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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 16th meeting

Held at Headquarters, New York, on Thursday, 8 November 2001, at 10 a.m.

*Chairman:* Mr. Hasmy ..... (Malaysia)

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 88: Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories** (*continued*) (A/56/214-216, 218, 219, 428 and Add.1 and 491; A/C.4/56/L.14-L.18)

1. **Mr. Osei** (Ghana) said that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/56/491) reflected the human rights situation in the occupied territories on the basis of information received from witnesses, documents and oral testimony. The evidence revealed the imposition by the Israeli authorities in the occupied territories of a system of strict control which included restrictions on the movement of persons, vehicles and goods, the confiscation of lands, the establishment of new settlements and the expansion of existing ones, restrictions on the construction or expansion of houses and other buildings, the demolition of housing, severe restrictions on access to water, administrative detentions, harsh conditions of imprisonment, the unjustified use of force and the curtailment of access to Israel by Palestinian workers.

2. His delegation regretted that the Special Committee had not been given access to the occupied territories and had thereby been limited in its ability to observe the living conditions of the Palestinians and other Arabs. His delegation agreed that Israel, as the occupying Power should be held responsible under the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. In 1999, the High Contracting Parties had reaffirmed the applicability of the Convention to the occupied territories, and the international community should speak with one voice to support that position, thus helping to eliminate violations of human rights in those territories. Referring to the rise in tension in the occupied territories since September 2000, particularly in Gaza, the West Bank and East Jerusalem, he said that his delegation supported the conclusion in the report of the Special Committee to the effect that the finalization of the peace process in a manner satisfactory to all concerned was now of overwhelming importance. The international community, particularly its most influential members, had a duty to help identify measures that would enable the parties to the

conflict to overcome their mutual distrust and return to the negotiating table. It was well understood that, in a conflict situation, the parties themselves could hardly be expected to devise mutually acceptable confidence-building measures. However, he urged the parties to act constructively and refrain from conduct and statements that might further inflame existing tensions.

3. **Mr. Requeijo** (Cuba) said that, despite the success achieved by the international community in recent years, unprecedented acts of violence and aggression had continued in the occupied Arab territories during the period covered by the report under consideration. His delegation had already stated on previous occasions that the lack of effective measures led to an increase in violence by those sectors of Israeli society that were opposed to a peaceful and just resolution of the conflict in the Middle East. Unfortunately, that conclusion was confirmed by the events taking place in the territories. The use against the Palestinians of depleted uranium missiles and conventional weapons provided further evidence of the gross and large-scale violation of human rights in the territories. At the same time, not only had the rights of the Palestinian people been trampled on, but the process had also involved violations of the principles of international law, the norms of international humanitarian law and the provisions of the Charter of the United Nations. Time and again, acts were being committed in violation of the fourth Geneva Convention and of the numerous resolutions adopted by the Security Council and the General Assembly concerning its applicability to the occupied Arab territories.

4. The report of the Special Committee provided detailed information on Israel's policy concerning the establishment of settlements, the expropriation of land, the closure of territories, the harsh treatment of prisoners and detainees, and other matters. It was therefore hardly surprising that the Government of Israel should once again deny members of the Special Committee access to the occupied territories. The reasons for that refusal were well known. Together with other members of the international community, his country was working towards the establishment of a just and lasting peace in the Middle East. The attainment of that goal was closely bound up with the final settlement of the Palestinian problem, which was the root cause of the conflict in the region. In that connection, he pointed out that there was no prospect of achieving a just and lasting peace while the

Palestinian people and other Arabs in the occupied territories were denied the full enjoyment of their basic rights.

5. His delegation was pleased to note the recent efforts made by a number of countries in order to assist in arranging a meeting between the President of the Palestinian Authority and the Minister for Foreign Affairs of Israel. His country declared its unequivocal support for the inalienable right of the Palestinian people to establish an independent State with its capital in East Jerusalem. It called on Israel to return all the occupied Arab territories and reaffirmed that the creation of Israeli settlements in those territories was illegal.

6. **Mr. Fadaifard** (Islamic Republic of Iran) said that the period covered by the Special Committee in its report had been one of the most violent in its history. The Israeli regime had been using the harshest measures against the defenceless Palestinian population. Hundreds of Palestinians had been killed, thousands wounded and many of them left permanently disabled. Israel had continued its practice of indiscriminately using various kinds of heavy and sophisticated weaponry, including helicopter gunships, missiles, tanks, heavy armoured vehicles and bulldozers, against the civilian population. The use by Israel of fighter aircraft to attack defenceless Palestinian targets had been an unprecedented act. The Israeli security apparatus had resorted to the selective assassination of Palestinian activist and political leaders on the basis of hit lists. Palestinian prisoners held in Israeli jails had been subjected to psychological pressure and physical torture.

7. During the previous year, the Israeli policy of creating and expanding settlements in the Palestinian territories had been extended, and the number of settlers had increased by several thousand. Several hundred Palestinian houses had been demolished and thousands of buildings had been shelled. Thousands of olive trees had been uprooted and over three million square miles of cultivated land devastated. At the same time, groups of armed settlers had set Palestinian properties on fire in an attempt to occupy their land.

8. Several of Israel's restrictive policies had had a disastrous effect on the Palestinian economy and on individual Palestinian households. The incursions by heavily armed Israeli forces into Palestinian areas had further exacerbated the plight of the Palestinians. His delegation believed that the Israeli occupation was the

root cause of the violation of the human rights of the Palestinian people, and that the international community had a responsibility to put an end to it. Recent events had further demonstrated the necessity of international intervention to protect defenceless Palestinian civilians from further atrocities at the hands of the Israelis. An international presence in the occupied territories might help to abate the continuation and escalation of the violations of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War and to address the core issue, namely the ending of the occupation. The Iranian people and Government were gravely concerned at the increasingly inhumane oppression of the Palestinian people and supported the continuation by the Special Committee of its activities, as a United Nations body, to carry out its responsibility to resolve the question of Palestine.

9. **Mr. Al-Habsi** (United Arab Emirates) said that the report of the Special Committee drew attention to gross violations of the rights of the Palestinians and other Arabs in the occupied territories. The international community should condemn such practices which were designed to perpetuate the colonization of the territory. There could be no doubt that the de facto destruction of agricultural land in the frontier areas served that purpose, as did the increasing number of building permits being issued for the establishment of new Israeli settlements in the occupied territories.

10. The facts and figures indicated that the Government of Ariel Sharon was issuing more permits for the building of new settlements than previous administrations. In addition, the authorities of East Jerusalem had made plans to build there 4,000 houses and flats. The process of colonization was accompanied by the killing of Palestinian activists, the destruction of infrastructure facilities and the imposition of severe restrictions that prevented the population from living a normal life and violated the norms of international law.

11. He called on the international community to exert pressure on Israel in order to oblige it to cease its massive violations of human rights in the region. He also called for the establishment of adequate international arrangements for the protection of the Palestinians. Furthermore, the most important element of any just settlement must be the resolution of the problem of refugees. Despite Israel's programme of systematically misinforming the international community and the fact that the members of the Special

Committee had not been allowed to visit the occupied territories, the report of the Special Committee provided truthful and reliable information on the situation of the Palestinians and other Arabs in the territories occupied by Israel. Given the realities of the situation, there was no doubt that the mandate of the Special Committee was still relevant and that it should continue its important work until a just and lasting resolution in the Middle East had been obtained.

12. **Mr. Ri Kyong Il** (Democratic People's Republic of Korea) said that, as a result of the bloody conflict that had begun the previous September between Israel and Palestine, many innocent people had been killed, the economy and infrastructure of the region had been devastated and the prospects for the resolution of the conflict had deteriorated. The continued expansion by Israel of its settlements in the occupied territories represented a challenge to the efforts to achieve a just and peaceful solution to the Middle East problem. Nothing could justify the launching of rocket attacks on the central part of a city densely populated by civilians, the death of Palestinian women and children and the organized terrorism against politicians.

13. His country regretted that the Security Council had rejected the demand of the region to deploy United Nations forces to deter attacks by Israel. It was essential to lose no time in making a reality of the legal rights of the Palestinian people, including the right to return home, the right to self-determination and to create their independent state with Jerusalem as its capital. Israel should immediately cease all forms of violence and withdraw its troops unconditionally from all occupied Arab territories, including the Golan Heights, on the basis of the relevant resolutions of the United Nations on peace in the Middle East and the principle of land for peace, thus paving the way for the attainment of a just and comprehensive peace.

14. His country hoped that the Special Committee would address the question of the double standards displayed by the Security Council towards the resolution of international problems and would work out more practical measures to put an end to the repression against the Palestinian people and realize the legitimate rights of the Palestinian people and of other Arabs.

15. **Mr. Siddiqui** (Pakistan) said that over the previous year all hopes of peace had been dashed and a deteriorating situation had spiralled out of control.

Over the previous few months, hundreds of Palestinians had been killed and thousands more left injured and crippled by the occupying forces. It was surprising that while activities aimed at consolidating an illegal occupation continued, the occupiers portrayed the struggles of people under foreign occupation as terrorism. Terrorist acts could not, under any circumstances, be justified but the acts of a few terrorists should never be used to malign the legitimate struggle for freedom, particularly when those who were themselves illegal occupiers terrorized a population whose land they had illegally occupied.

16. It was a matter of deep concern to his country that the demands made in Security Council resolution 1322 (2000) had not been complied with and that, consequently, the situation had deteriorated sharply. It was therefore imperative to put an end to the excessive and disproportionate use of force against the Palestinian people and to ensure Israel's compliance with its obligations and responsibilities as the occupying Power in accordance with the fourth Geneva Convention. Although the peace process had been halted, it would be wrong to lose hope that it could be resumed. What was required was political will rather than political expediency, a complete rather than a selective implementation of Security Council resolutions and concerted action rather than empty debate.

17. His country steadfastly and unequivocally supported the just struggle for the inalienable rights of the Palestinian people, just as it supported the rights of all people suffering under alien occupation or foreign domination. Security Council resolutions 242 (1967) and 338 (1973) continued to provide a viable framework for a lasting and comprehensive peace in the Middle East. There could be no lasting peace in the region without the attainment of the legitimate rights of the Palestinian people. That implied the return of all occupied territories to the control of the Palestinian Authority, the establishment of an independent Palestinian State with Jerusalem as its capital and the exercise of full Palestinian sovereignty over the Haram al-Sharif. The resumption of dialogue between the two parties would lay the foundations for a permanent peace in the Middle East based on the implementation of all relevant United Nations resolutions and the agreement already reached between the two sides.

18. **Mr. Abdullah** (Brunei Darussalam) said that there had been no progress on the issue since the Committee's debates the previous year. His delegation

remained deeply concerned that the basic human rights of the Palestinian people and other Arab populations in the occupied territories continued to be violated. The Israeli authorities had not halted their illegitimate policies and practices. The confiscation of land, the demolition of houses, the closure of roads, the imposition of curfews, the sealing off of some areas and the imposition of economic sanctions had caused severe social and economic hardship in the occupied territories. Such policies had also made it difficult for relief organizations, such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to carry out their work.

19. The sufferings experienced by the Palestinians had gone unchecked for too long. His delegation associated itself with previous speakers in calling on the Israeli authorities to cease their illegal policies and practices in the occupied territories and do their utmost to implement all the relevant United Nations resolutions, as well as fulfilling the commitments and provisions contained in the fourth Geneva Convention. His delegation also urged the Israeli authorities to respect the Oslo Accords and resume negotiations based on the recommendations of the Mitchell Report.

20. **Mr. Al-Hajeri** (Kuwait) said that Israel persisted in its practice of violating the basic principles, freedoms and human rights of the Palestinians and other peoples in the occupied territories. It was a cause for particular concern that the current Israeli Government followed in its predecessors' footsteps and, in defiance of human rights conventions and treaties, continued to ignore United Nations resolutions and the norms of international and humanitarian law, as well as the bilateral agreements with the Palestinian Authority in the context of the Middle East peace process. By building new settlements in the occupied territories and extending existing ones, the Israeli authorities were continuing their expansionist policy, which was aimed at the judaization of Jerusalem. The Israeli settlers and occupation forces maintained their illegal practices of detention, repression, the use of guns against unarmed civilians, the demolition of houses, the confiscation of land, the blockading of Palestinian towns and the killing of Palestinian activists and leaders.

21. His delegation commended the efforts of the international community and the good offices of a number of neutral international and regional organizations to put an end to the constant acts of

aggression committed by the occupying forces against the Palestinian people. Unfortunately, however, the Israeli Government had not been persuaded by those efforts to cease from its policy or to resolve the question on a civilized and rational basis. It continued to ignore the resolutions adopted by the General Assembly and other organizations. It did not implement resolutions unequivocally condemning its excessive use of force, nor did it honour all its agreements with the Palestinian Authority.

22. His delegation reiterated its fundamental support for the Palestinian people in their struggle to attain all their legal rights, namely the right to independence, self-determination and the establishment of a Palestinian State with its capital in Jerusalem. His delegation strongly supported all international efforts to renew negotiations between the Palestinians and the Israelis. The problem of Palestine could be settled only on the basis of direct dialogue and by peaceful means, without the use of force or violence against the Palestinian people. His delegation continued to give the work of the Special Committee its full support. It called on the international community, the sponsors of the peace process, the European Union and all international and regional organizations to make every effort to put pressure on the Government of Israel to stop its gross violations of Palestinians' rights and implement all international conventions and United Nations resolutions aimed at achieving a just, lasting and comprehensive peace.

23. **Mr. Al-Zayani** (Bahrain) said that the Special Committee's report, which he commended, was based on thorough research that clearly showed that the Palestinians were consistently denied their human rights and fundamental freedoms in the occupied Palestinian territories and the occupied Syrian Golan. The Israeli authorities continued their repression in the territories, as well as building and expanding Israeli settlements, which had led to a change in the character of the territories and the demographic composition of its population. The exploitation of natural resources also continued, a course of action which ran counter to the provisions of international instruments, including the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant Security Council and General Assembly resolutions, according to which Israel's decision to establish its laws, jurisdiction and administration in the occupied Syrian Golan Heights

was null and void and without international effect. Israel's policy and practice of building settlements had no legal force and constituted a serious obstacle to the attainment of a comprehensive, just and lasting peace in the Middle East. Security Council resolution 476 (1980), of 30 June 1980, stated that all legislative and administrative measures and actions taken by Israel to turn Jerusalem into the capital of Israel had no legal validity. He also drew attention to General Assembly resolution ES-10/7, adopted on 20 October 2000, at the tenth emergency special session, which had reiterated that Israeli settlements in the occupied Palestinian territory, including Jerusalem, were illegal and constituted an obstacle to peace.

24. In defiance of the above-mentioned resolutions, the Israeli occupation forces unfortunately continued to pursue their policy against the civilian population of the West Bank, the Gaza Strip and the occupied Syrian Golan. The Special Committee's report contained numerous examples of illegal practices and acts of violence, such as the excessive use of force against the Palestinian population. The Israelis also tortured and brainwashed detainees, demolished houses, destroyed trees, sealed off specific areas for prolonged periods and refused to pay the Palestinian Authority the income due to it as tax revenue.

25. In the Millennium Declaration, the Heads of State and Government had confirmed their commitment to the establishment of a just and lasting peace all over the world, making special reference to the right to self-determination of peoples which remained under foreign occupation. In that context, he noted that the attainment of a just and lasting peace depended on the strict implementation of the provisions of United Nations resolutions and existing treaties, as well as the commitments made at the 1991 Madrid Conference. The sufferings of the Palestinian people would cease only when the establishment of settlements was brought to an end and the occupation, which itself was a human rights violation, was lifted.

26. **Mr. Cockx** (Belgium) speaking on behalf of the European Union and the associated countries Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey, remarked that the situation in the Middle East was continuing to deteriorate. Bloody clashes and acts of provocation were occurring all over Israel and the occupied territories. Since September 2000, almost a thousand persons had become victims of the conflict

and there was no sign of any cessation of the violence and repression. Such a state of affairs was deeply regrettable. The steadily worsening economic and humanitarian situation served as a constant reminder of the urgent necessity to bring all forms of the violence to an immediate end. The European Union again called on both sides unconditionally to comply with the recommendations contained in the Mitchell Report and expected the Israeli authorities to withdraw their troops forthwith from the zone under the exclusive control of the Palestinian Authority (Area A). The European Union also urged the Palestinian Authority to make every effort to arrest the persons responsible for acts of violence against Israel.

27. The closures of the occupied Palestinian territories and of the towns and villages in them were aggravating the serious economic and humanitarian situation. The European Union condemned that practice and other measures restricting the free movement of goods and persons and hindering supplies of humanitarian aid and the activity of United Nations institutions such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The European Union had repeatedly appealed to the Israeli authorities to lift the blockade of the occupied territories and to hand over the US\$ 150 million currently due to the Palestinian Authority from the value added tax.

28. The European Union, among other things, strongly condemned attacks by terrorist suicide bombers, particularly those directed against Israeli civilians, the occupation by armed Israeli forces of Palestinian autonomous areas, the demolition of houses and the destruction of trees and property.

29. After the signing of the Oslo Accords, the number of settlers in the occupied territories had doubled. In the opinion of the European Union, the practice of building new settlements or expanding existing ones violated the norms of international law and should cease without delay. The report of the Sharm el Sheikh Fact-Finding Committee pointed out that, if the construction of settlements did not stop, it would be extremely difficult to put a lasting end to violence. Israel had declared that the drafting of that report was an attempt to break out of the vicious circle of violence and to promote the resumption of bilateral peace talks. The European Union was pleased to note that the Palestinian side had endorsed the report, and it called on the Palestinian Authority to take positive steps to

halt the violence, resume cooperation on questions of security, prevent terrorist attacks and comply with the other recommendations.

30. The European Union had likewise called for the creation of an impartial supervisory mechanism to help both sides to overcome difficulties and remove stumbling blocks from their path towards reconciliation. The European Union was therefore prepared to make its contribution to the establishment of such a mechanism. As the Ministers for Foreign Affairs of the member States of the European Union had observed in their speeches to mark the tenth anniversary of the Madrid Conference, much headway had already been made on the path towards peace despite the numerous setbacks. That progress had laid the foundations for agreements which it was vital to preserve and, what was more important, honour, especially the principles laid down at the Madrid Conference, for example the "land for peace" principle, the terms of Security Council resolutions 242 (1967) and 338 (1973) and the accords signed by both sides.

31. **Mr. Mejdoub** (Tunisia) said that, at the current session, the agenda item was being discussed at a time when Israel was engaging in a dangerous escalation of its brutal military campaign involving many human victims. The report detailed serious violations by Israel of human rights in the territories it was occupying in breach of international conventions and United Nations resolutions. It also contained new data on Israel's confiscation of Arab land for the purpose of building or extending settlements and constructing bypasses for the exclusive use of settlers. Israel was continuing its action designed to destroy property and olive groves belonging to Arabs, as well as its policy of arbitrarily limiting the movement of the Palestinian population, which was contrary to the agreements it had signed.

32. The current situation was having catastrophic consequences and was causing disillusionment and despair among the population of the occupied territories. It was time that the international community made serious efforts to secure the immediate and full withdrawal of Israeli forces from the areas which they had recently reoccupied and to defend the human rights of the civilian population of the occupied territories. In order to ensure peace and security in the Middle East, it was vital to find a comprehensive and just settlement, which would provide for the implementation of the lawful right of the Palestinian

people to its own independent State with its capital in Jerusalem and the return of the Syrian Golan.

33. **Mr. Kaid** (Yemen) endorsed the opinion that the Special Committee should continue its work until the Israeli occupation had completely ended and emphasized that Israel's actions with regard to human rights in the occupied territories were certainly contrary to the terms of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and the relevant resolutions of the Security Council and General Assembly. He wondered whether it was becoming difficult for the United Nations to differentiate between what was lawful and what was not and between what was a just struggle and what was terrorism. What was shown on television was evidence that the law of the jungle prevailed and confirmed the characteristic arrogance of Israeli behaviour. In what, then, did the true essence of Israel's efforts to seek peace consist? While some of its representatives were calling for peace and others were convening talks in an attempt to seek that peace, yet others were using tanks and aircraft to inflict deadly blows.

34. All countries should support the struggle against Israel's policy of terrorism. Terrorist acts carried out by individuals or groups were universally reprehensible, but State terrorism constituted the greatest danger. It was necessary to think about the number of Palestinians who had perished since Ariel Sharon's infamous visit to Jerusalem. That provocative act had once again revealed his thirst for blood, which had manifested itself during the mass killings in 1982 at the Sabra and Shatila refugee camps in Lebanon. Despite the fact that 10 years had elapsed since the signing of the Madrid accords, the number of women, children and infants who had suffered from Israeli aggression was continuing to rise daily. Israel felt no shame for that and was demonstrating its mistrust even towards aid organizations within the United Nations system.

35. **Mr. Benzioni** (Israel) said that in any large organization, such as the United Nations, there was a natural tendency to become detached from the changing dynamics of daily life. The Special Committee was one such example of that phenomenon, but it was not merely a quaint anachronism with no relevance to events in the Middle East. The lack of balance and fairness in its mandate was reflected in its very title. It was therefore no surprise that its reports over the years had been one-sided, politicized and partisan, and not conducive to peace or peace-building.

36. The past year had been catastrophic for Israelis and Palestinians. The terrorism, violence and incitement launched by the Palestinian Authority and the necessary defensive measures taken by Israel had cost both sides dearly in human life and resources. The responsibility for initiating and sustaining the violence lay clearly and unmistakably with the Palestinian leadership and its Chairman, Yasser Arafat. Paradoxically, the violence had erupted soon after Israel made an unprecedented and generous offer at Camp David in July 2000 for a final status peace agreement. The offer had been rejected by the Palestinian side. Rather than continue negotiations in accordance with earlier agreements which obliged the Palestinians to renounce violence and terrorism, the Palestinian Authority had violated those agreements in an attempt to coerce Israel into making further concessions.

37. Since then, Israel had experienced over 100 suicide bombings, over 30 of them in the last year alone. The terror campaign had been reinforced and aggravated by the official Palestinian media and educational institutions. If an intelligent alien were to land on Earth and read the report of the Special Committee, that being would not even have an intimation of the realities of the present conflict but would fail to understand why Palestinian youths at summer camps were taught to glorify violence and why Palestinian kindergarten children were taught to admire suicide bombers. The alien would remain unaware that terrorist acts against Israeli citizens were virtually a daily occurrence, would be ill-informed about events in the Middle East, and would be unable to understand or analyse their meaning.

38. He urged the members to vote against the report, not only because it was dishonest and false, but because it was unwise and undermined the prospect of peaceful settlement to which Israel remained committed. It was uncritical of aggression and terror, and blind to compromise and accommodation, so it could only provide Palestinian extremists with an incentive to eschew negotiations and pursue the path of violence. It was an anti-peace document that was unworthy of the original ideals of the United Nations. The Special Committee's 33-year record of gratuitously criticizing Israel had made no positive contribution to peace in the region and had brought absolutely no benefits to the Palestinian people. The only way to produce such benefits was to renounce violence and pursue peaceful bilateral negotiations in good faith.

The report, which did nothing to encourage such negotiations, was clearly counterproductive. He hoped that the members would treat it accordingly.

39. **Mr. Al-Mannai** (Qatar) said that his delegation supported the constructive work of the Special Committee. Violations of the human rights of the Palestinians and other Arabs in the occupied territories by the Israeli occupying Power were continuing despite international opposition to Israel's occupation, policies and practices. In the past year, Israel had been killing women and children every day, demolishing houses, levelling farms and factories, destroying the Palestinian people's infrastructure, confiscating land and monopolizing water sources. There had been no more inhuman and prolonged terrorism than that of the Israeli Government. The Palestinian people was battling to liberate its land and exercising its legal right to resist an occupier that was forcing individuals out of their homes, pursuing a policy of blockading territory, murdering political leaders and using shells and heavy weapons against peaceful civilians in an attempt to stifle the Palestinians' quest for freedom and prevent them from becoming independent. The tragic events of 11 September 2001 in the United States of America should not prevent the international community from playing its role, defending the Palestinian people from the State terrorism of the Israeli Government and putting an end to the dangerous escalation of tension in the region.

40. The report of the Special Committee confirmed that the violation of the rights of the Palestinian people continued to make the situation in the occupied Palestinian territories, including Jerusalem, extremely tense. Israel continued to ignore the norms of international and humanitarian law, and to pursue a campaign of blockading Palestinian territories, building new settlements, expanding existing settlements and confiscating land to build access roads to those settlements. Israel was also continuing its attempts to change the legal status and geographical composition of East Jerusalem as an important component of its campaign of Judaization of the city, thereby predetermining its eventual status.

41. Qatar called on the international community, in particular the United States of America and the Russian Federation as co-sponsors of the peace process, and all influential international parties, to shoulder their responsibilities and to provide the Palestinian people with an international defence against Israel's war machine. That should be a precondition for reviving the



peace process on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and General Assembly resolution 194 (III) of 11 December 1948, and of the principle of land for peace. If that goal was to be achieved, Israeli aggression and action against the Palestinian people must end, and Israel must be required to fulfil the commitment it had made to leave the territories occupied in 1967, to acknowledge the right of the Palestinian people to establish an independent state in the West Bank and Gaza, with its capital in Jerusalem, and to withdraw its troops from the other occupied areas, including the Syrian Golan and Lebanese territory. Security in the Middle East was impossible without the establishment of peace in the region.

42. **Mr. Al-Harthi** (Saudi Arabia) said that, despite the fact that the Special Committee had been established in 1968, it still did not have access to the occupied territories in order to obtain first-hand information on human rights violations. The occupying forces ignored all international and humanitarian agreements and United Nations resolutions, rejecting the Special Committee's requests for permission to visit the occupied territories.

43. The violation of the rights of the Arab population in the territories occupied by the Israeli occupying forces testified to Israel's disdain for United Nations resolutions and international agreements. At the same time, it was seeking to impose its will by means of the disproportionate and unprovoked use of force, including heavy weapons and aircraft. That resulted in multiple victims among the civilian population and showed that Israel was not thinking about peace. Its goal was to strengthen the occupation through legal and administrative measures that discriminated against the Palestinians and were aimed at tightening its control. Expanding the construction of settlements was a priori illegal, because it was aimed at changing the demographic composition of the population in the occupied territories and at the Judaization of Arab lands, in particular, Jerusalem. The policy of confiscation of land and exploitation of natural resources, and the provision of the most advanced weaponry to the settlers, who often resorted to acts of violence and provocative actions, served that goal. Such actions contravened fundamental human rights and the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which, as recognized in

United Nations resolutions, applied to all occupied Arab territories.

44. His delegation supported serious efforts to achieve a comprehensive and just peace in accordance with United Nations resolutions, in particular, Security Council resolutions 242 (1967), of 22 November 1967, and 338 (1973), of 22 October 1973, and the principle of land for peace. Peace in the region could be achieved only if those resolutions were implemented, and that meant the withdrawal of the Israeli occupation forces from all occupied Arab territories, including the Syrian Arab Golan and Lebanese territory, and the opportunity for the Palestinian people to fulfil its right to self-determination and to establish its own State with Jerusalem as its capital. The work of the Special Committee would have great significance for the achievement of a comprehensive peace in the Middle East. The Special Committee, which would exist so long as the Israeli occupation continued, enabled the international community to obtain information on violations of the human rights of the population living under occupation.

45. **Mr. Kanaan** (Observer for the Organization of the Islamic Conference), expressed appreciation to the members of the Special Committee for the documents prepared and said that those reports clearly illustrated Israel's defiance of the will of the international community and international legal norms in the field of human rights. As Israel, the occupying Power, had refused to cooperate with the Special Committee, its members had had to rely on other means to perform their tasks. He expressed support for the Committee in its important efforts to resolve all aspects of the question of Palestine.

46. It was well known that Israel continued to pursue a policy of brutal and excessive use of force against the Palestinian population in the occupied territories in violation of international and humanitarian law, resorting to such acts as targeted assassinations of Palestinian leaders, the confiscation of land and demolition of Palestinian houses, the imposition of severe restrictions on freedom of movement and closure of the Palestinian territory, and the detention of thousands of Palestinians in Israeli jails. The issue of illegal Israeli settlements in the occupied territories was becoming extremely serious, along with the recent Israeli incursions into Palestinian cities and towns, which had entailed losses of human life and significant property damage. Such wide-scale Israeli military

operations in the occupied Palestinian territories prevented the resumption of the peace process, and represented the elevation of terrorism against the Palestinian people to the level of State policy, in violation of the fourth Geneva Convention of 1949 and the relevant Security Council and General Assembly resolutions.

47. The illegal actions aimed at accelerating the Judaization of Jerusalem and changing its legal status and demographic character must be brought to an end. The States members of the Organization of the Islamic Conference, the League of Arab States and the Movement of Non-Aligned Countries had repeatedly called on the Security Council to help put an end to the violence in the occupied Arab territories and protect the long-suffering Palestinian people. Unfortunately, the Council had done nothing to prevent further bloodshed. The Organization of the Islamic Conference also reaffirmed its support for the Lebanese Government's insistence on a full withdrawal of Israeli troops from Lebanese territory. It must be reiterated that the root cause of the current conflict in the region was the continuing illegal Israeli occupation of Palestinian territories, including Jerusalem, and other Arab territories occupied by Israel since 1967. A lasting, just and comprehensive peace in the Middle East could be achieved only on the basis of Israel's full withdrawal from all those territories and the realization of the inalienable national rights of the Palestinian people.

48. **The Chairman** said that he would now speak on behalf of his delegation, which wished to make a statement in exercise of the right of reply.

49. **Mr. Al-Kadhe** (Iraq) said that there was not and could not be any basis in international law for the existence of the illegal Zionist entity. Yet, in an attempt to prolong its existence the Zionist entity was resorting to violence and terror. The representative of the Zionist entity maintained that the Special Committee had not made any progress in its work, but it was precisely the position of the Zionist entity, adopted in spite of numerous United Nations resolutions, which was preventing the Special Committee from fulfilling its mandate. The representative of the Zionist entity maintained that the Special Committee was adopting a biased position, but it was absolutely clear that the Special Committee was standing up for the weak and seeking to defend the Palestinian population against the excesses of the aggressor, which was conducting a policy of harsh repression and genocide.

50. In accordance with General Assembly resolutions and the provisions of the Charter of the United Nations, the Palestinian people had the right to resort to various methods to free its territory from Zionist occupation. The Zionist entity's response was to elevate terror to the level of State policy, thereby undermining the bases of international law. The Israeli entity was not interested in peace and the development of international relations, and in his statement its representative did not even attempt to address the substance of the report under discussion, resorting instead to unfounded allegations.

51. The representative of Kuwait, in his statement, had likened the Gulf war to the situation in the occupied Arab territories, thereby giving support to the Zionist entity to the detriment of the just cause of the Palestinians. In addition, he had made use of the discussion of the agenda item in question for attacks against Iraq.

52. **Ms. Abdelhady-Nasser** (Observer for Palestine) said that while the representative of Israel was affecting to be puzzled by the report of the Special Committee, regarding the matter as an anachronism, Israeli occupation forces were continuing to wage war against the Palestinians, against Palestinian land and against the Palestinian Authority. The continuing occupation by Israel of Palestinian and Syrian lands was an anachronism, and the Special Committee's work would end only when that occupation was stopped. Various international organizations had repeatedly noted the flagrant and massive violations of the human rights of the Palestinians, and it was senseless to ignore them and even claim that the Special Committee's report was biased in nature. The Palestinian people's resistance to the occupation was the natural reaction that any people would have to any oppression, however much that might come as a surprise to Israel. Such resistance was an absolutely lawful form of self-defence, and it was inadmissible that it should be equated with acts of terrorism.

53. Switzerland had announced its intention to convene the Conference of High Contracting Parties to the fourth Geneva Convention relative to the Protection of Civilian Persons on 5 December 2001 in the light of the continuing failure by Israel to fulfil its obligations under that Convention, which was applicable to all occupied Arab territories, including Jerusalem. She expressed the hope that in light of the further deterioration of the situation in the Palestinian

territories all the High Contracting Parties would take part in that important Conference.

54. **Mr. Al-Hajeri** (Kuwait), referring to the misrepresentations contained in the statement by the representative of Iraq, who had claimed that the representative of Kuwait had likened the second Gulf War to Israel's occupation of Arab territories, said that there had been no mention of the Gulf War in the statement made by the representative of Kuwait. The representative of Iraq had gone on to describe the statement by Kuwait as support for the Israeli occupation to the detriment of the just cause of the Palestinian people, whereas the statement by Kuwait had merely referred to the fact that it had itself become a victim of occupation. Kuwait supported the just cause of the Palestinian people, and a comparison of that kind merely meant that in both cases there was a question of occupation.

55. **Mr. Hadi** (Malaysia) said that during the meeting the representative of Israel had put forward some "alien" ideas, seeking unsuccessfully to justify Israel's unlawful actions against the Palestinian people. However, were he present at the current meeting, the representative of an alien civilization would most likely have quickly sorted out the situation and associated himself with the position of the majority.

56. **Mr. Benzioni** (Israel) said that, unfortunately, some countries were using the discussion to make new attacks on Israel. Israel regarded as its enemy not the Palestinians but the terrorism and violence which compelled it to take measures to defend its citizens. When the Palestinian authorities put an end to the activities of the terrorists, Israel would be ready to return to the negotiating table in accordance with the recommendations of the Mitchell Committee, after which the parties could move on to the discussion of mutually acceptable solutions.

57. **The Chairman** said that the Committee had concluded its consideration of the agenda item. He drew attention to the draft decisions contained in documents A/C.4/56/L.7 to L.13 under agenda item 87 and A/C.4/56/L.14 to L.18 under agenda item 88, and reminded delegations that decisions on them must be taken at the meeting to be held on the morning of Friday, 9 November 2001.

58. **Ms. Wilkinson** (Secretary of the Committee) drew attention to draft resolution A/C.4/56/L.17, which had to be corrected. In the eleventh preambular

paragraph, the words "the excessive use of force by Israeli forces" should be deleted; paragraph 1 bis became paragraph 2, with the consequential renumbering of paragraphs; in the new paragraph 3, the words "by Israeli forces" should be inserted after the words "the excessive use of force", and the former paragraph 5 of the operative part of the draft resolution should be deleted. All of those changes would be reflected in a reissued document A/C.4/56/L.17 which would be distributed the following day.

*The meeting rose at 12.40 p.m.*