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SPECIAL POLITICAL COMMITTEE  
41st meeting  
held on  
Wednesday, 1 December 1982  
at 10.30 a.m.  
New York

UN/SP COLLECTION

SUMMARY RECORD OF THE 41st MEETING

Chairman: Mr. MUBAREZ (Yemen)

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 66: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES: REPORT OF THE SECRETARY-GENERAL (A/37/416 and Add.1; A/SPC/37/3; A/SPC/37/L.36 and L.37)

1. Mr. VAN WELL (Federal Republic of Germany) said that the problem of international co-operation to avert new flows of refugees had become no less acute in the two years since it had been on the agenda of the General Assembly and the consensus reached in 1981 had revealed a common conviction that the United Nations had an urgent responsibility to address the question of additional efforts to tackle it. That conviction was reflected in many of the comments received from countries and international organizations and in the interest shown in the Group of Governmental Experts established by General Assembly resolution 36/148.
2. Fulfilment of the Group's mandate to review the problem in all its aspects would provide information on the sources of refugee flows and on the role of various national and international organizations in coping with them and would also reveal the distinction between relief activities and preventive measures. The review would also explore the feasibility and appropriateness of practical measures to avert new flows of refugees.
3. He was convinced that the United Nations had an important role to play and that guidelines for States and institutions involved in refugee affairs could help to ease specific problems. The principle of all efforts should be co-operation, not confrontation, and all Member States and relevant institutions were called upon to make a contribution. The fact that nine more Member States and three additional international organizations had submitted views was, therefore, a matter for satisfaction. The comments and suggestions received would be an important source of reference for the substantive work. The Study on Human Rights and Mass Exoduses submitted to the Commission on Human Rights would also be of great value in the comprehensive review to be undertaken by the Group of Governmental Experts.
4. There must continue to be constructive co-operation among States and international organizations if the results so urgently required were to be achieved. The aim of the initiative was to prevent or resolve conflicts which might arise from massive flows of refugees. Experience had shown that those flows could impose on receiving countries political and economic burdens so great as to jeopardize their stability and that of whole regions. The overriding purpose of the initiative to avert new flows of refugees was, therefore, to contribute to the strengthening of international peace and security. It was also intended to contribute to the strengthening of international institutions and to the adoption of new and imaginative approaches to the prevention and resolution of conflicts.
5. Believing that the need was to emphasize preventive measures, he considered it essential to draw up joint proposals which would result in more effective political co-operation at both the regional and the global levels, in accordance with the principles of international solidarity and friendly relations among States. For that reason, it was important that all those who took part in implementing the tasks outlined by General Assembly resolution 36/148 should reach a consensus on their conclusions and recommendations.

(Mr. Van Well, Federal  
Republic of Germany)

6. Given the urgency and importance of the refugee problem, it was most unfortunate that it had been impossible to appoint members to the Group in due time. The mistake had been to underestimate the interest of Member States in taking part in the work of the Group. Since it was hoped that the results of the review would reflect the experience of all regions and that the conclusions and recommendations would be universally accepted and implemented, the Group needed to include broader representation and expertise than had originally been envisaged.
7. As to the size of the Group, his delegation favoured a flexible approach. The decision would have to meet a number of criteria, the more important ones being that the legitimate interests of those regions most affected by refugee problems should be taken into account, that there should be a fair balance among all regions, and that enlargement should conform with the need to ensure that the Group would be effective and cost-efficient.
8. His delegation's soundings suggested that the Secretary-General's proposal for an expansion of the Group from 17 to 24 members would stand the best chance of achieving a consensus. He therefore hoped that the Committee would agree to the enlargement as proposed, so as to enable the Group to hold the meetings scheduled for the current year as soon as possible. It was important to establish the foundations for fulfilling the tasks ahead, and he was very hopeful that it would be possible to furnish proof of the United Nations ability to make a major contribution to preventing massive new flows of refugees.
9. Mr. NISIBORI (Japan) stressed his Government's concern with regard to refugee problems. Those problems involved the international community as a whole because massive flows of refugees often disrupted the internal order of receiving States as well as causing immeasurable human misery. Large numbers of refugees could also jeopardize the political and social stability and the economic development of neighbouring regions, thus posing possible dangers to international peace and security.
10. UNHCR had worked diligently to alleviate the plight of refugees in many parts of the world, and the importance which his Government attached to UNHCR operations was shown by its active participation in the Executive Committee and its considerable contributions to assistance programmes over the years. His country had also undertaken bilateral efforts to improve the lot of refugees, but the flows continued and the number of people involved was calculated to have reached 10 million.
11. His Government recognized that there could be no fundamental solution to refugee problems unless efforts were made to eliminate the factors which caused them. The massive flows of refugees had to be averted at their source. Dealing with the root causes of the problems added a new dimension to the measures taken by the international community to relieve the suffering of innocent refugees. Lasting solutions to refugee problems would not be possible unless the international community succeeded in eliminating their root causes but that had so far proved impossible.

(Mr. Nisibori, Japan)

12. His delegation had been pleased to see General Assembly resolution 36/148 adopted without a vote and had hoped that the Group of Governmental Experts for which it provided would start work as soon as possible. It was a matter for regret that it had not yet met, despite the fact that massive numbers of refugees continued to be one of the most serious problems confronting the international community. It was imperative that the Group should be established within the coming year, since the urgency of the problem demanded that its work should begin without further delay. His delegation appealed to the Member States in the various regional groups to be flexible and willing to compromise so that early agreement could be reached within the framework of the draft resolution under consideration. He paid tribute to the intensive efforts made by the delegation of the Federal Republic of Germany which it was to be hoped would result in the adoption of the draft resolution A/SPC/L.36 by consensus.

13. Mr. KA (Senegal), introducing draft resolution A/37/SPC/L.36, said that discussions on the subject under consideration had convinced members of the Committee that the international community should make a serious study of practical, flexible and judicious preventive measures to avert new flows of refugees. General Assembly resolution 36/148 had only paved the way for a discussion in depth of possible recommendations and measures of a preventive nature which might enable the international community to cope with new flows of refugees. His delegation believed that discussions on the subject during the current year should not be protracted, since several Governments and specialized agencies had already communicated their observations and the Group of Governmental Experts would take the fullest possible account of positions already set out during discussions in the Committee.

14. In view of the increasing interest shown by a large number of Member States in certain regional groups, it had been thought necessary to hold broad consultations, at the end of which the general feeling had been that the Group of Governmental Experts should be enlarged from 17 to 24 members, to be divided between Africa, Western Europe, Eastern Europe, Asia and Latin America. Once the distribution had been finalized, it would be confirmed by the Chairman of the Committee, and the Secretary-General would be able to appoint the experts nominated. The Group would then be able to undertake the study required of it without further delay.

15. His delegation wished to draw attention to the fact that the Group should, in principle, be based in New York, so as to emphasize the special relationship between it and the Special Political Committee and to allow the Permanent Missions of Member States which were not represented in the Group to follow its work as observers.

16. Draft resolution A/37/SPC/L.36 was a procedural resolution which followed up and was fully in line with the spirit and concerns of resolution 36/148. Its preambular paragraphs took up the idea of a constructive, future-oriented approach to consideration of the question of new massive flows of refugees. That approach reflected a wish that the Group should not be turned into a place of confrontation where the question of refugees caused evocation of the past or recriminations among States. It was a question of meeting calmly and collectively in the Group of

(Mr. Ka, Senegal)

Governmental Experts to study and formulate recommendations aimed at promoting rather than poisoning or antagonizing inter-State relations.

17. The operative paragraphs of the draft resolution contained several purely technical provisions on which there was no need to comment. In response to the wish of certain members of the Committee, paragraph 4 proposed that the Group of Governmental Experts established by resolution 36/148 should be increased from 17 to 24 members. He hoped that, after consultations, it would be possible to announce the distribution of places in the Group and which countries would represent the different regions.

18. Since the Group of Governmental Experts had not yet been able to meet, the sponsors of the draft resolution, in consultation with several delegations, had revised its mandate by introducing the important condition that the Group should adopt a constructive, future-oriented approach to consideration of the refugee question. For the Group's work to be the basis of a real contribution to a new humanitarian international order, it was imperative that the question of new refugees should be tackled in a sound way, the main concern being to safeguard friendly co-operation between Member States in that field. The sponsors believed that concern to be well reflected in the amended and improved mandate set out in operative paragraph 5 of the draft resolution. It was a very important point, in so far as genuine political co-operation to avert new flows of refugees was bound to remain above all a question of peaceful and friendly co-operation among States.

19. Once adopted, the draft resolution would be an important reference document and guide for the conduct of the Group's work. His delegation firmly believed that the sponsors' constructive approach, together with the joint efforts and political will of all, would enable the whole international community to engage in effective co-operation to forestall future flows of refugees throughout the world. In submitting the draft on behalf of the sponsors, he hoped that it would be adopted by consensus.

AGENDA ITEM 61: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES  
(continued) (A/37/162, A/37/485, A/37/525, A/37/541; A/SPC/37/L.26-34)

20. Mr. IRUMBA (Uganda) said that the original United Nations plan providing for the establishment of Israel had called for the establishment of a Palestinian State also but that, unfortunately, still remained to be achieved. He paid tribute to the Special Committee for producing a very informative report (A/37/485), despite being prevented from visiting the occupied territories. The information contained in the report gave cause for serious concern.

21. His country had always maintained that the Fourth Geneva Convention of 1949 was applicable to the occupied Arab territories, including Jerusalem, and that Israel's contention to the contrary was unacceptable. The report was a serious indictment of Israel, showing beyond doubt that it had blatantly contravened articles 47 and 49 of that Convention, in particular. Security Council resolution 497 (1981) had declared Israel's annexation of the Golan Heights null

(Mr. Irumba, Uganda)

and void and called for its rescission but Israel had so far not implemented it. His country condemned Israel's decision to extend its jurisdiction and administration to a part of Syria's territory as being contrary to international law and therefore of no legal effect.

22. Israel's policy of repression and expansion in the West Bank had brought widespread expropriation of Palestinian lands and properties and an alarming increase in new Israeli settlements. The policy was accompanied by measures to drive Palestinians out of the occupied territories and the collective punishment, arrest, detention and expulsion of those who opposed the occupying Power. The Israeli authorities were restricting the water supplies of the local Arab inhabitants, in order to deprive them of their livelihood and force them to leave the area. Students and educational institutions were also victimized, and the harassment had been extended to foreign university lecturers, who had been required to sign political pledges before being allowed to carry out their duties, in clear violation of the principle of academic freedom, which Israel professed to honour. The international community should bring pressure to bear on Israel to reverse its repressive policies in the occupied territories.

23. The Fourth Geneva Convention also imposed on an occupying Power the duty to protect the human rights and interests of the population of the occupied territory. Israel had not honoured that obligation under international law and must be brought to account, since the international community's failure to take appropriate measures in the past had encouraged Israel to believe it could invade Lebanon with impunity. The tragic events in the Palestinian refugee camps there had convinced even those who had previously doubted the need for a just and comprehensive settlement of the Middle East situation.

24. A number of initiatives had recently been advanced, including one from United States President Reagan, and the Palestine Liberation Organization and the Arab countries had shown statesmanship in developing proposals to take account of Israel's legitimate fears. But, in response, the Israeli Defence Minister had stated in The Jerusalem Post, on 27 October 1982, that massive settlements all over the West Bank were the best answer to the various plans that "outsiders" were "trying to foist on Israel". It was thus clear that one of the purposes of Israel's plans to establish more settlements was to frustrate a just and peaceful solution of the Middle East problem.

25. Israel should realize that occupying its neighbours' lands would not guarantee its security and that the United Nations partition plan from which its existence and legitimacy derived required the setting up of a Palestinian State as well. The United Nations must provide the framework for a just and comprehensive peace which would restore the rights of the Palestinian people and take account of the legitimate aspirations of all parties in the region. Any solution must include the withdrawal of Israel from the occupied Arab territories, the right of refugees to return to their homes and the exercise by the Palestinians of the right to self-determination in their own homeland. Since the restoration of Palestinian rights was at the heart of any settlement, it followed that their sole legitimate

(Mr. Irumba, Uganda)

representative, the Palestine Liberation Organization, had to be involved in the negotiations. To pretend otherwise was to ignore the facts.

26. Mr. ABOUCHAER (Syrian Arab Republic) said that his delegation had not been surprised to note that the statement made by the representative of Israel at the Special Committee's 40th meeting had contained no objective refutation of the evidence contained in the report of the Special Committee. The sophistries and falsehoods contained in that statement had proved that Israel was capable only of misrepresentation, arrogance and defiance of the international community.

27. Defiance of the United Nations, its organs and resolutions were characteristic of the attitude of Israel towards the Organization. Israel would not have been able to persist in such a disgraceful attitude if it had not felt assured that its crimes would continue to go unpunished and if it had not been for the unconditional support of the United States, which had shown its readiness to protect it from any sanctions that might be imposed by the Security Council.

28. The representative of Israel had said that the Special Committee was being used as a tool in the campaign of propaganda and hatred being waged by the Arab States against his country. The Arab States had no need of a new tool for the condemnation of Israel since the records of the General Assembly, the Security Council and the Commission on Human Rights contained hundreds of resolutions condemning Israel for its continued violation of human rights and its crimes against the Palestinian people and the Arab States. Israel was occupying Palestinian and Arab territory and was implementing policies and taking measures with a view to their annexation. It was subjecting the population there to the most extreme forms of oppression and humiliation. The Arab States had no other desire than to see the Palestinian people enjoying the same inalienable rights as other peoples and to see the Golan and the other occupied Arab territories returned to their rightful owners. They would renounce all of their publicity gains when Israel renounced its expansionist projects and aggressive policies, acknowledged the rights of the Palestinians and evacuated the occupied territories.

29. Israel's attempt to impeach the impartiality of the Special Committee did not merit discussion. The Special Committee, which had clearly described its mode of operation in paragraphs 24, 25 and 26 of its report deserved the praise and appreciation of the entire world. It had taken particular care to rely on information that had not been contradicted by the Government of Israel or that was commonly considered as reliable by that Government.

30. Israel's refusal to acknowledge the applicability of the Fourth Geneva Convention to the occupied territories was groundless. The representative of Israel had seen fit to distort and misrepresent that Convention by saying that it did not prohibit the establishment of settlements in the occupied territories. The absolute unanimity with which States had recognized the applicability of the Convention to the occupied territories highlighted Israel's self-imposed isolation in the face of the entire world. It proved without any doubt that the racist Zionist entity would persist in its policy of arrogance and defiance.

(Mr. Abouchaer, Syrian Arab Republic)

31. The representative of Israel had claimed that the Arab States had waged a war of aggression against Israel in 1967 and that Israel had been obliged to defend itself and to win that war in order to protect its existence. That allegation was refuted by the fact that one of Israel's military commanders, Brigadier Mordechai Hod, had stated in The Sunday Times of 16 July 1967 that Israel had planned for that war since the failure of its aggression against Egypt in 1956 and even before. A member of the Israeli coalition Government in 1967, Mordechai Ben-Tov, had written in the newspaper Al Hamishmar of 14 April 1971 that Israel had not been exposed to any danger from Egypt and Syria in 1967 and that the entire story of the danger of extermination had been invented in order to justify the annexation of new Arab territory. Israel's annexationist objectives were no longer a secret and it was the only country in the world which had no official map of its borders. In 1968, Moshe Dayan had acknowledged that the 1967 cease-fire lines would be followed by new lines which would extend beyond the Jordan river and perhaps into Lebanon and central Syria. Israeli leaders were now claiming openly that the West Bank and Gaza were not occupied territories but liberated territories and declaring that the Golan was an integral part of Israel which would not be returned to Syria even if Syria signed a peace treaty. The Definition of Aggression adopted by the General Assembly in its resolution 3314 (XXIX) had extended the concept to cover any military occupation, however temporary, resulting from invasion or attack of the territory of another State. Under the terms of that definition, the mere fact that Israel persisted in its occupation constituted aggression and did so all the more when it was coupled with expansion, annexation, the expropriation of land and property, control over water resources, deprivation of the inhabitants of their means of livelihood, the demolition of houses, expulsions, collective punishments and savage torture.

32. Israel's present position with regard to the settlement question was a total transformation from its absolute denial in the past to open acknowledgement and defence of its right to settle any part of the occupied territories and implement the policy of creeping annexation. That indicated that Israel had reached such a degree of insolence and conceit that it no longer paid any attention to world reaction or to the will of the international community. His delegation would like to reassert and place on record the fact that Israel would not have reached that extreme of arrogance and defiance if it had not been for the total political, military and economic support of the United States. Condemnation by the United States of Israel's settlement policy was no more than a verbal disageement between the two and had no effect on the continued use of its support for the construction of settlements, a matter which indicated the duplicity of United States policy on the Middle East problem. Israel was not constructing settlements at enormous cost in spite of its desperate economic situation in order to withdraw from them at some later time or to hand them over to the Palestinian people. Israel had done nothing to accustom the international community to such generosity but had rather accustomed it to the demolition of Palestinian houses, villages and towns. The representative of Israel had claimed that the settlement policy did not affect the human rights of the population of the occupied Arab territories and must have been blinded by his racist Zionist outlook and prevented from seeing matters in their true light. The settlement policy affected human rights by depriving the inhabitants of their means of livelihood through expropriation, leaving them



(Mr. Abouchaer, Syrian Arab Republic)

no option but to become hired labourers far from their lands. Article 1, paragraph 2, of the International Covenants on Human Rights stated that in no case could a people be deprived of its own means of subsistence. The representative of Israel had said that the Arabs had been granted the right to work within Israel; that in itself was a part of the conspiracy against them and was intended to facilitate their dispossession, their transformation into wage labourers and the destruction of their economic structures. Zionist settlement had also led to the alteration of the character of the occupied territories and to a change in their demographic structure, and it consequently affected the right of the inhabitants to self-determination as laid down in article 1 of the International Covenants on Human Rights.

33. The representative of Israel recognized the applicability of the Fourth Geneva Convention to the occupied territories only with regard to the right of detention, which it had allowed for reasons of security. The report of the Special Committee had, like previous reports, proved that torture had become institutionalized in Israeli prisons.

34. As for the benefits of the occupation which had rained down upon the inhabitants of the occupied territories, they did not merit discussion or repudiation, representing as they did the old and discredited colonialist logic. It was not strange that the representative of Israel should make use of such logic, but it was to be censured at a time when the elimination of colonialism was one of the most glorious achievements of the United Nations and when the sensitivity of the entire world to freedom and human dignity had increased.

35. Mr. HUSSAINI (Observer for the Palestine Liberation Organization) recalled that, in 1950, Albert Einstein had written in his book Out of My Later Years that he would prefer a reasonable agreement between the Arabs and the Jews, so that they might live together in peace, to the creation of a Jewish State. He resisted the idea of a Jewish State, with borders and armies and temporal powers, because he believed that it could damage Judaism, especially if there was an upsurge in the narrow Jewish nationalism which had been prevalent even before the creation of Israel.

36. Years later, in 1970, American Jewish writer Paul Jacobs had said that the Israelis must reverse their policy of annexation of the occupied territories and put forward proposals enabling the Arab population, particularly the Palestinian refugees, to exercise their rights. In his view, the settlements policy simply escalated the Arab-Israeli conflict. In 1975, Dr. Nahum Goldmann, a well-respected critic of Israeli policy, had said that one of Israel's weaknesses was that it had never taken any real initiatives to bring about peace with the Arabs but had only reacted to Arab initiatives.

37. If it had only heeded the warnings of such prominent Jews, the United Nations would not have wasted so much precious time on the question of Palestine, and much of the Arabs' suffering in the occupied territories would have been avoided. As the Special Political Committee continued its debate on the subject, the Israeli army continued its repression in the occupied territories. Indeed, the Israeli

(Mr. Hussaini, Observer, PLO)

occupying authorities had escalated their repression in response to demonstrations held to commemorate the International Day of Solidarity with the Palestinian People, on 29 November. At Ramallah, the Israeli military governor had closed two schools for three weeks. Two hundred Palestinian women from Bethlehem had been detained throughout 30 November at the offices of the Bethlehem military governor because they had participated in one such demonstration, while elsewhere students had been barred from attending classes for the same reason. According to a report in the The New York Times of 30 November, Israeli soldiers had fired shots and tear-gas at a student demonstration at Nablus and had imposed a curfew on the city and on the refugee camp near Bethlehem.

38. On 30 November, a member of the Israeli Knesset had sent a letter to the Knesset reporting that torture by Israeli jailers over the past month had resulted in the deaths of 14 Palestinian political prisoners and left many other prisoners in a state of severe psychological shock. The letter had called upon the Israeli authorities to end such murderous practices and had also reported that the Israeli Democratic Front for Peace and Equality had information that thousands of Palestinians were being detained secretly in Lebanon and that one such detainee had died under torture. An Israeli Hebrew-language daily paper had reported on the harsh conditions in a concentration camp for Lebanese and Palestinian prisoners. Those conditions had created such an atmosphere of tension that the situation could explode at any moment.

39. With regard to the economic situation in the occupied territories, the Israeli military authorities had prevented the municipality of Hebron from improving economic and social conditions there. Over the past three years, those authorities had prevented the municipality from building a hospital, a polytechnic and a new cement factory and even from digging a well which was urgently needed and for which an Israeli company had made a feasibility study.

40. With regard to the situation of universities and schools in the occupied territories, in a letter to the Christian Science Monitor on 30 November, a former President of Al Najah University who was now a professor at the University of Cincinnati had described the numerous restrictions imposed on universities in the occupied territories. Among other things, the names of all staff and students had to be submitted to the military authorities before the beginning of the academic year, so that the latter could exclude people whom they considered to be undesirable. Arabs from Jerusalem, the Gaza Strip and Israel were barred from attending or teaching at those universities. Students and faculty without West Bank identity cards were regarded as foreigners and needed to obtain special permission to attend or teach at the universities. Recently, when 12 faculty members at Al Najah University had refused to sign statements denouncing the PLO, they had been deported to Jordan. He himself had been denied a work permit three times in one year but had kept a low profile, remembering his previous experience at Bir Zeit University, where he had been severely beaten for protesting about his difficulties in obtaining a work permit. Thus, Arab Americans in the West Bank enjoyed very little protection. The professor had also described the various restrictions on academic freedom, the way in which books and periodicals were banned and taxes were levied on all educational materials. Such taxes had not

(Mr. Hussaini, Observer, PLO)

existed under Jordanian law. Al Najah University had even been prevented from building an engineering college and a new campus. The main problem, however, had been that at least a third of his students had spent some time in Israeli jails, where they had been beaten and prevented from completing their studies and sitting examinations. In June 1982, following the invasion of Lebanon, Israeli soldiers had stormed the university to break up a demonstration protesting that invasion. It was clear that the only solution to that situation was full Israeli withdrawal from the West Bank. The United States and other countries should strongly protest Israeli actions in order to prevent the situation from deteriorating further.

41. On 10 November, The Jerusalem Post had published a letter from two American professors teaching at Al Najah University, in which they recounted how, on 29 August, the military governor of Nablus, after intense interrogation, had asked them to sign a document denouncing the PLO if they wanted their applications for work permits to be even considered. They had not been given time to consult their lawyers or their colleagues and had signed the document in question. They now retracted their signatures because it had been their desire to serve Palestinians in the West Bank and not to become involved in local politics. They supported the human rights of all peoples and would oppose any action which sought to force them to take sides. As a result, because of the action taken by the military governor, they regretted that they could not continue to teach in the West Bank.

42. In the Washington Post on 16 November, an American professor had reported how he and 12 other faculty members at Bir Zeit University, 8 of them American, had been asked to sign the anti-PLO pledge. When they had refused, they had been dismissed and threatened with deportation.

43. The Israeli League for Human and Civil Rights, which had been established under the British Mandate to defend the rights of Jews and now defended the rights of Arabs in the occupied territories, issued a weekly report documenting countless cases of torture, beatings and persecution of young Palestinians in Israeli jails.

44. It was thus clear that the only solution to the problem of the occupied territories was an immediate end to Israeli military occupation. As long as the Israeli military continued to rule one and a half million people against their will, the bloodshed and suffering would continue, and the United Nations would continue to waste precious time on the subject. The first step towards that end would be to pledge solidarity with the progressive Jews in Israel who were calling for immediate Israeli withdrawal from the occupied territories and for independence and self-determination for the Palestinians and the creation of an independent Palestinian state. Of course, the Israeli representative would not dare to quote such progressive Jews and Israelis, but the Palestinians could because they and progressive Jews everywhere were fighting the same struggle, the struggle to promote the rights of Palestinians and Jews alike and to enable Jews and Palestinians to live in freedom and dignity.

45. In 1968, American Jewish philosopher I. F. Stone had said that, if the first step towards peace between Israel and the Arabs was for the Jews to look at themselves, the second step was for them to have the courage to look at the Arabs,

(Mr. Hussaini, Observer, PLO)

for they would be forced to see that the Arabs too were human and that Jews and Arabs must strive to live together in peace.

46. Mr. WEEDY (Afghanistan) said that the report of the Special Committee showed very clearly that violations of the human rights of the people of the occupied Arab and Palestinian territories had intensified. Israeli policies were aimed at exerting a constant political, economic and moral pressure on the Arab inhabitants in order to uproot them and forcibly expel them from their homeland. To that end, the Zionist authorities resorted to large-scale use of sophisticated methods of violence which were reminiscent of the crimes of the Nazis. Israel's policy was to annihilate or drive out the bulk of the Palestinian people and to subject those remaining to life in refugee camps under its constant control. In implementation of its designs for further annexation and colonization, Israel had stepped up the creation of new settlements, in spite of the opposition of the people of the occupied territories. At the current rate of settlement, it would not be long before the demographic character of the area would be drastically altered.

47. His delegation noted with concern that the Arab and Palestinian inhabitants of the occupied territories were constantly subjected to punitive action, wide-scale detention, solitary confinement, torture, murder and kidnapping. The increasing number of detainees had necessitated the construction of new prison facilities in the occupied areas.

48. Israeli actions against the people of the occupied territories were contrary to international law and constituted, in particular, an open defiance of the Fourth Geneva Convention of 1949. The open contempt shown by Israel for the various General Assembly resolutions was a constant threat to the peace and security of the world.

49. With time, Israel was becoming bolder and its methods of suppression more brutal. Because of the unconditional military, economic and moral support of the United States, the Zionists had been able to continue with their policy of constant aggression against the Arab countries and repression of the people of the occupied territories. Israel was, moreover, making full use of the situation created by the Camp David accords, which gave it a free hand in its aggressive designs. As events had shown, separate deals did nothing but weaken resistance to Zionist pressure.

50. The latest Israeli aggression against Lebanon, in which the most modern weapons of American imperialism had been used in an attempt to annihilate the Palestinian and Lebanese peoples, clearly indicated the scale of Zionist brutality. The horrors of that criminal war would always remain in the conscience of humanity. Civilian areas of West Beirut had been subjected to continuous bombardment from land, sea and air in which cluster bombs and phosphorous bombs had been used. Palestinian and patriotic Lebanese forces had resisted courageously, and, after they had been forced to leave, Israel had committed the most brutal and criminal acts in the Sabra and Shatila and other refugee camps.

(Mr. Weedy, Afghanistan)

51. Israel was clearly a racist State, and aggression, suppression of human rights and genocide were inherent characteristics of racism. As long as Israel remained in occupation of Arab and Palestinian territories and as long as the Palestinian people were denied of their inalienable rights to self-determination and independence, such crimes could be expected on an even greater scale, and the violation of the human rights of the population of the occupied territories would remain unabated.

52. The solution of the problem required the recognition of the inalienable rights of the Palestinian people, the participation of the PLO, the sole and legitimate representative of the Palestinian people, on an equal footing with the other parties concerned, and the total withdrawal of Israeli forces from Palestinian and Arab territories. His Government strongly supported the Palestinian people in their just struggle and believed that the day was not far off when the people of Palestine would achieve their long-overdue independence in their homeland.

53. Mr. BATAINAH (Jordan), speaking in exercise of the right of reply, said that the statement made by the representative of Israel before the Committee had contained a number of falsehoods concerning his Government and its role vis-à-vis the occupied territories and their inhabitants. The representative of Israel had cast doubt on the legitimacy of the relationship between Jordan and the Palestinians. That relationship was based upon federative principles by the will of the peoples of the East and West Banks. It was a legal relationship since it was based on parliamentary legislation enacted in 1950. The populations on both sides of the Jordan were equal before the law with respect to both rights and duties. The address made by His Majesty the King in Jerusalem, to which the representative of Israel had referred, was proof of Jordan's attitude towards union and towards the national question. It was natural that Israel should cast doubt on that attitude, since its policy was based upon tearing up the political map of the Arab world, dividing it into petty States and opposing trends towards Arab unity.

54. It was also natural that the representative of Israel should attack the entry of the Jordanian army into Palestine in 1948, which had taken place at the request of the civilian population in order to save them from the massacres perpetrated by terrorist Zionist bands to which hundreds of children, women and old people had fallen victim. The intervention of the Jordanian army had brought about the failure of the Zionist plan and had put a stop to the slaughter and expulsion of the population, which was to have led to the occupation of the entire land of Palestine. It was to the great honour of the Jordanian army that hundreds of its members had been killed in action in defence of the land and people of Palestine.

55. The accusation that Jordan had made war on Israel in 1967 was absurd since everyone knew perfectly well that it had been Israel which had waged a war against the Arab States, of which Jordan had been the first victim.

56. The accusation of the representative of Israel that Jordan had developed the East Bank at the expense of the West Bank over the period 1950-1967 was false. There had been a great deal of development in the West Bank in the economic and educational fields and public amenities had been of a higher standard than on the East Bank.

(Mr. Batainah, Jordan)

57. With regard to the claim that all of the universities and institutions of higher education in the West Bank had been created since 1967, that also was untrue. Educational institutions in the West Bank were of long standing and had been in existence even before 1948, as was the case with those in Nablus, Jerusalem, Bir Zeit, Tulkarm, Ramallah and Hebron. Those well-established institutions had been further developed by the people of the West Bank with the assistance of their friends and relatives in fraternal Arab States, and some of them had been transformed into those very universities which were now being closed, whose teachers and students were being expelled and whose syllabuses were being interfered with.

58. It was also untrue that Jordanian law had remained in force in the West Bank. The occupation authorities had abrogated all of those provisions in the Jordanian code which were in conflict with its policies of annexation, expulsion, the suppression of freedoms and the exertion of economic pressures. The Israeli authorities had promulgated those legal enactments which served their purposes, a fact of which the expulsion of mayors and the dissolution of municipal councils was living proof.

59. The representative of Israel had claimed that the establishment of settlements was legitimate. It must be the law of the jungle which permitted such acts as the expropriation of land, taking control of water resources and the establishment of settlements, since no other law could do so.

60. The claim that migration from the West Bank before 1967 had been greater than after that date was also false. Through their own efforts and with the help of the Jordanian Government, the inhabitants of the West Bank had reached an educational and technical standard higher than that in many countries. In view of the paucity of economic resources in the West Bank, many of the inhabitants had been forced to leave in order to seek work in the Arab countries but would return to their homeland bringing with them the necessary funds for its development: such a situation did not amount to migration. After 1967, it had been the natural course for the inhabitants to stand up to Israel's attempts to clear the land of its population as a preliminary to its annexation, although their defiance had not prevented the occupation authorities from expelling thousands in order to serve their expansionist objectives.

61. The claim that life for the inhabitants of the West Bank was in general tranquil and that notable social and economic progress had been made could also be disproved. The people of the West Bank had been economically, technically and educationally advanced without Israel, and they rejected the occupation. The nationalist disturbances in which they took part, in spite of savage Israeli repression, were the greatest proof of their rejection of the occupation and of the absence of that political and economic tranquility claimed by the representative of Israel.

62. If the concern of the representative of Israel for the interests of the inhabitants of the West Bank was genuine and if that actually reflected the position of his Government, then Israel would bring its occupation to an end, grant the Arab population its right to self-determination and take action to implement the resolutions concerning the rights of the Palestinians.

63. Mr. LEVIN (Israel), speaking in exercise of the right of reply, said that there was as much truth in the Jordanian representative's statement as there was in his astonishing allegation that the 1967 war had been started by Israel, an allegation which was contradicted by the statement made by King Hussein himself on the day that the war had started.

64. His delegation's statement on item 61 had provided incontrovertible evidence to refute the misinformation contained in the report of the Special Committee. He wished to reiterate that the population of Judea, Samari and the Gaza District had increased by 20 per cent since 1967 and, that the standard of living in those territories, which prior to 1967 had been appalling, had improved incomparably. Educational levels had also improved substantially; prior to 1967 there had been no universities, now there were five. Throughout its 19 years of occupation, the Jordanian Government had not established a single university in the West Bank. Student enrolment had also increased. In agriculture, production had risen significantly, and far greater use was being made of water resources than previously. As for the political situation, constant Arab aggression meant that Israel would have to wait for better times before it could solve problems in that area.

65. The representative of Syria had said that all his country wanted was peace, but it had been Syrian armed gangs that had attacked Jewish settlements in 1947 and Syrian troops that had attacked Israel in 1948 started the 1967 war. Syria had also participated in the attack launched on Israel in 1973.

66. Turning to the question of Israel's borders, when Arab leaders finally recognized Israel and negotiated with it, the final shape of things would emerge. However, he was curious to know about Syria's borders. Had Syria recognized the State of Lebanon and respected its territorial integrity? Had Syria not attacked many of its neighbours over the past 20 years? In that connection, he wished to refer to a recent article in Al-Baath, the official newspaper of the Syrian Baath party, according to which Palestine constituted the southern part of Syria. On 25 October 1982, the same newspaper had stated that the Arab-Zionist conflict was not an inter-State dispute over borders but rather a struggle for the survival of civilization and that the usurping Israeli entity must be annihilated and a step-by-step strategy devised for the total liberation of the occupied Arab lands.

67. Mr. HUSSAINI (Observer for the Palestine Liberation Organization), speaking in exercise of the right of reply, observed that the Israeli representative seemed to think that the Israeli army was the harbinger of civilization, education and development. He did not know whether the Israeli representative really believed that, but, if that meant that the Israeli army should invade neighbouring countries to bring them civilization, education and development, such a proposition was clearly ridiculous.

68. He wished to point out that the population increase in the occupied territories had been due to the natural rate of increase among the Palestinians. The 1981 Statistical Abstract of Israel stated that the total labour force in the occupied territories amounted to 138,000 Palestinian Arabs, 28 per cent of whom were employed in agriculture in the occupied territories and 9.5 per cent in

(Mr. Hussaini, Observer, PLO)

construction. The latter figure resulted from the fact that Palestinians could not obtain permits to work in the construction industry or to construct houses and buildings themselves. On the other hand, 71,900 Palestinian Arabs from the occupied territories provided cheap labour in Israel, where 47 per cent of them worked in the construction industry as compared with 7.1 per cent of Israeli workers. Palestinian workers were frequently transported to Israel from the occupied territories in the morning and returned to their homes at night. The average monthly wage for agricultural workers in Israel was 427 shekels or approximately \$200. If one excluded the wages of workers from the occupied territories from the calculation, however, that amount increased significantly, demonstrating the extent to which Palestinian workers from the occupied territories were exploited.

69. The Statistical Abstract also gave statistics on imports into and exports from the occupied territories. According to those statistics, imports from Israel into the occupied territories far exceeded exports from them, a direct result of the fact that the population of the territories was not allowed to establish its own industries.

70. Israeli military order 947 consisted of 921 different orders regulating every aspect of life in the occupied territories—orders, prohibiting trade and financial transactions and the importation and exportation of agricultural produce without a permit, banning books and other publications, prohibiting non-residents from setting up factories, offices, stores and professional practices, and establishing Israeli currency as legal tender on the West Bank.

71. It was thus high time that Israeli military rule ended so that the Palestinians might live in freedom and dignity.

72. Mr. HAMADNEH (Jordan), speaking in exercise of the right of reply, said that the Israeli representative's intention in exercising his right of reply had clearly been to damage Jordanian-Palestinian relations. With regard to the question of universities on the East and West Banks, Jordan had established a first Jordanian university at Amman in 1963 and a second university in Jerusalem in 1965. The 1967 invasion of Jerusalem had spelt the end of a Jordanian university in that city, but he wished to emphasize that, under Jordanian rule, universities and institutes of higher education had been established on both sides of the Jordan River without distinction.

73. Mr. ABOUCHAER (Syrian Arab Republic), speaking in exercise of the right of reply, said that, in his reply, the Israeli representative had levelled false accusations at Syria in an attempt to divert attention from the actions of the Israeli fascist junta, in particular, its repression of the population of the occupied territories and its genocide in Beirut and South Lebanon. The Special Committee had referred to all those actions in its report and he would not allow the Israeli representative to divert attention from them.



(Mr. Abouchaer, Syrian Arab Republic)

74. With regard to the question of Syria's borders, Syria had clearly defined, internationally recognized borders and entertained good-neighbourly relations with all neighbouring States. It had no regional or expansionist designs on any neighbouring State, and, so far as the dispute between Syria and the Zionist entity was concerned, the borders between them were cease-fire lines which could be settled through peace treaties. The Israeli representative had asked whether the Government of Syria had recognized Lebanon as a State. Syria had indeed recognized the State and people of Lebanon, and their legitimate Government and respected Lebanon's territorial integrity and sovereignty. It had no territorial ambitions in Lebanon and no border disputes with it.

75. The representative of Israel had quoted from Al-Baath newspaper. He wished to recall that, at the Committee's 40th meeting, he had asked the Israeli representative two questions which had yet to be answered, namely whether the Israeli representative could say that his Government recognized the inalienable rights of the Palestinian people and whether it could prove conclusively that it had the right to deny the Palestinians their homeland. Syria wanted peace, but it was Israeli policy that created obstacles to peace. The Israeli Government claimed that it was ready to negotiate with the Arab countries, yet it refused to make further concessions or to agree to the establishment of an Arab State in Palestine. Recognition of Palestinian rights was the only path to a just and peaceful settlement in accordance with United Nations resolutions, and Israeli's protestations were belied by its actions and policies. The Arab countries found Israeli brutality more convincing than Israeli propaganda.

The meeting rose at 1.05 p.m.