

UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

UN LIBRARY

THIRTY-FOURTH YEAR

JUL 13 1982

2156th

MEETING: 18 JULY 1979

UN/SA COLLECTION

NEW YORK

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/2156)	1
Expression of thanks to the retiring President	1
Adoption of the agenda	1
The situation in the occupied Arab territories:	
Report of the Security Council Commission established under resolution 446 (1979) (S/13450 and Corr.1 and Add.1)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2156th MEETING

Held in New York on Wednesday, 18 July 1979, at 3 p.m.

President: Mr. Ivor RICHARD (United Kingdom of Great Britain and Northern Ireland).

Present: The representatives of the following States: Bangladesh, Bolivia, China, Czechoslovakia, France, Gabon, Jamaica, Kuwait, Nigeria, Norway, Portugal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zambia.

Provisional agenda (S/Agenda/2156)

1. Adoption of the agenda
2. The situation in the occupied Arab territories:
Report of the Security Council Commission established under resolution 446 (1979) (S/13450 and Corr.1 and Add.1)

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

Expression of thanks to the retiring President

1. The PRESIDENT: Before we commence the business for the afternoon, I should like on behalf of the Security Council to express to my predecessor, Ambassador Troyanovsky of the Soviet Union, our appreciation for the precise, skilful, courteous and expeditious way in which he conducted the business of the Council during the month of June.

Adoption of the agenda

The agenda was adopted.

- The situation in the occupied Arab territories:**
Report of the Security Council Commission established under resolution 446 (1979) (S/13450 and Corr.1 and Add.1)

2. The PRESIDENT: I wish to inform the members of the Council that I have received letters from the representatives of Egypt, Israel and Jordan in which they request to be invited to participate in the discussion of the item on the agenda. In accordance 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. Nuseibeh (Jordan) took a place at the Council table; Mr. Abdel Meguid (Egypt) and Mr. Blum (Israel) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: I should also like to inform the members of the Council that I have received a letter dated 18 June 1979 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

"I have the honour to refer to the forthcoming meeting of the Security Council on the situation in the occupied Arab territories and to request that I be invited to address the Council in my capacity as Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in accordance with the provisions of rule 39 of the Council's provisional rules of procedure."

4. On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connexion with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation, pursuant to rule 39 of the provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At the invitation of the President, Mr. Roa Kouri (Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People) took the place reserved for him at the side of the Council chamber.

5. The PRESIDENT: I should also like to inform the Council that I have received a letter dated 18 July from the Permanent Representative of Kuwait [S/13456] which reads as follows:

"I have the honour to request that the Security Council extend an invitation to the representative of the Palestine Liberation Organization to participate in the Council's consideration of the item 'The situation in the occupied Arab territories', in accordance with the Council's past practice."

6. The proposal by the representative of Kuwait is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure but, if it is approved, the invitation to

participate in the debate will confer upon the Palestine Liberation Organization the same rights of participation as those conferred upon a Member State when it is invited to participate under rule 37. Does any member of the Council wish to speak on this proposal?

7. Mr. PETREE (United States of America): Because the United States does not agree with the special procedure by which the Security Council hears representatives of the Palestine Liberation Organization, I ask that you put this matter to a vote.

8. The PRESIDENT: As no other member wishes to speak at this stage, the Council will now vote on the proposal made by Kuwait.

A vote was taken by show of hands.

In favour: Bangladesh, Bolivia, China, Czechoslovakia, Gabon, Jamaica, Kuwait, Nigeria, Union of Soviet Socialist Republics, Zambia

Against: United States of America

Abstaining: France, Norway, Portugal, United Kingdom of Great Britain and Northern Ireland

The proposal was adopted by 10 votes to 1, with 4 abstentions.

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

9. The PRESIDENT: The Security Council will now resume its consideration of the item entitled "The situation in the occupied Arab territories". I should like to recall that when the Council considered this item from its 2123rd to its 2128th and at its 2131st and 2134th meetings, held between 9 and 22 March 1979 it adopted resolution 446 (1979), by which it established a Commission consisting of three members of the Council to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem. The Commission, composed of Bolivia, Portugal and Zambia, transmitted its report by a letter dated 12 July 1979. The report of the Commission is before the Council in documents S/13450 and Corr.1 and Add.1.

10. The members of the Commission will now introduce the report of the Commission. I call first on the representative of Portugal, as Chairman of the Commission.

11. Mr. MATHIAS (Portugal) (*Interpretation from French*): Mr. President, our two countries have always been friendly. But, curiously enough, for more than two centuries they did not seal their friendship by an alliance. Consequently, 600 years ago, they remedied that situation by establishing an alliance to which they continue to remain faithful to this day; it is, indeed, the most ancient alliance in the world. Therefore, we are delighted to see you occupying the presidency of our Council for this month. The feelings of friendship and the political and historic links which unite our countries are combined with the respect, admiration and esteem in which you are

held by my delegation. The lucidity of your judgements, your quick, keen intelligence, your good-naturedness and sense of humour, as well as your understanding of problems thanks to your balanced view of their importance are the best earnest of the effectiveness with which you will be guiding our work.

12. May I pay a tribute also to your predecessor, Mr. Troyanovsky of the Soviet Union. We thank him for the exemplary manner in which he presided over the Council in the month of June when he demonstrated once more his exceptional diplomatic talents.

13. It is my honour to submit the report of the Security Council Commission established under Security Council resolution 446 (1979) [S/13450 and Corr.1 and Add.1]. We believe that a reading of that document, as we conceived and drafted it, will allow one easily to discern the guidelines followed by the Commission with regard to its mandate and the way it was discharged. We did our best to restrict our action to that mandate—namely, to examine the situation relating to the settlements in the occupied territories and to examine the situation in Jerusalem. That was not always easy, since the problems in the Middle East are intimately interconnected and form a complex whole, where causes and effects often end by being confused against a backdrop of tragedy, the human, religious and political, intensity of which defies imagination.

14. In pondering in our first meetings the best way to carry out our mandate, we decided to contact all the parties concerned to seek their co-operation in our task. Our aim was to attempt, without preconceptions, to know and to understand the problems involved in order to provide the Council with data and with the means of making judgements reflecting the greatest possible intelligence, objectivity and impartiality, the sole guide in our work and the only value that could inspire it. The rigorous attitude adopted by the three delegations, members of the Commission upon beginning their task was manifest throughout. It was further strengthened by the contribution and culture of each geographical region represented, as well as by each country's specific historical characteristics and the moral, intellectual and professional acumen of its members. An additional element of balance was produced by the manner in which each delegation contributed to the common effort with an identical awareness of the truth and justice which we were bound to attain.

15. Within that context, we deeply deplored the position that the Israeli Government decided to adopt in this regard, rejecting any collaboration whatsoever with the Commission, and that notwithstanding our many attempts to persuade them to alter their position. Our duty, however, compelled us not to give up in the face of this attempted exercise of a right of veto with regard to a decision of the Council. We therefore pursued our activity with a view to discharging our mandate, certain of finding in the other countries of the Middle East, in other bodies of the United Nations, and in the Palestine Liberation Organization and other institutions and individuals concerned the information we needed. In this matter, the

Commission did not adopt a passive attitude. It sought other sources of information.

16. In the countries we visited, we noted the official position of the Governments as they were presented to us. The essential points in those positions are reproduced in the report. On the other hand, we have included in the annexes or entrusted to the Organization duly classified documents, maps and much additional information that was furnished to us which, while related to the wider interpretation of our mandate, we did not deem necessary to include in the report itself. These, too, are at the disposition of Member States.

17. The Commission also had the opportunity to hear many witnesses during its visit to the Middle East. The Commission analysed their statements in the light of its mandate and often reproduced them in reduced or limited form in the report. However, despite the difficulty of checking certain data and despite the fact that the exactitude of others might be open to question, the Commission nevertheless included the substance of many of these statements inasmuch as they were frequently repeated in the course of various hearings by different speakers, and that they therefore gave a picture and an idea of the questions and situations as the parties concerned saw them, experienced them and were concerned by them. The regularity with which certain facts were described corresponds to the real feelings and states of mind that we thought useful to transmit to the Council. This is particularly the case with regard to the testimony relating to the pressure exercised by the Israeli authorities to compel the Arab inhabitants to emigrate.

18. In this respect, the intolerable condition of the Palestinian refugees, while recalling the distress and despair of all like victims of forced exile, led us to a realization that instead of decreasing or disappearing with time, the problem was growing and assuming ever greater proportions. The refugees identify their destiny with that of their people. They are dispossessed, and they are at the very source of the conflicts in the Middle East; it is therefore necessary to act on this observation and to ensure their right to return to their homelands.

19. The conclusions presented in the report represent the factual statements gathered by the Commission that we have felt should be submitted for consideration by the Council in recommendations for any future decisions it may decide to make. The settlements were, in our view, being used above all as a political weapon designed to impose the Israeli presence in the occupied territories. The Commission is firmly convinced that such a policy violates international law and is a major obstacle to a just and lasting peace in the Middle East. The Commission is also convinced that that policy gives rise to profound geographical and demographical changes in the occupied territories and at Jerusalem, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in general violation of international law relative to military occupation. It is convinced that these views are shared by the majority of the Member States, in particular States represented in the Council. That is why we hope that the Council will be

able to express its rejection of that policy by urging Israel to stop creating, establishing and planning settlements in occupied territories. Paraphrasing a celebrated dictum, we can say that if the Israeli Government persists in that policy, it will be committing "more than a crime, a mistake". The consequences for peace in the region could be disastrous.

20. Our mandate also included the study of the situation at Jerusalem. The report therefore deals with that subject. However, it cannot reflect the emotion which we felt this question aroused in so many of those with whom we talked, particularly when in the hilly countryside around Amman they showed us the distant sight of the Holy City. We know that such emotions are shared by others. Those feelings merit our respect. In our recommendations, we refer to possible protective measures and measures to preserve the Holy Places that the international community, bearing in mind the spiritual significance of that city for the three great monotheist religions of the world, might take. We hope that it may be possible to make the Holy City a unique meeting place and a place of peace, a point of departure for all to unite in a determination to give it a status that will guarantee and encourage fruitful and fraternal dialogue between men, peoples and religions.

21. I should also like to take this opportunity to discharge the agreeable duty of extending the thanks of my delegation to those who particularly helped us in carrying out our task.

22. First of all, I should like to acknowledge the frank, loyal collaboration given us by the delegations of Bolivia and Zambia. I am particularly grateful to them for their intelligent and effective assistance.

23. I should like also to extend my thanks to the Secretary-General who placed at the Commission's disposal a group of international civil servants with the highest possible human and professional qualities, and whose efforts, patience and labour deserve our thanks.

24. Finally, I would like to say how appreciative we were of the warm welcome given us in the countries we visited. Faithful to traditional and noble Arab hospitality, Governments, statesmen and people everywhere received us with trust and friendship, with respect and sympathy. Such are the feelings we have for them in return, and I should like to thank them again today for the countless kindnesses extended to us during our stay in the Middle East.

25. Mr. DE ZAVALA (Bolivia) (*interpretation from Spanish*): Mr. President, the delegation of Bolivia wishes to tell you how pleased it is to see you as President of the Council during the present month of July. Your great qualities as an internationalist and diplomat, as well as the position of your illustrious Government in the field of international relations—so positive and firm in co-operating in the solution of the problems which afflict the contemporary world as well as in contributing to the progress of developing peoples—these are a guarantee of the effectiveness of your guidance, which will be all the

more valuable since in most cases it seems difficult to find adequate and just solutions to the problems which the international community has brought before the Council. Bearing in mind the traditionally cordial and close relations which unite our Governments and our peoples, I need hardly reaffirm our intention to co-operate with your efforts.

26. Likewise, I should like to express the gratitude of my delegation for the work accomplished by the representative of the Soviet Union, Mr. Oleg Troyanovsky, whose wealth of experience and whose sagacity enabled him successfully to guide the work of this body during his term of office. We wish to pay a tribute to him and to express our gratitude and admiration.

27. The Security Council Commission established under resolution 446 (1979), of which Bolivia is a member by mandate of the Council, was in my opinion a constructive means and a mechanism for objective understanding which we truly trust will contribute to the future achievement of peace in this very convulsed region of our world. That is why we agreed to be a member of the Commission.

28. After the statement we have heard from our Chairman, Mr. Leonardo Mathias, the representative of Portugal, it only remains for my delegation to endorse and firmly support what he has stated, and to reiterate once again our conviction that a lasting peace in the region can only be attained by means of joint global action within the framework of Security Council resolutions 242 (1967) and 338 (1973) which establish the right of Israel to exist within secure and recognized international borders and which, equally, provide for the inalienable rights of the long-suffering Palestinian people.

29. Permit me still to emphasize briefly two points which Bolivia considers to be of crucial importance.

30. For my country, one of the most important principles of doctrine, if not the most important, is respect for the territorial sovereignty of States. For Bolivia, which was in the past the victim of attacks—the major one of which deprived us of our access to the sea with which we came into being as a republic—any armed territorial occupation, any usurpation of territories or attempt against sovereignty are contrary to the rules of civilized coexistence, contrary to the principles of the Charter, and to international doctrine and practice, and we shall never accept them.

31. As regards the status of Jerusalem, my delegation believes that the measures which the Security Council may adopt in the future, as suggested by the Commission in its report, bearing in mind the opinions of highly qualified representatives of the three major monotheistic religions of the world, are very plausible and are fully in consonance with the statements of His Holiness Pope John Paul II which were supported by my country in the past when last March we expressed the hope that the city of Jerusalem would be given sufficient guarantees so as to become a centre of harmony among believers in Judaism, Islam and Christianity and that furthermore the urban,

artistic and historical complex of the Holy City could as a result be preserved.

32. In this delicate matter, account should also be taken of the opinions expressed by His Royal Highness, Crown Prince Hassan of Jordan, which appear in an annex to the report submitted today by the Commission, advocating the establishment of an international body to deal with this crucial and singular matter. That possibility, besides having the full support of my delegation, will, I am sure, enjoy the support of all Christian nations of the world.

33. Finally, my delegation wishes to join in expressing its heartfelt gratitude to the heads of State and the senior members of the Governments of Jordan, Syria, Lebanon and Egypt for the cordial welcome extended to the Commission, and for their invaluable co-operation, without which it would have been extremely difficult to discharge our duties fully.

34. We must also emphasize the difficult task which United Nations forces are discharging in the area with much sacrifice, and the fact that they at all times contributed to our efforts with their valuable support. To them, and to the Secretariat staff who together with us selflessly performed very responsible work, we express our gratitude.

35. To my colleagues of Portugal and Zambia, Mr. Mathias and Mr. Mutukwa go my most sincere best wishes and my gratitude for their constant friendship and solidarity.

36. In conclusion, I cannot fail to deplore, on behalf of my delegation, the attitude taken by Israel, which, by not allowing the Commission to go to the occupied territories, created an insurmountable obstacle to a broad and better evaluation of the problem, an attitude which was, in my opinion, ultimately contrary to the interests of that country.

37. Mr. MUTUKWA (Zambia): Mr. President, the Zambian delegation wishes to congratulate you on your assumption of the high office of President of the Security Council for this month. I would not be flattering you if I expressed the view of my delegation that with your characteristic frankness and decisiveness our work for this month will come to a successful conclusion. It is fitting, furthermore, that those meetings of the Security Council on the situation in the occupied territories are being presided over by a representative of a country which is no stranger to the intricate problems of the Middle East. A special word of gratitude goes to your predecessor, the representative of the Union of Soviet Socialist Republics, whose diplomatic prowess enabled the Council to sail through the hot month of June.

38. On behalf of the Zambian delegation, I wish to thank the members of the Council for having selected my country to serve on the three-nation Commission established under resolution 446 (1979).

39. My delegation associates itself with the cogent remarks made by the representative of Portugal, the able

Chairman of our Commission, when he introduced the report of the Commission which is now before the Council. We worked very well together—to say the least—my brothers from Portugal and Bolivia and I.

40. The statement by the Chairman of the Commission and that of the representative of Bolivia provided additional information pertaining to the work of the Commission. Consequently, I shall confine myself to making a few comments on certain matters of principle relating to the issues before us.

41. The Zambian delegation, guided by our principles, approached the mandate of the Commission with an open mind and with the seriousness that the problem before the Commission rightly deserved. An assessment was made at every juncture to determine how best we could together further the goals of peace in the Middle East. In so doing, we were very consciously aware of the momentous task before us. It was, and still remains, a formidable one.

42. In our view, the sacred mission entrusted to our Commission in the cause of peace could be best served through a scrupulous adherence to facts. On approaching the problem of the Israeli settlements in the occupied Arab territories, the Zambian delegation was of the view that there was a dire need for objectivity in producing the report on which future action would be based. Fortunately, a great deal of data on the related matters is now available to the United Nations. If the United Nations does not take appropriate action, it will not be because of any dearth of information on the matter. It was in this context that we decided to visit the region for the purpose of obtaining information. It was important in this regard that the Commission had decided to visit both the occupied areas and those countries and peoples whose territories have been occupied. These are the parties that are directly concerned. We sought to learn both from the occupier and from the oppressed and the dispossessed.

43. As the Council is aware, the Israeli Government refused entirely to allow us to visit the occupied territories in spite of our repeated appeals to it to co-operate. In this regard, I wish to reiterate that the Israeli Government has only itself to blame, and it has to be held accountable for its actions and miscalculations. However, in spite of the refusal by Israel to allow the Commission to visit the occupied territories, we were able to amass a great deal of information, on which our report is based. This was an undertaking by three nations from three different continents, acting jointly on behalf of the Council.

44. The question that preoccupied my delegation throughout the duration of the Commission's inquiry was: "What is the substance or essence of the Israeli policy of settlements?"

45. In principle, any policy of displacing indigenous peoples by foreign settlers anywhere is part and parcel of the process of colonization. The Israeli policy of establishing Jewish settlements of colonists in occupied Arab territories is therefore a modern twentieth century ver-

sion of colonialism. Those of us who were victims of the colonialism of foreign Western Powers recognize the manifestations of colonialism whenever and wherever we come across them.

46. By establishing colonies for Jews, by expelling the indigenous people of the area, Israel is seeking to legitimize its occupation of foreign lands that have been seized by brute force of arms. What is even more ominous is that the resulting process of emplacement has triggered a massive displacement of people. Hundreds of Palestinians are being expelled from the land of their birth to become homeless refugees elsewhere. Concurrent with this displacement is the sustained effort by the Israeli authorities to exploit the land, water, natural resources and labour of the people in the occupied territories.

47. The Israeli authorities, on the other hand, use intensive propaganda to divert attention from their real actions which centre on the exploitation of the occupied territories. Our delegation is well aware that Israel has occupied Arab territories for reasons other than the so-called security reason. This can be proved beyond any reasonable doubt by any impartial observer. It is equally evident to us that the term "settlement" is a euphemism for colonization.

48. The settlements policy of occupation, as we should all be aware, is contrary to international law and the norms of civilized conduct among nations. Moreover, conquest for colonization is totally inadmissible in contemporary international relations.

49. That being the case, it is time for the Security Council to put an immediate end to this new form of oppression and to convey a clear and unambiguous message to the Israeli authorities to this effect. History has shown over the years that countries that elect to acquire imperial dimensions have inevitably faced serious problems, because the people whose territory they occupy cannot be expected to remain idle and complacent. That is a mere reassertion of logic and the dictates of history.

50. The Commission's report and its annexes show clearly that the situation in the Middle East is potentially explosive, notwithstanding the apparent calm on the surface. There is a sense of bitterness, and even betrayal, among the dispossessed. They are craving for justice to be done. They look to this body for answers. In the interests of international peace and security, let those expectations not be betrayed by any member State in the Council.

51. Since this is not the moment for engaging in recriminations, I shall refrain from naming any countries that have abetted Israel in maintaining Jewish settlements in Arab territories. It is timely, however, to call upon the Governments concerned to halt the flow of funds from their countries, funds that Israel is using for establishing settlements.

52. With regard to the prospects for peace, the only consolation and, therefore, the only ray of hope detected is that in the areas visited the message was conveyed to us that the people want peace. They want peace based on

justice. They want a peace that deals with the root cause of their problem.

53. The international community has a duty to encourage this disposition towards peace. Dealing with the problem of settlements could be one of the first major steps towards peace in the area.

54. The Security Council should therefore demand that Israel cease the establishment, construction and planning of settlements immediately. The Israeli Government should also be urged by the Council urgently to make a declaration in which it accepts the dismantling of the existing settlements. This should be followed by Israel's withdrawal from the territories that it has occupied by brute force.

55. In addition, a means should be established to safeguard the property that has been confiscated from its rightful owners. This is Zambia's appeal.

56. Finally, let me say that, for our part, we stand ready to contribute in any meaningful way towards establishing peace in the troubled area of the Middle East. Zambia's foreign policy is predicated on fostering peace and amity among nations and peoples. We pledge to do the same for the people of the Middle East.

57. The PRESIDENT: I should like to convey to the Chairman and to the other members of the Security Council Commission established under resolution 446 (1979) the Council's appreciation of the goodwill and conscientiousness with which they carried out the difficult task that was entrusted to them by the Security Council in that resolution.

58. The next speaker is the representative of Israel. I invite him to take a place at the Council table and to make his statement.

59. Mr. BLUM (Israel): Mr. President, it is customary for a speaker in the Council to preface his first statement in a given month by paying his respects to the President of the Council for that month. However, today I am not merely following the requirements of custom in extending my compliments to you on your assumption of the presidency for the month of July.

60. As you are about to terminate your present mission, let me take this opportunity to observe how much you have contributed personally to the working of the United Nations. You have conducted yourself with dignity, sagacity and good humour. As President of the Council, you have conducted its business with exemplary fairness and propriety. In consultations, you have constantly been a force for good sense and moderation. As a result, you have earned both for yourself and for your country well deserved prestige and influence.

61. Prior to my appointment as Israel's Permanent Representative last year, I had on a number of occasions the opportunity to admire your skill and performance from the visitors' galleries of the General Assembly and the Council. In the days to come, we shall no doubt have

the opportunity to bid you farewell. None the less, I take this occasion, on behalf of my Mission and on my own behalf, to wish you well in all that you may turn to in the future.

62. It must surely be obvious by now that over the past four months the Security Council has been drawn into a concerted campaign conducted by all those opposed to the ongoing peace process in the Middle East. The first shots in this campaign were fired by Jordan last March when it imposed upon the Council and asked it to meet at the very moment that the President of the United States was going to the Middle East to confer with the leaders of Egypt and Israel over the last sensitive stages of the Israel-Egypt peace treaty. The timing of the Jordanian initiative made it manifestly clear that its purpose was to disrupt the final phase of the negotiations towards that historic treaty, which was signed just four days after the Council debate had concluded. Indeed, Jordan's persistent refusal to join the peace process, despite repeated invitations to do so, is further proof of its subversive intentions.

63. In parallel, the so-called "Palestine Committee" has also moved to engage the Security Council in its campaign, inspired by the terrorist PLO, against the peace process. Less than three weeks ago the "Palestine Committee" initiated a debate with clearly mischievous intent, which was deliberately timed and staggered in such a way that it would be resumed at the end of this month. In this way, the Council will be manipulated by the enemies of peace in the Middle East almost continuously throughout the summer.

64. All this is part of a larger strategy to fix on and take out of context particular aspects of the Arab-Israel conflict, which are at present the subject of the ongoing negotiations aimed at the achievement of a comprehensive peace. The settlements are only one aspect of a complex whole, and any attempt to detach that aspect arbitrarily from the wider context is a distortion of reality. That over-all context, reflected in Security Council resolution 242 (1967), includes *inter alia* the legitimate and justified security requirements of the State of Israel, which are directly relevant to the question of the settlements. Yet because the issue of secure borders and other interrelated matters pertaining to Israel's inalienable rights were ignored in the Commission's mandate, its report contains a predictably one-sided and distorted treatment of its subject. The fact that the Security Council is being subtly manipulated in this manner by the enemies of peace into bypassing Security Council resolution 242 (1967) can only be detrimental to the cause of peace in the Middle East. What is more, this fragmentary treatment of the conflict is directly opposed to the only promising road to peace, that of direct negotiations between the States concerned, which has already led to the successful conclusion of the first ever Israel-Arab peace treaty.

65. The report before the Council was prepared by the Commission established under resolution 446 (1979) of 22 March 1979. The resolution in question was a product of many factors. Besides the anti-peace designs of Jordan and its allies, they included the one-sided and biased

positions adopted by certain States and on the basis of deliberately distorted information and interpretations of fact. The resolution was also the product of the political opportunism of some members of the Council which took into account considerations and interests that were wholly irrelevant to the matters ostensibly under consideration by the Council.

66. The Commission's conclusions were determined in advance in both the preambular and operative parts of the resolution in question.

67. In its preamble, the resolution affirmed without qualification the unjustified proposition that the fourth Geneva Convention is applicable to the territories administered by Israel since 1967, including Jerusalem, when well-known authorities on international law have rejected the applicability of that Convention to Judaea, Samaria and the Gaza district. Let me remind the Council of a statement to this effect by Professor Eugene V. Rostow of the Yale Law School, an eminent authority on international law, who, in a letter published in *The New York Times* on 3 July 1979, pointed out that Israel is correct in maintaining that the provisions of the fourth Geneva Convention are not applicable in the present case.

68. In its operative part, the resolution determined in advance that the presence of Israeli villagers and farmers in the areas in question has no legal validity and constitutes a serious obstacle to lasting peace in the Middle East. In paragraph 3 the resolution took it as a datum that other aspects of Israeli policy were harmful to the cause of peace. The biased and prejudiced nature of that resolution could not escape any open-minded observer. It was on the basis of those conclusions that the Council set up the Commission in question, ostensibly for the purpose of fact-finding. The facts which the Commission was required to find had to conform with the Council's predetermined conclusions. If they did not conform, so much the worse for the facts.

69. With a specious mandate of this kind, there could be no doubts as to the probable nature, indeed the inevitable nature, of the report which in due course the Commission would produce. For all those reasons, the Government of Israel rejected resolution 446 (1979) in its entirety as well as any form of co-operation with the Commission set up under it.

70. Even the most cursory reading of the Commission's report and its conclusions shows that Israel's reservations were more than justified. What is particularly disconcerting is the fact that the tone and technique of the report are sadly reminiscent of those employed in the reports of the "Palestine Committee", which is little more than a pliant tool in the hands of the terrorist PLO, a criminal organization bent on indiscriminate terror against a Member State and on the mass murder of its citizens.

71. And, like the "Palestine Committee" reports, the present report accepts the views of Israel's avowed enemies as though they constituted hard and objective evidence. In fact, despite the Commission's stated intention

to evaluate all information "freely and critically" [*S/13450 and Corr.1, para. 211*], its report consists largely of an uncritical regurgitation of the most extreme and unrestrained attacks on Israel's sovereign rights. In the process of accumulating these statements, the Commission has even exceeded the authority granted it under its already biased terms of reference. Despite its disclaimer that "the Commission expected the witnesses to confine their statements as much as possible within the limits of [its] mandate" [*ibid., para. 31*], the Commission in fact heard lengthy statements on Syrian and PLO views of the Israel-Egypt peace treaty, on the refugee situation, on the situation in Lebanon, on human rights, and on several other issues which are clearly *ultra vires* under the terms of resolution 446 (1979).

72. Not only did it entertain statements on those issues but also quoted them *in extenso* in its report and even incorporated some of them into its conclusions and recommendations. Furthermore, as reported in press releases of the Department of Public Information issued at the time the Commission was in the Middle East, certain statements were made by members of the Commission which were quite incompatible with their mandate. On arrival at Amman, for example, before they had even begun their task, members of the Commission saw fit to condemn Israel, as is shown by Department of Public Information press release SC/4069. A few days later, at a refugee camp, they publicly expressed highly controversial views on the subject of the refugees—an issue which was certainly beyond the scope of the Commission's mandate—as is shown by press release SC/4073 of the Department of Public Information.

73. In the light of the Commission's declared "will to implement its mandate with total objectivity", it is difficult to understand why the Commission made absolutely no reference to the detailed information and views presented by Israel on this subject both in the course of the debate of last March and on numerous other occasions. Last March, I presented the Council with precise facts and figures, which have not been refuted, disproving the patently false assertions made by the representative of Jordan on the matter before us. Yet Jordanian and other anti-Israel statements have been given complete credence in the Commission's report and uncritically reproduced in the report's conclusions with no reference whatever to Israel's case. It appears that the Commission found it more difficult to visit the Dag Hammarskjöld Library in New York than to travel around the Middle East.

74. Nor has the Commission made any attempt to test the statements it quotes at such length against the extensive academic literature readily available on the subject in every self-respecting library. As a result, the Commission's views on issues such as the causes of the 1967 war and the creation of the refugee problem are so out of step with well known facts that they have as much credibility as the Jordanian statements to this Council four months ago.

75. The ultimate proof of the Commission's total lack of objectivity and critical approach is to be found in the conclusions to its report where it commends the PLO's

desire for and vision of peace. The version of peace espoused by the PLO is well known. This, then, is the yardstick by which the report as a whole must be measured.

76. Thus, I shall refrain from discussing the report in detail. However, to demonstrate its total unreliability, let me take up only a couple of points in its conclusions.

77. According to the report, "since 1967, . . . the Arab population has been reduced by 32 per cent in Jerusalem and the West Bank" [*ibid.*, para. 221]. Members will recall that the correct figures were put before the Council in my statement on 13 March 1979 [2125th meeting]:

"When Jerusalem was reunited in 1967, the number of its non-Jewish residents was about 70,000—roughly one quarter of the population. The non-Jewish population has risen since to about 95,000.

" . . .

"The population of Judaea, Samaria and the Gaza District, which was 965,000 in 1967, has risen by about 20 per cent, now reaching a figure of approximately 1,150,000 inhabitants."

78. I see no purpose in offering the full references to the provisional verbatim record, because the Commission apparently set no store by statements made in an official capacity by the representative of Israel before the Council. Instead, it preferred the views of anonymous individuals representing only themselves.

79. By way of further clarification, with specific reference to Judaea and Samaria, I should add that its population numbered 585,000 at the time of the census taken in September 1967. At the end of 1978 it had risen to 694,000, that is, an increase of some 16.4 per cent.

80. Moreover, it is alleged that the Arab inhabitants "still living" in the territories "are subjected to continuous pressure to emigrate [*S/13450 and Corr. 1, para. 223*]. This is ludicrous. What has happened in the territories since 1967? The number of school-children has increased from 222,000 in 1968 to 375,000 in 1975. The number of teaching institutions has risen by over one third, from fewer than 1,000 to more than 1,300. Two universities and two colleges are functioning where none existed in 1967. The area of irrigated land cultivated by the Arab population has increased by 160 per cent. The number of agricultural tractors has gone up from 130 in 1967 to 1,750 in 1976. Agricultural output and the industrial growth rate have both gone up by 11 per cent a year. Income from agriculture has grown 2.6 times in real terms. The gross national product has increased at an average annual rate of 14 per cent. Can anyone really be expected to accept that an administration which has encouraged and helped to achieve all this is putting pressure on local residents to leave? The allegation is patently absurd and odious.

81. Once again, all this information was readily available to the Commission in my statement of 13 March 1979.

Yet it wilfully chose to ignore it—for why be befuddled by facts which might alter the thesis?

82. Incidentally, many of the present-day Jewish villages in Judaea, Samaria and the Gaza District have been established on Jewish-owned land expropriated in 1948 by the Jordanian or Egyptian Government. Most of the villages have been set up on government and public land which had been barren for centuries. In those very few instances in which private land has been involved, acquisition for public purpose was in accordance with the pertinent Jordanian law and full compensation was offered.

83. In that connexion, let me quote from a letter, published only yesterday in *The New York Times*, from the former head of the Benedictine Monastery on Mount Zion at Jerusalem, Abbot Leo Rudloff:

"There have always been Jewish settlements on the West Bank. Hebron, a city with many ancient historical ties with Israel, had a prospering Jewish community until most of them were slaughtered during the Arab riots of 1929-1936; the rest fled.

" . . .

"The [Benedictine] monastery owned, and still owns, land on the West Bank. One of these was, before my time, sold to Jewish pioneers. One of my confreres told me that he saw a photo of the stripped and partly mutilated bodies of the young settlers after an attack by Arabs. Now the Jews have resettled Hebron, and the above-mentioned piece of land became the nucleus of what is now the Gush Etzion. Are those re-settlements 'illegal'?"

84. In the light of this travesty, I have no choice but to reiterate briefly Israel's position on the subject.

85. The Jewish people and the State of Israel have the right in principle, as well as in law and in terms of national security, to a permanent presence in Judaea, Samaria and the Gaza District.

86. The inseparable bond between the Jewish people and their homeland, Eretz Yisrael—the land of Israel—is an integral part of world history, inextricably entwined in the texture of world culture. No amount of distortion and fabrication at the United Nations can undo so central a fact of the political, spiritual, cultural and religious history of the world. This profound historical and spiritual tie between the Jewish people and the land of Israel has found expression in 3,000 years of uninterrupted Jewish presence in the land.

87. The right of the Jewish people to their land was recognized as a matter of course by the League of Nations and enshrined in its Mandate for Palestine,¹ which stressed "the historical connexion of the Jewish people with Palestine and . . . the grounds for reconstituting"—I repeat "reconstituting"—"their national home in that

¹ *Official Records of the General Assembly, Second Session, Supplement No. 11, vol. II, annex 20.*

country". The Mandatory Power was also entrusted with the duty of encouraging "close settlement by Jews on the land, including State lands and waste lands not required for public purposes".

88. As we were reminded in the letter by Professor Eugene V. Rostov, to which I referred earlier, "Jewish rights of settlement under the Mandate in the West Bank and the Gaza Strip were untouched, and are untouched still". But one would look in vain for any mention of the inalienable rights of the Jewish people in the Commission's report.

89. The legal right of Israel to establish villages in Judaea, Samaria and the Gaza District is not affected by those who brandish such terms as "occupying Power" and "occupied territory". These terms are not vague generalizations that can be manipulated for political expediency. They are specific, technical terms with a well defined meaning in international law.

90. As I reminded the Council in my statement of 13 March 1979, renowned authorities in international law are on record to the effect that Israel has better title than any other country in all of the former mandated territory of Palestine west of the River Jordan. But one would look in vain in the Commission's report for any recognition of Israel's legal rights in Judaea, Samaria and the Gaza District.

91. Anyone prepared to consider seriously the security problems facing Israel would also recognize that Israel is still surrounded by hostile Arab States bordering directly on its northern and eastern frontiers. Judaea, Samaria and the Gaza District were used repeatedly in the period from 1948 to 1967 as staging grounds for ceaseless and unremitting aggression against Israel. Israel's major towns and cities were within easy range of Arab artillery and faced constant threats of attack. The Israeli villages in those areas are thus an effective form of early warning system and also a vital deterrent to war.

92. If anything, recent developments on our eastern frontiers have only vindicated Israel's long-standing concerns and confirmed the importance of the villages in that regard. Apart from Jordan's refusal to enter into negotiations for a peaceful settlement, we have seen an unprecedented military build-up by Syria and Iraq, as well as a formal pledge by those two countries to work together towards a "full military union" against Israel. Yet, the Commission's report, in its partiality, is oblivious to Israel's security needs.

93. Resolution 446 (1979) referred to the fourth Geneva Convention, and much mention was made of that Convention in the Commission's report. Israel's position on the non-applicability of that Convention in the circumstances is well-known and requires no repetition. Nevertheless, I shall point out, as I did in my statement before the Council on 19 March 1979 [2131st meeting], that Israel not only follows the principles of that Convention concerning the local population, but also goes significantly beyond them.

94. Everything I have said applies with especial force to Jerusalem, the eternal capital of Israel and of the Jewish people.

95. Here I am bound to repeat what I said on the subject in my statement in the Council on 13 March 1979.

96. Jerusalem has known many foreign rulers during the course of its long history, but none of them regarded it as their capital. Only the Jewish people have always maintained it as a centre and sole focus of its national and spiritual life. The Jews of Jerusalem have the longest unbroken historical association with our Holy City. The city of Jerusalem has been the heart and soul of the Jewish people since King David, 3,000 years ago, established it as the capital of Israel. Jews for thousands of years have prayed daily for their return to Jerusalem, as the centre of Jewish life, hope and yearning. For the past century and a half, Jerusalem has had a continuous and uninterrupted Jewish majority.

97. Let me, as the representative of Israel, therefore state here again that Jerusalem, one, undivided and indivisible, shall remain forever the capital of Israel and of the Jewish people.

98. At the same time, the Government of Israel has always been conscious of the fact that Jerusalem is of deep concern also to other faiths. Its religious and cultural sites are precious to Christians and Moslems, as well as to Jews. Israel is mindful of the cultural treasures and manifold spiritual heritage of Jerusalem.

99. Israel's policy with regard to Jerusalem's Holy Places is governed by the Law on the Protection of Holy Places of June 1967. Under that law, unrestricted access to the Holy Places is guaranteed to all members of all faiths. Respect for and preservation of the Holy Places is also assured.

100. In that regard, it is relevant to recall the dismal record of the Jordanian occupation between 1948 and 1967. In flagrant violation of the 1949 Israel-Jordan General Armistice Agreement, Jordan barred access by Jews to their Holy Places and cultural institutions. Further, the Jordanian Government began to eliminate systematically every trace of Jerusalem's Jewish past. Israeli Moslems too were barred by Jordan from praying in the mosques in the Old City of Jerusalem. They regained access to them only in 1967, when the city was reunited.

101. By contrast, millions of Moslem and Christian tourists and pilgrims—in addition to Jewish visitors—have visited Jerusalem since 1967 and have prayed and worshipped freely at its mosques and churches. All these visitors can attest to the complete freedom of access to and worship at all the Holy Shrines accorded the adherents of all faiths, something unprecedented in the history of the city.

102. But the Commission had no time for these facts. It boldly accepted that Israel is attempting to "judaize" Jerusalem—mark the word; I shall refrain from reminding members which lexicon it is taken from. Thus Israel is

accused of establishing a "Jewish quarter" in the Old City of Jerusalem. The Commission apparently did not know—or did not wish to know—what every child knows, that for centuries upon centuries there was a Jewish quarter in the Old City, until the Jordanians obliterated it after 1948. As pointed out by Abbot Leo Rudloff in the letter quoted earlier, and I quote again:

"... to call the old city of Jerusalem 'Arab Jerusalem' is a misnomer. What about the Greek quarter, the Armenian quarter, the large Jewish quarter of the old city? The old city was made *Judenrein* through expulsion, destruction of synagogues, and desecration of the Jewish cemetery."

Abbot Rudloff, by the way, was in charge of the Benedictine Monastery on Mount Zion at Jerusalem from 1949 to 1969, and that included the entire period of the Jordanian occupation and wanton pillage of Jerusalem.

103. It is Israel's fervent desire that Jews and Arabs should live together side by side and intermingle in conditions of peace—for otherwise, what is the meaning of peace and what value will it have?

104. In pursuance of that goal, negotiations based on resolution 242 (1967) are currently proceeding to provide autonomy and a self-governing administrative council for the Arab inhabitants of Judaea, Samaria and the Gaza District. Incidentally, it should be noted that the Commission's conclusions and recommendations contain no reference whatsoever to resolution 242 (1967) which is the only agreed framework for the achievement of a negotiated and comprehensive peace in the Middle East. The ongoing negotiations seek to satisfy both the aspirations of the Arab residents of those areas and the legitimate security concerns of Israel's population. Jordan and representatives of the Palestinian Arab residents of Judaea, Samaria and the Gaza District have been invited to join these negotiations but have not done so, largely as a result of a determined campaign of intimidation and assassination by the PLO directed against those disposed to participate. However, the negotiations will continue despite the efforts to disrupt them and we are confident that they will reach a successful conclusion.

105. In the various debates which have taken place in the Council since the signing of the Israel-Egypt peace treaty of 26 March 1979, scarcely a word has been said in support of the peace process. That in itself is a sorry reflection on this United Nations organ which is supposed to serve the cause of international peace and security. Still more regrettable perhaps is the fact that the Council thus far has tended to encourage the belligerent and aggressive attitudes of those States which have rejected the peace process outright, the principles and purposes of the Charter notwithstanding.

106. In that connexion, it should be borne in mind that one of the members of the Council is the undisguised representative of the Arab rejectionist States. That representative has on occasion proclaimed himself to be a partisan of the Charter. He has offered no proof, however, that he is prepared to abide by its basic provisions or

to indicate clearly and unambiguously that the Government which he represents is now prepared to accept resolution 242 (1967). He has frequently regaled us with references to Shakespeare and Orwell. However, no amount of literary acrobatics can obscure the basic fact that his country, Kuwait, having rejected resolution 242 (1967), is prominent among those which are bent on obstructing the peace process.

107. As in the case of the debate to be resumed on the report of the so-called Palestine Committee, the Council is faced with a decision of principle. It can refrain from standing in the way of a peace process which holds out the only practical hope for an end to war and for a constructive future in the Middle East. Alternatively, it can go along with the machinations and designs of those who are bent on thwarting peace in the Middle East, those whose approach denies outright the inalienable rights of the Jewish people to self-determination, national independence and sovereignty in its homeland. An outside observer would have no hesitation as to which choice it is incumbent upon the Council to make under the Charter. However, given its record with regard to the Arab-Israel conflict, it is not hard to predict which choice the Council will in fact make.

108. Israel, for its part, will not lend its hand to a transparent exercise designed to subvert the peace process. More particularly, given the circumstances in which the Commission was established, and the report it has produced Israel will have nothing to do with this debate, whatever its course and outcome.

109. The PRESIDENT: The next speaker is the representative of Jordan, on whom I now call.

110. Mr. NUSEIBEH (Jordan): Rather than attempt to refute the distortions which the representative of Israel has just made, I have decided not to play into his hands and to proceed with my statement, after which I hope I will have the opportunity to answer some of the abusive remarks he addressed to my Government.

111. Mr. President, as this is my first appearance before the Security Council this month, I wish to express my deepest and most heartfelt congratulations to you on your assumption of the presidency and to assure you of the high esteem in which you are held by the Jordan Mission and by me—and, I am sure, by all other missions—for your wisdom, versatility, sincerity and dedication to the duties of your high office. My words are motivated by more than the formal expressions of commendation customarily extended to the president of this body. They are intended to place on record the profound admiration and respect we all feel for an outstanding statesman whose brilliant career as head of the United Kingdom's Mission has, over the years, been a great asset not only to his country but in equal measure to the United Nations system which, working in concert and dedication, the world community is striving to uphold and, we hope, to consolidate. We deeply regret that you will be relinquishing your present highly important assignment—this will be a loss of your invaluable contribution. We wish you a long and equally outstanding career in public service, in whatever field you may decide to pursue.

112. We are meeting today in the shadow of both a monumental challenge and a colossal and unprecedented tragedy. The challenge is posed not only to the Security Council, the guardian of a world order based on legality, morality and elemental justice. It is equally and menacingly posed in such a way as only to lead, unless promptly arrested, to the almost irreversible subversion of the urgent need to achieve a comprehensive, just and lasting peace in the Middle East, to paraphrase the preamble to resolution 446 (1979) and numerous earlier resolutions by the Council and the General Assembly pertaining to the situation arising from Israel's relentless, systematic and massive colonization and its settlements in the Arab territories occupied since 1967, including, of course, Jerusalem. Setting aside any rhetoric, embellishment or overstatement, the question is nothing less than the following: will the Security Council be able to sustain an orderly international order based on law, the Charter and relevant—hitherto sacrosanct—conventions, relative to the protection of civilian persons under occupation? Or will it helplessly and inexorably drift into the lawlessness of the Dark Ages? The answer to these questions lies squarely and frontally in the hands of the Security Council; its eventual implications will be either the fate of an opportunity for peace or a dastardly plunge into endless and horrendous conflict.

113. I have spoken about the challenge which confronts the Security Council today in the hope that it can arrest and reverse its awesome implications.

114. The other facet of the debate in which we are engaged at present is the colossal and unprecedented tragedy which has befallen the Palestinian people, both as victims of occupation for more than 12 years and as refugees and displaced persons for more than three decades. While not in any way belittling the serious and intolerable remnants of colonialism which still exist elsewhere, we can in no way compare conventional and traditional colonialism with the uniqueness of the Palestinian catastrophe. In the former, there is at least a ray of light at the end of the dark alley. Time, international will and struggle will bring forth the glorious glow of sunshine. In the agony of the Palestinian people, the question is literally survival before it is too late. It is "to be or not to be"; they are a people who are continually, almost daily, being uprooted from their lands, their homeland and deprived of their means of livelihood, their resources and even the water without which life becomes unlivable.

115. Life, liberty and the pursuit of happiness are terms of luxury which leave a strange echo in the ears of the Palestinian people. Retrenchment, and not the long-awaited redemption, is the only beam which gleams, all too glaringly, in their eyes. Not that they will accept their extinction lying down, as their unyielding determination and heavy sacrifices have clearly demonstrated and will continue to demonstrate. But that is hardly a consolation to themselves, to their oppressors, or indeed to the urgent need to achieve a comprehensive, just and lasting peace in the Middle East. Recognition of the Palestinian people's inalienable right to return to their homeland and to reconstitute their shattered national existence on their soil is the only avenue to the peace which they so fervently cherish and deserve.

116. As I said in 1976, that is why these meetings and this question may well prove to be a turning point in the quest for peace or the inevitable drift towards endless struggle.

117. If I appear to have put the cart before the horse, that was intentional so as to show the full background, dimensions and implications of the report submitted by members of the Security Council Commission established under resolution 446 (1979) to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

118. The Security Council should be proud of having, through the members of the Commission, discharged its assignment in such an exemplary manner, in such a relatively short span of time and, not least, under circumstances which no Council commission should ever again be forced to encounter. My Government's gratitude to the Commission and its most able staff has been abundantly earned by the Commission's assiduous dedication and hard work, its search for truth, objectivity, moral integrity, and its penetrating perception.

119. Abundant documentation, materials, maps and witnesses had been made available to the Commission. But that did not blur its vision of the forest and the trees. It synthesized the mass of information into a coherent, terse and crystal clear conclusion which should facilitate the task of the Council in comprehending its seriousness and in adopting the prompt and decisive measures as the Charter calls on it to do. As the Commission would naturally be reluctant to commend its own performance, may I earnestly suggest that the Council include, in whatever draft resolution is presented, a special paragraph of commendation of the Commission for an assignment well done, without fear, inhibition or bias.

120. May I also propose that the Commission, acting on behalf of the Council, continue to pursue its assignment, considering the fact that Israel—as the report clearly indicates, indeed, as the declarations of the entire Israeli leadership indicate—has allocated \$200 million during the fiscal year 1979/80 for the continuing colonization of the occupied Palestinian and Arab lands, let alone the fact that Israeli leaders have openly declared that open-ended colonization will continue to be the official policy of the Israeli occupation authorities.

121. I am sure that the Council will not fail strongly to deplore the defiant and unspeakably irresponsible attitude of the Israeli occupation authorities in denying to the Commission access to the occupied territories in a manner that can be regarded only as a calculated affront to the highest executive body of the United Nations and under what a flimsy pretext, if any pretext was presented at all.

122. In paragraph 17 of the Commission's report, we are informed that, in response to the Chairman of the Commission who sought to exchange views on the way in which the Commission intended to fulfil its mandate, the representative of Israel arrogantly and cavalierly stated to the Chairman that the Israeli Government had nothing

to hide concerning its actions in the territories under its control; that the situation there had been freely examined by numerous impartial observers who had always confirmed the statements made by the Israeli Government, and that his Mission was not prepared to have any contact with the Commission.

123. Strange indeed for, if the Israeli occupation authorities have nothing to hide, then why their calculated rebuff to a Security Council Commission? And besides, which mysterious numerous impartial observers have freely examined the situation, as the Israeli representative had alleged?

124. We are all too well aware that the occupation authorities have consistently and unabashedly defied every United Nations effort at examining the fate of a country and a whole people whose misfortune has placed them at the mercy of a ruthless and lawless tyranny, a situation against which the fourth Geneva Convention of 1949 was specifically designed to protect, after the gruesome ordeal of occupied Europe during the Second World War.

125. And what Israeli statements—may we ask—had the phantom observers always confirmed? Are they the Israeli declarations of entitlement to annexation, expropriation, expulsion and oppression and flagrant violation of human rights which the international community has categorically condemned? Surely either the Israeli authorities are acting facetiously or they are simply contemptuous of the Security Council and of the entire United Nations, which brought Israel into existence in the first place, and conditionally for that matter, in which case there is no justification for its retaining its membership in this community of nations. They should be told in no uncertain terms that, if they have such an intense dislike of the refusal of the United Nations to be their subservient instrument, then Israel should be either suspended or expelled until they come to their senses. This is normal behaviour in public as well as in international affairs.

126. Similarly, in paragraph 23 of the report, we read that the Israeli representative informed the President of the Security Council in a letter dated 17 May that

“in consideration of the circumstances in which resolution 446 (1979) had been adopted, the Government of Israel had rejected that resolution in its entirety and accordingly could not extend any form of co-operation to a Commission set up under it”.

It is most baffling, indeed, that the Israelis could not have contrived a more palatable or ingenious excuse for defiance instead of taunting the Security Council about its behaviour.

127. I participated in the March debate, and I am at a loss to find out what it was that the Israelis found improper in the decision-making process of the Council. It might be instructive if the representative of Israel could tell this body what rules or procedures the Council should henceforth follow with a view to placating the inflated arrogance of the occupation authorities.

128. The Jordan Government in making its complaint presented facts, figures and maps whose purpose was to prove that Israel had devoured 27 per cent of the area of the occupied West Bank, that upwards of 90,000 colonizers had up to then settled in Arab Jerusalem—which was being continually expanded—and in the rest of the West Bank, and that three belts of settlements had been established between Arab Jerusalem and the River Jordan aimed at compartmenting, encircling, vivisectioning and imposing a physical and psychological siege upon the legitimate people of the land. We referred to another belt that is creeping and closing in from the west in the direction of the West Bank. I shall spare the Council a repetition of all the facts and illegalities that I have earlier enumerated, as they are available in the record.

129. The representative of Israel then attempted to refute the authenticity of my Government's facts—as the Council will recall. I challenged him to prove me wrong by co-operating with the Commission. This Israel has declined to do, merely proving that the situation in the occupied territories is even more sinister than I had depicted it to be, and not only that, but the occupation authorities had prevented by physical means and by none too subtle threats of retaliation numerous people from coming to testify before a United Nations commission. Let all those who hold to the myth that Israel is a bastion of democracy and freedom in the Middle East become more discerning in their blind euphoria of misguided admiration.

130. The report of the Commission clearly informs the Council that there are altogether 133 settlements—including 17 in and around Arab Jerusalem, another 62 in the rest of the occupied West Bank, 29 in the Golan Heights and 25 in the Gaza Strip and in the Sinai. The Commission is of the view that a correlation exists between the establishment of Israeli settlements and the displacement of the Palestinian and Arab population. Since the policy was started in 1967, the Arab population has been reduced by 32 per cent in Jerusalem and the West Bank. This is a fact, because I know that in the East Bank of the Jordan we are looking after several hundred thousand displaced persons from the West Bank, Jerusalem and the Gaza Strip. There are an additional few hundred thousand who are working in the Gulf area, in Saudi Arabia, in Europe and elsewhere, but who are citizens of Jerusalem and the West Bank. They spend their summers there. They send their remittances to their families. They build homes in their towns and villages. They keep their young and their aged alive. They are all displaced persons. When they spend their vacations after work, during the summer, they all now come to Amman—or at least most of them do. Before they used to go to Lebanon and sometimes in Europe. Yes, 32 per cent of the population has been displaced. This is a fact that is irrefutable.

131. The economy of the occupied territories has been made hostage to the sinister purposes of Israeli colonization, expansion and further aggression. It is lamentable that the equivalent of \$200 million is being poured into this unconscionable and reprehensible aggression—and mostly from outside sources.

132. My Government appeals to the Council to request all those who are contributing these vast sums of money to stop doing so, if they are in earnest about safeguarding and promoting peace and the survival of the Palestinian people in their ancestral homeland. It is futile to utter brave statements about a determination to achieve a comprehensive, just and lasting peace and to act in a manner whose only consequence is to subvert the prospects of success of that peace. We have already reached a crucial turning-point, and we may find in no time, if the process is not arrested and reversed, that it is the point of no return.

133. Let all those who are in earnest about achieving a comprehensive, just and lasting peace in the Middle East stand up and make their voices heard and do their deeds unequivocally and decisively. The Palestinian people, anchored in the justice of their cause and heartened by the ever-expanding support which they are accorded world wide, will not vanish from the face of the earth. Their propensity for endurance in agony and massive adversity is beyond limits, for they have nothing to gain or lose but their lives and their sacred homeland. A just peace is their most cherished dream; ongoing and relentless colonization is their nightmare, as indeed it should be. For peace is an empty phrase if it is the peace of the grave or of neo-slavery.

134. Jordan had the privilege of serving as host for a few days to the distinguished emissaries of the Security Council, and it is with no sense of elation but with a sense of profound sorrow that we see that the Commission has verified, beyond any shadow of doubt, the authenticity of our March complaint. But, as I was leaving Amman the day before yesterday, many people from all walks of life said to me bluntly: "What is the use of piling up resolutions deploring this colonization and calling upon the Israeli occupation authorities to rescind and desist from it, when the butcher's sharp knife is assiduously and ruthlessly devouring the tiny remnants of our homeland?" I said: "Let us wait and see if the Security Council will at long last, after a marathon 12 years of occupation and colonization, shoulder its solemn responsibilities, by acts and not words. Let it decide upon an immediate moratorium on any further colonization as a prelude, a first step, to doing something about a just peace, in which the Palestinian people themselves determine their own destiny".

135. With that message of brutal truth which I have just conveyed I conclude my formal statement.

136. The representative of Israel has made statements which I should not let pass without an answer.

137. What is most amazing is that he seems to feel the same way as Professor Rostow about the legal aspects of the colonization of the occupied territories. With all due respect, it seems that Professor Rostow has not done his home-work. He has based his argument on what he calls the "old mandate", oblivious of the fact that the British Government in 1946 handed that mandate and what he calls the "sacred trust" to the General Assembly. Subsequently, the Assembly held a special session to discuss a resolution of the Palestinian problem.

138. The United Nations, having inherited the parts of the League of Nations Covenant relating to the Mandate which correspond to Chapters XI, XII and XIII of the Charter, began in 1947 to consider the issue of the future of Palestine. Its competence to do so was confirmed retroactively by the International Court of Justice in the case of the status of South West Africa—now known, of course, as Namibia. Following that, the General Assembly established a special committee to determine the future government of Palestine.

139. The General Assembly held a special session at the request of the mandatory Power and adopted on 29 November 1947 a resolution recommending the partition of Palestine into two States—one, Palestinian Arab and the other, Jewish—with an economic union [*resolution 181 (II)*]. The minority report was against partition and proposed a federal State.

140. Under the partition plan, a special international régime for the city of Jerusalem was set forth in Part III of the plan, and should have come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power had been completed, but in any case not later than October 1948. During the transition and the establishment of the provisional council of government of each State, each authority would have had—I repeat: each authority would have had—full control over all matters, including immigration and land ownership. It was stated specifically that no additional Jew should be permitted to establish residence in the area of the proposed Arab State—and the proposed Arab State was far more substantial than the dwarfed West Bank and Gaza—and no additional Arab should be permitted to establish residence in the proposed Jewish State. But I wish to emphasize here that, whereas the proposed Arab State had a mere 15,000 to 20,000 Jews, the proposed Jewish State had almost as many Arabs as Jews.

141. Even though the plan was rejected by the Arabs and nominally accepted by the Jewish Agency, the Security Council was entrusted with seeing to it that the plan would be implemented.

142. Resolution 181 (II) of the General Assembly was never applied, and the Jewish forces occupied four fifths of Palestine. In flagrant violation of the resolution, they occupied the whole country, and beyond, after 1967.

143. Regardless of how one views that plan, if one studies its provisions and wording, with its specific safeguards for the rights in regard to land, people, water, religion and historic sites and the recognized principles of international law, one sees that the plan at least showed some sense of respect for basic human rights, as well as legal rights. In incredible contrast, we watch Israel every day practising the law of the jungle, with no respect for any norms except savage force, and with no regard for the sanctity of any laws human or divine.

144. In part III of the partition plan, the city of Jerusalem was to be established as a *corpus separatum*, under a special international régime to be administered by the

United Nations. The Administering Authority was to pursue, among others, the following special objectives—and I read this out in order to mark the contrast with Israeli behaviour towards the Islamic as well as Christian religious sites:

“To protect and preserve the unique spiritual and religious interests located in the city of the three great monotheistic faiths . . . ; to this end, to ensure that order and peace, and especially religious peace, reign in Jerusalem.”

145. I turn now to the meetings of the Conciliation Commission at Lausanne in May 1949, when the approval of the Arab States and Israel was obtained for the implementation of the United Nations resolutions, including those on Jerusalem, in a protocol initiated by both sides. But the Israelis reneged and refused to ratify this, even before the collapse of the conciliation efforts. On 2 August, the Israeli authorities, claiming failure by the United Nations to provide a legal framework for Jerusalem, declared Western Jerusalem to be Israeli-occupied territory, retroactive to 15 May, and started moving their ministries to the Holy City. Also on 2 August, the military government was disbanded and Western Jerusalem annexed. A repeat operation was carried out immediately after 1967.

146. On 3 April 1949, an Armistice Agreement² was signed. In its article II, paragraph 2 the Agreement recognizes that

“no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question”.

Article VIII deals with Jerusalem and calls for a Special Committee to direct its attention, among other things, to free movement of traffic on vital roads, the return of the Arab citizens of West Jerusalem to their homes, the restoration of public services, such as the water of Raselein and electricity, in exchange—and I am now replying to Mr. Blum—for free access to the Holy Places and cultural institutions, including the Hebrew University and the Hadassah Hospital on Mount Scopus, and the use of the cemetery on the Mount of Olives.

147. The Israelis, who have been mischievously misleading the world for three decades and claiming that Jordan had barred them from visiting the Wailing Wall, conveniently forget that it was they who refused the return of the Arab inhabitants to their homes or the reopening of vital roads, such as the Jerusalem-Bethlehem road, or the restoration of vital supplies of water and electricity to Arab Jerusalem. Arab Jerusalem went without electricity and water for months. It had to depend on built-in wells.

148. The best proof of Israel's religious character—I speak of all but a small minority—is that the Israelis preferred the seizure of Arab quarters and homes to

visiting what they claim to be the holiest of holies to them, namely, the Wailing Wall. And yet they accuse Jordan of having denied them access to the Wailing Wall and of having destroyed the synagogues in the Old City, knowing full well that it was the Israelis themselves who had planted 1,000 Haganah and Irgun troops in the Jewish Quarter of the Old City of Jerusalem, against the express and categorical wishes of the local inhabitants of the Jewish Quarter, and launched a simultaneous attack from within and outside the Walled City that resulted in the destruction to which Mr. Blum has referred. Once fighting begins, there is bound to be destruction. The Haram Esh-Sharif area was very seriously damaged during that fighting. There was nothing wilful about it.

149. Mr. Blum has talked about Jerusalem, and I beg the Council's indulgence if I allow myself to become emotional about this problem. To start with, let us look at the historical perspective. Jerusalem was founded by the Jebusite Semitic Arabs 4,500 years ago. They called it Uru-Salem. This has been verified by the thrilling excavations a few years ago in northern Syria at a location called Ebla. About 20,000 inscriptions were found in the palaces, including one referring to Jerusalem as “Urusalema”. Hebrew tribes infiltrated into Jerusalem, but the indigenous inhabitants, the founders of Jerusalem, the eternal and legitimate inhabitants of Jerusalem are the Palestinians the descendants of the Jebusite Semitic Arabs and not the Hebrew intruders. They did coexist some 3,000 years ago, but the fact remains that this city is one in which the Palestinians have been living for literally thousands and thousands of years and long, long before any single Hebrew tribesman had intruded into it. If the Israelis regard Jerusalem as a Holy City, well I can assure members that I as a Moslem would lose half my faith if I should ever forfeit Jerusalem, which is the first Qibla in Islam and which is worshipped by 1,000 million Moslems. It is equally worshipped by perhaps even more people in the Christian world. It does not belong to any race; it does not belong to any people; it is not a monopoly for political Zionism. It should be a city of peace, amity and coexistence in conditions of freedom and dignity and not in conditions of subservience and enslavement, as the Israelis would have it. What they call “reunification” is in fact annexation and nothing more. Even if the whole of the country is returned to us without Jerusalem, we shall all say no—and I am not speaking only on my own behalf, but on behalf of the entire Arab and Islamic world and all peace-loving peoples all over the world. I hope that Mr. Blum will put this in the right perspective.

150. Mr. Blum has referred to one of the upheavals that occurred during the British Mandate. It was occasioned by what is known in Arabic as the “Sawar al-Buraq”; al-Buraq is in Arabic the equivalent of the Wailing Wall. It is the place from which the Prophet, arrived in Jerusalem, made his nocturnal journey to heaven from the Dome of the Rock. Now, what happened then? Let us see the legal aspects of the problem. The acid test came in the 1929 Palestinian Arab rebellion known as “Sawar al-Buraq”. During the first decade of the British Mandate the Government at Jerusalem, guided from London, assumed the responsibility to maintain the *status quo*

² Official Records of the Security Council, Fourth Year, Special Supplement No. 1.

which had existed up to then. Repeated attempts by the Jews—and I am saying “Jews” because they were not then called Israelis—were made to change the *status quo* by introducing appurtenances of worship not permitted hitherto. Following those attempts, the Government in September 1925 issued a decree forbidding the Jews to bring benches, seats and other items to the Wailing Wall. However, on the Day of Atonement—in September 1928—the Jews introduced a screen in contravention of that decree, and the British police promptly removed it. The Jews in Palestine and the World Zionist Council throughout the world as usual raised a malicious campaign in the name of religion, even though it had been well established that the Moslems were the legal owners of both the Wall and the pavement in front of it. The Moslem Supreme Council—following Dr. Weizmann’s statement in 1918 and that of Chief Rabbi Koch in 1920 demanding the handing over of the Wall as “the possession of the Jews throughout the world”—became convinced that the Jews were after the possession of the western wall of the Al Aqsa Mosque—al Buraq. Hundreds of paramilitary, Haganah and other youth organizations marched towards the Wailing Wall and hoisted the Zionist flag. The Arab inhabitants, at the urging of their leadership, exercised the utmost self-restraint, even though the marauders passed through their quarter. But on the following day—Friday—which coincided with the birthday of the Prophet, counter-demonstrations erupted and, on 23 August, widespread disturbances broke out.

151. The Government immediately reaffirmed the terms of the 1928 White Paper, maintaining the original *status quo*; an international Commission, under the chairmanship of a former Swedish Minister of Foreign Affairs, was quickly appointed and approved by the Council of the League of Nations. In December 1930 the Commission, following the British legal system, and after an exhaustive study of documents and evidence, reached a unanimous verdict, which was as follows:

—First, to the Moslems belong the sole ownership of and sole proprietary right to the Western Wall as an integral part of the Haram Esh-Sharif area;

—Secondly, to the Moslems also belongs the pavement in front of the Wall and of the adjacent Magharbah-Moroccan quarter, opposite, which was made waqf, under Moslem Shariya law—dedicated to charitable purposes;

—Thirdly, the Jews should have free access to the Western Wall for the purpose of worship at all times, subject to certain provisions.

152. It is an historical irony that while the Roman Empire punished and banished the Jews for their spying when Heraclius recovered Jerusalem from the Persians and while the Crusaders likewise banished them from Jerusalem, it was only the Moslems, after Saladdin had liberated Jerusalem, who, motivated by Islam’s great tolerance, allowed them to live in Jerusalem as tenants on properties of public and private waqf—charitable foundations; they leased to them for 100 years waqf land on the slopes of the Mount of Olives, which is the Jewish

cemetery. The Jewish quarter was no more than 100 dunums up to 1948, while the entire area was Arab, Christian and Moslem. The claims that the Jews were in the majority for a century before 1967 is a deliberate falsification in the light of available census records prior to 1922.

153. I shall refrain from replying to the other points raised by the representative of Israel.

154. Mr. President, I apologize for taking so much time and I wish, in conclusion, to pay a tribute to your predecessor, Ambassador Troyanovsky of the Union of Soviet Socialist Republics, for the exemplary manner in which he presided over the meetings of the Council during the month of June. I should have stated that earlier, but inadvertently failed to do so.

155. The PRESIDENT: The next speaker is the representative of Egypt, whom I invite to take a place at the Council table and to make his statement.

156. Mr. ABDEL MEGUID (Egypt): Sir, allow me at the beginning to extend to you the warmest congratulations of my delegation on your assumption of the presidency of the Security Council during the month of July. We recognize that the Council is faced during this month with important and delicate questions, but I am sure that with your wise guidance and able leadership the Council will be able to reach fruitful conclusions on all those questions.

157. The Council is now debating a matter of great importance to my country: the Israeli settlements in the occupied Arab territories, including Jerusalem. Egypt has consistently drawn the attention of both the Council itself and the General Assembly to the gravity of this question. As members will remember, Egypt requested, in May 1976 and in October of the same year, the convening of the Council to debate this serious issue. The Council accordingly reached a unanimous decision on 11 November 1976 [1969th meeting], in which it expressed its grave anxiety and concern over the serious situation in the occupied Arab territories as a result of the continued Israeli occupation and deplored the failure of Israel to show any regard for the resolutions adopted by the Council in this respect.

158. When that unanimous decision of the Council was not implemented, and was in fact defiantly disregarded, Egypt requested, during the thirty-second session of the General Assembly, the inclusion of an item on the illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories, in contravention of the principles of the Charter, of the fourth Geneva Convention of 1949 and of United Nations resolutions. The General Assembly’s response to Egypt’s request was most gratifying. It adopted resolution 32/5, which was again endorsed in a resolution of the thirty-third session [resolution 33/133 B]. The Assembly, in both resolutions, determined that no such measures and actions in the Palestinian and other occupied Arab territories since 1967 had any legal validity and called upon Israel to comply strictly with its international obligations.

159. Since then, the number of Israeli settlements has increased, in complete disregard of Security Council and General Assembly resolutions and, in fact, in disregard of strong voices within Israel itself, which warn of this dangerous policy of settlements and expropriation of Arab land.

160. I do not want here to speak at length to stress the illegality of the Israeli settlements, nor to explain further the position of Egypt on this subject, because that was done in detail in the statement delivered by my delegation during the Council debate on 9 March 1979 [2123rd meeting].

161. Subsequent to the adoption of resolution 446 (1979), which Egypt supported completely, the Commission established under that resolution contacted my Government among others, to determine its views and to collect information about the Israeli settlements in the occupied Arab territories. From the very beginning, my Government welcomed the establishment of this Commission and promised to co-operate fully in the fulfilment of its mandate. The visit of the Commission to my country was very useful and constructive. Besides meeting Government officials, it interviewed public figures and witnesses, including Palestinians. Furthermore, my Government provided the Commission with a detailed report and a precise map containing all information available about Israeli settlements in the Golan Heights, the West Bank, Gaza and the Sinai. The results of this visit are contained in the report of the Commission, in which it is stated that Egypt informed the Commission that it condemned the settlement policy and insisted that the settlements be removed. The Minister of State for Foreign Affairs of Egypt informed the Commission that that had been achieved in the case of the settlements established in the Sinai and that, for its part, Egypt would endeavour to have them removed from all the Arab territories, including Jerusalem, which is an integral part of the West Bank.

162. In this regard, I should like to express our deep regret that Israel for its part chose not to co-operate with the Commission or to allow its members to visit the occupied territories. We hope that such a negative attitude will change and the settlements policy is reversed, because there is now a world consensus, if not a unanimous conviction, that such a policy is illegal and an obstacle to peace.

163. I would like to express my Government's appreciation to the Commission, which tried its best to carry out the mandate entrusted to it by the Council. The conclusions of the Commission are most alarming, especially the fact that a number of settlements have been established on privately owned land and not only on public land. We all remember the assurances given by Israeli representatives both in the General Assembly and in the Security Council, that no private land had been confiscated, and that no Arabs had been expelled from their homes in order to establish those settlements. Now, the Commission reports the contrary, which in fact has been confirmed by the Israeli authorities themselves. Further cause for alarm is the determination of the location of settlements, not only according to the so-called "security

purposes" but in accordance with agricultural designs. That fact was amply demonstrated in the Commission's report on the consequences of the settlement policy on the local population, especially those living in Jerusalem and on the West Bank.

164. The recommendations of the Commission are trustworthy and have the full support of my Government. We believe that they could serve as a basis for the Council's action. The settlement policy is a dangerous one which should be dealt with firmly and forthwith.

165. The PRESIDENT: The final speaker this afternoon is the representative of the Palestine Liberation Organization, on whom I now call.

166. Mr. TERZI (Palestine Liberation Organization): It is really a great pleasure to see you in the chair but, again, we experience a feeling of sadness at the fact that you will soon be leaving us. However, we trust that under your wise leadership the Council will lead this debate to a positive conclusion.

167. Addressing this Council on 22 March 1979 [2134th meeting], immediately after the adoption of resolution 446 (1979), I chose to refrain from comment in the hope that the Commission would make its report in due time, after having visited the occupied territories and after having talked to the Palestinian Arabs at Jerusalem, at Nablus, at Hebron, and at Jericho. We were certain the Commission would walk the Via Dolorosa, the Way of the Cross, for we had faith—and we still have it—and we trusted in the Almighty to guide the members of the Commission as they compared notes by the Rock of Agony in the Garden of Gethsemane.

168. The representative of the racist Zionist régime, in a manner typical of a fascist rejected the resolution in its entirety. True to his arrogant and contemptuous attitude, he refused any co-operation with the Commission. That has been underscored on several occasions in the report under consideration. The Commission informs us that they persisted in their

"efforts to establish contact with the Permanent Mission of Israel, in order to exchange views on the way in which the Commission intended to fulfil its mandate and on the degree of co-operation it might receive from the Government of Israel" [S/13450 and Corr.1, para. 17].

But the reply was "[No] contact with the Commission". The reason is very clearly stated:

"The Israeli Government had nothing to hide concerning its actions in the territories under its control" [*ibid.*].

I should like to recall that those territories are Palestinian Arab territories acquired by force in June 1967, territories illegally occupied.

169. I should also like to recall that the Council unanimously approved the following statement by the President on 11 November 1976 [1969th meeting]:

[For the text of the statement, see Resolution and Decisions of the Security Council, 1976, p. 5.]

170. This statement is of great significance and is still relevant. It simply affirms that Israel should not have a free hand or freedom of action in those territories. Israel is a usurper and an invading force. One would expect some respect for the decisions and unanimous accords of the Council but of course it is not in the nature of fascists and military expansionist racists to respect the international will and it is not in their nature to show any gratitude to their creators and benefactors.

171. Since 22 March of this year, the Palestine Liberation Organization, the Government of Jordan, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and others have addressed to the President of the Council several letters reporting Israeli violations in the occupied territories. I shall spare the Council the details.

172. On 5 June the Secretary-General, referring to the establishment of settlements in the occupied Arab territories,

“deplored the decision of the Israeli Government which is against the resolutions of the United Nations and certainly is not helpful to the search for a comprehensive settlement of the Middle East situation”.

173. According to *The New York Times* of 1 May, President Carter said the following in answer to a question about Israel's policy of establishing settlements in the illegally occupied territories:

“Well, the position of the United States historically has been consistent and my own position on settlements in the West Bank-Gaza area and on the Golan Heights and in the Sinai has been consistent. The Israeli Government knows perfectly well after hours of discussion on this issue what my position is. We do consider the creation of Israeli settlements in these areas as being inconsistent with international law and as I have said many times they are an obstacle to peace.

“[We know] that the Israeli Government still on occasion authorizes new settlements. They interpret the law differently from myself. I hope that the Israeli Government will severely restrain any inclination either approved by the Knesset or done without legal sanction in establishing new settlements. But there is a limit to what we can do to impose our will on a sovereign nation.”

174. What we should like to tell the President of the United States is that, through the Security Council, the United States delegation can tell and has the power to tell a so-called “sovereign nation” where to stop and even to prescribe the remedies provided for by the Charter specifically the provisions of Chapter VII. The Council is not dealing with the internal policy or domestic affairs of a Member State. The Council is now concerned with the fate of a people and territories under foreign occupation.

175. The Commission reports that it did talk to Palestinians, but not at Jerusalem, Nablus or Hebron, even though these were Palestinians from Jerusalem, Hebron,

Nablus and other Palestinian cities, towns and villages. Out of the 22 witnesses who appeared at Amman, 13 preferred to be referred to as “anonymous”—in other words, they were persons whose identity could not be divulged for fear of reprisals by the racist military authorities of occupation. Not even the Security Council, despite its powers and potence, could guarantee the safety and security of these persons, nay, not even the possibility of permanent existence in their own towns. Among the witnesses the Commission heard two expelled mayors, those of Jerusalem and Ramallah. One other witness, No. 8, was a mukhtar, a respected alderman of a village that no longer exists. It is now known as Canada Park.

176. The spirit of spite and hatred and sadism, the sickness of mind of the new Nazis is clear. The population is forced out, made to wait for three days, and then invited to return to the village and, once they are in sight of their homes, and as a result of the actions of the Israeli military machinery—the so-called invincible machinery, thanks to the direct involvement of the Government of the United States—once the peaceful villagers are within sight of their homes, the houses disappear. The village is destroyed: 650 houses including two schools, a medical clinic, an artesian well and a flour mill. And on top of all this destruction of property, 14 innocent lives are lost and 4,000 Palestinians are doomed to join the ranks of the displaced and dispossessed. The representative of Israel has stated to the Chairman that the Israeli Government “had nothing to hide concerning its actions in the territories under its control”. They simply cannot hide their crimes, even if they call them Canada Park.

177. The Commission heard at least two persons worthy of respect who have dedicated their lives to the service of God and their fellow human beings. I refer to Archdeacon Elya Khoury and Sheikh Abdul Hamid El-Sayeh. I know that the sick racists have no respect for the Divine Power or Almighty God. But we would have expected at least some respect for the very advanced age of Sheikh Abdul Hamid El-Sayeh. We all saw the film “Holocaust”. It is exactly the same pattern of criminal action that was perpetrated by the Nazis against the peace-loving peoples of Europe—in Poland, Romania, Hungary, the Soviet Union, Greece and France—claiming tens of millions of victims, among them also some European Jews, which is being currently perpetrated by the racist Zionists against my people.

178. But the Commission has witnessed a repeated holocaust, for how else can we describe the destruction of entire villages, rendering human beings homeless and displaced? Gas chambers are not used, but there is slow death in the refugee camps, and lately it is not that slow because fragmentation and cluster bombs are being utilized to expedite the process of annihilation and of genocide—a process that the so-called civilized world does not even deplore or condemn. In many places it is not even mentioned. On the contrary, the criminals are invited to send their representatives to defend, as it were, their case and to receive a fair hearing in this chamber.

179. The Commission has produced a very well documented paper. It has summed up its hearings and has arrived at some conclusions.

180. Just for a moment I should like to deviate from the substance of the debate. For some mysterious and unknown reason, the paragraph in which the Commission considered the "lack of co-operation on the part of [Israel,] a Member State as an act of disregard for a decision of the Security Council" [S/13450 and Corr. 1, para. 208] had disappeared; thanks to someone, its omission was noticed and belatedly reinstated in its proper place. No, I am not accusing anybody of being an agent of Israel who has infiltrated this Organization. I am just putting on record the fact. It cannot simply be a mishap or an accident or mere coincidence. However, be that as it may, we return to the substance here.

181. The conclusions of the report reveal the feelings, and maybe the convictions, of the members of the Commission. No one can say that the members represent countries historically and traditionally known for an anti-Israel stand. It is evident that the members of the Commission have been on the Via Dolorosa of my people and have gathered around the Rock of Agony, and that the truth has become evident and known. I wish to congratulate them on their high sense of responsibility and their recognition of the fact that they could assist the Council, *inter alia*, by:

"(a) bringing up to date the basic information already at the disposal of the Council; (b) determining the consequences of the settlement policy on the local Arab population; and (c) assessing the impact of that policy and its consequences with regard to 'the urgent need to achieve a comprehensive, just and lasting peace in the Middle East'" [*ibid.*, para. 210].

182. Chairman Yasser Arafat has expressed to the Commission in very clear terms that

"PLO was hoping very sincerely that the Commission would be successful in its tasks which, it was to be hoped, would bring peace despite Israel's refusal to co-operate with it" [*ibid.*, para. 184].

183. Yes, it is peace that we are striving to achieve. It is peace that will bring to an end more than 30 years of dispersion, homelessness, agony, suffering and bloodshed. It is peace that will bring with it our return to our homes and property. It is peace that will secure for us the free exercise of our inalienable rights in our own homeland, Palestine, including the right to self-determination, political national independence and statehood. It is peace that will regain for us human dignity. It is peace that will grant us the opportunity to contribute further in the peaceful development of the Middle East. It is peace that will make us again citizens—and not merely inhabitants—of our own country. Or are we asking for too much when we strive for peace to prevent a new onslaught and a repeat holocaust threatening the elimination of almost 4 million Palestinians? It is our earnest hope—as Chairman Arafat has assured the Commission—that peace will reign in the area.

184. Fully conscious of their task and responsibilities, and acting strictly within their mandate, the members of the Commission made some recommendations in para-

graphs 230 to 234. Chairman Yasser Arafat was aware of the mandate, and it is because of that awareness that he told them that in "the present context the development of Israeli settlements was the centre of the matter" [*ibid.*]. We know that the Commission had a mandate to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem. The Commission's mandate dealt only with one manifestation of illegal occupation and its consequences and impact, namely, the establishment of colonial settlements in the Arab territories occupied since 1967. The Commission consequently had no mandate to deal with the root cause. Its task was specified. It could not deal with the illegal occupation or, as we say here, with the inadmissibility of the acquisition of territory by the threat or use of force. But the Commission could not be oblivious to the cause. It is with this understanding of the specific and precise mandate that the Palestine Liberation Organization reads the recommendations.

185. The Commission bears in mind the inalienable right of the Palestinians to return to their homeland. This is a *sine qua non* condition for the achievement of peace. The Commission recommends that the Security Council launch an appeal and affirm that Israel's policy of establishing settlements in the Palestinian and other Arab territories occupied since 1967 is not only an obstacle to peace but has disastrous consequences on all sincere efforts and endeavours at achieving a comprehensive, just and lasting peace in the Middle East.

186. The Commission recommends that Israel should be called upon to cease, on an urgent basis, the establishment, construction and planning of settlements in the occupied territories. The Commission has, in fact, brought nothing new. It has only reiterated resolutions adopted during the past 12 years. We had hoped and expected the members to recommend something more action-oriented. The Charter of the United Nations contains provisions on how to deal with the contemptuous and the arrogant. There are provisions for imposing sanctions—economic, military and others.

187. The Commission feels satisfied in recommending that the question of the existing settlements would then have to be resolved. Well, I am afraid that the Commission has overlooked or ignored the fact that the Council has called upon Israel to withdraw from the territories occupied since 1967. We can think of but one way to resolve the so-called question of existing settlements, and that is by dismantling the settlements and returning the land to its owners, be they Palestinians, Syrians or Egyptians or whatever, and by the complete withdrawal from all the territories occupied since 1967.

188. The establishment of settlements is like planting mines in the road to peace. It is the creation of new facts and so-called realities that the Council will have to confront in the near future. These colonial settlements are but military bases for further military aggression, expansion and annexation by the racist Zionists. We appeal to the Council to bear in mind that prevention is more effective and that this is the time to prevent further bloodshed. In particular, we appeal to the United States

and the other Western Powers that finance Israel and Israel's plans to continue with the establishment of its colonial settlements in Palestinian and Arab territories to withhold their material and financial support.

189. The Commission recommends that the Council consider measures to safeguard the impartial protection of property arbitrarily seized. That is rather confusing; indeed, it is an understatement. There is only one way to safeguard the protection of property—that is, by returning such property to its lawful owners. Naturally, the Council might wish to consider measures to secure compensation for damages sustained by the victims as a result of the arbitrary seizure.

190. We are surprised that the Commission has failed to make any recommendation concerning the seizure of the water resources by the forces of illegal occupation. But I hasten to add that we believe that the Commission was satisfied that the faithful implementation of Security Council resolutions on the territories occupied since 1967 will safeguard the rights of the peoples, their property and the water resources in the area.

191. As to Jerusalem, the Commission is absolutely right. It calls upon the Government of Israel to implement faithfully—I do not know how faithful Israel can be—Security Council resolutions adopted on that question since 1967. Of course, it is our understanding that the Commission is referring unequivocally to resolution 252 (1968) and subsequent relevant resolutions.

192. In regard to Jerusalem and the other Holy Places in Palestine, I wish to make it clear that the holiness is not in the building or the structure; the holiness is in the worshippers and what they worship. His Holiness Pope Paul expressed his grave concern that the holy shrines at Jerusalem would eventually become museums, because of a lack of worshippers.

193. I am sure that the Commission was concerned not exclusively with the protection and preservation of the unique spiritual and religious dimension of the Holy Places, but also with the fate and rights of the people of the Holy Land. And I, of course, can understand the Commission's concern. For Theodor Herzl wrote the following in his diary at Jerusalem on 31 October 1898:

“When I remember thee in days to come, O Jerusalem, it will not be with delight. The musty deposits of 2,000 years of inhumanity, intolerance and foulness lie in your reeking alleys. The one man who has been present here all this while, the lovable dreamer of Nazareth”—and I am sure that everyone knows that Herzl is referring to Jesus Christ—“has done nothing but help increase the hate. If Jerusalem is ever ours, and if I were still able to do anything about it, I would begin by cleaning it up. I would clear out everything that is not sacred, set up workers' houses beyond the city, empty and tear down the filthy ratholes, burn all the non-sacred ruins and put the bazaars elsewhere. Then, retaining as much of the old architectural style as possible, I would build an airy, comfortable, properly-sewered, brand new city around the Holy Places.”

194. I really cannot see how the teachings of Our Lord Jesus Christ could be regarded as sacred when He is described here as somebody who has increased hate in the Holy Land. That is one very good reason for the Commission's concern about the spiritual and religious dimension of the Holy City of Jerusalem.

195. Moreover, I am sure that almost everyone here is aware of some new alarming facts reported by something called the Neighborhood Church. I have just seen today a call to immediate action circulated on 26 June by a certain pastor whose name is Roger Fulton. I quote the following from what he says:

“With deep dismay and a sense of shock, a number of spiritual leaders in this country”—he is referring to the United States—“have just learned of a terrible event set to take place—God forbid—from 19 July”—that is, tomorrow—“through 22 July in the land of Israel, whose very soil is cherished by the devout of Christianity, Judaism and Islam. We are alarmed that the environs of the Holy City of Jerusalem, in the ancient Judaeian hills, near where the Ten Commandments of God rested in the ark of the covenant, are to be the site of an international convention of sodomites.”

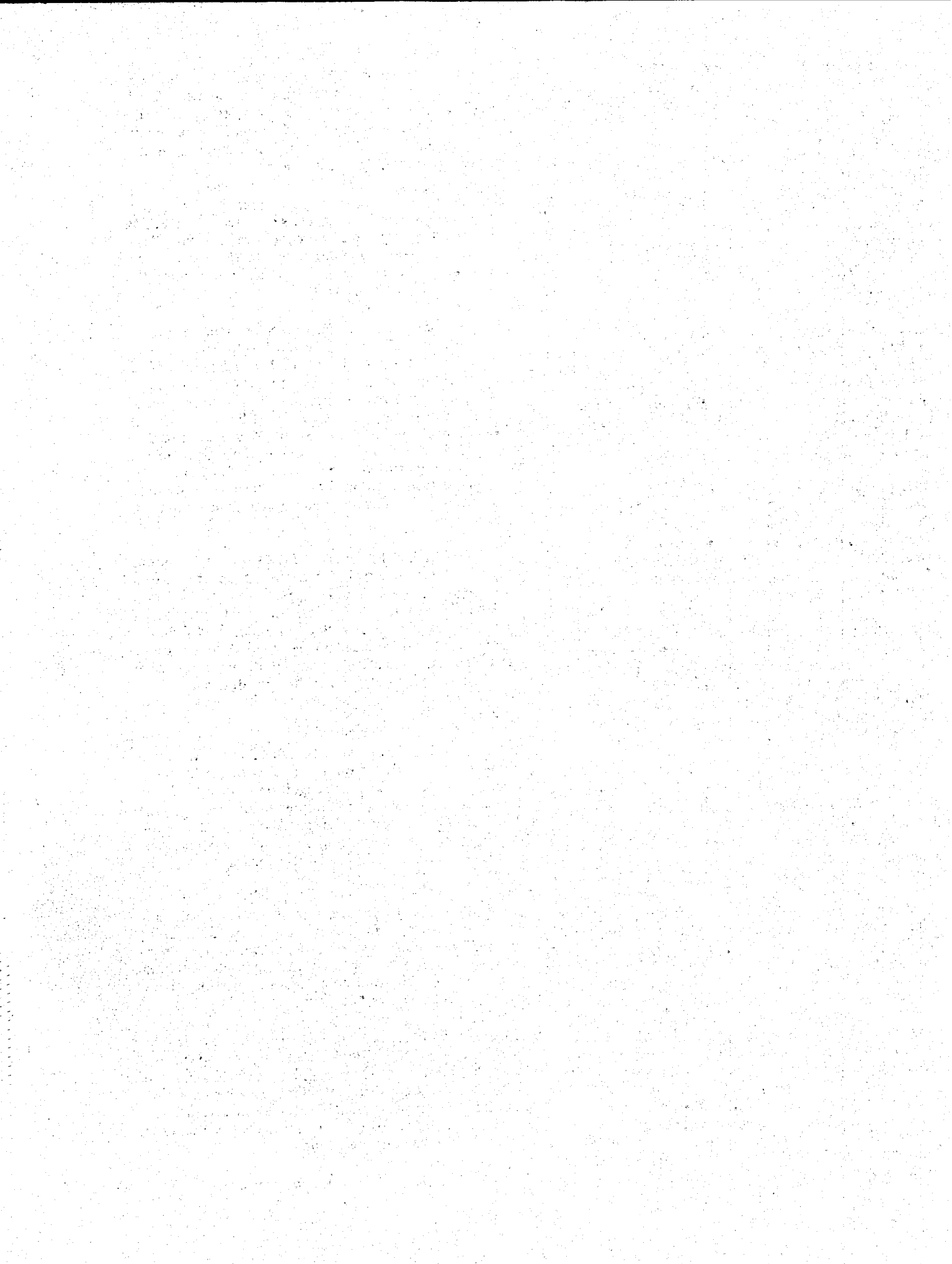
196. This makes the concern of the Commission about Jerusalem very understandable. Indeed, according to a press report that appeared here, El Al has announced in an advertisement the Fourth International Conference of Gay and Lesbian Jews, in Israel. I understand fully the Commission's concern about the spiritual dimension of Jerusalem. As a son of Jerusalem, I think that what I have just read out constitutes the greatest insult to such a holy city which for thousands of years has preserved its holiness.

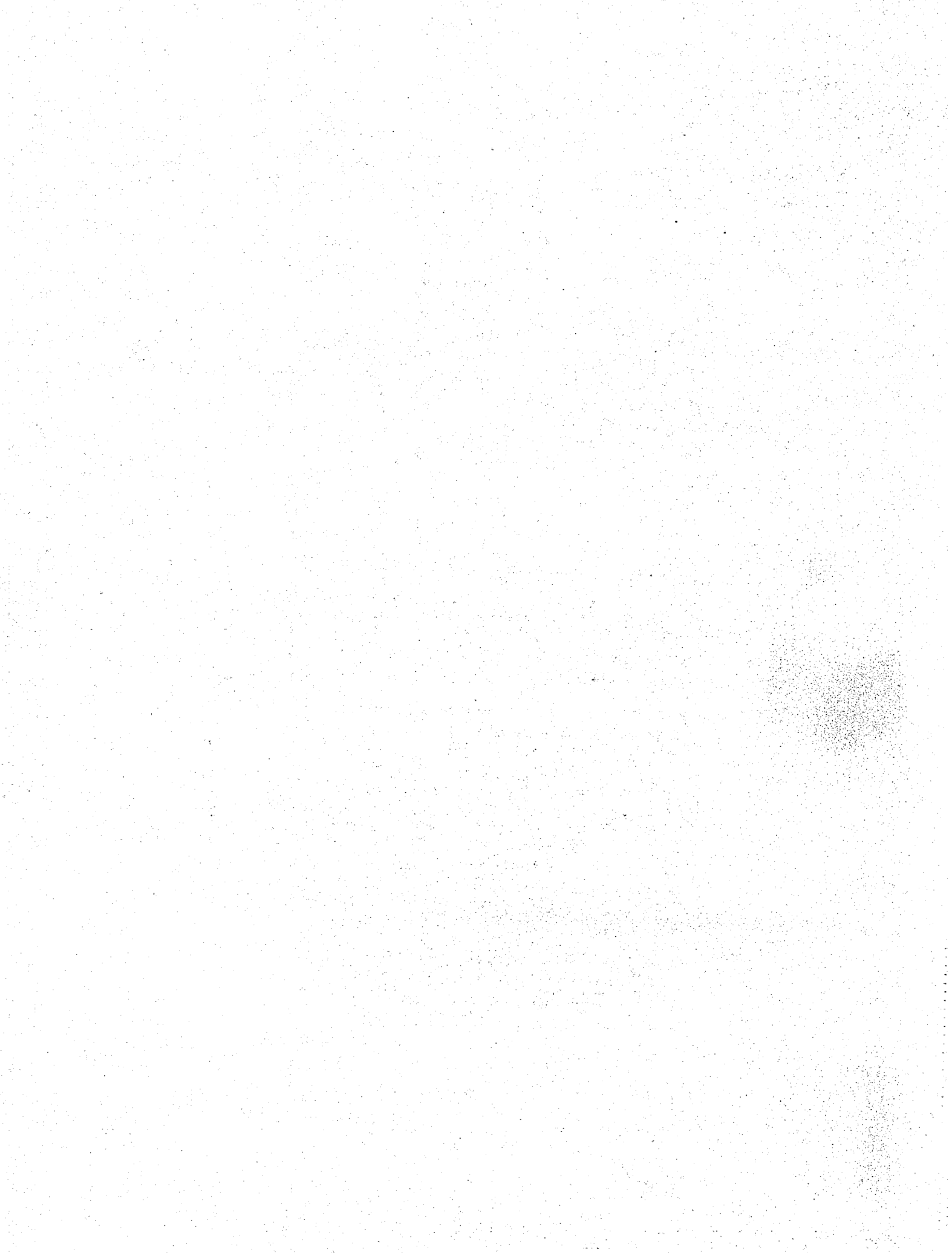
197. In conclusion, we hope that the Council will unanimously endorse the recommendations of the Commission, at least as a token of recognition of the objectivity and perseverance shown in finding out and reporting the true facts. We hope, also, that the recommendations will not find their way to a resting place with other materials in the archives of the United Nations and in public libraries.

198. The Council would do a great service to peace if it would entrust a commission—if it were to appoint another one—with a new task: the drawing up of a programme of action, a time-table, for the implementation of all the Council resolutions on the question of the territories occupied by Israel since 1967.

199. We would repeat that it is the responsibility of the Security Council to create the conditions for peace. We know that it can do this. By ensuring the implementation of its resolutions, the Council will make a great contribution. It has the powers vested in it by the Charter. International peace and security are at stake. We hope that the Council will take concrete action.

The meeting rose at 6.15 p.m.





كيفية الحصول على منشورات الأمم المتحدة
يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استلم منها من المكتبة التي تتعامل معها أو أكتب إلى : الأمم المتحدة، قسم البيع في نيويورك أو في جنيف .

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу : Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
