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SPECIAL POLITICAL COMMITTEE

37th meeting

held on

Friday, 26 November 1982

at 3 p.m.

New York

UN/SA COLLECTION

SUMMARY RECORD OF THE 37th MEETING

Chairman: Mr. MUBAREZ (Yemen)

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ORGANIZATION OF WORK

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The meeting was called to order at 3.10 p.m.

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/37/54, A/37/162, A/37/485, A/37/525)

1. Mr. BUSCH (German Democratic Republic) said that the report of the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories (A/37/485) contained ample evidence of the fact that Israel was systematically escalating its policy of occupation and oppression. The recent war of aggression against Lebanon and the brutal, murderous campaign against the Palestinian people constituted a new phase of Israel's criminal policy and had caused deep abhorrence and indignation throughout the world. The people and Government of the German Democratic Republic had condemned those acts and emphatically called for the immediate and unconditional withdrawal of the Israeli troops from Lebanon.
2. There was no doubt that Israel's attempts to annex all the illegally occupied territories had dangerously aggravated the situation in the Middle East. On 14 December 1981, Israel's ruling circles had passed a decision on the annexation of the Syrian Golan Heights which represented an open act of aggression against the Syrian Arab Republic and a flagrant violation both of the Charter of the United Nations and of international law. Only a few weeks later, Israel had again defied the international community by staging new acts of terror in the illegally occupied territories. Elected mayors had been dismissed, and Palestinian municipal councils dissolved. There was no doubt that Israel's ruling circles wanted to have the local councils in towns and villages replaced by puppets of the occupation régime. Under cover of the so-called "civil administration", Israeli law was to be introduced in the West Bank and the Gaza Strip. The uprising of the Palestinian population against that measure had been brutally repressed, as was indicated in paragraph 289 of the report (A/37/485). The intensification of Israel's settlement policy was a matter of growing concern. There was also a tendency to consolidate the settlements already established, in particular those in areas considered to be densely populated by Palestinians (para. 294).
3. The German Democratic Republic resolutely condemned the policy of annexation and oppression pursued against the Palestinian and other Arab peoples. It supported the demands made by many States that vigorous action should be taken to force Israel to abandon its policy. There was increasing support for the heroic struggle waged by the Palestinian people under the leadership of its sole legitimate representative, the Palestine Liberation Organization. Furthermore, he noted that Israel would have been unable to carry out its measures of annexation and expansion without the political, economic and military assistance it received from the United States. Therefore, one could not ignore the fact that the aggravation of the situation in the illegally occupied territories was a direct consequence of the so-called strategic alliance between Israel and the United States and a result of the policy of separate arrangements. There was a growing awareness that any attempt to revive the policy of separate arrangements was doomed to failure.

(Mr. Busch, German Democratic Republic)

4. The German Democratic Republic considered that peace in the region could be achieved only on the basis of the total, immediate and unconditional withdrawal of Israel from all the Arab territories occupied since 1967, including the Arab part of Jerusalem, and through the safeguarding of the inalienable national rights of the Palestinian people, including its right of return, its right to self-determination and its right to establish its own independent State. In that connection, the German Democratic Republic supported the proposals made by the Soviet Union on 15 September 1982 for a just, lasting and comprehensive settlement of the Middle East problem, as well as the Soviet proposal for the immediate convening of an international conference on the Middle East, with the participation of all the interested parties, including the Palestine Liberation Organization. His country welcomed the principles adopted by the Twelfth Arab Summit Conference with a view to solving the question of Palestine and settling the Middle East problem as a whole.

5. Mr. SOMOGYI (Hungary) said that his delegation shared the view expressed by the Special Committee in the letter of transmittal of its report (A/37/485) to the effect that the situation of the human rights of civilians in the occupied territories during the period covered by the report had perhaps been at its worst in comparison with other years and that the level of the violence and brutality of the repression was unprecedented. The military power of Israel continued to rule in the occupied territories. The new scheme of administration, in which civilians had replaced military personnel in various administrative functions, had been designed to perpetuate the state of occupation. A spectacular manifestation of the worsening of the situation had been the imposition in December 1981 of Israeli laws, jurisdiction and administration in the occupied Syrian Golan Heights, which constituted yet another act of Israeli aggression. In most of the occupied territories, Israel had been acting as a sovereign authority, exercising practically complete legislative, administrative and judicial control over the inhabitants, in flagrant violation of the provisions of the relevant norms of international law, which restricted the power of a belligerent occupant. In addition to the overall deterioration of the human rights situation in the territories occupied by Israel since 1967, the invasion of Southern Lebanon, the siege of Beirut and the massacre in the Palestinian refugee camps had caused the death of a great number of people, as well as untold human suffering.

6. One of the most unequivocal manifestations of Israel's expansionist policy was its policy of settlements, which had well-known long-term effects as well as a direct negative impact on the lives of the inhabitants of the territories in question. As had been proved repeatedly, the argument of security invoked in support of the policy of settlement and annexation was without any justification (A/37/485, para. 294). In that respect, mention should be made of the United States position formulated recently by the Secretary of State who, in an article published in The New York Times on 20 November 1982, had indicated that Israel's settlement policy in the West Bank was not a contribution to the peace process.

7. Israel had repeatedly refused to co-operate with the Special Committee, denying it the opportunity to carry out its mandate completely as required by the

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(Mr. Somogyi, Hungary)

General Assembly, refusing it access to the occupied territories, and preventing witnesses from appearing before it.

8. It was the firm view of his delegation that the decisions taken by Israel to change the legal status, geographical nature and demographic composition of the occupied territories were null and void. They not only violated the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and other norms of international law but also constituted a threat to international peace and security. The only solution that would safeguard the human rights of the civilian population of the occupied territories would be to end the occupation and enable the oppressed peoples to exercise their right to self-determination and to enjoy their fundamental human rights, in conformity with the numerous resolutions adopted by the various organs of the United Nations. It was his delegation's firm conviction that the problem of the occupied territories could be solved only within the framework of a comprehensive, just and lasting settlement of the Middle East crisis.

9. Mr. BAALI (Algeria) said that the situation in the Middle East had deteriorated to an alarming degree with the massacres of Palestinian civilians in the Beirut refugee camps after the invasion of Lebanon by the Zionist forces. The Zionist war machine was stepping up its attacks on the Arab populations, without distinction as to sex, age or religion and on the flimsiest of pretexts. As the Special Committee pointed out in document A/37/485, the violations of human rights encompassed all spheres of human activity and affected the most fundamental freedoms.

10. With regard to education, for example, the interference, intimidation and reprisals by the occupying forces had been legalized and institutionalized with the promulgation of Decree No. 854. The Zionist forces were refusing permission to build schools and organize classes; they were transferring, reclassifying or dismissing teachers for political reasons and resorted to the physical elimination of students. One of the most shocking measures adopted recently had been the introduction of a requirement that university professors sign a paper stating that they would neither recognize nor assist the Palestine Liberation Organization before they were allowed to perform their duties.

11. Moreover, those degrading measures were not limited to Palestinian students, for the occupying forces did not hesitate to attack foreign professors teaching in universities situated in the occupied Arab territories. The acts committed against universities and educational institutions took many forms, ranging from the interruption of classes and of the normal operation of such institutions to the closing of schools, institutes of higher learning and universities. In that connection, it should be recalled that Bethlehem University, established at the request of His Holiness Pope Paul VI, was functioning at minimal capacity because of the prior condition imposed on professors and students requiring them to sign a humiliation paper, signifying that they agreed to dissociate themselves from their people and its struggle for freedom and dignity.

(Mr. Baali, Algeria)

12. The Special Committee had painted a depressing picture of the iniquitous measures adopted by the Zionist authorities and directed against Arab farmers, who constituted the basic sector of the active Arab population in the occupied territories. Those measures included expropriation of the water resources of Arab farmers, unfair practices, the granting of subsidies to non-Arab farmers by the Zionist authorities, the preparation of plans which disregarded the interests of Arab farmers and a market which favoured the sale of Israeli agricultural products. The Zionist authorities were clearly seeking to pressure Arab farmers to leave so that they could seize the Arab lands. The establishment of village leagues showed that such measures, which were contrary to international law, were aimed at bringing about far-reaching changes in the legal status of the occupied Arab territories and should therefore be unanimously condemned.

13. The Zionist leaders, ignoring the exhortations of the international community and Security Council resolutions 446 (1979) and 452 (1979), were pursuing their policy of expropriating Arab land and establishing settlements. The new element in that vast criminal operation was that currently it was being planned by the Israeli leaders themselves, who did not hesitate to announce publicly that settlements were to be established and endowed with permanent infrastructure. In 15 years of occupation, the occupying forces had expropriated between 55 and 60 per cent of the Arab lands, so as to make the future annexation of the Arab territories irreversible, while the international community stood by, helplessly watching the tragedy.

14. He also wished to draw attention to the especially serious situation prevailing in the Syrian territory of the Golan Heights since the passing of the Knesset decree of 14 December 1981 annexing that territory. It was clear to his delegation that the resolution of the conflict in the Middle East must necessarily involve the realization of the national rights of the Palestinian people and the complete and speedy evacuation of all the occupied Arab territories. The Middle East would continue to be the scene of confrontation so long as the Palestinian people was denied the restoration of its national rights, including the right to self-determination, the right to return and the right to establish its own sovereign and independent State, and so long as the principle of the inadmissibility of the acquisition of territory by force was flouted.

15. Mr. AL-ANBARI (Saudi Arabia) observed that 15 years had passed since the beginning of the Israeli military occupation and 14 years since the adoption of resolution 2443 (XXIII), establishing the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories. Year after year the item had been included in the agenda and the General Assembly had adopted resolutions condemning Israeli aggression and calling on Israel to desist from taking any action which would result in changing the geographical nature or demographic composition of the occupied territories. In fact, there were many United Nations resolutions which had remained a dead letter since 1948 and, more specifically, since 1967. The Secretary-General had referred to the matter in document A/37/1, in which he expressed concern regarding the paralysis of the Security Council and made a special reference to the situation in the Middle East. The Israeli practices constituted violations of United Nations

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(Mr. Al-Anbari, Saudi Arabia)

resolutions, of the Charter and of human rights. The only difference between the crimes perpetrated by the Nazis and those committed by the Israelis was the support Israel received from the United States. It should be noted that some 100,000 Palestinians had been killed, 2 million people were homeless and 100,000 had been expelled from the West Bank, all because Israel had declared a political and economic war with a view to preparing the way for Israeli settlers. The details concerning the establishment of settlements and the expropriation of land on the West Bank were given in the communications to the United Nations by the Permanent Representative of Jordan. The practices of imprisonment without trial, torture, inciting the Jewish settlers to take action against the defenceless Arab population and using weapons having indiscriminate effects were war crimes committed in accordance with a premeditated plan aimed at destroying the largest possible number of Palestinians. The Sabra and Shatila massacres were one more link in that chain of crime. The investigations being carried out in Israel showed that Begin and Sharon had been aware of what was happening.

16. The racist policy of Israel was characterized by the campaign of slander which depicted the Israeli population as democratic and humanitarian and the Palestinians as terrorists and murderers. Making use of its penetration into Western societies, the Zionist movement had continued its campaign to distort the image of the Palestinians in particular and the Arabs in general. That was being done in countries which played an important role in strengthening Israel.

17. Thirty-four years had passed since the expulsion of the Palestinian people from their homeland. The Palestinian people continued to live in refugee camps and were reduced to a situation of intolerable misery, subjected to new acts of provocation by Israel. The policy of land expropriation had continued, and, in order to replace the elected authorities, village leagues made up of puppet leaders and financed by Israel had been set up for the purpose of sewing discord among the Palestinian population. Nevertheless, that policy had not been successful.

18. In view of the material and moral support given to Israel, certain Western countries were responsible, along with Israel, for the crimes which had been and still were being committed in the occupied territory. Assistance was still being provided to Israel so that it could continue its crimes and defy the will of the international community represented by the General Assembly and the Security Council. He, therefore, appealed to those countries to return to the rule of law and justice because the situation was so dangerous that it represented a grave threat to the peace and security of the Middle East and the entire world.

19. Mr. YOUSSEF (Egypt) said that it was not necessary to remind the Committee of the persistent violation of human rights and the continued illegal Israeli practices and policies in the occupied Arab territories in direct contravention of international law, the purposes and principles of the Charter and United Nations resolutions; nor was it necessary to remind the international community of the recent increase in such practices, which clearly revealed a premeditated policy of violating the rights of the Palestinian people and totally rejecting their interests and needs. In that regard, mention should first of all be made of the worsening of the tragedy of the Palestinian people which had reached its climax

(Mr. Youssef, Egypt)

with the latest events - starting with the Israeli invasion of Lebanon and the indescribable devastation and loss of human life and accompanied by the continued military occupation of Lebanese territory and intervention in the political affairs of Lebanon. Secondly, there had been the massacre and atrocities of Sabra and Shatila, which had been a direct consequence of the Israeli invasion of Lebanon and had resulted in more than 3,000 Palestinians being murdered with the participation and support of Israel, as had been proved by the hearing before the Israeli Commission of Inquiry and its findings that Prime Minister Begin and Defense Minister Sharon might be guilty of having failed to carry out their duty by ignoring the danger of asking Lebanese Christian militiamen to enter the Palestine refugee camps in Beirut. In the third place, there was the policy of continuing to establish settlements in the occupied Arab territories and to expand already existing settlements in order to change the demographic and geographic character of the region.

20. Since 1967, 139 settlements had been established in the West Bank, occupying almost half of the total area, and 20 new settlements were under construction. In addition, there were plans for increasing the population of the settlements still further. An article in The New York Times recently reported a statement by a spokesman for the World Zionist Organization to the effect that Israel was carrying out its plan to place 400,000 more settlers in the West Bank during the next five years, and 1.4 million over a period of 30 years. A recent study provided a detailed explanation of the land-confiscation policy which Israel was carrying out in the West Bank and which would enable it to seize from 55 per cent to 65 per cent of the land. Fourteen settlements had already been established in Gaza, and it had been decided to establish three new settlements in northern and southern Gaza, set up a regional centre in the Katif area and establish six settlements in the area between Gaza and Sinai. With regard to the Golan Heights, mention should be made first of all of the decision to annex that area. In addition, 36 settlements had already been established there, and plans were being made to bring in another 20,000 settlers over the next four years. Ninety-three per cent of the Syrians living in the Golan Heights in 1967 had been driven out, and only 7,000 Arabs remained throughout the entire area.

21. In spite of the various peace proposals and the international consensus concerning the danger which that policy represented, the reaction of Israel had been contrary to that opinion. In his peace plan of 1 September, President Reagan had stated that if Israel immediately suspended its settlements policy, which was not necessary for the security of Israel, that action would help to create the confidence needed to bring about a freely and fairly negotiated solution. Similarly, the Secretary of State of the United States had declared, in his press conference of 8 November, that the settlements policy was not constructive and did not contribute to the peace process. In response to that, Israel had announced plans to expand its settlements during the next year and send more settlers to those areas.

22. Several sessions would be required to enumerate all the Israeli practices and policies against the basic human and national rights of the Arab people, such as changing the political status of the Arab sector of Jerusalem, the evacuation or

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(Mr. Youssef, Egypt)

expulsion of the Arab inhabitants and the denial of their right to return, the confiscation of Arab property in the occupied territories, the destruction of houses, the illegal exploitation of the resources of those territories, and the restrictions imposed there on the economic and agricultural activities of the Arab inhabitants. The report contained in document A/37/238 clearly described the living conditions of the Palestinian people in the occupied territories, which reflected the treatment to which they were subjected by the Israeli authorities.

23. Another very relevant matter concerned the arbitrary measures taken against the institutions of higher education in the occupied territories. The oath of loyalty required of foreign teachers and the annual work-permit system were infringements of academic freedom and freedom of thought and were part of the policy of harassment designed to close down the universities or reduce them to the level of secondary schools.

24. Everything indicated that the objective of the Israeli Government was to achieve total control over Arab lands, whether through reduction or acts of force or by means of annexation or the expulsion of the entire Palestinian people. It was time for the international community to exert the greatest possible effort to put an end to so much suffering and to find a way to stop that process in the interest of peace and security in the region and throughout the world. The favourable climate created by the introduction of President Reagan's peace plan and the eight-point plan put forward at the summit meeting of Arab countries must be taken advantage of, for it provided the opportunity to achieve a solution to the Palestinian problem and bring about a just and lasting settlement in the Middle East.

25. In order to help create an atmosphere of mutual trust, Israel, in his delegation's opinion, should: withdraw all its forces from Lebanon by the end of 1982; halt the establishment of settlements in the West Bank, Gaza and the Golan Heights; restore expropriated land and property; lift restrictions on political activities and freedom of movement; permit the return of the mayors and municipal councils; repatriate the deported mayors and political personalities; release Palestinian political detainees; reunite Palestinian families through the return of displaced persons; refrain from imposing restrictions on the Arabs with regard to the use of water for irrigation and other economic activities; and scrupulously respect the provisions of the Geneva Convention of 1949 and recognize the applicability of that Convention.

26. The situation therefore represented a challenge to the United Nations and to the principles that had been given recognition by mankind in the present century, and that challenge, in the interests of peace and co-operation, must be met. An honest agreement must be reached, under which the rights of all States and peoples of the area - including the Palestinian people and the Israeli people - to existence and security, and to territorial integrity and sovereignty would be fulfilled. Failure to put an end to the situation would undermine once and for all the moral authority of the United Nations, the international consensus, and the effectiveness of the major Powers in establishing peace, justice and order.

(Mr. Youssef, Egypt)

27. The International Day of Solidarity with the Palestinian People was approaching. After their prolonged suffering, the Palestinian people were entitled to expect decisive action on the part of the United Nations, and not just one more resolution to be added to the mass of resolutions adopted since 1947 without any real effect. The role of the United Nations must be redefined and reformulated in order to conform to the aspirations of the Palestinian people and to establish the conditions necessary for initiating enlarged peace negotiations. It was incumbent upon all countries and organizations to refrain from providing any aid that would encourage Israel to continue its illegal and immoral policy. The General Assembly and the Security Council must also be called upon to support the resolutions and decisions adopted concerning the question of settlements and annexation, by continued consideration of the subject and by endorsing measures for putting an end to those policies and creating the necessary conditions for the process of peace.

28. Mr. VLASCEANU (Romania) said that the report in document A/37/485 was extremely valuable for the purpose of examining and considering the measures to be taken for putting an end to the occupation of Arab and Palestinian territories and establishing conditions that would ensure the free enjoyment by the peoples of those territories of their legitimate rights. Of particular importance was the conclusion that the problem was far more complex than a mere issue of applying the provisions of the Geneva Convention of 1949. It was in fact a matter of establishing a framework for a just and lasting peace in the Middle East, and the central issues were the realization of the inalienable rights of the Palestinian people and the return of the Golan Heights to Syria.

29. As noted in the report, the situation had continued to deteriorate and to bring about new suffering for the people of the occupied territories. The tragic events in Lebanon and the massacres in the Sabra and Shatila camps had created a situation which was a matter of deep concern to the entire international community. Those actions demonstrated once more the need for decisive and concerted measures to bring about a settlement of the situation in the Middle East as a whole.

30. His country had firmly condemned Israeli military actions in Lebanon and had asked for the immediate withdrawal of Israeli troops from Lebanon in order to ensure that country's sovereignty and territorial integrity.

31. Israel's policy of refusing to recognize the legitimate rights of the Palestinian people was a permanent source of tension. The situation was aggravated by the measures Israel had taken to consolidate its occupation of the territories, namely, new settlements and the confiscation of Palestinian land, and the measures for annexing the territories or altering their demographic, geographic and cultural status. Such illegal measures, in flagrant violation of United Nations resolutions and the Geneva Convention, had raised new obstacles to the efforts to achieve a peaceful solution in the Middle East.

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(Mr. Vlasceanu, Romania)

32. The grave events which had taken place and the continuous deterioration of the situation made more apparent than ever before the need to intensify efforts to achieve a solution of the Palestinian question and a comprehensive settlement of the situation in the region. Peace and security could not be achieved by the use of force or by violating international law and denying the right to a free and independent existence to other people, since that only created the conditions for new and even more destructive armed conflicts. Peace and security could be achieved only on the basis of respect for the fundamental rights of all peoples and for international principles and norms.

33. In the opinion of his delegation, it was extremely important for political and diplomatic efforts to be undertaken to achieve a comprehensive and just solution in the Middle East and to establish a long-lasting peace based on Israeli withdrawal from all territories occupied since 1967 and on recognition of the right of the Palestinian people to self-determination. It was also essential to ensure the integrity, independence and sovereignty of all the States in the region, and his country, as emphasized by President Ceausescu, was firmly convinced that there was a place in the Middle East for both an independent Palestinian State and the State of Israel. Mutual recognition on the part of both the PLO and the Government of Israel was an essential condition for resolving the situation in the region.

34. His delegation believed that the United Nations was the best framework for convening an international conference in which all the countries and parties concerned, including the PLO, would participate. In addition to the measures to be agreed upon concerning the populations in the occupied territories, steps would have to be taken to establish conditions for the exercise by the Palestinian people of their rights and for a comprehensive solution to all the problems of the region in the interests of all its inhabitants and of international peace and security.

35. Mr. SANCHEZ (Cuba) said that although the Special Committee's activities had since 1968, provided valuable information which had helped to bring to light the viciousness of the violation of human rights in the Arab and Palestinian territories occupied by Israel, the item currently before the Special Political Committee had never before been considered in such dramatic circumstances. The Cuban delegation had already pointed out, at the thirty-sixth session, that Israeli practices in the occupied territories could not be separated from its policy against Lebanon or its attacks and threats against other Arab countries, and that there would be no end to Israel's violations of human rights until there was an end to its persistence in ignoring the inalienable rights of the Palestinian people and its attempts to destroy their physical existence. The Committee was considering the present item nearly six months after Israel's brutal attack on Lebanon and only a few weeks since Israel had committed one of the greatest crimes in contemporary history: the cold-blooded massacre of thousands of defenceless women, children and young and old Palestinians in the Sabra and Shatila camps in Beirut.

36. He noted that, in defiance of the many resolutions adopted by the Security Council and at the seventh emergency special session of the General Assembly, the Government of Israel continued to maintain its occupation forces in Lebanon. The Tel Aviv authorities had even announced that they intended to create new Jewish

(Mr. Sanchez, Cuba)

settlements in the occupied Arab and Palestinian territories and were intensifying their repressive policy against the people of those territories. It should be recalled that, after the last session of the General Assembly, the Israeli authorities had proclaimed the annexation of the Golan Heights and, some months later, had unleashed their aggression against Lebanon.

37. His delegation had repeatedly stated its belief that that intolerable conduct by the Israeli Government could only be explained by the complicity of its chief ally, the United States, and by the assistance and wholehearted support that the Israeli Government received from Washington, all within the context of a strategic alliance directed against the Arab peoples and, in particular, against the Palestinian people.

38. That policy had been condemned by the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries held at Nicosia, Cyprus. More recently, the Meeting of the Ministers for Foreign Affairs and Heads of Delegation of the Non-Aligned Countries attending the thirty-seventh session of the General Assembly had likewise strongly condemned Israel's policy of expansion and aggression, made possible by the military, financial and political support of the United States, and had pointed out that the policy had culminated in the Israeli invasion of Lebanon and the acts of genocide committed against Palestinian and Lebanese civilians in Beirut and other parts of Lebanon.

39. Lastly, he said that Cuba, together with the rest of the international community, and particularly the non-aligned countries, would persist in its efforts to find a just and lasting solution to the conflict in the Middle East through global negotiations in which the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people, participated on a footing of equality. The most recent events showed that it was now more necessary than ever to intensify joint action towards those objectives.

40. Mr. LOZINSKY (Union of Soviet Socialist Republics) said that consideration of the question of Israel's violation of human rights in the occupied Arab territories was very important for the mobilization of efforts by all States and all peoples with a view to putting a speedy end to Tel Aviv's policy of strengthening its occupation of the Arab territories and undermining efforts to find a global solution to the problem of the Middle East.

41. His delegation therefore wished to express its appreciation to the Chairman and other members of the Special Committee to Investigate Israeli Practices affecting Human Rights of the Population of the Occupied Territories (A/37/485) for the efforts they had made in preparing the report now under consideration, which was particularly commendable since, as in earlier years, the Committee had had to contend with the blatant obstruction of Israel in its attempts to carry out its mandate. Both in the report and in the statements made by the representatives of Jordan, the PLO and Syria at the Committee's previous meeting, considerable evidence had been provided to show that the Israeli aggressors were pursuing a policy of annexation designed to expel the indigenous Arab population from the occupied territories. For example, the Israeli leaders had said that the occupied

(Mr. Lozinsky, USSR)

Golan Heights were part of Israel and they made no secret of the fact that it was now the turn of the West Bank and the Gaza Strip.

42. During the 15 years of Israeli occupation of the Arab territories, Tel Aviv had applied a policy of colonial assimilation intended to prepare the ground for the establishment of Israeli settlers. At present there were more than 140 Israeli settlements spreading like cancerous growths over those territories. Armed Israeli settlers employed terrorist methods against the Palestinians to impose their permanent presence in the occupied territories on the Arabs, and those methods, combined with other illegal measures, such as the expropriation of land and property belonging to so-called "absentee owners", had enabled the Israelis to control a large part of the territories. Tel Aviv and the various Zionist organizations had recently announced a plan for the installation of tens of thousands of new settlers on the West Bank, so that by 1980 the number would reach 100,000 and, over the next 15 years, total 1,400,000. At the same time, the Israeli occupation authorities had methodically increased their violence and repression against the Arab population of the occupied territories.

43. Those and other developments showed beyond all doubt that the measures adopted by Israel in the occupied territories violated the rules of international law, and particularly the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. The Security Council, the General Assembly and other United Nations bodies had repeatedly condemned the measures taken by the Israeli authorities to alter the geographical structure, the demographic composition and legal status of the occupied territories, describing them as unlawful measures with no legal validity. Moreover, the Security Council, in its resolution 465 of 1 March 1980, had "strongly deplored the continuation and the persistence of Israel in pursuing those policies and practices" in the occupied Arab territories and had clearly called upon "the Government and people of Israel to ... dismantle the existing settlements and ... to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem". In spite of those appeals, Israel had persisted in its policy of fait accompli and of making those acts irreversible and had responded to the resolutions of the United Nations with a policy of "rampant annexation".

44. The direct consequence of Israel's policy of consolidating its annexation of the Arab territories had been the new phase of aggression against Lebanon, in which the Israeli leaders had set themselves the goal of physically liquidating the Palestinians and particularly those Palestinians engaged in an organized struggle for the restoration to the Palestinian Arab people of their rights. Tens of thousands of Palestinians and Lebanese had been victims of that aggression and hundreds of thousands of people had lost their homes and means of subsistence during the attack launched by the Israeli war machine. Never had such a flagrant violation of the generally accepted rules of international law and the resolutions of the Security Council and General Assembly of the United Nations been witnessed. The culmination of those criminal activities by Israel in Lebanon had been the monstrous massacre perpetrated in such Palestinian camps as Sabra and Shatila, which gave an idea of what the Palestinians under Israeli occupation could expect.

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(Mr. Lozinsky, USSR)

45. It was obvious that Israel could not act in that way unless it had the support of the United States, which had opened its arsenals to the Israeli military and, in addition to encouraging Tel Aviv at the diplomatic and political levels, was systematically thwarting every attempt to curb the aggressors. The Israeli aggression against Lebanon and Israel's entire anti-Arab policy was in fact a joint Israeli-United States policy based on so-called strategic co-operation between Washington and Tel Aviv. That was the significance of the so-called Camp David accords and of United States diplomacy in the Middle East, in which the "new approach" to the Palestine problem was nothing more than the old plan of action based on separate agreements.

46. The Soviet delegation agreed with the conclusions of the Special Committee appearing in paragraphs 286 and 287 of the report where, after stating that "the persistent violation of human rights derives from the very fact of a 15-year military occupation and a policy of colonization and annexation of the occupied territories", it went on to say that the Palestinian people could not expect "to enjoy their fundamental rights so long as they are denied the right to self-determination", and that "The Syrian nationals in the Golan Heights who are themselves under occupation will not secure their own rights until that territory is reintegrated into Syrian territory".

47. The Soviet Union continued to condemn Israel's policy of mass repression, oppression and racial discrimination against the population of the occupied Arab territories, and was fully convinced that the only way to put an end to those activities was through a comprehensive settlement of the problem of the Middle East, which was not possible without the concerted efforts of all those concerned, including the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people.

48. The Soviet Union had recently submitted a constructive plan for a comprehensive solution to the problem of the Middle East. That plan was based on respect for the principle of international law under which territory could not be acquired through aggression, on enjoyment by the Palestinian Arab people of their inalienable right to self-determination and the establishment of their own State, and on the principle whereby all States of the region had the right to an independent and secure existence.

49. Mr. AKIN (Turkey) said that his delegation once more took note with disappointment of the Government of Israel's refusal to permit the Special Committee to discharge properly the duties entrusted to it by the General Assembly, and observed with grave concern that the conditions of the civilian population in the occupied territories had deteriorated drastically owing to Israel's persistence in policies of annexation, illegal settlement and endless and increasingly brutal repression. The current report of the Special Committee, like its previous reports, contained a shamefully long list of violations of human rights in the occupied territories, such as arbitrary detention, mass arrests, abuse of detainees, denial of justice, inhuman prison conditions, levelling of villages, expropriation of property, confiscation of land and further increases in the number of illegal settlements. In that regard, the list of demonstrations, strikes and

(Mr. Akin, Turkey)

similar incidents contained in the report reflected the heightened tension and unrest resulting from Israel's repressive policy in the occupied territories. The Palestinian Arabs were being systematically deprived of their lands and means of livelihood, with the apparent aim of destroying the Palestinian cause and the Palestinian struggle for national liberation.

50. Those practices constituted flagrant violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and his delegation reiterated its view that the provisions of that Convention were fully applicable to the population of the occupied territories; it strongly condemned Israel for all its violations in the occupied territories. Like the question of Palestinian refugees, the problem of Israeli practices in the occupied territories was a dimension of the question of Palestine which, in his delegation's view, constituted the core of the Middle East conflict.

51. As Turkey had reiterated for years, the solution to the Middle East problem - if it was to be just, lasting and comprehensive - must as a minimum entail Israeli withdrawal from all Arab and Palestinian territories occupied in 1967, including Jerusalem, and allow the full exercise of the inalienable rights and legitimate aspirations of the Arab Palestinian people, including their right to establish their own independent State. For such a solution to be attained, there had to be negotiations involving all the parties to the conflict, including the Palestine Liberation Organization. In that regard, Israel had primary responsibility, because it was Israel that was following a policy of annexation, aggrandizement, usurpation, provocation and faits accomplis.

52. Mr. KOISEV (Bulgaria) commended the Special Committee for its report (A/37/485), which it had prepared in the face of tremendous obstacles, especially Israel's persistent refusal to permit the Special Committee to have access to the occupied territories and its illegal detention of witnesses. In flagrant violation of the norms of international law, of the provisions of the 1949 Geneva Convention and of numerous resolutions of the General Assembly, the Security Council and other United Nations organs, and also in defiance of world public opinion, the Israeli authorities had stepped up their policy of colonization and annexation based on terror and mass repression, with the aim of displacing the native Arab population and creating the necessary conditions for new expansionary actions.

53. In its report, the Special Committee pointed out that the level of violence and brutality of repression had been at their worst. It also indicated that new Jewish settlements continued to be established in the occupied territories, while the existing ones were being expanded. The report testified to the maltreatment by the Israeli authorities of the civilian population in the occupied territories through the arbitrary imprisonment of innocent civilians and other discriminatory practices such as exercising the "right" to invade and destroy Palestinian homes, to impose collective punishment, to remove and deport Palestinian mayors and members of municipal councils, the arbitrary closure of Palestinian schools and universities, the firing and reassignment of teachers and professors, the banning of teaching aids and the replacement of laws with military orders.

(Mr. Kotsev, Bulgaria)

54. The expansionist policy of the Israeli authorities had caused four wars and had inflicted untold loss of life and property on the peoples of the region, above all the Palestinian people. The large-scale military operations which Israel had undertaken in 1982 were a new proof of the true intentions of Israel and its mentors with regard to the settlement of the Middle East crisis. The monstrous massacres of refugees in the Shatila and Sabra refugee camps were the logical and predictable result of the policy of genocide which Israel had pursued with regard to the Palestinian people. Those massacres revealed ideological and political similarities with nazism.

55. Bulgaria condemned the Israeli practices in the occupied territories and expressed its profound solidarity with the Palestinian people and with the thousands of Palestinians who had fallen for the preservation of their freedom. In his delegation's opinion, the only way of achieving a just and lasting settlement of the Middle East crisis was to convene an international conference with the participation of all the interested parties, including the sole legitimate representative of the Palestinian people, the Palestine Liberation Organization. All other plans, such as the Camp David accords and the latest United States plan, left the settlement of the Palestinian problem at the mercy of the occupation authorities. Bulgaria had supported and would continue to support the just and heroic struggle of the Palestinian people, under the leadership of PLO.

56. Mr. AL-ZAHAWI (Iraq) noted that the representative of Israel had referred to the biased nature of the Special Committee's report (A/37/485), but had not refuted the facts it contained. Clearly, the current situation in the occupied territories was but a continuation of the Zionist policies which had been implemented since the beginning of the century and which had led to the dispersion of the Palestinians. The same tactics as those employed by the Zionist terrorists in the late 1940s and later used by the Zionist entity against the Arab inhabitants remaining in Palestine were currently being employed with greater efficiency not only against the population of the occupied territories but also against the Palestinian refugees in camps in Lebanon. The failure of the Israelis to impose their so-called autonomy plan in the occupied territories and the resistance of the Arab people to the Zionist annexation had been vital factors in the invasion of Lebanon.

57. It was clear that, for the Israeli authorities, the "principal enemy" was not the Palestine Liberation Organization but the entire Palestinian people, whose independent political entity they sought to destroy. In fact, Sharon had frequently advocated that Israel should demonstrate its power of destruction in order to intimidate the Palestinians, and the Arabs in general. Together with the invasion of Lebanon, the Zionists had therefore launched new political and economic assaults against the inhabitants of the occupied territories.

58. The letter of transmittal of the Special Committee's report (A/37/485) indicated that the situation of the human rights of civilians in the occupied territories during the period covered by the report had been at its worst in comparison with other years and that the level of the violence and brutality of the repression was unprecedented. The Zionists might have hoped that the greater

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(Mr. Al-Zahawi, Iraq)

crimes they had committed in Lebanon would divert attention from the lesser, but in the long run far more destructive, crimes committed daily in the occupied territories.

59. The only factor that thus far had deterred the Zionists from annexing the West Bank and the Gaza Strip outright was the presence of the Palestinian people in those territories. In fact, the Zionist colonization of the West Bank had already created a de facto annexation, without the necessity of extending Israeli law to the West Bank. Zionist repression and Palestinian resistance had reached boiling point in March and April 1982. In The Economist of 15 May 1982, an article written by its special correspondent in Jerusalem had indicated that, in the preceding month, at least 10 young Palestinians had been killed by the security forces and that the nightmare of the Palestinians was that the current events were calculated along the same lines as those that had led to the massacre of groups of Palestinian civilians in 1948 (the best-known had been at Deir Yassin, near Jerusalem), which had resulted in the flight of nearly 750,000 Palestinians. The Palestinian middle class was no longer asking about autonomy but about the continuation of their lives in the place where they had always lived. That fear had materialized in the massacres in Lebanon. In a televised interview, Mr. Claude Cheysson, French Minister for Foreign Affairs, had condemned the repression launched by the Israeli authorities in the area and had said that all that turmoil had taken a racist form.

60. In that context, it should be noted that the Western Powers had done nothing to deter Israel from implementing its policy of annexation of the occupied territories or from dispossessing the Palestinian people. According to The Guardian of 26 June 1982, the members of the European Economic Community had abandoned their plan to impose sanctions against Israel after the Israeli invasion of Lebanon because of United States opposition and because of scepticism in a number of EEC countries about the effectiveness of such measures. However, it should be mentioned that France, Greece and the United Kingdom had been ready to consider trade sanctions in order to express European indignation at the killing of Palestinian and Lebanese civilians and at Israel's continued occupation of Lebanon.

61. Israel would never have been able to implement its illegal and criminal policies without the special EEC trade preferences and export credits, which enabled it to find the necessary funds for building Jewish settlements in Arab lands. In that respect, the position of the United States was, of course, the most glaring of all. George Ball, former Under Secretary of State in the Kennedy and Johnson Administrations, had written in the International Herald Tribune of 31 August 1982 that the annual United States subsidy to Israel for the past several years had amounted to almost one fourth of total American foreign aid. Dr. Stauffer, former research associate at the Center for Middle Eastern Studies at Harvard University, had written in the 17 September 1982 issue of Middle East International that Mr. Begin's repudiation of the United States peace proposals again focused attention on Israel's economic dependence upon the United States and on the extraordinary leverage the United States could exercise over Israel if it chose to do so. There were already precedents for the suspension of United States aid, and the Reagan Administration's failure to use its ample resources to forestall the invasion, or at least to check it earlier, opened the United States to serious charges of complicity in the invasion. In that connection,

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(Mr. Al-Zahawi, Iraq)

it should be remembered that United States law stipulated clearly that military aid must be suspended if the arms in question were used for other than defensive purposes.

62. According to the International Herald Tribune of 25 June 1982, various members of the United States House of Representatives had recognized that the Israelis had used United States military equipment, in violation of United States law.

63. The Chairman of the Special Committee had called for practical efforts to ensure Israeli compliance with its obligations under the Fourth Geneva Convention. Nothing could excuse the failure of those who had the power to act to do anything to halt the Israeli violations in the Palestinian and other Arab Territories. Behind the lines of the United Nations peace-keeping forces, Israel was committing massive violations which transcended mere violations of the cease fire. The United Nations could no longer be prevented from initiating enforcement measures to put an end to that intolerable situation.

64. Mr. BATAINAH (Jordan), speaking in exercise of the right of reply, said that the last time the representative of Israel had exercised his right of reply, he had described Jordan's relations with the West Bank as "illegal occupation". That, however, had been an Israeli tactic which should not be allowed to divert the Committee from its central task, which was to investigate Israeli policies and practices affecting human rights in the occupied territories. Israel had in no way respected the international consensus, and the only law which it respected, in its endeavours to prove that the 1949 Geneva Convention did not apply to the West Bank, was the law of force.

65. The West Bank had been united with Jordan in 1950 by a voluntary agreement, in exercise of the Palestinian people's right of self-determination and to protect the people and land from the savage attacks of the Zionist gangs. The Jordanian army had moved into the West Bank in 1948 at the request of the Palestinians, although without neglecting to record Jordan's stand on the historic rights of the Palestinians in any future settlement. Consequently, when his delegation currently spoke about the right of self-determination for the Palestinian people, it was only reiterating what it had always maintained.

66. The Israeli representative had also claimed that, while some Israelis could be quoted as interested in peace, nothing similar could be found among the Arab leaders. That, however, was a farce, and no one should be deceived by Israel's lip service to peace. The increasingly numerous settlements in the West Bank, the annexation of the Golan Heights and the measures adopted in Jerusalem clearly showed what the policy of Israel really was. Under those conditions, it was impossible to achieve a just peace and genuine co-existence. Israel treated the Arabs around it as a barrier which it must demolish instead of recognizing the Palestinian problem. The Israelis had failed to produce any proposal which neighbouring Arab countries could consider with any degree of objectivity and sincerity. It was evident that Israel's peace propaganda was another form of war against the Arabs, and that it was bent on smearing their image in the eyes of the world. On the other hand, Jordan had tried since 1967 to achieve a just and

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(Mr. Batainah, Jordan)

comprehensive settlement. To that end it had co-operated with all United Nations initiatives since that time, whereas Israel had done nothing but reject or sabotage those efforts. A peace plan had been formulated at Fez in September of the current year, and he asked the Israeli representative to tell the Committee of any Israeli peace initiative based on recognition of the Palestinian people and its right to self-determination.

ORGANIZATION OF WORK

67. The CHAIRMAN reminded Committee members that all draft resolutions on items allocated to the Committee should be submitted not later than 6 p.m. on 29 November.

The meeting rose at 5.55 p.m.