rule. We are, however, opposed to special ad hoc departures from orderly procedure. The United States consequently opposes extending to the Palestine Liberation Organization the same rights to participate in the proceedings of the Security Council as if that organization represented a Member State of the United Nations. We certainly believe in listening to all points of view, but not if that requires violating the rules. In particular, the United States does not agree with the recent practice of

(Mr. Walters, United States)

the Security Council which appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from the rules of procedure. We consider this special practice to be without legal foundation and to constitute an abuse of the rules.

For those reasons, the United States requests that the terms of the proposed invitation be put to the vote. Of course, the United States will vote against the proposal.

Mr. BUCCI (Italy): In the past, and recently as well, the Security Council has been called upon to take a position concerning the participation in a debate before the Council of entities other than States. These requests have been based not on a specific provision of the provisional rules of procedure but rather, as today, on a practice of the Security Council which is seen as customary.

Italy will abstain in the vote on a request based on such an argument. We have done so in the past and we will do so again today.

With reference to the PLO, this matter was raised in 1975. On 4 December of that year, at the 1859th meeting of the Security Council, a proposal was put to the vote. The result of that vote raised the possibility of the PLO taking part in the work of the Security Council in a manner extraneous to the scope of rules 37 and 39 of the provisional rules of procedure. Italy, then a member of the Security Council, abstained in that vote.

Our position reflects the conviction that the work of the Security Council should be governed by the clear provisions contained in the provisional rules of procedure. It is essential that we remain respectful of that principle, for the Security Council must maintain an incontrovertible stance with regard to the many cases which events may bring before it. In essence, the concern of my delegation arises from the necessity of ensuring the proper functioning of the Council, based

(Mr. Bucci, Italy)

on respect for the rules that govern the activities of this important body of the United Nations, rules which are designed also to meet substantive requirements.

The PLO has the status of Observer, and my delegation believes it has the right to deal with issues which directly concern the question of Palestine. When such issues are debated, the Security Council should have a complete picture of the facts; my delegation believes that the opinion of the PLO can make a valuable contribution to a proper assessment of the situation.

I wished to take up these points again in order to clarify our position and to have it duly recorded in the documents of the Security Council.

The PRESIDENT: If no other member of the Council wishes to speak, I shall take it that the Council is ready to vote on the proposal by Algeria.

It is so decided.

A vote was taken by show of hands.

In favour: Algeria, Argentina, Brazil, China, Japan, Nepal, Senegal, Union of Soviet Socialist Republics, Yugoslavia, Zambia

Against: United States of America

Abstaining: France, Germany, Federal Republic of, Italy, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT: The result of the voting is as follows: 10 votes in favour, 1 vote against, and 4 abstentions. The proposal has been adopted.

At the invitation of the President, Mr. Terzi (Palestine Liberation Organization) took a place at the Council table.

The PRESIDENT: I should like to inform the Council that I have received a letter dated 26 January 1988 from the Permanent Representative of Kuwait to the United Nations, which reads as follows:

(The President)

"I have the honour to request that during its consideration of the item 'The situation in the occupied Arab territories' the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Syed Sharifuddin Pirzada, Secretary-General of the Organization of the Islamic Conference".

That letter has been published as a document of the Security Council under the symbol S/19453.

If I hear no objection, I shall take it that the Council agrees to extend an invitation to Mr. Pirzada under rule 39 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I should also like to inform the Council that I have received a letter dated 27 January 1988 from the Permanent Representative of Algeria to the United Nations, which reads as follows:

"I have the honour to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Clovis Maksoud, Permanent Observer of the League of Arab States to the United Nations, during the Council's discussion of the item entitled 'The situation in the occupied Arab territories'."

That letter will be published as a document of the Security Council under the symbol S/19456.

If I hear no objection, I shall take it that the Council agrees to extend an invitation to Mr. Maksoud under rule 39 of its provisional rules of procedure.

There being no objection, it is so decided.

(The President)

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them the report submitted to the Security Council by the Secretary-General in accordance with resolution 605 (1987), document S/19443.

I should also like to draw the attention of members of the Council to the following documents: S/19439, letter dated 20 January 1988 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General; S/19441, letter dated 20 January 1988 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General; S/19442, letter dated 20 January 1988 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; S/19452, letter dated 25 January 1988 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General; and S/19454, letter dated 26 January 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General.

(The President)

The first speaker today is the representative of Jordan, who wishes to make a statement in his capacity as Chairman for the month of January of the Group of Arab States. I invite him to take a place at the Council table and to make that statement.

Mr. SALAH (Jordan) (interpretation from Arabic): I should first like to thank you, Mr. President, and through you the other members of the Security Council for granting our request to participate in this debate.

Speaking on behalf of the Group of Arab States, I should like to say how pleased we are to see you, Sir, presiding over the Council once again this month as it discusses this item. Our experience of the previous meetings held under your presidency makes us confident that this time, too, your guidance will enable the Council to deal with a heavy agenda effectively and fruitfully.

For the fourth time in six weeks the Security Council has been convened to consider the situation in the occupied Arab territories. That shows that the present events are very serious and are indeed a direct outcome of that situation.

As is indicated in the preamble to Security Council resolution 605 (1987), the situation in the Palestinian and other occupied Arab territories has been constantly deteriorating. Everyone is aware that this poses a threat to international peace and security. The Security Council is the guardian of international peace and security. The Council has been convened today for exactly the same reason as the one for which it was convened six weeks ago. We hope that this time it will be able to take appropriate action to put an end to the unstable, reprehensible situation in the Middle East and thereby usher in an era of peace and stability and peaceful coexistence.

What makes this series of Security Council meetings different from the previous meetings on this item is that there is a new, important document, which we

(Mr. Salah, Jordan)

trust will assist the Security Council in this renewed debate on the situation before it. That document is the report submitted by the Secretary-General in accordance with paragraph 6 of Security Council resolution 605 (1987). I express our deep thanks to Secretary-General Javier Pérez de Cuéllar for the report, which is extremely detailed and is an impartial and considered representation of the situation, thereby making it one of the most important documents submitted to the Security Council on the question now under discussion. We take this opportunity also of expressing our appreciation to the Under-Secretary-General for Special Political Affairs, Mr. Marrack Goulding, for the efforts and time he devoted to his investigations during his trip - with all its difficulties - in order to provide the Secretary-General with the well-thought-out information that enabled him to submit this report to the Security Council.

The first point that must be stressed - indeed, the point on which we should focus - is that Israel has rejected Security Council resolution 605 (1987), just as in the past it rejected many other Security Council and General Assembly resolutions. That is evidence of Israel's lack of respect for the authority of the Organization and for its important resolutions. We turn to the United Nations to seek a comprehensive and just settlement in the Middle East region because we recognize the importance of the Security Council and the General Assembly and their resolutions. Israel, on the other hand, as is stated in paragraph 4 of the Secretary-General's report, considers that the Security Council has no role to play in the security of the occupied territories, for which Israel is exclusively responsible. That phrase in paragraph 4 of the report is a direct quote from statements by two Israeli Ministers. How could they say such a thing when the security of the occupied territories falls within the security of the entire Middle East region - indeed, the security of the entire world?

(Mr. Salah, Jordan)

But, despite that position taken by Israel that the security of the occupied territories is its exclusive responsibility, Israel as the occupying Power is not carrying out its obligations vis-à-vis the occupied Arab territories under relevant international law. The most glaring proof of this is that Israel does not recognize the de jure applicability of the Fourth Geneva Convention to those territories, despite the fact that the opinio juris of the world community is that it must be applied. That is stated by the Secretary-General in paragraph 26 of his report. Israel has repeatedly violated the Convention - in fact, so many times that there is no need to go into details now. In paragraph 22 of his report, the Secretary-General gives examples of those violations, and I shall not dwell on them.

The argument repeatedly advanced by Israel for not recognizing the applicability of the Fourth Geneva Convention - namely, that the Power ousted from the Arab territories occupied by Israel was not a legitimate sovereign - is untenable and unacceptable. In paragraph 24 of his report, the Secretary-General stresses that the Israeli position is not accepted by the International Committee of the Red Cross (ICRC), which is the guardian of the Geneva Conventions of 1949, nor has that position been endorsed by the five other High Contracting Parties to the Fourth Geneva Convention. Article 1 of that Convention states that

"The High Contracting Parties undertake to respect and to ensure respect

for the present Convention in all circumstances" -

I stress: "in all circumstances". Under that provision, Israel cannot avoid its legal obligations under the Convention.

(Mr. Salah, Jordan)

In this respect we support the Secretary-General's recommendation that "the Security Council should consider making a solemn appeal to all the High Contracting Parties to the Fourth Geneva Convention that have diplomatic relations with Israel, drawing their attention to their obligation under article 1 of the Convention to '... ensure respect for the present Convention in all circumstances' and urging them to use all the means at their disposal to persuade the Government of Israel to change its position as regards the applicability of the Convention." (S/19443, para. 27)

As is well known to us all, the Secretary-General's report has been submitted in fulfilment of the mandate he was given in Security Council resolution 605 (1987) "to examine the present situation in the occupied territories by all means available to him, and to submit ... recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation".

The report before us cites numerous examples of the grave situation of the population of the occupied Arab territories, refugees and non-refugees. It is clear and self-explanatory, so I need not repeat the examples given. Israel's violations of human rights, its non-recognition of the political rights of the Arab citizens under occupation and its repeated violations of international treaties and instruments have become so well known that no further evidence is required. Paragraphs 13 and 15 of the report give numerous examples of Israeli practices about which the Arab citizens under Israeli occupation complain bitterly. Paragraph 16 states that examples of those practices were cited not only by Palestinians but also by foreign observers.

The living conditions of the Palestinians under occupation continue to deteriorate. The statements of representatives of Israel in many bodies of the United Nations regarding supposed improvements in the economic conditions of the

(Mr. Salah, Jordan)

Arab citizens under Israeli occupation in comparison with such conditions before the occupation spring from unjustified arrogance and have no basis whatever.

As is stated in paragraph 15 of the report, Israel obtains from the occupied Palestinian territories heavy taxation many of the proceeds of which benefit Israel and are not spent in the occupied territories, and practises economic discrimination against the territories with the purpose of hindering their agricultural and industrial development and keeping them as a captive market and source of cheap labour for Israel.

In paragraph 46 the Secretary-General refers to the squalid living conditions of the residents of the refugee camps. There could be no more accurate description of the situation.

In his report the Secretary-General sets forth practical ways and means of improving the living conditions of the Arab population under occupation and ensuring their safety and protection. They merit careful examination by the Security Council because it is essential to achieve those objectives. But I must hasten to add that none of those measures could substitute for the urgent resolution of the underlying problem in the region, which is not a refugee problem but a problem requiring a political solution. Any such measures could not be more than mere palliatives. The uprising of the Palestinians under Israeli occupation was a spontaneous outburst of protest, a natural reaction to 20 years of occupation. As the Israeli leaders have recognized, it was not an isolated phenomenon or the result of incitement from outside. The uprising was the natural outcome of occupation.

As the Secretary-General emphasizes in paragraphs 13 and 20 of his report, the Palestinians consulted said that they rejected occupation and that there was no way in which the Israeli occupation could be made acceptable to the Palestinian people of the occupied territories.

(Mr. Salah, Jordan)

The uprising of our steadfast people under Israeli occupation has stunned the world and focused its attention on the occupied Arab territories. The occupation has lasted for 20 years. The world seemed to forget Israel's occupation of Palestinian territory and its practices against the land and the population.

In paragraph 8 of his report, the Secretary-General gives the feelings and sentiments of the population in the occupied territories. He says that the Palestinians in those territories with whom Mr. Goulding discussed the situation there said that the Israeli practices had to be made known to a world which, after 20 years, seemed to have forgotten the occupied territories. In the same paragraph he states that

"there was also much criticism of the failure of the States Members of the United Nations to secure implementation of the dozens of resolutions adopted by the Security Council and the General Assembly both on the situation in the territories and on the wider political issue of a just and lasting settlement".

We continue to maintain that a comprehensive, just and lasting peaceful settlement will be a viable political undertaking given the necessary political will. We have said in the past, and we repeat now, that we should like such a settlement to be achieved, because without it the situation in the Middle East region will continue to deteriorate and will one day inevitably reach the point of no return.

(Mr. Salah, Jordan)

The Arab States and the Arab world have a sincere commitment to peace. That commitment was defined in the Arab peace plan adopted at the Fez Summit Meeting of 1982 and was reaffirmed at the Extraordinary Arab Summit Conference held at Amman, Jordan, from 8 to 11 November 1987. The Arab leaders at that Conference adopted a Final Declaration in which they supported the convening of an international peace conference under the auspices of the United Nations, to be convened by the Secretary-General, with the participation of the permanent members of the Security Council and all parties to the Arab Israeli conflict, including the Palestine Liberation Organization, the sole, legitimate representative of the Palestinian Arab people, on an equal footing, as the only appropriate means of settling the Arab-Israeli conflict in a peaceful, just and comprehensive manner.

In addition, the Arab Foreign Ministers decided at their meeting held in Tunis four days ago to form a seven-member Committee to hold consultations with representatives of the permanent members of the Security Council and of other countries in order to promote the attainment of a just and comprehensive peace by convening an international peace conference on the Middle East.

The Security Council, in accordance with its mandate and authority, is in duty bound to make a great and urgent effort commensurate with the complexity and gravity of the situation so as to move forward towards a peaceful settlement which, in our view, should be based on Security Council resolutions 242 (1967) and 338 (1973), by means of an effective international conference to be convened by the United Nations Secretary-General, to be attended by the five permanent members of the Security Council as well as all parties concerned with the Arab-Israeli conflict, including the Palestine Liberation Organization, the sole, legitimate representative of the Palestinian people, on an equal footing. Such a settlement should ensure Israeli withdrawal from all Arab territories occupied by Israel since

(Mr. Salah, Jordan)

1967, especially the city of Jerusalem, the return of Palestinian refugees to their homeland and the guarantee of the national rights of the Arab Palestinian people, including its right to self-determination and the establishment of an independent State on its national territory. Such a settlement should also ensure peace and security for all States of the region.

Count YORK von WARTENBERG (Federal Republic of Germany): The end of the month is near, but this is my first opportunity to speak in the Council and I should therefore like to congratulate you, Sir, on the assumption of your function as President of the Council. All the members of the Council have already had many opportunities to acknowledge the great skill and the clear and strong vision and will of leadership that you have shown in our work. It is a privilege for my delegation to pay a tribute to you.

I should also like to thank Ambassador Belonogov of the Soviet Union and would ask his delegation to convey our thanks to him for the excellent manner in which he handled the enormous work load before the Council during the month of December.

We are deeply concerned, as I think are all the members of the Security Council, about the recent developments in the occupied territories.

My Foreign Minister Mr. Genscher, during his recent visit to Israel on 23 and 24 January, voiced his grave preoccupation. Though it is not easy in view of the disturbing developments, I should like to speak rather briefly at this stage - briefly, for two reasons: First, the Secretary-General has presented to the Council, in our view, an excellent report which should serve us as a master plan for steps to be taken. In this report, which we fully endorse and for which we owe a tribute to the Secretary-General, he has already anticipated most of what we would like to say at the present stage. So we could only repeat what he said, and repetition is precisely not the task of the Council.

(Count York von Wartenberg,
Federal Republic of Germany)

The second reason for briefness is that the developments in the occupied territories and the report of the Secretary-General have given us all a lot of food for thought.

Indeed, an urgent effort, a new impetus, is required to promote an effective negotiating process in the Middle East. But in view of the importance of the issue before us and its difficulties, indeed, we feel that we need some time for in-depth reflection before we can address on a solid basis the fundamental questions raised again in all sharpness by the recent events.

In the meantime, we need no window-dressing, no hasty answers on this fundamental issue, no activism for activism's sake. What we now need is a readiness to listen, a willingness not to insist on maximalistic positions, an understanding of the security aspirations and the legitimate rights of others, a spirit of compromise, conciliation and good-will. This is now the first priority.

The fundamental question on which we will have to reflect in the coming weeks is: how can the Security Council contribute in a constructive way to a process leading to a comprehensive, just and lasting solution in the Middle East, a solution on which all parties to the conflict can and must agree?

We think the position of the member States of the European Community can be helpful in this phase of reflection before us.

(Count York von Wartenburg,
Federal Republic of Germany)

In their Venice Declaration, to which in all its parts my Government remains committed, the members of the Community have stated that a solution should be based on Security Council resolutions 242 (1967) and 338 (1973) and on the recognition and implementation of the right to existence and to security of all States in the region, including Israel, and on justice for all peoples, which implies the recognition of the legitimate rights of the Palestinian people. The Palestinian problem, they stated, is not simply one of refugees. The Palestinian people must be placed in a position, by an appropriate process defined within the framework of the comprehensive peace settlement, to exercise fully its right to self-determination. At the same time, the members of the Community expressed their view that the renunciation of force, or of the threatened use of force, by all parties concerned should constitute a basic element for the settlement of the conflict.

Finally, in their Declaration made in Brussels on 23 February 1987, the Twelve stated that they are in favour of an international peace conference to be held under the auspices of the United Nations. In our view, this is at present the only formula allowing the peace process to move forward.

We think these elements should be part of the reflections and consultations to be undertaken in the forthcoming weeks. Meanwhile, it is necessary that all sides show maximum restraint and that the civilian population in the occupied territories be treated in full conformity with the Fourth Geneva Convention, which is, as the Secretary-General in his report showed convincingly, applicable de jure in the territories occupied by Israel since 1967. This is not merely a legalistic question but one which deals with the respect that Israel, as the occupying Power, owes to the collective and individual rights and to the dignity of the Palestinians

(Count York von Wartenburg,
Federal Republic of Germany)

in the occupied territories. Therefore, the violations of the Geneva Convention described in the report of the Secretary-General are inadmissible.

The recommendations contained in his report constitute, in our view, valuable and feasible proposals, which the Council might wish to support. But at the same time, we also fully agree with the Secretary-General that any action concerning the protection of the Palestinian population in the occupied territories can only be an interim measure responding to urgent needs. It cannot be a substitute for concrete and substantive efforts to invigorate the peace process efforts which have to address the root causes of the conflict.

In view of this essential goal we have noted with great satisfaction expressions of readiness by the parties to the Middle East conflict for a political solution. This commitment to a political solution is fundamental, as it necessarily implies on all sides concerned - and I stress "necessarily" - the readiness to compromise. Solutions without compromise would not be political solutions. Those who have expressed their readiness for a political solution should now be taken at their word.

Good will and a spirit of compromise are not a sign of weakness. On the contrary, they call for courage and statesmanship. Of course, this is the more difficult, the more difficult the situation is. But at the same time, it is all the more imperative.

We therefore call on all parties directly concerned to show now statesmanship, despite all understandable feelings of bitterness - statesmanship in their deeds and their words, already beginning perhaps in this debate. All other parties concerned and the members of the Security Council should join the constructive approach taken by the Secretary-General and support him.

(Count York von Wartenburg,
Federal Republic of Germany)

We are convinced that the Security Council, in a constructive spirit, can then play an important and helpful role in finding the path to peace.

The PRESIDENT: I thank the representative of the Federal Republic of Germany for his kind words about me.

The next speaker is Mr. Syed Sharifuddin Pirzada, Secretary-General of the Organization of the Islamic Conference, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

Mr. PIRZADA: I thank you, Sir, and the other members of the Security Council, for providing me an opportunity, as the Secretary-General of the Organization of the Islamic Conference, to participate in this debate and to inform the Security Council of the position and the views of the Islamic Conference representing 46 States on the brutalities and atrocities being committed by Israeli soldiers under orders from Israeli leadership against unarmed and helpless Palestinian people in occupied Palestinian and Arab territories.

Allow me, however, first to congratulate you, Sir, on your assumption of the presidency of the Security Council. I am confident that during your presidency the grave events in the occupied territories which have jolted the conscience of the world community will be thoroughly addressed; it is to be hoped that this body, which has the primary responsibility for the maintenance of international peace and security, will acquit itself of this responsibility in a befitting manner.

The Security Council is well aware of the grave situation that has evolved in the occupied territories. In pursuance of Security Council resolution 605 (1987) Under-Secretary-General Goulding undertook a visit to the occupied territories and the Secretary-General has submitted the report on the issue to the Security Council. We would like to thank the Secretary-General for his comprehensive report

(Mr. Pirzada)

which has been prepared despite the various obstacles placed in the way of Mr. Goulding by the Israeli authorities, including the efforts to prevent him from visiting the refugee camps in occupied territories. The behaviour of the Israeli authorities during Mr. Goulding's visit is another indication of Israel's utter disregard of the decisions of the United Nations and its Security Council.

(Mr. Pirzada)

The pernicious policies pursued by the occupation régime in the West Bank and Gaza which have resulted in the deaths of more than 40 Palestinians, most of them children, injuries to hundreds of others, arrests and detention of thousands, summary trials, blockade of the refugee camps, round-the-clock curfew, refusal of the occupation authorities to permit food to enter into the camps, arbitrary and illegal deportation of Palestinians, desecration of the holy places of Muslims, lethal firing into the crowds offering prayers and brutal beatings of innocent Palestinians dragged out of their houses are all testimony to the oppression being visited upon the Palestinian people by an occupying Power which wishes to perpetuate its dominance, is impervious to all reason and pretends indignant self-righteousness even while it practises the vilest repression against the people and the territories it has occupied by force. Its desire to destroy the spirit and the will of the Palestinian people to resist occupation and indignity makes it blind to the Geneva Convention relating to the Protection of Civilian Persons in Time of War, of 12 August 1949, and all principles of international law and morality. Its inhumanity has passed all bounds.

The uprising of the Palestinian people in the occupied territories is neither unexpected nor transient. It is a reflection of more than 20 years of occupation, repression, denial of human rights, inhumanity, indignity and a pent-up feeling of fury, frustration and despair. The Palestinians have knocked at the door of this august body to seek justice, to seek the restoration of their inalienable national rights, to seek the vacation of aggression by the Zionist forces, to seek to establish a homeland which they can call their own, to seek a life as an independent and self-respecting people like other peoples in the world. For decades they have been disappointed at the lack of action by the Security Council and by the international community, at the lack of will to enforce international

(Mr. Pirzada)

law on the part of this body, at the lack of its ability to ensure that its decisions are respected, despite the fact that enforcing mechanisms are available to the Security Council under the Charter of the United Nations. This is fully borne out by the report of the Secretary-General. In paragraph 8 thereof it is stated:

"During these visits to refugee camps and in many meetings with groups and individuals elsewhere in the occupied territories, Mr. Goulding and his colleagues were able to discuss the situation in the territories with about 200 Palestinian men and women, of all ages and from all walks of life, ranging from intellectuals and elected mayors to the most deprived residents of the camps. All rejected the Israeli occupation of the West Bank and the Gaza Strip and insisted that the Palestinian problem was not a problem of refugees but a political problem requiring a political solution. Priority, they said, had to be given to the negotiation of such a settlement and measures to alleviate the suffering of the civilian population should not be allowed to become a substitute for an urgent solution of the underlying political problem. All complained bitterly about Israeli practices in the occupied territories, especially the behaviour of the security forces, and about the Israeli settlements and the obstruction of Palestinian economic development. It was argued that these practices had to be made known to a world which, after 20 years, seemed to have forgotten the occupied territories. There was also much criticism of the failure of the States Members of the United Nations to secure implementation of the dozens of resolutions adopted by the Security Council and the General Assembly, both on the situation in the territories and on the wider political issue of a just and lasting settlement." (A/19443, p. 4)

(Mr. Pirzada)

A new generation has grown up in Palestine. Children who were born in and since 1967 are now young men. They have seen nothing except the overweening pride of the Israeli occupation forces and of the illegal settlers who have forcibly taken over their lands. They have seen them swaggering through their territory, evicting them from their houses, blowing up their residences, taking over their land by force, denying them their national and natural resources, closing down their universities and educational institutions, profaning their places of worship, attacking them with impunity, consolidating their hold on the territories for permanent annexation, declaring Al-Quds Al-Sharif the eternal capital of the Zionist State. And they have seen the international community powerless to stop this continuing aggression against their property, their values, their religion, their culture, their dignity and their life. The hopes that they have reposed in the international community have been belied; the faith that they had placed in the supremacy of international law has been destroyed; their aspirations for a free life have been trampled by the callous and brutal forces of occupation. Loss of hope is a corrosive feeling. It gnaws at one and gives one courage, a desperate courage, to face fearful odds, to accept death rather than indignity. This is what is happening in Palestine today. The unarmed men, women and children who are protesting their plight and who are being mowed down by Zionist guns are sending the Council a message with their blood.

And how has the Zionist State responded? It seeks to describe the massive and national uprising as mere "disturbances" which have been inspired by a foreign hand and which, according to the Zionist Defence Minister, will be put down with an "iron fist". The statements and actions of the Israeli Prime Minister, Defence Minister, field commanders, soldiers and illegal Israeli settlers speak for themselves.

(Mr. Pirzada)

The callous disregard for all human values reflected in the attitude of Israeli soldiers is well documented. The tying of a Palestinian to the front of an Israeli army vehicle advancing towards the protesters so that their stones should injure him is one example. The trampling by Israeli soldiers of the loaves of bread and food that some Palestinian women were trying to take into the camp to feed their children is another.

A report appearing in The New York Times of 26 January 1988 stated, inter alia:

"We saw the soldiers grab a kid from the street near the vegetable market", said Abdel Hafiz, a 35-year-old cab driver. 'They tied his hands behind him and beat him all the way from the street to the wall. They pushed him up against the wall and then the soldiers, about six or seven of them, kicked him, punched him and smashed his head and body with their rifle butts.'

"The blood that is on the wall now is from the boy's head, his face and hands', Mr. Hafiz said.

"...

"In a fashionable boutique this afternoon, a middle-aged saleswoman put down her sandwich as she read a story on the front page of The Jerusalem Post about a blood-spattered wall on a vacant lot in Ramallah, a town in the West Bank, where Israeli soldiers had been taking Palestinian youths to beat them.

"I can't eat my sandwich anymore,' she burst out. 'This is like what was done in the camps.' She seemed to be referring to the Nazi concentration camps of World War II. 'I can't eat anymore', she said." (The New York Times, 26 January 1988, p. A6)

Such examples abound.

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As regards summary and perfunctory trials, I quote the following from an article in The New York Times of 26 January 1988 by Martin Garbus:

"... Israel was applying a dual system of justice. I saw the system this month when, as part of a delegation of lawyers, I observed Israeli military courts treating Palestinians in Gaza and the West Bank unjustly.

"Palestinians in those occupied territories are tried in military courts without enjoying fundamental legal rights. But Israelis who commit crimes against Palestinians are tried in non-military courts and given the full protection of a fine legal system. Palestinian young men facing up to 10 years for rock throwing are routinely denied pretrial release, while Jewish settlers and soldiers accused of seriously injuring Palestinians may not even be charged with crimes and, if they are, they are routinely given bail.

"...

"The confrontation came to a head Jan. 18, when a military judge in Gaza held Raji Sourani, a defense lawyer, in contempt, sentencing him to the equivalent of \$100 or 15 days in jail for saying he and the other lawyers would refuse to defend their clients.

"...

"There is hardly an appearance of justice in these military courts."

(The New York Times, 26 January 1988, p. A25)

It is indeed tragic that some quarters have called for a halt to the so-called reciprocal violence in the occupied territories, thus trying to blame the people of the occupied territories for demanding their fundamental and inalienable human and national rights, thereby trying to equate Israeli brutality and murder with the protests of the unarmed civilians. We ask those who counsel the Palestinians not to protest: How long are these people expected to suffer in silence the indignity

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of occupation, oppression and the denial of human rights? How long will the leaders of the so-called civilized and free world remain silent, nay, oppose the Palestinians when they demand their basic rights? How long will those States which claim to hold aloft the banner of liberty and human rights and which are prepared to interfere in the internal affairs of other States, because of the perceived violation of human rights of certain favoured individuals and groups, continue a selective application of their so-called humanism? How long will they turn away from the massive and constant violation of the human rights of the Palestinian people? One cannot escape the conclusion that there is a duplicity in such policies which are merely an exercise of political expediency. We ask them: Do they believe in the principles that they preach to others and, if so, why have the sufferings of the Palestinian people not galvanized them into action? Why has Israel not been forced to vacate its aggression against and occupation of Palestinian Arab territories, including Al-Quds Al-Sharif? Why has the Security Council been totally ineffective in the face of Israeli aggression and occupation?

Israel is viewed by some as a beleaguered bastion of Western values which must be supported. The non-existent threats to the security of Israel are constantly highlighted. Let us ask ourselves: Who threatens Israel's security? Israel is militarily more powerful than the entire Arab world. Surely, it is not the Palestinians or the Arabs who pose a threat to the security of Israel. It is Israel which threatens the security of the region, as evidenced by its repeated aggression against its neighbours and the occupation of their territories. Since its establishment in the Arab heartland against the declared wishes of the people of the area, it has pursued policies of expansion through aggression: it expanded in 1948; it attacked Egypt in 1956; it started the 1967 war; it has occupied Arab and Palestinian territories and has refused to vacate them; and it has forcibly

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taken over Palestinian lands in the occupied territories to establish Jewish settlements. In Gaza 2,500 Jews have taken over 10 per cent of the best land of the Gaza Strip, while 650,000 Palestinians are huddled in crowded and uninhabitable refugee camps. In the West Bank it has forcibly taken over more than 50 per cent of the land for its illegal settlements policy. It has sought to silence all voices of protest and dissent in the occupied territories through intimidation, detention without trial, torture and murder.

Externally, it pursues State terrorism with impunity. It violates the sovereignty and territorial integrity of its neighbours. The Zionists introduced terrorism in the region long before Israel came into existence. The Irgun and the Stern gangs are universally recognized to have been terrorist organizations. After coming into being, Israel adopted terrorism as an instrument of State policy. The first hijacking of a civilian aircraft was carried out by Israel in or about 1954 when a Syrian civilian plane was hijacked by Israeli war planes. There have been other instances of Israeli hijackings and even the shooting down of a Libyan civilian airliner since then. It has bitten the very hand that feeds it: The deliberate attack, in 1967, on the "USS Liberty" - a ship belonging to its closest ally - resulting in the death of 34 Americans, and injuries to 75, was just another example of Israel's ruthless terrorism.

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The assassination teams unleashed by the Israeli Secret Services are common knowledge. Israel's attacks against the Iraqi peaceful nuclear installations in 1981, its continued invasion of Lebanon since 1982 and its attack on Tunis in 1985 are still fresh in the memory of the international community. Israel has also clandestinely manufactured nuclear weapons, thus sabotaging the international non-proliferation régime and posing an ever greater threat to its neighbours. The same Israel which has declared that it "unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the date when it becomes a Member of the United Nations" rejects all resolutions of the United Nations which seek to find a peaceful and comprehensive solution in the Middle East.

The issue the Security Council is considering today is a direct consequence of these policies of Israel. The national uprising of the Palestinian people against decades of subjugation, occupation, repression and denial of human and national rights is a clear demonstration that those policies can never succeed. The bankruptcy and futility of those policies is self-evident. However, the Israeli leadership does not wish to accept peace on honourable and equitable terms. Instead, in an effort to hoodwink the international community, it offers the partial palliatives of local elections and limited autonomy to Palestinians under continued occupation. The Palestinian people, who are offering their lives for freedom and independence, can no longer be lulled into submission through such meaningless overtures. The international community cannot remain a silent spectator. It must restore to the Palestinian people their dignity and their inalienable national rights, including their right to an independent State in Palestine, their national homeland. Meanwhile, the Palestinian people under occupation must be provided international protection by the United Nations so that

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Israeli forces cannot continue killing the Palestinians, denying them food, and detaining and deporting them illegally, and profaning the holy places of Islam.

I should like to commend the efforts of the Secretary-General, His Excellency Mr. Javier Perez de Cuellar, and the report he has submitted to the Security Council in accordance with resolution 605 (1987). We agree with the basic premise of the report that, while the safety and protection of the Palestinian civilian population must be assured, the underlying problem, which is the continuing occupation by Israel of Palestinian and Arab territories, must be urgently addressed and an effective negotiating process must be promoted in order to find a comprehensive, just and lasting settlement of the Arab-Israeli conflict. The report also exposes Israel's repeated violation of the provisions of the Fourth Geneva Convention, through its attempts to alter the status of Jerusalem, the establishment of illegal Israeli settlements in the occupied territories, deportation of Palestinian civilians, collective punishment and the destruction of houses. We therefore support the Secretary-General's recommendation that Israel must comply fully with the Fourth Geneva Convention laying down the civilian population's entitlement to safety and protection. We trust that the Security Council will adopt the necessary measures for the implementation of all the recommendations of the report.

I should also like to inform the Security Council that the Al-Quds Committee of the Organization of the Islamic Conference (OIC), chaired by His Majesty King Hassan II of Morocco, held an extraordinary session on 5 January 1988 to consider the situation in the occupied territories. The Committee reiterated its condemnation of Israel's occupation of Palestinian and Arab territories, including Al-Quds Al-Sharif, and considered that the continuation of the occupation constituted a grave violation of the human rights and fundamental freedoms of the

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Palestinian people. It strongly condemned the inhuman Zionist policies and practices against the Arab population in the occupied Palestinian territories, as exemplified by eviction, expulsion, deportation, killing, mass detention, expropriation, violation and desecration of holy places, and other similar practices, and called upon the international community to hold an investigation under the auspices of the United Nations and the International Committee of the Red Cross with a view to determining the magnitude of the heinous crimes committed by Israel against the Arab people of Palestine and to bringing such crimes to an end.

It called upon the international community to undertake all possible measures in support of the Palestinian people so that they may regain their legitimate rights, and it reiterated that peace and stability cannot return to the city of Al-Quds, the rest of the Palestinian territories, and the entire Middle East region unless and until a just and comprehensive solution is found to the problem of Palestine, the prime cause of the Muslims and the core of the conflict in the Middle East. Such a solution must enable the Palestinian people to regain their inalienable national rights, including their right to return, to determine their own future without any outside interference, and to establish their own independent and sovereign State in Palestine with Al-Quds Al-Sharif as its capital, under the leadership of their sole, legitimate representative, the Palestine Liberation Organization.

The Committee called for the early convening of an international peace conference on the Middle East, under the auspices of the United Nations, with the participation of the permanent members of the Security Council and all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, on an equal footing.

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I have provided a brief summary of some of the recommendations of the Al-Quds Committee in order to convey to the Security Council the grave concern of the Muslim world at the situation in the occupied territories, as well as its desire for a just, comprehensive and peaceful settlement of the question of Palestine.

The Islamic world expects the Security Council to shoulder and discharge its responsibility. I hope we will not be disappointed once again.

The PRESIDENT: I thank Mr. Pirzada for the kind words he addressed to me.

In view of the lateness of the hour, I intend to adjourn the meeting now. The next meeting of the Security Council to continue the consideration of the item on its agenda will take place today at 3.30 p.m.

The meeting rose at 1.10 p.m.