

UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-SEVENTH YEAR

2348th MEETING: 2 APRIL 1982

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2348th MEETING

Held in New York on Friday, 2 April 1982, at 7 p.m.

President: Mr. KAMANDA wa KAMANDA
(Zaire).

Present: The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Provisional agenda (S/Agenda/2348)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
Letter dated 22 March 1982 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/14917)

The meeting was called to order at 7.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories:

Letter dated 22 March 1982 from the Permanent Representative of Jordan to the United Nations addressed to the President of the Security Council (S/14917)

1. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at the previous meetings on this item [2334th, 2338th, 2340th and 2344th meetings], I invite the representative of Israel to take a place at the Council table. I also invite the representative of the Palestine Liberation Organization (PLO) to take a place at the Council table. I invite the representatives of Algeria, Bangladesh, Cuba, Egypt, the German Democratic Republic, India, Iran, Iraq, the Libyan Arab Jamahiriya, Morocco, Pakistan, Senegal, the Syrian Arab Republic, Turkey, Viet Nam, Yemen and Yugoslavia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Levin (Israel) took a place at the Council table; Mr. Terzi (Palestine Liberation Organization) took a place at the Council table; Mr. Ourabah (Algeria), Mr. Sobhan (Bangladesh), Mr. López Del Amo (Cuba), Mr. Abdel Meguid (Egypt), Mr. Ott (German Democratic Republic),

Mr. Purushottam (India), Mr. Rajaie-Khorassani (Iran), Mr. Mohammad (Iraq), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Mrani Zentar (Morocco), Mr. Naik (Pakistan), Mr. Sarré (Senegal), Mr. El-Fattal (Syrian Arab Republic), Mr. Kirça (Turkey), Mrs. Nguyen Ngoc Dung (Viet Nam), Mr. Sallam (Yemen) and Mr. Lazarević (Yugoslavia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received from the representatives of Saudi Arabia and Democratic Yemen letters in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Basaleh (Democratic Yemen) and Mr. Allagany (Saudi Arabia) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/14943, which contains the text of a draft resolution submitted by Jordan.

4. The first speaker is the representative of Israel, on whom I now call.

5. Mr. LEVIN (Israel): Once again a draft resolution has been brought before the Council that does nothing to promote the cause of peace in the Middle East. But it does one thing: it places another obstacle in the path of peace. The root cause of the disturbances that erupted in Judea, Samaria and the Gaza District was the growing realization among Palestinian Arabs that an alternative existed to the PLO methods of violence and destruction. Daily radio broadcasts and incitement by the PLO, Syria and Jordan and provocations inside the areas became a significant cause of the growing disturbances there. All this obviously stems from the fear of the PLO and of the Jordanians that they are losing their influence. At the same time, Israel for its part instituted civilian administration in the areas as a first step towards the autonomy envisaged in the Camp David accords.

6. The draft resolution in question says nothing about the instigations from abroad. It also ignores the fact that some Arab countries have been funnelling money through their agents into these areas and organizing subversion. Accordingly, no other conclusion can be reached but that the draft resolution is designed to condone and to encourage incitement. The Jordanian threat to impose the death penalty on anyone working for coexistence between Israelis and Palestinian Arabs has been purposefully omitted. No wonder, considering the author of the draft. Not a single word in the draft supports understanding and conciliation. The ongoing peace process is studiously avoided. All this is another Arab exercise in futility, another error of judgement on the part of Arab leaders.

7. Israel will not tolerate terror and subversion in Judea, Samaria and the Gaza District; nor will it stand by while other attempts are made to thwart the peace process or disturb the groundwork being laid for coexistence and co-operation between the Israelis and the Palestinian Arabs.

8. The draft resolution before us notwithstanding, Israel will continue its efforts to create an atmosphere conducive to the peace process. Israel will continue to work towards the establishment of autonomy in Judea, in Samaria and in the Gaza District, in accordance with the Camp David framework for peace in the Middle East.

9. The PRESIDENT (*interpretation from French*): I take it that the Council is ready to proceed to the vote on the draft resolution S/14943 before it. Unless I hear any objection, I shall put it to the vote.

A vote was taken by show of hands.

In favour: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland

Against: United States of America

Abstaining: Zaire

The result of the vote was 13 votes in favour, 1 against and 1 abstention.

The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.

10. The PRESIDENT (*interpretation from French*): I shall now call on those members of the Council who have asked to be allowed to make statements after the voting.

11. Sir Anthony PARSONS (United Kingdom): My Government has been seriously disturbed by the recent grave events in the occupied territories of the West Bank and Gaza. We are deeply concerned and

saddened at the tragic loss of life and injuries which have occurred.

12. Together with the Governments of the other member States of the European Community, my Government has appealed urgently [*see S/14954*] for an end to the dangerous cycle of violence and repression. In this connection, my Government has denounced the recent Israeli measures dismissing the democratically elected mayors of Nablus and Ramallah and the disbanding of the Municipal Council of Al-Bireh. Like the rest of the Ten, my Government considered that such measures, together with the violation of the liberties and rights of the inhabitants of the occupied territories, which have followed the illegal extension of Israeli law, jurisdiction and administration to the Golan Heights, can only damage the prospects for peace.

13. My Government has taken this view because we strongly believe that it is only through the creation of an atmosphere of trust and confidence between Israel, the Arab inhabitants of the occupied territories and neighbouring Arab States that there can be hope of an advance towards a just, lasting and comprehensive peace settlement. We believe that recent events and the particular measures which I have cited, far from creating trust, have served to undermine it. In our view the Government of Israel can best act to restore calm and to create confidence in its intentions by rescinding the measures in question. My Government wishes to reiterate its view that the provisions of the fourth Geneva Convention of 12 August 1949¹ continue to apply to all the territories occupied by Israel since 1967. We attach very great importance to respect for both the spirit and the letter of this Convention.

14. At the same time, we believe that it is incumbent on all concerned in the region to make a renewed effort before it is too late to bring about the conditions which will make a just, lasting and comprehensive settlement possible. For it is only through such a settlement that an acceptable and enduring solution to the present problems will finally be achieved. My Government reaffirmed, in the statement by the European Council of 30 March [*ibid.*], our wish to contribute to the achievement of such a peace. We continue to believe that the basis for this peace can be found in the principles enunciated in the Venice declaration of 13 June 1980, which, basing itself on Council resolutions 242 (1967) and 338 (1973) called for the general recognition and implementation of two fundamental principles, namely, the right to existence and security of all the States in the region, including Israel, and justice for all the peoples of the region, which implies the recognition of the legitimate rights of the Palestinian people, including the right to self-determination [*S/14009, para. 4*].

15. My Government has just voted in favour of the draft resolution sponsored by Jordan. We are in agree-

ment with it—indeed, operative paragraph I faithfully reflects the views of the member States of the European Community to which I earlier referred. But, at the same time, it is no secret that my delegation, together with like-minded delegations, made a particular effort—indeed, a most strenuous effort—to encourage agreement on a text which could have commanded consensus in the Council. We are extremely disappointed that this was not successful. We continue to believe that it is only through consensus that the Council can contribute effectively and enduringly in addressing problems relating to the Arab-Israeli dispute. It is my very real hope and wish that the Council will be able to achieve such a consensus in any future consideration of this subject.

16. Mr. LICHENSTEIN (United States of America): Recent events on the West Bank have been a source of deep concern to the Government and people of the United States. In the last few days the level of tension and violence has somewhat subsided, but of course we are aware of the danger of a resurgence and of a renewed crisis in this complex and emotional situation. For that reason we believe that the Council's primary role in the present context should have been to urge restraint on the parties to avoid any new outbreak of violence which could endanger international peace and that its other, equally essential role should have been to take a step, at least, on the road to a secure and lasting peace. We do not believe that the Jordanian draft resolution achieved that objective.

17. I wish to address myself to the dismissal of the three West Bank mayors referred to in the draft resolution. My country was founded on, and is proud of its support for, the concept of government by freely elected officials. We are always concerned when elected officials are no longer able to serve their constituents. At the same time, it is useful to recall that the present situation on the West Bank is that of belligerent occupation, subject to the rules laid down for such régimes in the fourth Geneva Convention of 1949, and that Convention is a carefully drawn and balanced set of rules seeking to serve the interests of the occupier and the occupied alike.

18. There is no provision in the fourth Geneva Convention for the election of public officials—which Israel none the less permitted in 1972 and 1976, thereby going beyond the requirements of the Convention. In any event, article 54 of the Convention gives the occupying Power the unrestricted right to dismiss public officials, whether they be appointed or elected. As we would not wish Israel to be selective in its own application of the Convention to the occupied territories, so we should not be selective in our criticism, denouncing Israel for violations where in fact no violations of the Convention have taken place.

19. But the goal, of course, is to move beyond belligerency to a state of peace. This is the higher duty—indeed, the highest duty—of the Council. Fortu-

nately in this respect Council resolutions 242 (1967) and 338 (1973), forged by this body in past years after full debate and consultation, provide an available, ready-made, internationally approved basis for a just and lasting settlement of the outstanding issues. These resolutions are the foundation of the Camp David framework. They remain the only existing basis for a negotiated solution leading to a resolution of the conflict. We deeply regret that this draft resolution makes no reference to resolutions 242 (1967) or 338 (1973).

20. We would have preferred to have had before us a draft resolution that we could have supported, one that expressed in a non-condemnatory way the Council's great concern about the recent tragic events, which have resulted in injury and loss of life on both sides. Instead, the draft resolution we were called on to vote on this evening uses strongly denunciatory language and does not take into account the complexity of the problem. Nor would it lead us closer to a solution: on the contrary, it would lead us away from an ultimate solution. Since this draft resolution, in our judgement, did not promote, will not promote, the cause of peace—which should always be the paramount concern of the Council—the United States was compelled to vote 'no'.

21. Mr. de La BARRE de NANTEUIL (France) (*interpretation from French*): Mr. President, first of all I should like to congratulate you on your assumption of the presidency of the Council for the month of April and also to commend you on the impartial and excellent way you have been discharging your duties.

22. I should also like you to transmit to Mrs. Kirkpatrick the expression of my gratitude for the outstanding way in which she also carried out her duties when she presided over the Council last month.

23. The spiralling cycle of violence on the West Bank and in Gaza after the unrest that followed in the Golan the adoption by Israel of a law extending to that territory its legislation, its jurisdiction and its administration, is of the greatest concern to my Government.

24. My delegation most vigorously denounces the decision of the Israeli authorities to disband the Municipal Council of Al-Bireh and to dismiss the Mayors of Nablus and Ramallah. We also most categorically denounce the repression in the occupied territories of the West Bank and Gaza and steps that are likely to prevent the democratically elected authorities from carrying out their duties. By the same token, my Government is disturbed by the acts of violence involving several Palestinians in the West Bank which have involved new loss of human life.

25. The policy of *fait accompli* pursued by Israel in the territories it has occupied since 1967 is unacceptable to France and contrary to international law, in particular the Hague Convention of 1907² and the Geneva Convention of 12 August 1949.

26. More generally, in application of a basic principle of its policy, and as was recalled by the President of the French Republic on 4 March, France can only disapprove of any unilateral measure imposed on any State or people in the Middle East region. We request that there be respect for democratic liberties and an end to the spiralling violence and repression. We would observe that any decision that violates the acknowledged rights of the population of the occupied territories renders more difficult the search for a just and lasting peace in the region.

27. It is through dialogue and negotiation, and not through violence and repression, that we shall be able to achieve a peace that will allow security for all the States of the region and justice for all peoples that wish to be able to enjoy their legitimate rights in their homeland.

28. Mr. DORR (Ireland): Mr. President, I should like to begin by congratulating you as you assume office for this month and to wish you well in the difficult month that I fear you may have ahead.

29. I should also like to express my good wishes and thanks to your predecessor, Mrs. Kirkpatrick, for the way in which she conducted our proceedings last month.

30. The present deteriorating situation in the occupied territories of the West Bank, Gaza and the Golan Heights is a matter for concern because it involves loss of life and injuries and because it gives rise to wider dangers to peace in the region. One cannot ignore the human dimension, but it is this latter aspect which must be a cause of the most serious concern to the Council.

31. These developments in the occupied territories cannot be seen in isolation. The dangers which they present become clearer when they are seen against the background of the whole situation in the region.

32. Resolution 242 (1967) clearly established two principles as basic to any settlement: first, withdrawal by Israel from occupied territories and, secondly, full acceptance of the right of all States to live in peace within secure and recognized boundaries.

33. As I have said before in the Council, we believe that those principles are a necessary but not a sufficient condition for a peace settlement. They are not sufficient because they do not cover what must be an important part of any comprehensive settlement, the legitimate rights of the Palestinian people; but they are necessary, and their validity must be upheld.

34. We must presume that when resolution 242 (1967) was adopted, the Council intended that it would be implemented at an early date. Instead, 15 years have passed; there has been another major war and, except for the Sinai and relations between Egypt and

Israel, the principles set out in resolution 242 (1967) have not been implemented.

35. The result has been that a dangerous and inherently unstable occupation of territories has continued. This has been a source of political if not of military weakness for Israel, and it has been a continuing source of anger and resentment for those who live under occupation and the Arab world at large. More recently it appears that new claims to a right to retain certain territories have been made, and there is in some quarters a fear of new moves towards annexation.

36. All of us should know from examples in other parts of the world how dangerous it is if deep-seated grievances and a sense of alienation within a community are allowed to continue with no evidence of a real political settlement in sight but instead a continuing reliance on security forces or an army to maintain order and calm. Any such situation must be described as explosive.

37. The danger is built into the situation and it exists whatever the behaviour of the security forces, although it can be aggravated if they behave harshly. In such a situation things may appear quiet and some time may pass without major tremors. But, so long as there is no adequate political settlement, the danger of an explosion is always there. In each generation young people grow up imbued with bitterness about events which may have long preceded their birth. For them the past lives and past injustice is not forgotten as it would be in a normal society. It is kept vividly alive by a sense of alienation from present political structures.

38. This is the atmosphere which prevails today in the occupied territories and it is this atmosphere which gives us cause for the most serious concern and which makes the situation so potentially dangerous.

39. The heads of State and Government of the European Community, of which Ireland is a member, have already expressed their grave concern on behalf of the European Economic Community at their meeting in Brussels on 29 and 30 March, as my colleague the representative of the United Kingdom has noted [*para. 12*].

40. The Council in particular, it seems to us, has every reason for serious concern. It was because we believed that there was an immediate need to press all concerned to show restraint that we thought that this call should at the present time be addressed particularly to Israel, the occupying Power. Israel, we felt, should be asked to rescind its decisions dismissing the elected Municipal Council of Al-Bireh and the Mayors of Ramallah and Nablus, since those decisions were the immediate cause of the present tension. The Council could also have made it clear that the occupation must inherently be temporary by reaffirming that it is inadmissible to acquire territory by force, and the Council could have reaffirmed once again

that the terms of the fourth Geneva Convention of 1949¹ continue to apply in full to all of the occupied territories.

41. We worked informally with other delegations to secure agreement in the Council on the basis of the points I have just outlined. The draft resolution that has just come before the Council differed somewhat from the text which we in our informal efforts had hoped might serve as a basis for consensus. Nevertheless we voted in favour of that draft resolution.

42. But these steps by the Council could only be a short-term attempt to reduce the tensions of the past weeks. Tensions and danger will persist and grow unless and until there is serious progress towards a comprehensive settlement and an end to occupation.

43. We hope that despite the fact that the draft resolution has not been adopted, all in a position to do so will use their influence in favour of restraint in the present dangerous situation, and we hope too that Israel, which has a particular responsibility, will be wise enough to ease present tensions by rescinding its recent decisions removing an elected municipal council and two mayors in the West Bank area.

44. Mr. NISIBORI (Japan): Sir, I have asked to speak to make a brief explanation of vote, and yet I should like to take this opportunity to congratulate you on your assumption of the presidency of the Council for the month of April. It is indeed fortunate that a person with your experience and abilities will be guiding the work of the Council at a time when it has been called upon to deal with troublesome questions. I should like also to express my gratitude to Mrs. Kirkpatrick, who so skilfully presided over the work of the Council during the month of March.

45. We are once again witnessing an increase in tension in the occupied Arab territories of the Golan Heights and the West Bank because of Israel's measures to isolate towns in the area, dissolve a town council and dismiss its mayor together with those of several other towns. My delegation is deeply distressed by this situation, particularly since it has resulted in bloodshed among the local inhabitants. Israel's latest actions clearly violate the relevant Council resolutions as well as the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.¹ We deplore these measures and we fear that they will heighten tensions not only in the occupied territories but throughout the Middle East. Moreover, they are detrimental to the atmosphere that must prevail if the problem is to be settled peacefully.

46. It is incumbent upon the Council to express its profound regret at the deterioration of conditions in the region and to demand that Israel rescind its recent measures immediately. It is our earnest hope that Israel will respect the will of the international com-

munity so that tensions in the occupied territories can be eased without delay.

47. Although the latest situation in the occupied Arab territories has been created by Israel's most recent actions, to which I have just referred, the principal cause of the problem lies in Israel's prolonged occupation of the Arab territories since 1967. We therefore strongly urge Israel to withdraw as soon as possible from those territories in accordance with resolutions 242 (1967) and 338 (1973), so that the Palestinian people can exercise their right to self-determination in accordance with the Charter of the United Nations.

48. The international community, including Japan, has been making utmost effort towards the achievement of a just, lasting and comprehensive peace in the Middle East. Israel's recent actions in the occupied Arab territories have made the solution of the Palestinian question even less attainable and obstructed international efforts to achieve a comprehensive peace in the Middle East. It is our sincere hope that Israel will fully co-operate with international endeavours towards the achievement of peace throughout the region. Under these circumstances, my delegation voted in favour of the draft resolution.

49. Mr. de PINIÉS (Spain) (*interpretation from Spanish*): Mr. President, as previous speakers have done, I should like to congratulate you on your assumption of such a lofty post. Apparently, this is going to be a very busy month, and I wish you all success which I trust you will achieve because of your well-known skills. Of course, you may count on my delegation's support as you discharge your duties.

50. As this is the first time this month that I have spoken in the Council, I should like to express special satisfaction with the presidency of Mrs. Kirkpatrick, to whom I wish also to pay a tribute.

51. The constant deterioration of the situation in the Arab territories occupied by Israel is a matter of concern, since it might lead to confrontations fraught with dangerous consequences to peace not only in the region but also throughout the world.

52. On 26 March, a spokesman of the Ministry of Foreign Affairs of Spain made the following statement:

"The Spanish Government is following with concern the serious events occurring in the West Bank and Gaza as a result of measures taken by the Israeli authorities in these occupied Arab territories and condemns the violence with which the demonstrations were suppressed, resulting in the wounding of many and the death of several Palestinian citizens."

53. In January [2322nd to 2330th meeting], the Council had the opportunity to consider the situation

of tension caused by the annexationist measures adopted by the Government of Israel concerning the occupied Syrian Golan Heights.

54. It is difficult now not to see in the most recent measures adopted by the Israeli authorities on the West Bank and in Gaza the continuation of a deliberate and planned policy designed, ultimately, to perpetuate the occupation of the territories acquired by force in contravention of universally recognized principles of international law.

55. My delegation would like once again to put on record its great concern about this series of measures, especially the dismissal of democratically elected mayors. However, we cannot be satisfied with the mere rescinding of measures or provisions which, by their very nature, are provisional.

56. As long as there is no definitive withdrawal by Israel from the Arab territories occupied since 1967, it is an illusion to think that a just, comprehensive and lasting peace in the Middle East is possible. It is impossible to believe in the sincerity of the peace intentions of those who, declaring their support for negotiation, seem to think that the best way to prepare for dialogue is by repressive and intimidating actions.

57. We continue to believe that it is necessary for all countries of the region to bend every effort to find a solution to the serious problems which for more than 30 years now have constituted a tragic reality. But the path towards this long-sought peace lies in overcoming the obstacles which have been so persistently erected by the Government of Israel.

58. Mr. WYZNER (Poland): Sir, I should like at the outset to congratulate you on your assumption of the presidency of the Council. We are confident that, as the representative of non-aligned Zaire—a country with which Poland is linked with many ties of friendship and mutually beneficial co-operation—you will guide our work with your well-known wisdom, experience and impartiality.

59. I also wish to express our gratitude to Mrs. Jeane Kirkpatrick for the efficient way in which she guided us through what certainly was a difficult month of March.

60. As the Council meets today to discuss the question of the situation in the occupied Palestinian and Arab territories and to vote on the draft resolution submitted by the representative of Jordan, the gravity of the situation, as well as the rapidity of its deterioration, poses a serious threat to peace and security in the region. These events are the tragic consequences of the expansionist policy of Israel aimed at breaking the determined resistance of the Arab people. They result directly from the persistent escalation of Israeli repressive policies and measures against the Arab

population. The Palestinian and other Arab peoples of the occupied Arab territories are experiencing escalated harassment, expulsions, expropriations and the demolition and sealing of dwellings. They are faced with the decisions to disband elected municipal councils and to remove mayors from their offices. They are witnessing the construction of more and more new Israeli settlements. They are subjected to methods and measures of terror, with a growing number of victims.

61. The steps that are being taken by the Israeli authorities originate in and stem from the programme of step-by-step destruction of the Arab character of these territories. This programme, which is being pursued with iron-fist consistency, cannot but cast a long, ominous shadow over the region. One of the methods applied is the constant broadening and intensification of the colonization. It reflects the continued policy of *fait accompli* pursued by the occupying Power, which makes plausible the ultimate annexation of the occupied territories of the West Bank and Gaza as proven by the cases of Arab Jerusalem and the Golan Heights.

62. The Israeli decisions to disband the freely elected Municipal Council of Al-Bireh in the occupied territory of the West Bank and to replace it by direct Israeli rule and to remove by force the Mayors of Nablus and Ramallah constitute yet another step in the policy of creeping annexation and are part of the Tel Aviv strategy to tighten its hold on the West Bank and Gaza and eventually to annex those lands. Constituting a flagrant violation of the norms of international law, being a grave breach of international conventions and defying the provisions of the Charter of the United Nations, as well as of numerous resolutions of the General Assembly and of the Security Council, the policy of the Israeli authorities can only add to the further aggravation of tension in the Middle East, one of the most sensitive areas in the world.

63. Poland, whose contribution to the cause of peace in the Middle East through its participation in the United Nations peace-keeping forces need not be emphasized in this chamber, maintains its consistent position on the question of Palestine. The question of Palestine is the crux, indeed, of the Middle East conflict. It is the key to its settlement; a comprehensive, just and lasting peace in this sensitive region cannot be established without the withdrawal of Israel from all the Arab territories, including Arab Jerusalem, which it has occupied since 1967. Without the achievement of a just solution to the problem of Palestine, based on the recognition of the inalienable rights of the Palestinian people, peace can hardly endure in that region. Ignoring the question of the inalienable rights of the Palestinian people can lead to a further impasse, increasing the tensions even more and making the prospects for peace more distant.

64. For all those reasons we voted in favour of the draft resolution submitted by the representative of Jordan.

65. The PRESIDENT (*interpretation from French*): I shall now speak as the representative of ZAIRE.

66. The Council is once again seized of the thorny question of the Middle East and Palestine as a result of the disquieting situation that prevails in the occupied Arab territories, particularly the West Bank and Gaza.

67. The world, including Zaire, has been following with well-justified concern the dissolution of the Municipal Council of Al-Bireh and the dismissal of the democratically elected Mayors of Ramallah and Nablus, a dismissal that seems to be intended to introduce or to extend Israeli jurisdiction, legislation and administration to the occupied Palestinian and Arab territories of the West Bank and Gaza, although the Council, through its resolution 497 (1981), has unanimously adopted an unambiguous position relating to such measures.

68. After the annexation of Jerusalem and of the Syrian Golan Heights and the dismissal in 1980 of the Mayors of Hebron and Halhoul, all this is most disturbing and it is understandable that the people and their elected officials in the Arab territories of occupied Palestine should ascribe to the Israeli authorities the obvious intention of wishing purely and simply to annex their territories. Who indeed could say anything other than that? The present chain of confrontation cannot fail to have grave consequences for peace and security, both in that region and in the world. How often have we said that it was imperative, in the interests of all parties, to stop the cycle of violence in the Middle East, and called upon the parties concerned to understand the need to abide by the principles set forth in the pertinent Council resolutions in order to reach a comprehensive, just and lasting settlement of the Middle East crisis, through peaceful means and through negotiations, taking into account that the question of Palestine lies at the heart of the problem of the Middle East?

69. The way in which the parties concerned react to calls for calm and moderation and to the many appeals by the Council and the international community for respect for the relevant resolutions designed to help in the quest for a comprehensive, just and lasting settlement to the Middle East conflict is a matter of very great concern to us. There can be no question of settling the complex problem of the Middle East and Palestine by expedient unilateral solutions, which consist purely and simply of grabbing the occupied Arab Palestinian territories.

70. The solution to the thorny question of the Middle East and Palestine with the sudden changes inherent in the unilateral acts undertaken in Jerusalem, the Syrian Golan Heights, the West Bank and Gaza must be both Arab and Israeli.

71. In this matter, it appeared to the delegation of Zaire that the members of the Council were ready,

within the framework of the efforts and the draft resolution of Ireland, which we supported, to achieve a consensus which would have enabled pressure to be put on the opinion of the international community as a whole in order to bring peace to the region—if the draft resolution had hinged upon the need to rescind the decision to dissolve the Municipal Council of Al-Bireh and to dismiss the Mayors of Nablus and Ramallah, and upon the need for Israel to rescind the measures it has adopted in the West Bank and abandon any policy or action aimed at changing the physical character, demographic composition, institutional structure and legal status of the occupied territories.

72. Unfortunately, we did not have enough time to obtain the necessary instructions concerning the new text, and the efforts undertaken with a view to obtaining a unanimous resolution hinging upon a unanimous and constructive approach have been thwarted and defeated by rigidity of position which apparently is not based on the desire to find an appropriate solution to the problem.

73. That is why the Republic of Zaire, while reaffirming here its unswerving support for the Arab and Palestinian cause and calling upon Israel to withdraw from the occupied Arab territories and respect the relevant resolutions of the Council, abstained in the vote on this draft resolution.

74. I now resume my functions as PRESIDENT.

75. Mr. NUSEIBEH (Jordan): A people that sees with its own eyes and hears with its own ears, day in and day out, the ruthless obliteration of its existence needs no goading from anybody to struggle for its survival.

76. If assistance—meagre as it is—has been extended to the Palestinian inhabitants, it has been extended primarily by family, relatives and public funds and has been given solely to keep a whole population alive and afloat.

77. The Israelis would love nothing better than to see those inhabitants starve to death and even to see the municipal services deteriorate to the point where epidemics become rampant. The people are even denied the right to build houses. They are prohibited from digging wells. They are not allowed to engage in trade. The Israelis want them to be slave labour—drawers of water and hewers of wood—or that is what they think.

78. The Palestinian people, who risked their lives and bared their chests in confronting lethal weaponry, can never—we all know what human nature is like—be prompted or catalyzed by all the gold in the world to die in vain. The Israeli occupiers will, in the not-too-distant future, realize this simple, banal fact.

79. The draft resolution which was actually adopted but was vetoed by the United States just now is self-

explanatory. I wish to express our deep appreciation to the Member States which have just cast their affirmative votes in a gesture of legal and moral support for the beleaguered Palestinian Arab people who are struggling—literally—to preserve their existence in their ancestral homeland.

80. They had already endured 15 years of one of the most ruthless occupations and decimations of a whole people in history, openly designed to supplant the lawful inhabitants of the Holy Land and to effect the annexation of their territory; and today the ruthless military crackdown by the forces of occupation, whether they be called organized or unorganized, entered its sixteenth day, accompanied by horrendous suffering in every home and in every walk of life—if we can still talk about life in any meaningful sense, other than in contradistinction to death, in the context of our peoples' tragedy.

81. In the occupied Syrian Golan Heights, the entire Syrian population still in the area has been living under a curfew and in confinement for six weeks on end for refusing to relinquish its ten thousand-year-old Syrian identity because of an intruding Zionist conquest. I am talking about the remnants of the Syrian population here, including its elderly religious leaders—the vast majority of the population, almost 200,000 people, are in exile.

82. The reign of organized terror, mass detentions, murder, annexation, absorption, strangulation of education, economic enterprise and the elementals of human existence continue ruthless and unabated in a futile attempt to break the will of an indomitable people through tyranny and sadism. But the millenia of history of the Palestinian people testify to their impregnability and their ability to survive, whatever the magnitude of the transient odds they face.

83. The Council draft resolution is an assurance that civilized humankind knows what is right and what is inhuman and brutal and that it is eternally imbued with the courage and wisdom to say so without let or hindrance, without fear or inhibition. In the meantime, the fact that the United States vote was a veto came—sad to say—as no surprise to anyone. It was, believe me, no surprise to anyone—for a reason with which the Council is all too familiar. It is my earnest hope that one day the American voice at the Council—and America is a super-Power—will be, unlike today, in accord with the general will of international legality, morality and justice, as well as in conformity with its own fundamental values.

84. Only the other day, the representative of Israel referred to the entire situation as a conflict between Arab and Jew. Both my colleague, the representative of the PLO, and I explained that we had known a united Palestine in which Arab and Jew lived in friendly, amicable, normal and peaceful relations.

85. Yesterday, I received a letter in the mail from Rabbi Blau, a very distinguished Judaic scholar, who probably knows more about Judaism than anyone else in the world. He asked me to pass on this short message—there is a much longer message which I shall not cite this evening, but which I shall pass on for circulation later on. In this short message he said—and this is not an Arab complaint, but rather a complaint by a very distinguished Jewish scholar, who was born in Palestine, who knows Palestine, who knew better days in which Arab and Jew lived side by side before the intrusion of the Zionist mythology of exclusiveness:

“We want in this letter to express our revolt and our grief concerning the situation in the Holy Land, where the Government of a State created with bloodshed, continues, as in the past, to persecute its inhabitants.

“The declaration which our beloved leader, Rabbi Blau . . . made more than ten years ago is, unfortunately, of still more actuality than ever:

“ . . . We in the Holy Land find ourselves in an unfortunate position, both materially and spiritually. Materially we are against our will in an independent nationalistic State, labeled Jewish, whose entire foundation and ways are opposed to our faith.

“ ‘Our Sages warned us against such a phenomenon two thousand years ago. The State has, since its establishment, been in a constant state of war and bloodshed. Jewry has always lived in peace with its Arab neighbours, and we are certain that we could have continued living in the Holy Land in peace with its Arab neighbours.

“ ‘We decry bitterly the bloodshed of these wars, diametrically opposed to our will and our faith. We look forward with trepidation and horror to the future predicted by our Sages for this independent State.

“ ‘Spiritually we find ourselves under the rule of Jews, devoid of faith, who aspire to live in permissiveness and abandon. The education and culture in like manner are leading our youth astray in the Holy Land’ ”

—In schools they are taught that the Arabs are savages; they call them “our Arabs”, referring to the 640,000 Palestinians in Galilee and elsewhere, who have been “their Arabs” since 1948—

“ ‘The situation to us is more bitter than death itself, may God spare us.

“ ‘Our Jewish brethren in exile among the nations of the world live under no comparable awful threat, either material or spiritual. We find

no formula to turn back the wheels of confusion that have run down Jewry in the Holy Land . . .

"We want the world to know that we, Jews faithful to our Law, to our destiny, want in the Holy Land the establishment of a State under whose government all its inhabitants will live together in peace and friendship."

86. The PRESIDENT (*interpretation from French*): The representative of the Syrian Arab Republic has asked to speak. I invite him to take a place at the Council table and to make his statement.

87. Mr. EL-FATTAL (Syrian Arab Republic): Sir, as this is the first time I have spoken before the Council under your presidency, I should like at the outset to extend to you my sincerest congratulations on your assumption of that important post.

88. I must express my feelings after today's historic events. We, the third-world countries, have received two United States vetoes.

89. The first was a veto of the purposes and principles of the Charter of the United Nations: the United States has vetoed the obligation of States to respect the principles of the Charter, particularly those relating to non-intervention and non-interference in the domestic affairs of States. Israel does not respect those principles, nor does the United States: it is like Israel.

90. The United States has vetoed the most sacred principle for those who have endured years, indeed centuries, of white colonialism and now are enduring white United States imperialism: the Charter principle of the right of peoples to self-determination. It has been trampled on, violated by the United States veto. The self-determination of peoples was vetoed because it applies also to the Palestinians: that was the reason for the United States veto.

91. The principle of the non-use or threat of use of force has also been flouted, disregarded and dismembered, encouraging United States imperialism and its tools to use force and to threaten other countries, particularly small countries and countries under occupation.

92. Universal principles enshrined in the Charter and universally recognized in all instruments, whether ratified by the United States or not, have been trampled upon in order to save Israel's neck.

93. The principle of the territorial integrity and political independence of States has been trampled upon, for the United States is an expansionist State. We are not now going to mention how it expanded and where it expanded; the country concerned may one day reclaim its occupied territories. That is why the United States had to veto a universally accepted principle, that of the territorial integrity and political

independence of States: in order to prepare for further aggression against small countries, medium-sized countries and even big countries.

94. The other veto was also a veto of universally accepted principles.

95. The falsity of what the United States has said is obvious. It said that whenever the fourth Geneva Convention of 1949¹ does not contain a specific provision, the occupying Power can commit any crime it wishes. But above and beyond the Geneva Convention there is the principle of equity and justice.

96. You claim to have democracy in the United States; yet you prevent three or more mayors even from taking care of their towns' sewer systems. You have vetoed the right of peoples to resist foreign occupation. But we are going to resist the Israeli occupation by all means possible. We are proud to see adolescents, students, girls and boys throwing stones, and more than stones. We shall encourage them to do that. The number of dead is not important; the important thing under occupation is to liberate the territory.

97. Our people, the Palestinians, Syrians and others, have lost tens of thousands of martyrs. But the population of the Arab nation is 120 or 130 million, and we can afford to lose 10, 20, 30 or 40 million to fight American imperialism and the United States and Israeli racist, Zionist, imported, synthetic occupation.

98. You have gone to the extent of encouraging the Israeli occupying authorities to kill our peoples through and because of your veto. The situation in the West Bank, in Gaza and in the Golan will not be better tomorrow because of your veto. It is going to worsen because you have encouraged your Israeli henchmen and the terrorist Begin, the assassin of Count Folke Bernadotte, to increase and escalate their inhuman practices against children, women and the elderly, against our land and against our cities, against our culture and civilization. However, the battle has not ended with the United States veto; it has just begun, and the United States is going to pay the price of its veto. And this time, the price will be very high. Your political illiteracy, your callous approach to world problems, your disregard for the human being have made you, the United States, a nightmare for mankind and have made your tool, Israel, our permanent suppressor.

99. I should like to draw the President's attention to the situation in the Golan Heights. The following acts are being committed: first, the Israeli military authorities have been reinforcing their troops in the Golan Heights since its annexation on 14 December 1981; yet the representative of the United States still says this is not annexation, not an act of force, but that it is a legal act, that it is the law and that not one gun or one shot has been fired since the Israeli occupation authorities have been there. Annexation, there-

fore, under the American interpretation, must be accompanied by active belligerency. This is a new concept of international law. In other words, if someone kills a person with a gun, he is an assassin, but if he strangles his victim, he is not. This is the logic of the United States. This is the political and juridical illiteracy of the United States.

100. Secondly, all of the leaders of the Golan region are being detained. Since 14 February, the entire population of the Golan has been out in a general strike in protest of the imposition of Israeli nationality and identity cards. Israeli measures have gone so far as to prevent people from marrying if they do not submit an Israeli identity card. The dead cannot be buried if the corpse has no Israeli identity card. A child cannot be registered in the civil register if he does not bear an Israeli identity card. I should like to quote from the daily news bulletin of the Jewish Telegraphic Agency of Tel Aviv dated 21 March:

"The Druze on the Golan Heights began the sixth week of their general strike today"—this was 21 March, and it is now therefore the eighth week—"in protest against Israel's annexation of that territory last month. The strike, with shops, schools and business establishments shut and Druze employed in Israeli concerns refusing to go to their jobs, is estimated to be about 80 per cent effective. The four villages where the Golan Druze population is centred have been sealed off by the Israeli authorities, and inasmuch as the residents have refused to accept Israeli identity cards, they are not permitted to leave. The news media have also been barred."

This—and I am again addressing myself to the representative of the United States—is your democracy, this is Israel's benign democratic occupation:

"The news media have also been barred, raising angry protests and putting into question the credibility of official reports from the area by the army. Druze farmers have complained that their cattle are dying because they are not allowed to take them to pasture near the Syrian border. The army claims the cattle are being led to pasture by farmers with Israeli identity cards and have not suffered. The media are unable to determine which version is correct."

101. We know the true version. You, Mr. President, know it, and everyone here knows it, save for the United States, which feigns not to know it in order to protect the Israeli annexation of the Golan Heights.

102. According to the same report, Israel was embarrassed when the International Committee of the Red Cross (ICRC) in Geneva flatly denied yesterday a claim made by the army—I refer to the Israeli army—last week that an ICRC representative had expressed satisfaction with the medical condition of the Golan

Druze. According to a military spokesman, the representative visited the region on 16 March and ascertained that reports of a shortage of medicine in the requesting town were incorrect. ICRC said yesterday in Geneva, however, that the Israeli military authorities had denied its local representative freedom of movement and freedom to choose those persons whom he wanted to interview. As a consequence, ICRC was unable to obtain the necessary information on the humanitarian situation in the Golan and, according to the Geneva statement, it was in no position to pass judgement on conditions there. ICRC said it was continuing its approaches to the Israeli authorities and hoped to resume its work in the Golan Heights as soon as possible. This means that the Golan region is completely sealed off and that even ICRC cannot enter the area in order to evaluate the very precarious situation there, particularly the inhuman situation that has existed since the Israelis have decided to put pressure on the population either to adopt Israeli nationality and obtain Israeli identity cards or to leave the country, the "democratically" occupied land.

103. The United States veto has also reassured us, the 120 million Arabs and almost 800 million Muslims, because the United States—although in effect millions of Europeans have voted in favour of that draft resolution—is now unmasked as a bankrupt Power, both intellectually and in the humanitarian field, threatening the very foundations of justice and violating the Charter of the United Nations.

104. The PRESIDENT (*interpretation from French*): The representative of the Palestine Liberation Organization has asked to be allowed to speak and I call on him.

105. Mr. TERZI (Palestine Liberation Organization): Mr. President, I know that you have had a very hard day, but of course a price has to be paid for assuming the responsibility of maintaining international peace and security by becoming a member of the Security Council. I shall not tax your patience.

106. Today was really a historic day in the life of the Council. This morning the representative of the United States told us "this is a serious international forum" [2347th meeting, para. 46]. Naturally, we were very pleased to know that at last the Government of the United States realizes that this is a serious international forum, not a centre for exacerbating situations, as it claimed a few weeks ago.

107. Furthermore, the representative of the Government of the United States told us:

"... selective invocation and application of universal principles does not strengthen either the principles or the organizations dedicated to their realization and implementation. It breeds cynicism. It harms the United Nations. It mocks the search for peace." [*Ibid.*, para. 13]

Mockery it is when we see that principles have become a cheap commodity offered for trading by the representative of the Government of the United States.

108. The representative of the United States told us again this morning that article 21 of the Universal Declaration of Human Rights³ is very important and must be kept in mind. That article—which she quoted—reads:

“The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”.

109. I sincerely wish that the United States Government would apply that principle when it deals with the question of the Palestinian people. Here we have a people denied, through occupation, the right to hold elections. Elections were held once, but then the occupation authorities realized that the will of the Palestinian people was to get rid of them and be liberated from the yoke of foreign domination. That is why they did not repeat that exercise. As I said the other day, I challenge them to repeat that exercise; then they can judge what is the will of the people of Palestine under occupation. But again, to be selective is really a cheap commodity.

110. We were told by the representative of the United States:

“We have noted as well that this is not the first time that United States initiatives aimed at resolving disputes have been met by deliberate escalations.” [*Ibid.*, para. 43]

It is the United States that has torpedoed the sincere efforts of the United Nations to bring peace to the Middle East; it was intervention by the United States when it supported the Governments of Sadat and Menachem Begin and signed the Camp David accords, at the price of ignoring completely the presence of the Palestinian people, 4 million of us, at the price of annulling our right to live in our country in peace and to exercise our right to self-determination. What the United States said this morning—and they keep on repeating it—is the height of hypocrisy.

111. The United States representative expressed concern about the newspaper *La Prensa* and something called *El Nuevo Diario*. All that is really very touching. But what would she say about the suspension of the publication in Jerusalem of *Al-Fajr*, *Al Sha'b* and *Al-Quds*? Those newspapers are not just censored; they are banned and barred from circulation; they are not permitted to publish news. I quoted from Shipler's article the other day [2340th meeting, para. 49]; only 5 per cent of the news is permitted there. Why does the United States representative not

really show that she is committed? I know she is expressing not her personal feeling, but that of her Government, but why does she not show any interest at all in the fate of 4 million Palestinians who since 1947 have been denied the right to live in their own homes?

112. She reminded us that this was “not a Turkish bath” [2347th meeting, para. 46]. I should like to tell her and the Council that we agree that this is not a Turkish bath, but my country has become a blood bath—as a result of the criminal acts committed by the neo-Fascists, the SS troopers, of Menachem Begin and his ilk.

113. The representative of the United States told us that they really had had a deep concern, but that now the situation has subsided. I do not know where they get their news, but I do know that yesterday the British Deputy Foreign Secretary was prevented from meeting Mayors Shaka'a and Khalaf—because “everything was really smooth, so why should he bother them? Let them have their nargila and coffee”. Does that indicate that the situation has subsided?

114. We do know that in Duheishe refugee camp near Bethlehem the curfew is still on and clashes have been reported between the SS troopers and the villagers and refugees in the camp. We do know that several shops were sealed off in Jenin and Bethlehem, and we know also that the daughter of the Mayor of Bethlehem was dismissed from her job as a teacher. Everything is clear and quiet, you know—even teachers are being expelled from their schools.

115. We know that in Nablus the troopers arrested Salim Alka'Kani, the Secretary of the Municipality of Nablus. A couple of days ago he was beaten and taken to the hospital in Rafidia. He was discharged from the hospital and on his way back home he was again treated very, very badly by the troopers and received injuries.

116. We are told that the situation has subsided, but we know that demonstrators in Toubas today were confronted with Israeli fire.

117. I do not know on what the Government of the United States bases its assessment. Perhaps it can be moved only by real genocide. But I tell you this: even if it subsides, the rebellion of our people has not been extinguished and it has not been suppressed.

118. We were told that the United States would have loved to urge and call for restraint in order to avoid renewed outbreaks of violence and that consequently the United States vetoed this draft resolution. Why did it veto it? Because the United States wants the people to submit. The United States wants to endorse the latest Israeli violation and the United States is inviting Israel to create a belligerent occupation. That is an invitation to violence. In other words,

unless there is machine-gun fire, the occupation is a benign one. The United States is inviting the people to resort to machine guns and Molotov cocktails. Then it will become belligerent.

119. The issue is not legalistic; the issue is that there is an occupation and the people under occupation are exercising their right to resist. This has been done in every single country. Why should we be denied that right? And yet, despite the fact that the European Economic Community has denounced the violations [see S/14954], the Government of the United States, as clever as it is, says that there are no violations. We have just been told that no violations have taken place. This is an insult to the intelligence of everyone around this table. It could be called arrogance; it could be called hypocrisy; but the very least it can be called is a twisted approach.

120. And then the United States expressed the wish that it could have supported something. What can the United States offer? There is a challenge here. Let us see what paper the United States can offer the Council that would secure peace in the area. Let us see what sort of ideas it has. Let it put them on paper and commit itself to them. The United States is called on to respect the will of the international community and the principles of the Charter of the United Nations and to bear in mind the fate of 4 million Palestinians. For whatever the United States does, if it simply tries to ignore the presence of 4 million Palestinians, then it is not sincerely attempting to achieve peace in the area.

121. The negative vote of this permanent member in our view is a deliberate obstruction of the constructive role and duty of the Council. It is a deliberate move by the Government of the United States further to exacerbate the already explosive situation in the occupied Palestinian and other Arab lands. It is a deliberate move to exacerbate the situation in Ramallah, in Gaza, in Jerusalem—the city of peace. It is a deliberate move to perpetuate the bloodshed in the streets of Jerusalem, Ramallah, Beir Zeit and other places. It is a malicious effort at perpetuating instability in the region. But more than that, it is an affirmation of the United States Government's hostile policy inimical to the Palestinian people and to the Arab people in general. It is an affirmation of United States encouragement of Israel not only with financial and military support but also with diplomatic support here in the Council, through resort to the veto power.

122. The Palestinian people under occupation are more convinced than ever, as a result of the vote taken just now, that their faith and trust in the United Nations is justified and that it pays good dividends. In their name I wish to register our appreciation to those delegations which voted in favour of the draft resolution, which was murdered in cold blood by the

representative of the Government of the United States.

123. The United States has opted to be a minority of one against the rest of the international community. The United States Government has selected its friend and ally but has alienated itself further. It has isolated itself from the rest of the world and it has again affirmed where it belongs: it belongs in the ranks of darkness and oppression with the neo-Fascists. The PLO holds the Government of the United States to be not only an accomplice but also an equal partner in the crime committed against our people, in the crime to deprive our people of the right to a life in its own homeland. The United States is equally responsible for those crimes.

124. Our people is determined to continue to exercise its right to rebel, its right to resist, its right to pursue its struggle. The right of rebellion is one of the rights in the Universal Declaration of Human Rights.¹ The Palestinian people will continue its struggle until it attains its inalienable rights in its own homeland in Palestine between the Jordan River and the Mediterranean, until all the Palestinians return to their homes in accordance with their rights and the resolutions of the General Assembly and other United Nations organs, until we freely exercise our right to self-determination in our own country and until we establish our own State. We shall continue to exercise our right to designate our representative, which the Council has invited to participate in its deliberations, namely, the PLO. This is the only basis for a comprehensive and just peace.

125. The crimes currently being committed are but the inevitable result of the prolonged occupation, of Israel's policies and design to annex the occupied territories in their totality, to strangle—both economically and physically—our people in an attempt to force us to abandon our centuries-old homes and seek refuge and become perpetual refugees. But our people, under the leadership of the PLO, are not ready to submit and we will resist until victory.

126. The PRESIDENT (*interpretation from French*): The Security Council has thus concluded the present stage of the consideration of the item on the agenda.

The meeting rose at 9 p.m.

NOTES

¹ United Nations, *Treaty Series*, vol. 75, No. 973, p. 287.

² Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York: Oxford University Press, 1915), p. 100.

³ General Assembly resolution 217 A (III).

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