

United Nations
**GENERAL
ASSEMBLY**

NINTH EMERGENCY SPECIAL SESSION

Official Records



**5th
PLENARY MEETING**

Tuesday, 2 February 1982,
at 11 a.m.

NEW YORK

President: Mr. Ismat T. KITTANI (Iraq)

*Scale of assessments for the apportionment of the
expenses of the United Nations*

1. The PRESIDENT: I should like to draw the General Assembly's attention to a letter dated 2 February 1982 from the Secretary-General [A/ES-9/3/Add.1], informing me that Grenada has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter of the United Nations.

AGENDA ITEM 5

**The situation in the occupied Arab
territories (continued)**

2. Mr. LUSAKA (Zambia): On behalf of my delegation, I wish to congratulate Mr. Javier Pérez de Cuéllar on his election to the office of Secretary-General. We are confident that his skill and great statesmanship, which constitute the hallmark of his brilliant diplomatic career, will greatly contribute to the advancement of the noble goals and objectives of the United Nations.

3. Similarly, I should like to pay a tribute to Mr. Kurt Waldheim for having served the United Nations with distinction. His 10-year service as Secretary-General of the Organization brought upon him many moments of trials and tribulations, which he withstood with convincing tenacity and dedication to serve his fellow men in the search for a better future. We wish him success and well-being in his future endeavours.

4. The international community was treated to yet another shock when on 14 December 1981 the Israeli Parliament passed a law to annex the Syrian Golan Heights. That development gave rise to a grave situation in the Middle East: it added a new dimension to the already volatile atmosphere in the region. The Security Council responded swiftly by summoning a meeting to consider the grave situation. In the debate that ensued, all delegations which spoke invariably condemned Israel for its annexation of the Golan Heights. On 17 December 1981, the Security Council unanimously adopted resolution 497 (1981), which provided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect. The Council further demanded that Israel should rescind forthwith its decision.

5. In its customary exercise of characteristic intransigence, Israel refused to rescind its decision. The Security Council was forced to reconvene early last month to examine ways and means of arresting that most untenable situation. Unfortunately that effort also was frustrated by the veto exercised by one of the permanent members of the Council, thus making the Council abdicate responsibilities placed on it by the Charter of the United Nations.

6. This emergency special session of the General Assembly has been convened precisely because Israel has defied the call of the world community to rescind its annexation of the Golan Heights, which rightly belongs to the Syrian Arab Republic. Israel's refusal to rescind its decision is contrary to the determination by the international community that Israel's unilateral annexation constitutes a grave threat to international peace and security.

7. This emergency special session is therefore meeting in pursuance of efforts to bring about legitimacy which the Security Council could not accomplish by restoring the Golan Heights to Syria. But such legitimacy can be brought about only by arresting once and for all the series of unending charades of Israeli intransigence. My delegation feels that the time is overdue for the world community to move decisively in putting an end to Israel's most intolerable international behaviour. The world body must go beyond declaring Israel's enactment of law 5742/1981 null and void. Israel must be compelled to effect the speedy abrogation of that legislation and withdraw from the Golan Heights.

8. Zambia is expressing its profound indignation at the continuing Israeli annexation of the Golan Heights because it is a violation of one of the fundamental principles of the Charter, that is, the principle which prohibits the acquisition of territory by force. It is also contrary to Security Council resolutions 242 (1967) and 338 (1973), which not only stipulate the inadmissibility of the acquisition of territory by force but also request Israel to withdraw from territories, including the Golan Heights, occupied during the 1967 six-day war. In addition, Israel's action is in direct contravention of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹⁴ In fact, it is in total violation of all the other conceivable international instruments which set forth the requisite premises for the peaceful solution of the Middle East problem, including Security Council resolution 497 (1981).

9. My delegation's indignation at Israel's obstinate failure to rescind its decision on its annexation of the Golan Heights as demanded by the Security Council in its resolution 497 (1981) is made all the more intense by the fact that, as a result of that continuing annexation, the Middle East has been drawn further into an even deeper Arab-Israeli crisis of immense magnitude. It also bears ample witness to the fact that, since 1967, Israel has energetically engaged in a systematic acquisition of Arab territories. Its craving for Arab territories has been consummated by the annexation of the Golan Heights.

10. My delegation is of the view that Israel had no reason whatsoever for annexing the Golan Heights other than to satisfy itself of its well-known greed for the land of the Arab nations. The annexation of the Golan Heights should, therefore, be seen in the context of Israel's calculated determination to consolidate its illegal occupation of Arab territories, at a time when the international community is expecting Israeli withdrawal from all Arab lands occupied in the 1967 war.

11. My delegation reiterates its position that Israeli actions, expressed in terms of its militaristic policies and

unprovoked attacks against its neighbours, such as Lebanon, Iraq and, of course, Syria, cannot in any way ensure peace, not only for the Arab countries but also for Israel itself. It is my delegation's view that Israel stands to gain greatly from a durable peace structure in the Middle East. But it stands to lose most in the long run by insisting on aggression, expansionism, intransigence and belligerence, which have been the hallmarks of Israel's foreign policy since its creation in 1948.

12. The fortuitous history of Israel's existence shows that that country has dismally failed to grasp the imperatives for peaceful change in the Middle East. It is precisely due to that failure that Israel has been admonished in this Assembly and other international forums. As the international community has been trying to show Israel the unfettered pathways to peace through a negotiated settlement in which all parties concerned, including the Palestine Liberation Organization, would be able to participate, Israel has instead chosen to earn itself worldwide disapprobation by having nothing to do with peace and by perpetuating the state of war with its neighbours.

13. Finally, my delegation wishes to take this opportunity to express its solidarity with the people of Syria in their noble efforts which are aimed at regaining their sovereignty over the Golan Heights. Similarly, my delegation wishes to express its solidarity with those Arab nations which are struggling to rid themselves of Israeli occupation, oppression and lawlessness.

14. Mr. SOBHAN (Bangladesh): The holding of this ninth emergency special session of the General Assembly is a direct consequence of the Israeli annexation of the Golan Heights and Israel's refusal to comply with Security Council resolution 497 (1981).

15. Bangladesh's position on the Israeli action was conveyed through a message from the Foreign Minister of Bangladesh, Professor Muhammad Shamsul Huq, to the previous Secretary-General. In that message, the Foreign Minister of Bangladesh described that action as:

"an act of unwarranted provocation and flagrant violation of all international laws, canons and conventions. Such a provocative and illegal action is bound to deteriorate the already explosive situation in the Middle East."

That illegal action of Israel has been condemned unequivocally by the Government and people of Bangladesh. Our position on the annexation was also made clear before the Security Council on January 7 last,²² and we do so here again today.

16. The membership of the United Nations today has grown to encompass 157 Member States. Many of those States depend on the United Nations and on the Charter of the United Nations for upholding their sovereignty and territorial integrity. What brings us to the United Nations is a belief in certain clearly enunciated principles which form the basis of the Charter and our willingness and desire to adhere to certain international norms and practices. But we find amongst us a Member State which has very deliberately and arrogantly rejected one United Nations resolution after another, which has openly flouted this world body and which has become a veritable law unto itself, so much so that Israel today can at random bombard the installations of a country—and I refer to its bombing of the Iraqi nuclear plant last year—because Israel holds that that plant constitutes a threat to its security. Israel arrogates to itself the authority to lay waste vast tracts of Lebanon, to bomb civilian areas, to kill and maim innocent men, women and children because Israel is a law unto itself and can mete out punishments as it deems appropriate. Consider its action in

constructing a canal to link the Mediterranean and the Dead Sea without regard to the economic and ecological consequences of such an action and in breach of all international norms and practices. Consider the treatment of the Arab civilian population in the occupied territories, its appropriation of their lands and its tyrannical and arbitrary conduct in dealing with the Arab population. It is the same Israel which today seeks to present the international community with yet another *fait accompli*—the annexation of the Golan Heights.

17. Where will that policy of arrogance, aggrandizement and aggression end? We have seen its policy of creeping annexation during the past three decades. We have seen the number of Arab refugees increase and we have seen the amount of territory appropriated by Israel multiply almost on a daily basis. Two hundred thousand Syrians were displaced from the Golan Heights. Those are people who had lived for centuries undisturbed until they were driven from their homes by the Israeli aggression.

18. On behalf of the delegation of Bangladesh, we would urge the Assembly to be honest and candid with itself. We can no longer procrastinate; we can no longer avoid facing the rather unpleasant and distasteful truth, namely, that one among us, a Member State, is conducting itself in a manner reminiscent of the old turn-of-the-century colonialist Powers. But we are in an age where the world can no longer tolerate and accept such injustices. We have to be clear in our minds that the Israeli action of annexing the Golan Heights cannot go unchallenged by the international community.

19. The path to peace in the Middle East has been shown by the United Nations on innumerable occasions. It is a path which is not based on the law of the jungle but on two principles which we all hold dear: first, the principle of self-determination and, second, the principle of the inadmissibility of the acquisition of territory by force. The road to peace in the Middle East is clear for all of us to see and to follow. Israel must vacate all the occupied Arab territories, including Jerusalem; we must accept the Palestine Liberation Organization [PLO] as the sole legitimate representative of the Palestinian people; and we must realize the inalienable rights of the Palestinian people, including their right to the establishment of an independent State. This road to peace has been endorsed on repeated occasions by the United Nations and by the international community as a whole.

20. During the month of December, the Security Council adopted a unanimous decision to condemn the Israeli action to annex the Golan Heights and called on Israel to rescind the measures it had taken [resolution 497 (1981)]. Instead, Israel has confronted us with stubborn non-compliance, with words of belligerence and an attitude of arrogance which constitutes the very antithesis of what this body represents. It is now necessary for this General Assembly to take all appropriate steps to ensure that Israel complies with the wishes of the United Nations in a manner that brings to an end such acts of open defiance of this world body.

21. In conclusion, in conformity with the Charter, Bangladesh would like to reaffirm the inadmissibility of the acquisition of territory by force and also reaffirm once again that only the Geneva Convention of 12 August 1949 can apply to the Golan Heights and that the action of the Israeli Parliament should be deemed both illegal and void. Bangladesh therefore demands that the Israeli action be condemned by this emergency special session and that the Assembly adopt all the necessary measures to compel Israel to rescind its decision to extend the operation of its laws to the occupied areas of the Golan Heights.

22. Miss DEVER (Belgium) (*interpretation from French*): I have the honour to speak on behalf of the 10 States members of the European Community.

23. The Governments of the Ten have already clearly expressed their position on the Israeli decision to extend to the Golan Heights the law, jurisdiction and administration of the State of Israel. In their London communiqué dated 15 December 1981, the Ministers for Foreign Affairs of the Ten deeply deplored this decision. In particular, they declared that such an extension, which is tantamount to annexation, was contrary to international law and that, consequently, they considered it to be null and void. This measure is detrimental to the possibility of implementing Security Council resolution 242 (1967) and will surely further complicate the search for a comprehensive peace settlement in the Middle East, to which the Ten continue to be committed.

24. In keeping with this position, the Ten voted unanimously in favour of resolution 36/147 E and operative paragraph 8 of resolution 36/226 A, in which the General Assembly strongly condemned Israeli annexationist policies and practices in the occupied Syrian Golan Heights.

25. However, despite the urgent appeals addressed to it, Israel has not complied with Security Council resolution 497 (1981) or rescinded its decision. The Ten condemn this position. They cannot accept the justifications put forward by Israel in this connection.

26. Coming 16 months after the decision to consider Jerusalem as the capital of Israel—a decision censured in Security Council resolution 478 (1980)—the Israeli law concerning the Golan Heights is aimed at creating a new *fait accompli* which runs equally counter to the fundamental principles of international law and to relevant United Nations resolutions, despite unanimous rejection by the international community.

27. For several years now, the Ten have indicated the principles on which they based their position concerning the Arab territories occupied by Israel in 1967. The Ten reaffirm that an end must be put to the occupation of these territories within the framework of a comprehensive, just and lasting settlement; that the provisions of the fourth Geneva Convention¹⁴ are applicable to all these territories; and that the Israeli settlements in the Arab territories occupied since 1967, as well as any change in the status and the demographic structures of these territories, are illegal under international law and contrary to the principle of the inadmissibility of the acquisition of territory by war, as specified in resolution 242 (1967). Finally, the Ten consider that these settlements are a serious obstacle to peace in the region.

28. The Ten have frequently cautioned Israel by reminding it of the need to reduce tension in the region and to promote confidence in order to create a favourable climate in which to seek a peace settlement. Such a settlement must be based on two essential principles: the right of all States of the region, including Israel, to existence and security, and the principle of justice for all peoples of the region, which implies the recognition of the legitimate rights of the Palestinian people, including its right to self-determination.

29. The Ten have frequently reaffirmed these principles, to which they remain firmly attached, notably in their Venice declaration of 13 June 1980²³ and in their subsequent statements.

30. The Ten wish to recall that, pending a peace settlement, the military occupation is a temporary state of affairs which cannot confer on the occupying State the right to dispose of or annex occupied territory or the right to extend its law, jurisdiction and administration therein.

31. The Ten formally reaffirm that they consider the law of 14 December 1981 concerning the Golan Heights, as well as the basic law of 31 July 1980 concerning Jerusalem, as null and void and without international legal effect. They will disregard these unacceptable decisions.

32. The Ten wish to warn the Government of Israel of the consequences of those measures which exacerbate the dangers of a situation already extremely tense and complicated. Because of their provocative character, these arbitrary procedures seriously jeopardize the opportunities for a peaceful settlement in the Middle East, and Israel must be aware of this.

33. Indeed, a peace settlement in the Middle East must be sought within the context of respect for the legitimate rights of all the States and all the peoples of the region and in an atmosphere of confidence among all the parties—an atmosphere which the Ten are striving to promote. Hence the Ten once again urgently appeal to Israel to rescind its decision and refrain from placing obstacles in the way of a comprehensive peace settlement, to which the Ten remain firmly committed.

34. Mr. LIANG (China) (*interpretation from Chinese*): Mr. President, first of all allow me to congratulate you warmly on behalf of the Chinese delegation upon your assumption of the presidency of the ninth emergency special session of the General Assembly.

35. At the beginning of this year, the Security Council held urgent meetings on the situation in the occupied Arab territories in accordance with the provisions of its resolution 497 (1981). The Council was unable to fulfil its responsibilities under the Charter of the United Nations and to take further actions regarding the Israeli annexation of the Golan Heights because of the veto cast by a permanent member on the draft resolution submitted by Jordan,¹ a member of the Council, on the basis of the desires of the Arab and non-aligned countries and fair-minded international opinion. Under these circumstances, it is entirely necessary and appropriate for the General Assembly to convene an emergency special session to consider that question.

36. The Golan Heights, an inalienable part of Syrian territory, was occupied by Israel during the Middle East war of 1967. For the past 15 years, the Israeli authorities have been building military installations, pursuing a settlement policy and intensifying their colonial rule and oppression of the local inhabitants in the Golan Heights. On 14 December 1981, the Israeli Knesset blatantly enacted legislation to impose Israeli law on the Golan Heights. This is not only a gross encroachment upon the sovereignty, independence and territorial integrity of Syria, it is also a serious violation of the United Nations Charter and the norms of international relations. It further aggravates the situation in the Middle East and threatens the peace and security of the region and the entire world.

37. Ignoring the changes in the international situation after the Second World War and profiting from the super-Power rivalry in the Middle East region, the Israeli authorities have been riding roughshod in the region for a long time. In the past year, Israel has intensified its policy of aggression and expansion and created one incident after another, resulting in even greater tension in the Middle East. There have been attacks on Syrian aircraft, a raid on the Iraqi nuclear reactor, massive incursions into southern Lebanon to attack the Palestinian guerrilla forces, the illegal annexation of Jerusalem, the unconscionable decision to build a canal linking the Dead Sea with the Mediterranean and the recent violations, on repeated occasions, of the airspace of Saudi Arabia by Israeli aircraft. The *de jure* annexation

of the strategically important Golan Heights by Israel represents a new escalation of its acts of expansion.

38. The Israeli authorities have resorted to all kinds of arguments in order to cover up its naked acts of aggression and expansion. They have claimed that they cannot maintain indefinitely a military administration in the Golan Heights, and the annexation is meant to normalize the anomalous situation there. This is completely absurd. It is anomalous, to be sure, to maintain indefinitely in the Golan Heights a military administration which is equivalent to a prolonged military occupation. However, the only way to end the anomalous situation in the Golan Heights is to withdraw all the Israeli occupying forces and return the territory to Syria. The *de jure* annexation would in effect only legalize and perpetuate that occupation. To camouflage the annexation of the Golan Heights on the pretext of normalizing the situation is a futile attempt on the part of Israel.

39. To defend its own security is another pretext used by Israel for the annexation. This again is totally groundless. As everyone knows, it is a universally accepted norm of international relations that no country has the right to use the defence of its own security as a pretext for invading and annexing the territory of a neighbouring country. Otherwise it would be impossible to preserve international peace and security. It has been customary for Israel in the past 30 years to carry out acts of aggression and expansion on the pretext of defending its own security. In other words, Israel would be free to commit aggression against any country it regarded as being a threat to its security. This theory of "secure boundaries" is nothing more than an aggressor's logic and must be firmly rejected. Otherwise other countries will suffer aggression just like what has happened to Lebanon and what is happening to Syria. In that case, how can there be any security for the Arab States, any peace in the Middle East or reason and justice in the world?

40. It is by no means accidental that the Israeli authorities have been recklessly engaged in repeated provocations against the Arab States and have persisted in their policy of aggression and expansion, in defiance of condemnations by world opinion and the firm resistance of the Palestinian and other Arab peoples. One super-Power refuses to face the reality in the Middle East, withholds recognition of the Palestine Liberation Organization and blindly sides with Israel. It has consistently provided large quantities of military and economic aid to Israel and has recently established a strategic alliance with Israel. What should be pointed out in particular is that it arbitrarily prevented the Arab and Palestinian peoples as well as the international community from punishing Israel for its aggression. By so doing it has emboldened Israel in its blatant refusal to implement Security Council resolutions and its continued provocations, thus making the situation in the Middle East more turbulent. The other super-Power has tried hard to engage in penetration, sow discord among the Arab nations and keep the region in a state of turbulence so as to fish in muddy waters and achieve its strategic objectives of expansion.

41. It is obvious that both super-Powers need to make use of Israel in their rivalry for the strategically important and oil-rich Middle East region. This is the key reason why the Middle East question has eluded solution for such a long time. In short, there can be no genuine peace in the Middle East as long as Israel persists in its policy of aggression and the super-Powers continue their expansion and rivalry in the region.

42. General Assembly resolution 36/226 B and Security Council resolution 497 (1981) have explicitly pointed out that the Israeli annexation of the Golan Heights is an

open violation of all the relevant principles of international law, solemnly declared the Israeli decision null and void, called on Israel to rescind its decision and stipulated that, in the event of non-compliance by Israel, measures be taken in accordance with the Charter of the United Nations. The peoples of the Middle East and of the rest of the world are keeping a close eye on whether the present session will be able to perform the lofty duties of the United Nations entrusted to it by the international community by standing up for what is just and what is right.

43. The Chinese delegation believes that the present session must live up to the aspirations of the peoples of the world, adhere to the purposes and principles of the Charter of the United Nations, fulfil its responsibilities and strongly condemn the Israeli authorities for aggression against Syria and the unilateral action to alter the legal status of the Golan Heights. The Assembly should declare such an action null and void and call on Israel to rescind it. It should impose sanctions upon the aggressor, and condemn the Israeli authorities for similar actions in other occupied areas designed to alter the legal status, physical character and demographic composition of those areas. Furthermore, it should call on Israel to withdraw from all Arab territories occupied since 1967, including Jerusalem, and to restore the national rights of the Palestinian people, including the right to return to their homeland, the right of national self-determination and the right to establish their own State.

44. As we enter the year 1982, the situation in the Middle East remains extremely turbulent. The history of the past 30-odd years has fully demonstrated that the struggles of the great Arab nations and the heroic Palestinian people to recover their lost territory and restore their national rights are irresistible, no matter how many difficulties may lie ahead. With the wide sympathy and support from the peoples of other countries, they will certainly close their ranks and persevere in their struggles until final victory. The Chinese Government and people will, as always, resolutely stand on the side of Arab and Palestinian peoples and firmly support their just struggles.

45. Mr. GAUCI (Malta): History provides abundant evidence, most of it quite recent, that the Middle East powder keg is beset by unforeseen and unpredictable sparks, each with a dangerous potential to provoke a world-shattering explosion. When such a spark is deliberately set off in a premeditated fashion, that constitutes an act deserving unequivocal censure and a commensurate and immediate response.

46. The United Nations, as an instrument for preserving and promoting peace, is now passing through a major crisis of confidence. Any action which further undermines that fragile confidence is therefore reprehensible.

47. Those two considerations alone provide overriding justification for the present debate to be held in special emergency session. We know the odds we face are tremendously difficult, but we also know that we must uncompromisingly concentrate our attention on charting a different course, because we desperately need a new impetus towards an overall solution to the Middle East crisis, a solution which is founded upon and fully respects decisions already taken by the Organization. It is in that light that we must carefully exercise our individual responsibility at this emergency session.

48. Israel's decision of 14 December 1981 to extend its law, jurisdiction and administration to the occupied Syrian territory of the Golan Heights is but the latest in a series of contentious manoeuvres which have done incalculable harm to the prospects even of maintaining

the uneasy absence of widespread conflict in the region. It does no service to the search for peace.

49. The "annexation" is no isolated incident; it follows similar action in regard to East Jerusalem; it was preceded by a decade and a half of aggressive Israeli settlement policies and by repressive action in illegally occupied territories. It therefore adds yet one more tragically provocative element to the current Middle East impasse.

50. It is also unfortunately an ominous indicator of what may await other occupied territories. The pattern is evident; it stands out quite starkly when transcribed on a map. Israel is forcefully changing the demographic and political map of the Middle East in a way which the United Nations never envisaged in the past and which it cannot condone. Yet Israel presses ahead despite warnings of the probable consequences by friend and adversary alike.

51. The victim most intimately concerned with the latest events is the Syrian citizen of the Golan Heights. His vital interests are at stake, and it is therefore proper that his perspective is the one we must attempt to analyse. The annexation of his homeland by Israel penetrates the very core of his daily life. He is no stranger to the deadly whine of bullets or to the deafening detonation of artillery. Along with his other brothers in the occupied territories he has faced infringement of his basic rights; he has suffered provocation and repression, loss of liberty and property, and perhaps even experienced family bereavement through conflict.

52. Now he is confronted with an even more insidious upheaval in his way of life. The legal, the administrative—probably even the linguistic customs of his forefathers—will be subject to further change; they are now to be replaced by an alien system based mainly on security interests as defined by Israel. All this is his lot, yet he has not even been consulted, despite all Israeli attempts to cloak the illegal act with the trappings of democracy.

53. Faced with this prospect, the dejected citizen of the Golan Heights may have derived some measure of consolation from the fact that the "annexation" of the Golan Heights was taken up for consideration by the highest organ of this Organization, where all parties to the conflict could express their views. His consolation may even have turned to encouragement when he was informed of a rare show of unanimity in the Security Council. He must at least have been relieved to hear that the Israeli legislation was declared null and void by the Council.

54. That Security Council resolution [497 (1981)] denoted awareness of individual responsibility by the international community for the strengthening of peace and security, for the promotion of fundamental rights and the economic and social progress of the people concerned. The resolution accepted that international law does not allow one State to make any demand for, or carry out any act of, seizure or usurpation of part or all of the territory of another State, and that consequently no such act could be considered legal.

55. The resolution also recognized the universal significance of respect for, and effective exercise of, equal rights and self-determination of peoples, if peace and friendly relations among nations are to be secured.

56. Against this universal conviction only the most extraordinary mental acrobatics would justify any conclusion other than that the action by the Israeli Government was as ill-considered as it was illegal. That certainly was the conviction of the members of the Security Council.

57. But Israel contends otherwise. In its response to the Secretary-General's note,¹¹ referring to the resolution, Israel let it be known that its intention was only to "normalize" the situation in the Golan Heights, a misinterpretation of the term which cannot but be treated with the scepticism it deserves. Instead of seizing the golden opportunity given to it by the Security Council, Israel, in its reply, offered no justification whatsoever for flouting the universally recognized principles mentioned above. It did nothing to appease the mounting disquiet already felt by the citizens affected by its actions. Once more, therefore, Israel shattered any immediate prospects of reconciliation.

58. The Security Council was therefore bound to take further appropriate action. The hope of the Syrian citizen from the Golan Heights was, however, diminished by the Council's failure to maintain its resolution. He found most unfair the criticism that the debate only compounded the acrimony and complicated the chances of reconciliation. He felt—and felt very strongly—that there would have been no need for debate, and even less for acrimony, if Israel had not taken so much illegal action in the first place. Yet his hopes were not completely extinguished. He believes that the United Nations has not said its last word on this matter, and he continues to rely on its resources for a peaceful settlement.

59. My delegation shares that hope and that belief. We contend that recourse to this Assembly is as proper as it is timely. We were pleased to note that, even in the heat of the debate, sensible voices were again heard stressing the central and so far neglected issue of the rights of the Palestinian people. Individual delegations once more referred to the need—if I may use a phrase which unfortunately is becoming hackneyed through endless repetition—the need for a comprehensive, just and lasting peace in the Middle East on the basis of the relevant resolutions of the Council, a peace which perforce will have to include restoration of the legitimate rights of the Palestinian people, the crucial factor which to this day one or two nations would have us overlook.

60. What was not mentioned—an omission I wish to rectify—was that a comprehensive plan for the rights of the Palestinian people has been before the Council for six years—respectfully put forward by the Committee on the Exercise of the Inalienable Rights of the Palestinian People and endorsed by the General Assembly as a basis for a solution.²⁴

61. The recent escalation of events clearly illustrates what the Committee has repeatedly stressed over the past six years: events in the Middle East cannot wait indefinitely for constructive, comprehensive and decisive action by the Security Council. A number of United Nations committees time and time again have underlined the persistence of, and the inherent danger in, the seemingly inescapable trends which have unfortunately become a hallmark of the Middle East situation.

62. While the Security Council remains muted in its decisions, some 40 settlements have been aggressively established or inaugurated by the Israeli Government in the occupied territories over the past year alone; creeping annexation continues unabated. The latest Golan Heights episode represents the continuation of those trends, which are designed to translate into reality the long-held precepts of the Israeli policy-makers. It is high time that the Council used its influence to change this tragic course of events before a new explosion of violence erupts.

63. It cannot be contended that Governments are not aware, even from independent journalistic sources, of what is really going on in the occupied territories. An article in the 27 January 1982 edition of *The Times*

of London—less than a week ago—may serve as an example. A major feature article by Edward Mortimer had this to say:

“Many Israelis are now living in the West Bank not out of any ideological motive but simply because it is the cheapest place to get a flat.

“A map posted for the edification of foreign journalists at the Public Information Office in Jerusalem shows how the settlements are contained within bands of territory, coloured purple, which are deemed essential to Israel's security. They have been painted with so broad a brush that only disconnected patches of white remain. These, presumably, are the areas where Palestinians are expected to exercise their ‘autonomy’.

“‘Ah no,’ say Israel's negotiators. ‘The autonomy will be personal, not territorial.’ This concept baffles not only Palestinians but many Israelis, too. ‘We do not understand,’ I was told by Mr. Shimon Peres, the opposition leader, ‘how the Palestinians can become, like the figures in a Chagall painting, detached from the territory in which they live.’”

64. Further on in the same article, there is a description of what happens to the indigenous inhabitants of the occupied territories:

“Supporters of the PLO are subject to constant harassment, ‘town arrest’, imprisonment with or without trial, maltreatment or torture (so at least the population unanimously believes, which is what matters) during interrogation, expulsion from the country, the demolition of their family's house, and—in the case of the mayors of Nablus and Ramallah the year before last—mutilation by car-bomb.”

65. The article concludes that unless these issues are confronted by influential officials at the governmental level, efforts to tackle the Palestinian problems are likely to remain quite futile.

66. My delegation is among those who believe that purely specific, piecemeal responses to particular events, even in the infrequent instances when adequate responses are actually agreed to, will simply not mitigate the root causes of the conflict. Panic reaction, or no reaction, to particular events cannot provide a solution.

67. I do wish to recall that the only comprehensive plan for an overall solution under the auspices of the United Nations, which was devised free from the pressure of immediate events, was contained in the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.²⁵ Those recommendations have lost none of their original validity; on the contrary, they become more pertinent and more urgent with every passing day.

68. My own country, itself a victim of unjust and injudicious harassment by an arrogantly powerful neighbour, expresses grave concern over the negative events and the lack of progress. It firmly believes that a solution must be found through the Security Council, not as an imposition, but as the result of a collective effort by honest brokers on a matter of acute international concern. We believe the recommendations of the Committee, reviewed by the Council, provide a practical step in the quest for a just and lasting peace in the Middle East.

69. It is, after all, the duty of the international community to marshal all the means at its disposal to resolve this issue. The Security Council remains the only forum in which all the protagonists have been able to meet, and this unique circumstance should be utilized to its fullest potential at this critical stage.

70. If we fail to do so, the Middle East will continue to be the region most likely to be scarred by further

conflict and suffering. Political pressures within Israel for further expansion will surely mount. Extremists in the area will take heart; the prospects for negotiations will diminish. Meanwhile, the Organization will be relegated to the role of an impotent bystander, the custodian of an ever more fragile international peace and security, watching from the sidelines an escalating conflict that is likely to get out of hand.

71. By contrast, if we rise to the occasion, we shall have planted the first seeds of positive development. None of us can underestimate the complexity of the problem, but at least a comprehensive start will have been made by the highest organ of the United Nations. The renewed hope for progress should maintain the present fragile peace, until it acquires the momentum to replace present resentment and uncertainty by a goal to which so many countries are prepared to contribute in a tangible way.

72. It is perhaps idle to speculate, but it is not inconceivable that, had the Security Council embarked on an equitable, comprehensive approach to the Palestinian dimension of the problem in response to an awakened international consensus with the participation of all directly involved, the tension in the region today might not have been so acute. It is even possible that actions such as those taken recently would have been more clearly seen as incompatible with the peace process. The momentum so generated would have had a few years behind it, to the relief of all, instead of being, as at present, a process still to be initiated, and one which influential protagonists are still resisting.

73. But a start, even if it is late, is better than perpetual paralysis. My delegation notes with appreciation that many have indicated in advance that they are prepared to devote efforts towards tangible progress. The time that has already elapsed since the latest meeting of the Council, and the time available to us now, should be used in active consultations to promote a resolute, collective effort to ensure results.

74. If we are really concerned for the future of the United Nations, for peace in the Middle East and for the ability of the Council to promote peace instead of condoning injustice, oppression and illegal occupation, let us all rise to the occasion—and none more so than the protagonists on the spot, and all the permanent members of the Security Council.

75. Mr. HA VAN LAU (Viet Nam) (*interpretation from French*): The present ninth emergency special session of the General Assembly was convened in accordance with Security Council resolution 500 (1982) in order to discuss once again the annexation by Israel of the occupied Syrian Golan Heights. In the past six weeks, this act of juridical piracy by the Israeli authorities has rightly provoked the ire and widespread indignation of the international community, which has been demonstrated in various resolutions of the General Assembly, the Security Council and the Movement of Non-Aligned Countries. The root cause of this heightened awareness on the part of the world Organization lies not only in the illegality of Israel's act of annexation, but even more in the nature of that act, which demonstrates a spirit of extraordinary arrogance and a most insolent defiance of international opinion, which resolutely condemns the policy of aggression and expansion of the Tel Aviv authorities.

76. In its statement at this emergency special session, the delegation of the Socialist Republic of Viet Nam has no intention of going through another exhaustive analysis of this systematic Israeli policy in the Middle East, which has already been done very well by some of the eminent speakers who have preceded it. We wish only to emphasize one paramount aspect of the Israeli decision which

will have untold consequences if it is not forestalled in time: the implicit role and responsibility of the Government of the United States of America in the entire adventurous and dangerous Middle East policy of Israel.

77. For several decades, the situation in the Middle East has been the subject of constant concern for all those with a great interest in the peace and security of that region as well as the world at large. The present situation in that region, far from improving, has deteriorated and is becoming more explosive than ever. It is a matter of public knowledge that the direct cause of this dangerous situation is the carrying out by the Israeli authorities of their policies of aggression and expansion in defiance of all international condemnation.

78. Since the illegal occupation of the Arab territories following the 1967 war, Israel has, in spite of the relevant United Nations resolutions, brazenly pursued a criminal and discriminatory policy of annexation with regard to the Arab population in and around the occupied territories, and has resorted to all possible manoeuvres aimed at abolishing the inalienable national rights of the Palestinian people, including its right to establish an independent and sovereign State in Palestine.

79. Nor can it be denied that Israel would be unable to pursue such a policy without the support of imperialist circles—first and foremost, those of the United States. In particular, since its accession to power, the new American administration has intensified its intervention in the Middle East, vastly increased its military assistance to Israel, reinforced its air and naval bases in the Persian Gulf and organized military manoeuvres directly threatening the countries of the region, especially the Libyan Arab Jamahiriya, Ethiopia and the Syrian Arab Republic. These warlike activities of the United States have given special encouragement to Israel in its most unbridled acts of war against the Arab countries in the past 18 months, acts carried out in defiance of international law and public opinion. These acts include incessant attacks against Lebanon, resulting in untold civilian losses and destroying the precious cultural heritage of that country; the bombing and destruction of the Iraqi nuclear centre at Tamuz, which was being used for peaceful purposes; violations of the airspace of Jordan and Saudi Arabia, and so on. With still greater effrontery, Israel illegally annexed the Arab city of Jerusalem in summer 1980 and, more recently, the occupied Syrian Golan Heights. These new Israeli military attacks, to which may be added the acts of legislative annexation of illegally occupied territories, are they not irrefutable expression of a systematic policy of aggression and expansion, aimed at consolidating and extending the State of Israel at the expense of the entire Arab nation?

80. Paragraph 6 of resolution 36/226 A, adopted on 17 December 1981 by the General Assembly, states that Israel's decision to annex Jerusalem and to declare it its 'capital', as well as the measures to alter its physical character, demographic composition, institutional structure and status, are null and void.

81. The Security Council, in resolution 497 (1981) adopted the same day,

“Decides that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect”, and

“Demands that Israel . . . should rescind forthwith its decision”.

82. Still more important, General Assembly resolution 36/226 A explicitly emphasized that:

“the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region”.

83. The racist régime of Tel Aviv, strengthened by this so-called strategic co-operation with the United States, has in fact become an effective instrument for the preservation of imperialist interests, playing the role of regional policeman in repressing the heroic resistance of the Palestinian people and waging a policy of international terrorism against Arab countries. This agreement on “strategic co-operation” constitutes an extremely dangerous collusion between the United States in its policy of intensifying the arms race and aggravating world tension and the Israeli Zionists in their policy of expansion and criminal annexation.

84. Israel has been used by the imperialists to repress movements struggling for peace, national independence and social progress which are growing in scope not only in the Middle and Near East, but also in southern Africa, where co-operation between the racists of Israel and those of South Africa has recently been markedly strengthened, with Washington's blessing.

85. In that context, it is no surprise that the United States abused its veto in the Security Council in order to protect its Israeli partners against the verdict of the international community. Now the United States has no scruple about presenting itself to the world as the sole protector of the Zionist aggressors. It has brought about a paralysis of the body entrusted with maintaining international peace and security, and it must bear the primary responsibility for all the consequences which result from the dangerous developments of the present situation in the Middle East provoked by the Israeli authorities.

86. As pointed out by the representative of the Syrian Arab Republic on 20 January before the Security Council, “The outcome of this voting has totally and fully unmasked the real face of the United States of America . . .”,² that is to say, the hypocritical nature of its declared policy with respect to the Arab peoples. In effect, it has sided with the enemy of the Arab nation as well as with the enemies of peace and security in the Middle East.

87. History has amply demonstrated that complicity in crimes involving cruelty to oppose a just cause has always led to inevitable failure. In today's world, it is all the more speedily doomed to certain failure.

88. For several decades the international community has made persistent efforts to seek a comprehensive, just and lasting solution of the situation in the Middle East, at the heart of which is Palestine. But to achieve this, there is no other choice but to put an immediate end to the occupation and annexation by Israel of the occupied Arab territories which were illegally occupied after the war of 1967; to ensure the full exercise of the inalienable national rights of the Palestinian people, whose sole legitimate representative is the Palestine Liberation Organization, including its right to establish a sovereign and independent Palestinian State; and to guarantee the maintenance of the security and sovereignty of every nation in the region.

89. That is the main point of the relevant resolutions on the Middle East and Palestine that were adopted by the Organization in accordance with the noble objectives of the Charter and the aspirations to peace and

independence of peoples throughout the world—resolutions which the people and Government of the Socialist Republic of Viet Nam support unconditionally.

90. For these reasons, our delegation, together with the overwhelming majority of delegations of other Member States, has expressed strong support for resolution 36/226 B, in which the General Assembly requests the Security Council, in the event of Israel's failure to implement the present resolution, to invoke Chapter VII of the Charter of the United Nations. Although in the Security Council resolution 497 (1981) was unanimously adopted, declaring the Israeli decision to annex the Golan Heights to be null and void and demanding that Israel rescind forthwith its decision, the Council was unable, because of the United States veto, to exercise the prerogatives of a body whose principal task is to maintain international peace and security.

91. Therefore, our delegation believes that the ninth emergency special session of the General Assembly is in duty bound not only severely to condemn these flagrant and serious violations of international law and of the Charter, and Israel's cynical attitude with respect to the relevant resolutions of the United Nations, but also firmly to condemn the United States, the instigator and protector of the Zionist aggressors in their aggressive schemes, trampling underfoot the inalienable national rights of the Palestinian people as well as the independence and sovereignty of Arab countries, thereby seriously sabotaging peace and security in the Middle East and in the world at large. The General Assembly is in duty bound to adopt sanctions against Israel in accordance with Chapter VII of the Charter and to call on the United States Government to put an end to the assistance of all kinds it gives to Israel; otherwise it must assume full responsibility for all the consequences resulting from the Israeli policy of aggression and expansion.

92. Mr. FONSEKA (Sri Lanka): This emergency special session was convened by a resolution of the Security Council [500 (1982)] following its inability to provide a remedy for the complaint made by the Syrian Arab Republic regarding Israel's decision to impose its laws, jurisdiction and administration in the occupied Golan Heights. Before that procedural resolution of the Security Council, the General Assembly adopted resolution 36/226 B on 17 December which was followed by Security Council resolution 497 (1981), also adopted on 17 December.

93. Those two resolutions of the General Assembly and Security Council concluded that Israel's decision to impose its laws, jurisdiction and administration in the Golan Heights is null and void and is without international legal effect and that the provisions of the Geneva Convention of 12 August 1949¹⁴ continue to apply to the Syrian territory occupied by Israel since 1967, and demanded that Israel rescind forthwith its decision to apply Israeli law to these territories.

94. Notwithstanding this unambiguous pronouncement of both the General Assembly and the Security Council and the time afforded to Israel to comply, the Government of Israel came back to the Security Council to proclaim its non-compliance and to proffer arguments in defence of its action, arguments which were neither convincing nor relevant.

95. Among these were that Syria continued to be in a state of war with Israel, that there was an anomalous situation in the Golan Heights which had to be normalized and, lastly, that this annexation—or Golan Heights law, as Israel calls it—did not preclude or impair the prospect of negotiation. Here one is obliged to ask whether Syria, the aggrieved party, can seriously be

expected to accept this seemingly benign offer to negotiate, on the basis of a *fait accompli*—in fact, under duress.

96. When the Security Council met on 6 January it had before it the question of Israel's non-compliance with the Council's resolution 497 (1981) of 17 December 1981. The Council's task was to consider taking the appropriate measures envisaged in resolution 497 (1981). The draft resolution which the Security Council had before it on 19 January 1982¹ contained a modest effort to secure Israel's compliance with resolution 497 (1981). There were differences of opinion within the Council as to whether or not Israel's action constituted an act of aggression. However, one may ask whether the objective of the Security Council's consideration of this matter in January was only to reaffirm what it had already decided or to secure compliance with its decision by forcing Israel to rescind an illegal order.

97. Members of the Security Council that were unable to join in the adoption of the draft resolution of 19 January 1982 have stressed the importance of maintaining the unanimity or consensus that the Council had achieved in its resolution 497 (1981). My delegation believes that it was in order to maintain that consensus that the Chapter VII provision in operative paragraph 3 of the draft resolution was redrafted by its sponsor to give it a non-mandatory character. Without in any way discounting the importance of that consensus, one is constrained to ask whether this Organization has no alternative but to provide through the consensus principle another display of forbearance to a Member State whose response to its principal organs—the General Assembly and the Security Council—remains no more than a show of renewed defiance.

98. This emergency special session has been called so that the General Assembly can produce a resolution which the Council was precluded from adopting because of the lack of unanimity among its permanent members.

99. Questions have been raised as to whether this session will help or hinder in carrying out that task. We have been cautioned about the futility of engaging ourselves in this exercise. We are alive to its limitations. Yet, as one of the sponsors of General Assembly resolution 36/226 B of 17 December 1981, we must revert to the duty which falls upon us as a result of the immobilization of the Security Council.

100. The purpose of this emergency special session is to give expression in an appropriate resolution to the very widely felt sentiments of the international community regarding Israel's policy of territorial aggrandizement—as always, pursued on the specious plea of its own security.

101. East Jerusalem was occupied and then annexed, and Israeli settlements abound on the West Bank—all of which are a prelude to outright annexation. The sovereignty of Lebanon has been violated and its territory dismembered. The Palestinian people are denied their inalienable rights, including their right to self-determination. And, now, we have Israel's annexation of the Golan Heights.

102. This emergency special session must leave Israel in no doubt that these policies will bring it neither the peace nor the security which it incessantly proclaims as its goal.

103. Mr. MUÑOZ LEDO (Mexico) (*interpretation from Spanish*): The delegation of Mexico is most gratified at seeing you, Sir, presiding over the work of this emergency special session of the General Assembly. Similarly, we have been pleased to see at your side the Secretary-General, Mr. Javier Pérez de Cuéllar, who, only a few

days after having assumed his important office, has demonstrated his interest and deep commitment to the greatest causes of the Organization.

104. Years pass and seasons come and go but, unfortunately, some serious problems continue to exist and, indeed, become more acute. Almost inevitably, each political cycle in the United Nations starts with a debate on the Middle East and a new search for solutions to ensure that the principles enshrined in the Charter and the will of the international community will prevail over the acts of aggression constantly being perpetrated in that region.

105. The question under consideration is none the less an extreme case within the context of this escalation of violence. Extreme, because an occupation of territory that has been condemned energetically for 14 years, rather than being terminated, is, unfortunately, being confirmed. It is an extreme case, also, because the Security Council has declared that act null and void and has demanded that the occupying Power immediately rescind its decision, but that has had no practical effect. As everyone knows, it is the very system of international security which is at stake.

106. The substance of the matter before us is not open to debate. The Security Council has already resolved that the Israeli decision is without international legal effect. The position of Member States has been one of unanimous condemnation—except for the State responsible for the violation. What we have to do now is to use the machinery available under the Charter to ensure our decision is implemented.

107. The delegation of Mexico has already had an opportunity to set forth its position on 17 December 1981 during the Security Council debate.¹⁸ At that time we stated that the territorial integrity of States is fundamental to international coexistence, and if we accepted a breach of that principle, we should be entrusting the delimitation of boundaries to the most powerful States, thus leaving the majority of countries entirely defenceless.

108. We indicated our rejection of a dangerous attitude which claims to bring peace to that region through the use of weapons and by the constant expansion of one of the parties to the conflict. We should like to add that Israel must withdraw from the occupied territories and that, if it has not done so today, it is because it has enjoyed an obvious impunity which must be terminated. At that time we concluded by stating that the annexation of the Golan Heights would become a point of no return with regard to the question of the Middle East and that, if the decision were not rescinded, the Security Council would have to adopt decisions commensurate with the seriousness of the violation.

109. The content of Security Council resolution 497 (1981) is unambiguous. No one in the Security Council questioned the illegality of the Israeli action. However, despite the blatant contempt shown for its decisions, the Security Council was not in a position to adopt the

appropriate measures provided for in the Charter. It subsequently recognized that the lack of unanimity among its permanent members had prevented it from “discharging its primary responsibility for maintaining international peace and security”. Consequently, it decided to convene this emergency special session of the General Assembly.

110. Thus, the Security Council has transmitted to this Assembly a delicate task, namely, to identify and define the will of the international community concerning non-compliance with one of its mandatory decisions on the part of the occupying Power. It would be senseless to restrict ourselves here exclusively to reaffirming the principles which have been violated and to repeat decisions that have already been adopted. Common sense requires us now to define the nature of those violations and to propose appropriate measures in accordance with the provisions set forth in the Charter.

111. Those who decided to convene the Assembly certainly have no doubt about its competence, nor do they believe that the problems will be exacerbated instead of solved in this forum. They are familiar with the moral authority which derives from democratic processes, and they know that sovereign States whose will is brought to bear within this forum have a single purpose, namely, to safeguard peace and to ensure greater stability and rationality in the life of the international community.

112. Defiant non-compliance with a Security Council decision, above and beyond its practical consequences, constitutes a deterioration in the rules that govern international relations, the custodianship of which was entrusted to the United Nations. If we were to fail to compel the Israeli Government to abide by the fundamental norms of international law and if we were to continue to tolerate the flouting of our decisions, then we would be admitting that the Charter has no substance.

113. No body can withstand the continual questioning of its authority. Its real authority is measured by its ability to achieve its purposes, and it can also be measured by the respect of its members for the decisions and principles underlying its existence. Otherwise, an institution would simply become a vague symbol, a historical remnant, which would hardly even cloak a new reality, which is now the resurgence, free of retribution, of the policy of force.

114. Mexico has always given its most resolute support to the United Nations because we consider that respect for its principles is not only a necessity for survival but is also, in fact, the only worthy context within which one can participate in the community of nations. That is why, taking into consideration the dangers which are looming over this Organization, my delegation will give its resolute and consistent support to the decisions that will lead to the restoration of international legality.

The meeting rose at 12.35 p.m.