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Held at the Palais des Nations, Geneva,
on Thursday 4 February 1988, at 3 p.m.

Chairman: Mr. SENE (Senegal)

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

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (E/CN.4/1988/13, 14 and 41; E/CN.4/1988/NGO/10 and 17)

1. Mr. MARTENSON (Under-Secretary-General for Human Rights), introducing the agenda item under consideration, said that one of the purposes of the United Nations, as enunciated in Article 1, paragraph 2, of the Charter was to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples". Although the Universal Declaration of Human Rights did not refer specifically to the right to self-determination of peoples, that right had been recognized and often cited in the decisions of United Nations organs. It had also been included among the human rights recognized and protected by the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. The Commission had had the agenda item before it since 1975.

2. At its forty-third session, the Commission, by resolution 1987/3, had reaffirmed, inter alia, that the question of Western Sahara was a question of decolonization which remained to be completed on the basis of the exercise by the people of their inalienable right to self-determination, and that the political solution of that question lay in the implementation of resolution AHG/Res.104 (XIX) of the Assembly of Heads of State and Government of the Organization of African Unity (OAU), which established ways and means for a just and definitive political solution to that conflict. The Commission had decided in 1987 to follow the development of the situation in Western Sahara and to consider that question within the framework of the current agenda item at its forty-fourth session.

3. By resolution 1987/4, the Commission, inter alia, reaffirmed the inalienable right of the Palestinian people to self-determination without external interference and the establishment of their independent and sovereign State on their national soil, and the inalienable right of the Palestinians to return to their homeland Palestine and their property.

4. By resolution 1987/5, the Commission had called for a political settlement of the situation in Afghanistan on the basis of the withdrawal of foreign troops and full respect for the independence, sovereignty, territorial integrity and non-aligned status of Afghanistan. It had affirmed the right of the Afghan refugees to return to their homes in safety and honour, and appealed to all States and national and international organizations to extend humanitarian relief assistance, with a view to alleviating the hardship of Afghan refugees, in co-ordination with the United Nations High Commissioner for Refugees.

5. By resolution 1987/7, the Commission had called upon all States to implement fully and faithfully the resolutions of the United Nations, in particular General Assembly resolution 1514 (XV), and to take all necessary steps to enable the dependent peoples of southern Africa to exercise fully and without further delay their inalienable right to self-determination and independence. It had reaffirmed the inalienable right of the people of Namibia to self-determination, freedom and national independence in a united Namibia including Walvis Bay and the offshore islands, in accordance with the

Charter of the United Nations and General Assembly resolutions 1514 (XV) and 2145 (XXI), as well as subsequent resolutions of the Assembly relating to Namibia, and the legitimacy of its struggle by all means at its disposal, including armed struggle, against the illegal occupation of its territory by South Africa. The Commission had reiterated its affirmation that the continuation of colonialism in all its forms and manifestations, including racism, racial discrimination, apartheid, the exploitation by foreign and other interests of economic and human resources, and the waging of colonial wars to suppress national liberation movements, was incompatible with the Charter, the Universal Declaration of Human Rights, and the Declaration on the Granting of Independence to Colonial Countries and Peoples, and posed a serious threat to international peace and security. It had decided to include that question in the provisional agenda for its forty-fourth session and to give it high priority consideration.

6. By resolution 1987/6, the Commission had reiterated its condemnation of flagrant violations of human rights in Kampuchea, reaffirmed that the illegal occupation of that country by foreign forces deprived the people of Kampuchea of the exercise of their right to self-determination, and called for the establishment of conditions enabling that people to exercise their right to self-determination and all human rights. It had noted with appreciation the reports of the Ad Hoc Committee of the International Conference on Kampuchea, and requested that the Committee should continue its work and that the Conference be reconvened at an appropriate time, in accordance with General Assembly resolution 41/6. By decision 1987/155, the Economic and Social Council had endorsed Commission on Human Rights resolution 1987/6 on the question of Kampuchea.

7. By resolution 1987/16, the Commission had decided to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination. It had requested the Special Rapporteur to submit to the Commission, at its forty-fourth session, a report on his activities regarding that question. At its first regular session in 1987, the Economic and Social Council, in resolution 1987/61, had urged all States to take the necessary measures, under their respective domestic laws to prohibit the recruitment, financing, training and transit of mercenaries on their territory and other territories under their control.

8. At its forty-second session, the General Assembly had adopted three resolutions of particular relevance to the agenda item under consideration: resolutions 42/94 and 42/95 on the universal realization of the right of peoples to self-determination, and resolution 42/96 on the use of mercenaries as a means of impeding the exercise of the right to self-determination. Lastly, it should be noted that, on 1 September 1987, the Chairman of the Commission had appointed Mr. Enrique Bernales Ballesteros (Peru) Special Rapporteur of the Commission on the question of mercenaries. The Special Rapporteur's report (E/CN.4/1988/14) was before the Commission.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1988/3-5; E/CN.4/1988/NGO/1; A/42/650; A/RES/160 A-G; S/19443)

9. Mr. STRUYE (Belgium) said that, like the international community as a whole, his country had been following with great concern the serious events in the occupied Arab territories which, within a few weeks, had cost the lives of over 40 persons and had caused several hundred persons to be wounded. In that context, his delegation once again affirmed the importance it attached to the question of the rights of the populations of the territories occupied by Israel since 1967. Respect for international law and human rights was essential for the well-being of those populations, and any infringement of those rights could only aggravate the tensions in the region.

10. It was impossible to be unconcerned about the violence which had brought into conflict young stone-throwing Palestinians, on the one hand, and soldiers of the occupying Israeli army, on the other. His delegation regretted that brutal repressive measures had been taken, such as the improper use of live ammunition and illegal deportations. Belgium had been concerned about a policy of force which had been endorsed by the Israeli Government and which, in the lower echelons of the army, had been construed only as blanket permission for hitting out indiscriminately and even for maiming, as was apparent from the hundreds of persons who had suffered broken bones.

11. The recent events must not be allowed to overshadow the more fundamental problems affecting the populations of the occupied territories. In the report which he had recently submitted pursuant to Security Council resolution 605 (1987), the Secretary-General painted an informative picture of the situation and proposed recommendations. The population's grievances against the Israeli authorities, as listed in that report, were in general in keeping with the findings of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories: lack of opportunity of political activity, collective punishments, confiscation of land, expulsions, arbitrary arrests, establishment of new settlements, closure of schools and universities, weakness of the judicial system and economic discrimination.

12. As to the policy of imposing a civil administration on the occupied Arab territories, his delegation considered that military occupation could only be regarded as temporary and did not give the occupying Power any right of annexation or disposition. It therefore strongly condemned Israel's decision to extend its jurisdiction and administration to the region of the Golan Heights.

13. His delegation once again appealed to the Israeli Government to renounce its interpretation of the Fourth Geneva Convention, to which Israel was a party, and to apply de jure and de facto all its provisions in respect of the populations of the occupied territories. In that connection, his delegation congratulated ICRC on the activities which it was steadfastly pursuing in the occupied territories, and expressed gratitude to Israel for the co-operation which it was extending to ICRC and which, it was to be hoped, would be continued.

14. The Belgian delegation shared the Secretary-General's view, as expressed in his report to the Security Council, that the unrest of the past six weeks had been the expression of the discouragement and despair of the inhabitants of the occupied territories who, in the case of more than half of them, had never known anything but an occupation which denied them what they considered to be their legitimate rights. The Secretary-General added that the result was a tragedy for each of the two sides. The violence demonstrated that the status quo was no longer tenable, and that the attitudes of both the occupying Power and the occupied population had become more intractable. Without radical efforts, that situation, which also constituted a greater danger to the existence of Israel as a free and democratic State than an outside threat, could only get worse.

15. Beyond short-term measures, what was required was a political settlement through negotiations. All the parties concerned must accept the right to exist and the right to security of all the States of the region, including Israel, and the right of the Palestinian people to self-determination, with all that implied. In that spirit, Belgium and its partners in the European Community had, on 23 February 1987, expressed their support for the holding of an international peace conference under United Nations auspices and with the participation of the parties concerned, and of any party in a position to make a direct and active contribution to the establishment of peace and security and to the economic and social development of the region. In the opinion of the Twelve, such a conference should constitute an appropriate framework for the necessary negotiations between the parties directly concerned.

16. Mr. Shiqiu CHEN (China) said it was apparent from the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories that during the past year the Israeli authorities had intensified their violations of the human rights and fundamental freedoms of the Palestinian and other Arab inhabitants of the occupied territories through: arbitrary arrests, improper administrative detention, curfew, demolition of dwellings, deportation - including the expulsion of pregnant women, establishment of new settlements, restriction of freedom of movement and expression, and worsening of living conditions in general and of the conditions of detention of prisoners. The cases were too numerous to be listed.

17. But that was not a complete picture since, just when the Special Committee's report had been submitted to the General Assembly at its forty-second session, the Israeli authorities had reached more frenzied levels of brutality in the West Bank and Gaza Strip. During December 1987, dozens of Palestinians had been killed, hundreds wounded, thousands arrested and many others deported. Those barbarous acts, which were still continuing, once again revealed to the international community that the Israeli authorities were responsible for flagrant violations of the human rights and fundamental freedoms of the Palestinian people, violations which had already been irrefutably demonstrated.

18. Those acts had once again aroused the indignation of the international community, and many Governments, including the Government of China, and international organizations such as the Organization of the Islamic Conference and the League of Arab States had protested against the Israeli atrocities and expressed their solidarity with the Palestinian people. The Security Council

had on many occasions strongly condemned those practices and called on Israel to stop banishing Palestinians from the occupied territories. The tragedy being experienced by the Palestinian people had aroused the sympathy and support of the international community.

19. The Israeli authorities had for a long time illegally occupied the Arab territories by force and were attempting to deprive the Palestinian people of their legitimate national rights and to annex their territories by means of violence. That conduct was diametrically opposed to the Charter of the United Nations, the International Covenants on Human Rights and the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War.

20. Injustice to a nation was tantamount to injustice to mankind as a whole. The Israeli authorities had not only caused the tragedy of the Palestinian people, but had also jeopardized the peace and stability of the whole world and affronted the conscience of mankind. The Chinese Government and people, together with all other justice-loving countries and peoples, strongly condemned the Israeli authorities for their unjust and inhuman conduct. China, which had always supported the struggle of the Palestinian people for the exercise of their sacred national rights, demanded that the Israeli authorities immediately stop their persecution of the Palestinian people in the occupied territories, terminate their occupation of Palestine and withdraw from all the Arab territories occupied since 1967, so that the Palestinian people could exercise their national rights and their basic human rights and freedoms.

21. The Palestinian people had waged a protracted and unremitting struggle for their sacred national right to exist. Their determination had not weakened with the passage of time or been shaken by cruel repression at the hands of the Israeli authorities. China appealed to the international community to give the Palestinian people more support by exerting stronger pressure on Israel so as to contribute to an early and just settlement of the Palestinian question.

22. Mr. BIGGAR (Ireland) said that the events of the past few weeks, which gave particular relevance to the agenda item under consideration, had focused world attention on the situation of the Palestinian inhabitants of the West Bank and the Gaza Strip. After the outcry caused by the use of live ammunition by Israeli troops against demonstrators, which had resulted in the death of over 40 Palestinians, any person suspected of being involved in the unrest was brutally beaten. In an effort to end the disturbances, the Israeli authorities had resorted to collective punishments such as curfews and the threat to cut off essential supplies, including food for the refugee camps. His Government viewed with particular concern the refusal of Israel to respond to Security Council resolutions 607 (1988), and 608 (1988), which called on it to refrain from deporting Palestinian civilians from the occupied territories. All those blatant violations of the Geneva Conventions and of the most basic human rights, which would have been unacceptable if they had resulted from the random actions of undisciplined troops, were carried out as the deliberate security policy of the Israeli Government; that was intolerable from the moral standpoint and, furthermore, was not in Israel's interest. Experience showed that the use of such tactics against a community

by outside security forces resulted only in deepening alienation, more violent reaction and less security. Experience showed, moreover, that any policy which was purely security-oriented and which was not concerned to promote reconciliation and political progress was doomed to disaster.

23. The events of the past few weeks should not, however, be allowed to obscure the fact that everyday life under Israeli occupation was characterized by serious violations of human rights. His Government continued to be very concerned at such practices as administrative detention without charge or trial, town arrest, deportation, the demolition of houses and the closure of academic institutions as a form of collective punishment. The previous year, Bir Zeit University had been closed for four months. Ireland, which maintained close links with Bethlehem University, regretted that that university too, had been closed on 28 November, for three months, by military order. That policy of academic closures had serious consequences since education was essential for self-improvement and financial self-sufficiency for individuals, and for the economy in general.

24. Ireland's approach to the question of the occupied territories was based on the inadmissibility of the acquisition of territory by force, and that was what Israel was doing in the West Bank and the Gaza Strip. A military occupation was temporary and conveyed no permanent rights under international law. His Government, which had consistently opposed the Israeli policy of opening settlements in the occupied territories, considered that every settlement constituted a violation of international law, and it called upon the Israeli Government to end that policy.

25. His delegation welcomed the Secretary-General's report submitted to the Security Council in pursuance of Council resolution 605 (1987), including its principal recommendation that the international community should make a concerted effort to persuade Israel to accept the de jure applicability of the Fourth Geneva Convention and to correct its policy in order to comply with that Convention. Like the rest of the international community, Ireland had always considered that the Convention was applicable to the occupied territories, and it called on Israel to accept its obligations under international law.

26. The situation in the occupied territories was due to the conflicts between the rights of Israel and the rights of the Palestinians, the latter having been consistently denied. A solution could be achieved only in the context of a just, comprehensive and lasting peace in the region, in accordance with the principles set out in the Venice Declaration by the States members of the European Community. Ireland reiterated its support for an international peace conference under the auspices of the United Nations. The right of the Palestinian people to self-determination and all that implied must be guaranteed, as must the existence and security of the State of Israel. The PLO, whose role as representative of the Palestinians Ireland recognized, had a legitimate part to play in the negotiation and implementation of a settlement. The events of the past few weeks had clearly shown that the cycle of violence and repression must stop and that an international peace conference must be held in order to deal with the issue, in the interests of all parties concerned. His Government would do everything it could to promote peace within the framework he had mentioned.

27. Mr. ARTACHO (Spain) expressed his congratulations to the members of the Bureau, whom he assured of his delegation's co-operation with a view to the fruitful conclusion of the work of the Commission's forty-fourth session.

28. When Israel had seized military control of the West Bank and Gaza, it had been widely believed that that occupation would be of limited duration. Unfortunately, some 21 years later, the Israeli authorities were being criticized no longer only because they seemingly had no intention of leaving those territories and were pursuing their settlement policy in them, but also because of their policy with regard to the Palestinian population and their policy of exploitation of the human and material resources of the territories. The prohibition, embodied in the Charter of the United Nations, of the threat or use of force rendered it impossible to recognize any acquisition of territory effected by those means; consequently, Spain opposed any measure taken by Israel to consolidate its occupation and, with all the more justification, any measure to annex the territories occupied in 1967, including the city of Jerusalem.

29. The "iron fist" policy had driven the young generation of Palestinians who had been born or had grown up under occupation to oppose the authority of the occupying forces. The events of recent weeks showed that it was no longer sufficient to denounce the gradual deterioration of the situation in the occupied Arab territories. His delegation strongly protested against the harassment, humiliation, and violations of human rights and fundamental freedoms to which the Palestinians were being subjected.

30. Despite the widespread criticism levelled against it including criticism from its closest allies, Israel was continuing to act as though it considered that the territories occupied in 1967 formed an integral part of its own territory. That regrettable policy had led it to establish settlements, to transfer Israeli citizens to the occupied territories, and directly or indirectly to force the Palestinian population to leave their land. In that connection, his delegation agreed with the conclusion of the Special Committee, in whose view that policy contravened the obligations entered into by Israel under the Fourth Geneva Convention; in accordance with that Convention military occupation must be considered as a de facto temporary situation which in no way gave the occupying Power any right over the territorial integrity of the occupied territories.

31. Under international law, the West Bank and Gaza, like the other territories, were no more than occupied territories whose ultimate fate depended on a just solution of the Arab-Israeli conflict. Furthermore, the occupying Power was required to ensure that the population of the occupied territories set up their own institutions in order to protect their interests and to lay the foundations for the future society once the occupation had ended. In the case in question, however, the occupying Power constantly opposed such a policy and had, on the contrary, established the infrastructure which would enable it to annex the territories for good. Similarly, in defiance of the repeated appeals addressed to it by ICRC, it refused to implement the Fourth Geneva Convention on the pretext that its presence in the territories was not that of an occupying Power taking the place of another sovereign Power, but that of an administrator in the absence of a sovereign

Power. It maintained that only the United Kingdom and Pakistan had recognized the annexation of the West Bank by Jordan in 1950 and that the status of that area had not been defined when Israel had occupied it, with the result that the Fourth Geneva Convention was not applicable to it.

32. His delegation considered that such arguments, and the legislative measures imposed on the occupied territories, were without validity. The legislation in force in those territories before 1967 was no longer recognizable because of the numerous Israeli military decrees which had amended it. The British defence regulations of 1945, invoked by the Israeli authorities for the purpose of imposing collective sanctions, had no legal basis in that they had been repealed by the British authorities in 1948; on the contrary, they had the effect of violating the fundamental rights and freedoms of the Palestinian people. Spain also condemned any legislative measure originating from the Israeli military authorities which, on the pretext of safeguarding law and order, might facilitate the annexation of the occupied territories and, hence, infringe the rights and freedoms of their lawful owners.

33. The widely denounced conduct of the occupation authorities and of the settlers in the occupied territories was a source of concern to his Government, which could not remain indifferent to the demolition of houses, collective punishments, the closure of universities and schools, the exploitation of the natural resources of the occupied territories, poverty, malnutrition in the Palestinian camps or, above all, the numerous victims of Israel's violent repression.

34. Denouncing that annexation policy, his delegation again stressed that Spain did not and would not recognize any measure furthering the annexation by Israel of the Arab territories occupied since 1967. It therefore called for the dismantling of the settlements as a first step towards the restoration of the territories to their true owners. It protested against the systematic refusal of the Israeli authorities to implement the provisions of international law in force in that respect, and in particular against the extreme violence with which those authorities were suppressing the legitimate aspirations of a subject people.

35. The legitimate rights and aspirations of the Palestinian people, and in particular their right to self-determination, must be recognized and guaranteed, as must the right to peaceful existence of all the States of the region, including Israel, within secure and internationally recognized borders.

36. All parties concerned in the Middle East conflict must accept and observe the relevant United Nations resolutions, on which the search for a just and lasting peaceful solution of the conflict must be based. On that basis, and pending a peaceful solution, his delegation considered that negotiations must be opened between the parties concerned under international auspices, with the appropriate participation of the PLO. In the meantime, it supported the conclusions of the Special Committee, reaffirmed the joint declaration by the Ministers for Foreign Affairs of the European communities of 14 September 1987, and hoped that the resolutions recently adopted by the Security Council could be fully implemented.

37. Mr. LEPRETTE (France) said that the serious deterioration in the situation in the territories occupied by Israel was a matter of extreme concern to his Government, particularly since many lives had been lost during the recent events. Accordingly, France had repeatedly appealed to Israel to respect its obligations as an occupying Power under international law and especially under the terms of the Fourth Geneva Convention. Israel unquestionably had a duty to ensure the protection and security of the population of the West Bank and Gaza. In that respect, France believed that the occupying Power had committed acts contrary to the Fourth Geneva Convention by resorting to expulsions, mass arrests, collective punishments and systematic beatings.

38. His country had supported Security Council resolutions 605 (1987), 607 (1988) and 608 (1988) and, on 14 January 1988, had condemned the announced expulsions of Palestinians. With its European partners, France had warned the Israeli authorities against taking those measures. It had also made representations to Israel with a view to preventing those measures and obtaining the lifting of the restrictions that had been placed on the delivery and distribution of provisions in the refugee camps. His country had endorsed the proposals made by the Secretary-General of the United Nations in his report on the situation in the occupied territories, particularly those relating to the strengthening of humanitarian protection. France had also granted additional humanitarian assistance to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in addition to that provided by the European Economic Community, and felt that the international community had an obligation, under the Geneva Convention of 12 August 1949, to provide the International Committee of the Red Cross (ICRC) and UNRWA with the means needed to fulfil their mission and conduct their operations in the West Bank and Gaza. He pointed out that, in accordance with its mandate, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories was empowered to consult the ICRC in order to ensure the protection of those rights (General Assembly resolution 2443 (XXIII)).

39. However, the gravity of the present situation highlighted the imperative need to reach a peaceful settlement of the conflict in the Near East. His country was calling for the formulation, without delay, of a negotiated settlement for a just and lasting peace, which must be based on two indissociable principles: the right to existence and security of all the States in the region, including Israel, and the right of the Palestinian people to self-determination, with all that it implied. Accordingly, his country was in favour of the rapid convening of an international peace conference with the participation of all the parties concerned, as well as the five permanent members of the Security Council. That seemed to be the most realistic way to reach an overall political settlement.

40. In conclusion, he expressed the hope that the Commission would make a constructive contribution to the defence of human rights in the territories occupied by Israel, with a view to ensuring an overall improvement in the economic and social situation of the population and, more generally, in the prospects for a political settlement, which France had diligently endeavoured to promote.

41. Mr. DITCHEV (Bulgaria) warmly congratulated the members of the Bureau on their election. He noted that, for many years, the United Nations had been faced with the problem of the Middle East due to the continuing illegal occupation of the Arab territories, the denial of the legitimate rights of the Palestinian people to self-determination and the establishment of their own State, and Israel's inhuman policies and practices in the occupied Arab territories. Those circumstances had made the Middle East one of the most explosive sources of tension in modern times. The United Nations bodies dealing with that question were particularly concerned by the fact that Israel had had recourse to brutal repression in response to the revolt that had recently broken out in the territories under occupation.

42. After years of occupation and repression by the Israeli authorities, who had shown nothing but contempt for United Nations resolutions and decisions, scores of people had been killed, hundreds wounded and thousands detained during the military operations mounted to stifle the discontent of the civilian population. He referred to various acts of repression and quoted operative paragraph 1 of resolution 605 (1987), which the Security Council had adopted at an emergency meeting, as well as a passage from the Secretary-General's report to the Security Council, which indicated that the disturbances were a reaction, supported by Palestinians of all ages and from all walks of life, to 20 years of occupation and to the lack of hope that it could be brought to an early end. In fact, the occupation had brought the Palestinian people untold suffering: repression, terror, denial of its national rights, confiscation of its lands, colonization, pillage of its archeological sites, illegal exploitation of its natural and human resources and attempts to change the legal status, demographic composition and character of the occupied Arab territories with a view to legalizing their annexation and presenting the international community with a fait accompli. In that connection, he drew the attention of the members of the Commission to paragraphs 206 and 207 of the Special Committee's report (A/42/650).

43. It was an unfortunate coincidence that 1988 marked not only the fortieth anniversary of the adoption of the Universal Declaration of Human Rights but also the beginning of the conflict in the Middle East, since the Palestinian people had been deprived of its homeland 40 years ago. Accordingly the commemoration of the fortieth anniversary of the Universal Declaration should give an impetus to the quest for a solution to the Palestinian problem.

44. The flagrant violations of the rights and freedoms of the Palestinian people had understandably given rise to world-wide indignation and condemnation, which had led the General Assembly to adopt resolution 42/160 D in which the actions of the occupying Power had been declared to be "war crimes and an affront to humanity".

45. Being situated in the immediate vicinity of the Middle East, Bulgaria was following the events taking place there with close attention and concern. Experience had shown that peace would not prevail in the Middle East until the roots of the conflict had been eradicated, the source of the aggression brought under control and all the territories occupied by Israel since 1967 returned to the Arab States. Practical steps should be taken to that end. His delegation held the view that, in order to reach a lasting settlement of the conflict, it was necessary to take into consideration the rights of

peoples to peaceful, independent existence and development, with due regard for the principle of the security of all the States in the region and the exercise by the Palestinians of their inalienable rights to self-determination and the establishment of their own independent State. A just and lasting overall settlement of the conflict could be envisaged only within the context of an international conference on the Middle East, with the participation of all the countries of the region, including the PLO and the permanent members of the Security Council. In conclusion, he reaffirmed his country's support for the just and heroic struggle of the Palestinian people for self-determination and independence.

46. Mr. MEZZALAMA (Italy) said that, although the item currently under consideration had been on the agenda for several years, the tragic events of recent weeks proved that the situation in the Middle East was worse than ever and that there was a particularly urgent need to tackle the very roots of the problem and to reach a political settlement that would put an end to the sufferings of the inhabitants of the region. All members of the international community should carefully examine the detailed information and conclusions contained in the report submitted by the Secretary-General of the United Nations.

47. The question of the Middle East, which had been festering since the end of the Second World War, was becoming more and more a source of international instability and conflict. That highly complex problem could be approached from many standpoints. For its part, the Commission should endeavour to draw world-wide attention to the plight of the countless victims and, in particular, to the numerous violations of human rights, leaving aside the broader political implications of the conflict. His delegation hoped that the deterioration in the situation would induce all the parties concerned to realize that a settlement could no longer be postponed. One and a half million Palestinian refugees were paying an intolerable price for the 40 years of war between Israel and the Arab States and for the 21 years of Israeli occupation of the West Bank and Gaza Strip. With the passage of time, however, it had become clear that the population of the occupied territories, although the most severely affected, was not the only victim of the current situation, and that a lasting solution would be in the interest of all the parties and all the peoples of the region.

48. There were many reasons for the widespread unrest in the occupied territories. Although some were attributable to decisions taken by the Israeli Government over the years (the establishment of settlements, the closure of Bir Zeit University in 1985 and the recurrent harassment of Arab activists), the disturbances were also an inevitable and largely spontaneous expression of the frustration felt by the overwhelming majority of the Palestinians, particularly the youngest among them, at the lack of any prospect of a political solution and the international community's inability to alleviate their plight. Other factors also played a role; the events were a natural and predictable consequence of a situation in which the occupying Power and the population under occupation were confronting each other in a restricted space. It was not surprising, therefore, that incidents occurring in one place tended to spread to others. In other words, 20 years of Israeli domination in the occupied territories had brought about a situation which, unfortunately, was conducive to outbursts of violence.

49. Italy condemned violence, particularly when it was practised by units of the regular army in accordance with orders issued by a constituted Government. In fact, the highest Israeli officials had admitted that the army had been given instructions to use means of dissuasion that were contrary to humanitarian principles and which had degenerated into even more reprehensible acts. His country therefore appealed to the Israeli Government to respect the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. Finally, the deportation of civilians suspected of having played a role in the clashes of the last few weeks was an unacceptable practice that should not be repeated.

50. The Italian Government was becoming increasingly worried about the dangerous climate of confrontation that currently prevailed and which ruled out any possibility of dialogue and progress. In that respect, it was encouraged by the fact that some sections of Israeli public opinion had shown a critical attitude towards the vicious circle of violence and had demonstrated against the methods used by the Israeli regular forces during recent incidents. At all events, those incidents had proved, once again, that no lasting solution could be achieved and that the instability would continue in the region until the right of the Palestinians to self-determination had been taken fully into account. At the same time, the right of the State of Israel to exist within recognized and secure borders must be guaranteed.

51. His Government hoped to contribute to a political settlement that would be acceptable to all the parties. In the meantime, it had increased its contribution to the economic development of the Palestinian people through the channels made available by the United Nations and, primarily, by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Italy hoped that the year marking the fortieth anniversary of the Universal Declaration of Human Rights would witness the start of a process leading to peace and stability in the region.

52. Mr. STEEL (United Kingdom of Great Britain and Northern Ireland) said that the problem of the occupied territories, which rightly engaged the concern of the international community, had many facets, and that it was sometimes necessary to distinguish between them. To ensure effective action, each of the competent organs of the United Nations should focus its attention on the facet which was its special concern and to which its mechanisms were appropriate. The facet of concern to the Commission was obviously that of the violations of the human rights of the inhabitants of the occupied territories and, in contrast to other delegations, his own delegation would confine itself to that aspect.

53. No objective and fair-minded observer of the situation could be in any doubt that the rights of the inhabitants of the occupied territories were being repeatedly infringed. The United Kingdom firmly supported the right of Israel and all the States in the region to live in security within recognized borders and, at the same time, with provision for the legitimate rights of the Palestinian people, including their right to self-determination. However, it was in its capacity as a friend of Israel that the United Kingdom was speaking on that matter.

54. As others had said, the current problems sprang from the occupation that had lasted for more than 20 years. On several occasions, his Government had frequently made clear its view that the occupation should be speedily brought to an end, in accordance with the relevant resolutions of the Security Council. However, so long as the occupation continued, the Government of Israel was under a legal and moral duty to respect scrupulously the human rights of the inhabitants and, in particular, to apply all the provisions of the relevant international instruments, such as the Fourth Hague Convention of 1907 and the Fourth Geneva Convention of 1949. The United Kingdom considered that the arguments advanced by Israel to challenge that obligation were without merit.

55. In relation to the application of those instruments, his Government was seriously concerned about Israel's policy of financing and encouraging settlement in the occupied territories, since that policy constituted a contravention of article 49 of the Fourth Geneva Convention. Every new or existing settlement was a violation of the human rights of the population of the occupied territories. Accordingly, his country called upon Israel to cease and desist.

56. In addition to the violation of the rights of the population as a whole, there was the repeated violation of the human rights of individuals, the list of which was painful to enumerate and was no less of concern to the United Kingdom. Those violations, and particularly the deportation of Palestinians from the occupied territories, must be firmly condemned and brought to an end. The international community's concern had been made clear in Security Council resolutions 607 (1988) and 608 (1988), which the United Kingdom had supported, and which it urged Israel to respect. The recent demonstrations and protests in the occupied territories had produced an indefensibly violent response on the part of the Israeli security forces. It was the obligation of the Israeli Government to exercise its responsibilities in the occupied territories in a humane manner. In that connection, on 18 December 1987, the Danish Presidency of the European Community, on behalf of its members, had made vigorous representations to the Israeli Government, expressing dismay at the extent to which Israel had fallen short of a full discharge of its fundamental obligation. Indeed, some examples of conduct witnessed scarcely conformed with civilized standards.

57. However, in that unhappy situation there were some encouraging elements, for example, the invaluable work of the International Committee of the Red Cross in the occupied territories. The United Kingdom would give urgent and sympathetic consideration to any appeal for increased resources for that work. His country also wished to pay a tribute to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to which it was one of the largest contributors. The United Kingdom had already increased its contribution to the Agency's regular budget and stood ready to consider any appeal for extra funds. His country gave further direct aid for the provision of vital services such as health care and education. Finally, it had pledged £5 million sterling in bilateral aid over a period of five years, in addition to its contribution to the European Community's aid programmes.

58. Reverting to the central issue before the Commission, namely, the violation of the human rights of the population of the occupied territories, he said that the Commission should address an unequivocal message to the Israeli Government. To carry authority, that message should be supported by

all the members and, to that end, should go straight to the point without being diluted by the introduction of matters not strictly within the Commission's province. The message should therefore be couched in measured and sober language to which all could subscribe and should say to the Israeli Government that the violations of human rights that had taken place, and were still taking place, in the occupied territories were not acceptable to the international community and that they must cease.

59. Mr. TOWPIK (Observer for Poland) said that, when considering agenda item 4, the Commission was bound to note that there had been a further deterioration in the situation in the occupied territories. The statements that it had heard from the Arab States and the PLO, as well as the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/42/650), indicated that the situation in regard to the human rights and fundamental freedoms of the civilian population was worsening and that the policy pursued by Israel had created an explosive situation that seemed bound to provoke yet more dramatic events in the future.

60. It had become clear that what was involved for Israel was not a temporary occupation, but rather a policy aimed at uprooting the Arab population, annexing its lands and forcing it to emigrate through systematic expropriations, the establishment of settlements, the destruction of the social and economic infrastructure and the obliteration of the Arab cultural heritage. Those practices constituted a violation not only of the rules applicable to the occupation but also of the human rights of the population of the occupied territories. The recent acts of violence, the beatings and the killings were unfortunately merely the tip of the iceberg. Consequently, it was only natural that the Israeli policy should lead to a reaction of defiance and popular uprisings by the Palestinians. However, the escalation of repression would not succeed in breaking the spirit of the Palestinian population or in deterring it from continuing its struggle to defend its basic rights. Poland maintained its consistent and firm position concerning the rights of the Palestinians as a nation since, throughout its history, it had itself been subjected to attempts to eradicate the Polish nation.

61. Under the present circumstances, Israel should be required to recognize that the occupied Arab territories were under temporary occupation; such recognition should entail the full application of the provisions of the Fourth Geneva Convention. Above all, effective action was needed that would lead to a settlement of the Middle East conflict. His country held the view that a just and lasting solution must take into account the legitimate rights and interests of all the States and peoples of the region and should include the return of the Arab territories occupied since 1967, the exercise by the Palestinian Arab people of their rights to self-determination and independent statehood, and guarantees of security for all the States of the region. Such a settlement should be worked out during an international peace conference, with the participation of all the parties concerned.

62. For such a conference to be feasible and successful, two primary conditions must be met. Firstly, Israel must understand that no State could build its future on injustice and hatred. Secondly, the other States must actively support the holding of such a conference and the formulation of a

lasting and realistic settlement. The Commission itself could play a role by promoting and even organizing international co-operation for the protection of human rights, since such co-operation would have more chance of success than isolated actions.

63. Mr. ELARABY (Observer for Egypt) said that the international organizations should tackle the root of the problem under consideration, namely the very fact of Israel's occupation of Arab and Palestinian territories, since that constituted the most serious violation of human rights. Its effects could be seen in the acts of repression and terrorism that sometimes assumed the most despicable forms (night raids on homes, army orders to strike at civilians, imposition of a curfew, closure of teaching establishments, closure of food shops to starve the population, restrictions on the freedom of movement). Some were reminiscent of the policy of genocide practised in southern Africa. Recently, there had been an intensification of the acts of violence and terrorism in the West Bank and Gaza, where the Israelis had even profaned holy places with the attack on the Al-Aqsa Mosque on 15 January 1988.

64. Israel had totally disregarded United Nations resolutions and the standards of international law and had refused to respond to proposals concerning the convening of an international conference. Israel was doing nothing for peace. The violations to which he had referred had all been recorded in various official reports such as those of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/42/650), the report of the Secretary-General of the United Nations to the Security Council pursuant to resolution 605 (1987), and the report of the Committee of the Palestinian Red Crescent. One indisputable fact always emerged from those reports: the Israelis were pursuing their policy on the assumption that the territories occupied since 1967 formed part of Israel. That was proved by the establishment of settlements and the expropriation and expulsion of inhabitants. It was clearly Israel's intention to annex the territories, in violation of the Hague Convention, the Fourth Geneva Convention (articles 33, 44, 49 and 53) and the resolutions adopted by United Nations organs.

65. Under those circumstances, Egypt appealed to the international community to intensify its endeavours to hold an international peace conference on the Middle East, with all the parties concerned, including the PLO, the sole legitimate representative of the Palestinian people. That was the only way to reach a comprehensive and just settlement which would recognize the legitimate rights of the Palestinian people, and particularly its right to a homeland. Egypt also affirmed the need to guarantee peace and security for all the States of the region. In fact, violence could breed only violence. That was why the President of Egypt had made a peace proposal in which all the parties were requested to make every effort to put an end to the establishment of settlements, to guarantee the security and protection of the Palestinian population under occupation and to hold an international peace conference with a view to a comprehensive and peaceful settlement in the region. Egypt also affirmed the need to apply the provisions of Security Council resolutions 605 (1987) and 607 (1988) calling for a just and lasting settlement of the Arab-Israeli conflict. It also stressed the need for Israel to apply the Security Council decision under which any steps to annex the Syrian Golan Heights were declared null and void.

66. The Commission on Human Rights also had a role to play; it should call upon the occupation authorities to assume their responsibilities, take decisions to ensure the protection of the rights of the Palestinians and prevent any violation of those rights. The international community must be made aware of its responsibility in regard to human rights in the occupied Arab territories.

67. Mr. WALDEN (Observer for Israel) said that his comments were intended for the representatives of countries willing to listen to both sides of the question. First of all, he recalled that, in 1967, Israel had been confronted with an attack on three fronts which was merely a new phase in a war against Israel's existence, which had begun in 1948. Being obliged to defend itself, and in the absence of a political solution, Israel had taken control of the West Bank and Gaza Strip, while reaffirming time and again its desire to negotiate with the Arab States concerned and with elected representatives of the Palestinians. That offer, although consistently rejected by extremist Arab leaders, had been accepted by President Sadat and the peace negotiations had led to the signing of a peace treaty between Israel and Egypt and, in 1979, to the Camp David Agreement under which Israel officially undertook to negotiate a transitional status for the territories and a final status as soon as possible, but not later than the third year after the beginning of the transitional period. The Agreement stipulated that Egypt, Jordan, Israel and the elected representatives of the inhabitants of the West Bank and Gaza would be parties to the negotiations, which should lead to a solution that also recognized the legitimate rights and requirements of the Palestinian people. However, the extremist elements in the Arab world had always indignantly rejected the idea of negotiating with Israel and, at their instigation, the United Nations Security Council had spurned the invitation to participate in the implementation of the peace plan. The General Assembly, which was supposed to be dedicated to the promotion of world peace, had even implicitly denigrated that plan and had refused to recognize it in the resolution that it adopted every year on that question.

68. The extremist Arab leaders were responsible not only for the failure to determine the status of the occupied territories and the political status of their inhabitants, but also for the situation of the Palestinians, who had been living in refugee camps since 1948, and not merely since 1967. Although far more serious problems had been solved and tens of millions of refugees had been resettled, including more than a million Jewish refugees from Arab countries, as could be seen from UNHCR records, the failure to solve the problem of the Palestinian refugees was entirely due to the manner in which their situation had been exploited by fanatical leaders who preferred to have them stay in the camps, even at the price of intolerable conditions, rather than do anything that might be interpreted as recognition of Israel's legitimacy. Israel's attempts, before and after 1967, to improve the situation of the refugees by offering employment and housing had been rejected and denounced at the United Nations, even by Western States which, illogically, had recently seen fit to condemn Israel for the conditions in which the refugees were living.

69. Israel remained ready to meet the representatives of any Arab State, as well as elected representatives of the Palestinians, at any time and without preconditions, for freely conducted and equitable negotiations concerning the final status of the territories and the future of their Palestinian

inhabitants. However, no one in Israel would agree to a solution imposed from outside. Pending those much desired negotiations, Israel would continue to administer the territories while respecting the conditions set forth in the Hague Convention of 1907 for the peaceful settlement of international conflicts and also, on a de facto basis, the humanitarian provisions of the Fourth Geneva Convention. Israel was co-operating closely with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and with the International Committee of the Red Cross. It did not, of course, co-operate with biased missions and organizations which sought, not to help the inhabitants of the territories, but merely to join in the clamour against Israel.

70. In accordance with international law, and particularly article 43 of the Hague Convention of 1907 and article 64 of the Fourth Geneva Convention, Israel had an obligation to maintain order in the territories and also had a right and a duty to protect the lives of its own civilians and military personnel. It was fulfilling that duty and would continue to do so.

71. With regard to the present situation, Israel had been confronted with widespread outbreaks of violence, mainly in the refugee camps, since early December 1987. Although the disturbances had sometimes broken out spontaneously, as a result of the frustration of persons who had waited too long for a solution to their problem, most of them had been orchestrated by extremist fanatical groups, such as the youth groups of the Fatah terrorist organization and the Islamic Jihad, a fundamentalist movement that posed a threat to the region as a whole. At the same time, the PLO had exploited the situation to regain some of the ground that it had recently lost at the Amman Conference. Those groups had used all the classic forms of terror and intimidation to force moderate Palestinian civilians to take part in riots against their will. The purpose of those organized riots was to prevent rather than bring about negotiations, since the ultimate aim remained, as always, not withdrawal from the territories but the total destruction of Israel. A tract distributed in January by the Islamic Jihad had called for holy war "until the liberation of all of Palestine", and another tract had called for holy war against the Jews. The PLO, broadcasting from its radio station at Baghdad, had incited the inhabitants to kill and had even explained how to make a bomb. In a statement broadcast on Radio Rabat, Arafat had declared that the riots would continue until the end of the Israeli occupation and the seizure of power in the mosques of the holy city of Jerusalem. On another occasion, he had added that the struggle was for Galilee and the Negev as well.

72. In contrast to what had been affirmed by some representatives to the Commission and by some of the information media, Israel had been faced not with demonstrations but with rioting and outbursts of violence orchestrated by terrorist groups intent on causing Israeli casualties. Persons who threw petrol bombs, large rocks, building blocks and iron bars, who stopped public and private civilian vehicles and attacked their passengers and who engaged in attacks with knives, sometimes killing and wounding Israelis, could not be described as demonstrators. Any country faced with such a situation would have been obliged to use force.

73. In their quest for political propaganda, the instigators of those riots had deliberately provoked incidents in front of television cameras and had not hesitated to hide behind young children, whom they placed in the front ranks after arming them with weapons. The International Conference of the Red Cross had expressed its deep concern that children under 15 years of age were being trained for military combat and used in hostilities. The Conference had emphasized the serious and lasting damage that incitement to hate and participation in atrocities often caused to children. Such use of children, as well as the exploitation of women for the same purpose, constituted only one of the blatant violations of human rights and international law committed by the instigators of those riots, who had not hesitated to violate the internationally recognized immunity of medical establishments, hospitals and places of worship by transporting weapons in ambulances and hiding terrorists in hospitals and lethal weapons in mosques. It was their fault that the injured had not been able to receive requisite medical care, although the blame had been placed on the Israeli security forces.

74. In addition to its obligation to restore order and to ensure that the territories were not plunged into a blood-bath as had happened in the Gulf, Israel also had the right to protect its soldiers, who were sometimes compelled to use their firearms to defend themselves. If some individuals had been injured and even killed, the responsibility lay with those who had instigated the violence in order to wage their propaganda war and pursue their purely political aims, in total disregard of the welfare and rights of the inhabitants of the territories.

75. Some speakers had referred to the Fourth Geneva Convention, overlooking the fact that, under article 64 thereof, the State administering a territory had an obligation to maintain order; that was what the Israeli authorities were doing and their soldiers had instructions to use firearms only as a last resort if their lives were in imminent danger. Contrary to the assertions of the representatives of some countries, Israel had never issued "shoot at sight" orders, and certainly not "shoot to kill" orders, but had always used normal police methods, except in extreme cases. Investigations had been conducted in the rare cases in which individuals had exceeded their orders; some cases had already been settled and steps had been taken to ensure that such infringements did not recur. Although curfews had been imposed to deal with particularly difficult cases, there had never been a shortage of food, as had been confirmed by the International Committee of the Red Cross; any difficulties that might have arisen were due entirely to the instigators of the riots, who had forced shopkeepers to close their premises and had burnt down the shops of those who refused. Appeals to the international community for food aid were particularly unjustified at a time when there were genuine famines in regions close to the Middle East. Suspected agitators had been charged and would be tried in accordance with due process of law.

76. Expulsion orders had been issued and, in some cases, put into effect. Under regulation 108 of the Defence Emergency Regulations, which the United Kingdom had applied in the territories in 1945, it was permissible to deport persons who posed a serious threat to security in the administered areas. Those orders were subject to due process of law and the persons against whom they were issued could appeal to several review bodies, including the Supreme Court. A representative of the International Committee of the Red Cross could also attend all the hearings.

77. Contrary to what had been persistently asserted, the expulsions did not violate article 49 of the Fourth Geneva Convention, since that article did not refer to the expulsion of agitators, for the purpose of restoring public order when the alternative would necessarily be the prosecution of the persons concerned, with the likelihood of severe penalties being imposed.

78. The agitators, and particularly those who had been expelled, had also been trying to obstruct Israel's efforts to improve the socio-economic situation of the inhabitants of the territories. Although much remained to be done in many respects, immense progress had been achieved in comparison with the pre-1967 situation. It was astonishing to note the international community's hostility to Israel's endeavours to provide the inhabitants of refugee camps with decent homes; the international community therefore bore responsibility for the conditions in which many refugees were still living. Nevertheless, much had been done, especially in regard to nutrition and health. Hospitals, clinics and maternal and child care centres had been opened and expanded in the territories, particularly in the Gaza Strip, and a vaccination campaign had been conducted. As a result, during the last 20 years, infant mortality had dropped from 85 to 34 per thousand in the Gaza Strip and from 38 to 25 per thousand in the West Bank.

79. During the same period, the gross national product had risen by 400 per cent in Judea and Samaria and by 430 per cent in the Gaza Strip. Small industrial enterprises had been established and agricultural production had increased by an average of 18 per cent per year. Israel welcomed any international co-operation that would improve living conditions in the territories and was working in co-operation with many national and international bodies, such as the International Labour Organisation, voluntary organizations, the World Health Organization and the United Nations Development Programme.

80. While agreeing that an improvement in living conditions in the territories did not constitute a solution to an essentially political problem, he reaffirmed that his country was willing to enter into negotiations with the Arab States, and with elected representatives of the Palestinians, on the establishment of peaceful relations and the ultimate status of the administered territories. Responsibility for the present deadlock lay with those who were intent on pursuing their vendetta against Israel, to the detriment of the interests of the inhabitants of the territories. Sterile confrontation should give way to dialogue, which alone would make it possible to solve the problems of the Middle East.

81. Mr. GLAIEL (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said that he could not remain silent after listening to the mendacious assertions of the representative of Israel. The latter had made extensive references to the Camp David Agreements which, as everyone knew, had been rejected by the United Nations. He had also emphasized Israel's wish to enter into direct negotiations, for the sole purpose of diverting the Commission's attention from the violations of human rights that were being committed in the occupied territories.

82. Questions might justifiably be asked concerning the Jewish refugees of whom the representative of Israel had spoken. Was he referring to all those who had left Israel disillusioned after finding that they had been attracted

by a mirage, and to all those who, having left their countries of origin, had remained in Europe and refused to go to Israel? According to Israeli logic, the Arabs were to blame for the situation of those Jewish refugees, although the real responsibility lay with international Zionism. That was merely a new attempt to avoid recognizing the inalienable rights of the Palestinian people, particularly its right to recover its homeland. The Zionists were trying to attract Jews throughout the world to settle on the lands that they had usurped from the Palestinians. Accordingly, when the representative of Israel said that his fellow-countrymen settled in Palestine were refugees, one might wonder whether that signified that Israel had abandoned its policy of Zionist expansion.

83. With regard to the Geneva Conventions, the Israeli authorities were free to interpret them as they wished. However, his delegation recalled that, at the Security Council meeting on 18 December 1987, the representative of the United Kingdom had stated that he could not accept the representative of Israel's argument that his country did not regard itself as an occupying Power and could not agree to apply the Geneva Conventions to the region of Judea and Samaria and that of Gaza, since those were not sovereign areas, Judea and Samaria having been annexed illegally by Jordan for a period of 19 years, and Gaza having been administered by the Egyptian army during the same period. The representative of the United Kingdom had therefore rejected that argument, thereby concurring with the Syrian delegation's consistent affirmation that the Geneva Conventions applied to the West Bank, to the Gaza Strip, to the part of Jerusalem placed under Israeli authority, to the Golan Heights and, more recently, to some areas of Lebanon. Moreover, the delegation of the United Kingdom had on several occasions recognized Jordan's authority over the West Bank, and his own country took the same position.

84. Mr. RAMLAWI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that the representative of Israel was attempting to mislead the Commission by affirming that his country desired peace and negotiations with elected representatives. Such remarks could not be taken seriously, given the fact that Israel had consistently refused to implement the resolutions of United Nations organs, particularly those of the Security Council. With regard to elected Palestinian representatives, it was noteworthy that the Palestinian mayors who had not been killed or wounded had been expelled.

85. The Israeli delegation had dwelt at length on what it had called the "extremist Palestinians", forgetting that there was no Palestinian who did not wish to liberate his land and recover his rights. That was an entirely natural aspiration and the representatives of countries that had been occupied at some stage of their history would remember that their fellow-countrymen had been willing to go to great lengths to achieve liberation. Nationalism was a recognized phenomenon in international law.

86. By asserting that Israeli soldiers were killing in self-defence, the Israeli representative was asking the international community to believe that armed men should fire on children because they were afraid that their tanks might be destroyed by stones. The Palestinian people was fighting with stones, not because it did not possess weapons, but because it did not wish to

use them, thereby demonstrating its peaceful intentions to the whole world. The stones that Palestinian children were holding in their hands were like so many of the United Nations resolutions that had declared the Palestinian people entitled even to engage in armed struggle to enforce its legitimate rights. Faced with that spirit of legality, Israel had responded by beating up pregnant women and murdering women, children and old people. What was currently taking place in the occupied territories was a genuine people's revolution aimed at ensuring the implementation of resolutions adopted by United Nations organs. At a future stage, the Palestinian people might well resort to other weapons.

87. Mr. KASRAWI (Observer for Jordan), speaking in exercise of the right of reply, pointed out that the Defence Emergency Regulations of 1945, which Israel claimed to have been entitled to apply since 1967, did not form part of Jordanian law and had been legally abolished in Jordan. He read out an extract of a study by the International Commission of Jurists which indicated that, after the unification of the East and West Banks of the Jordan in 1950, the Emergency Defence Regulations had been abolished and had not been applied since. He also pointed that, when the United Kingdom, as the mandatary authority, introduced those regulations, they had produced a general outcry among the Jewish population itself, which had protested violently against the United Kingdom. Those regulations had been reactivated, ironically and hypocritically, by the Israelis for the sole purpose of engaging in brutal repression against the Palestinians.

The meeting rose at 6.20 p.m.