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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Twenty-eighth year

Letter dated 18 December 1973, addressed to the Secretary-General by
the Permanent Representative of the Syrian Arab Republic to the
United Nations

1. I have the honour to bring to your attention some of the recent evidence that quite clearly confirms that the policy pursued by Israel is in contravention of the purposes and principles of the Charter of the United Nations, the principles and provisions of international law, the principles of sovereignty and territorial integrity, the human rights and fundamental freedoms of the people, the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War ^{1/} and the relevant resolutions of the United Nations:

(a) On 10 December 1973, The New York Times published the following report under the headline "Israel said to have chosen site for Golan Heights city":

"Tel Aviv, 9 Dec. (Reuters) The newspaper Ma'ariv reported today that an interministerial Committee had decided on the location of the first Israeli city in the occupied Golan Heights of Syria.

"It said that members of the committee, among them representatives of the Defence Ministry and the army, had decided that the city would be set 'at the west junction' on the main road from Bnot Yaakov to El Quneitra. Israeli officials declined to comment on the report.

"Ma'ariv said that initially the city would have a population of several tens of thousands. It would serve as a regional services centre for the Israeli settlements in the area and would have industries. The newspaper quoted committee members as having said that work on the city would start very soon."

^{1/} United Nations, Treaty Series, vol. 75, No. 973, p. 287.

(b) The Prime Minister of Israel, Mrs. Golda Meir, made a statement in the Knesset - reported in the Jerusalem Post of 26 July 1973 - to the effect that "plans had been drawn up for the administered areas ... and rural and urban settlement, and the great majority of the settlements which had been established up to that point had been established on uncultivated land". In the same issue, and with reference to the same statement on the settlement of the occupied territories, it was stated in another article that the Prime Minister "had enumerated Government achievements in the matter of settlement and had cited in particular the settlements in the Golan Heights". The Prime Minister was quoted as saying "these outposts and settlements are seeds which will grow; their population will increase and they will become more firmly rooted. This settlement activity has strengthened our roots in the country and consolidated the foundations of the State, and preparations and plans are being made to pursue this important activity for both the rural and urban settlement".

(c) In a speech delivered in Tel Aviv to the Bar Association the Minister for Defence, General Moshe Dayan, made a statement, reported on 18 February 1973 in Ha'aretz and the Jerusalem Post, to the effect that he had urged the Government "to implement its declared policy of large-scale urban and rural settlement" in the occupied territories. According to the article in Ha'aretz, Mr. Dayan stressed the need to expedite the creation of settlement areas in those territories and called for public or private financing. He pointed out: "We have plenty of young men and women who are ready to settle in the territories. Immigration from the Soviet Union is continuing at a satisfactory rate, financial aid from the diaspora is reaching unprecedented figures, our military power is at the level we forecast and guarantees them a security that we have never known before."

(d) An article published in Ha'aretz of 9 November 1972 reports the opening of the first industrial centre in the southern part of the Golan Heights. According to that article, the centre, which will have 100 housing units in 1973, represents an investment of 3.5 million Israeli pounds for industrial equipment and 4 million Israeli pounds for construction.

(e) An article appearing in the Jerusalem Post of 4 February 1973 reports a statement by Mr. Avni, the Deputy Director-General of the Ministry of Housing, that it was intended to establish seven agricultural settlement centres in the occupied territories in 1973, and that the total number of such centres set up in the occupied territories since 1967 was 40.

(f) An article appearing in Ma'ariv of 9 November 1972 reports that it was intended to settle immigrants newly arrived from the Soviet Union in two of the three settlements to be established on the Golan Heights in 1973.

(g) According to the Jerusalem Post of 6 October 1972, Mr. Y. Tsur, the Director of the Jewish National Fund, said that the Fund had reclaimed 180,000 dunams of land since the June 1967 hostilities, "of which the greater part was for the establishment of new settlements". Mr. Tsur is said to have indicated that the Jewish National Fund had spent 26 million Israeli pounds in the Golan Heights region and that it would spend another 40 million over the

next three years to set up 1,500 farms "for the 16 settlements already established in the Golan Heights and for those which will be established subsequently at a rate of one per year".

(h) An article appearing in the Jerusalem Post Magazine of 8 September 1972 reports that Mr. Y. Agmoni, the Director-General of the Settlements Department of the World Zionist Organization made the following statement on the subject of the 49 settlements established in the occupied territories:

"... Among the other settlements, many of them, particularly those established on the Golan Heights, were established on lands that the Arabs had abandoned during the June 1967 hostilities."

(i) More recently the Jerusalem Post published, on 13 November 1973, the following news items under the headline "Project to double the population of Golan":

"Quneitra - the Ministerial Committee for the establishment of settlements in the administered Territories, headed by Mr. Israel Galili, Minister without portfolio, is due to consider this week a project to double the population of the Golan Heights by setting up a regional centre and four new settlements.

"The Director of the Settlements Department of the Zionist Organization, Mr. Yehiel Admoni, said yesterday that the project, which will cost some 250 million Israeli pounds to execute, should be completed by 1975.

"In addition to the project to establish settlements in the Golan, the Committee will also consider the problem of supplying water to the settlements already established on the Heights, and also means of preventing any future evacuation of the civilian population."

(j) In his main statement to the Special Political Committee on 19 November 1973, during the discussion of agenda item 45, entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories" the representative of Israel said: 2/

"... as is well known, the Government of Israel considers that this Convention (the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949) does not apply in the present case for a number of legal reasons and reserves its position on the applicability of the Convention in the administered areas. Notwithstanding this reservation, which has been consistently made since 1967 and has been officially explained to those competent on the matter, Israel continues taking the provisions of the Convention as its standard.

"This has been confirmed many times by the ICRC as a practical matter, the theoretical and legal position remaining reserved by Israel."

2. I should like to call attention to the fact that 16 settlements at least have been established on the Golan Heights, which is Syrian territory. Others are planned for the next five years, and regional centres have been built in this occupied Syrian territory. These regional centres are described as civic centres to provide economic and social co-ordination of the settlements which have already been established, generally in such a concentrated manner that regional centres have to be set up to ensure cohesion. The Zionist colonialist authorities will soon embark on a more advanced stage of their policy of annexation and expansion by building a town whose population will consist of several tens of thousands of colonialist Israelis. This policy is contrary to the provisions of international law applicable to occupation and it violates the fundamental rights of the population of the occupied territories.

3. Following the Israeli aggression of October 1973 against Syrian territory, the occupying Zionist authorities have, to date, forcibly expelled more than 24,000 inhabitants from their villages, after having opened fire on these peaceful civilian Syrian citizens in order to terrorize them into speeding up their departure. Moreover, the same colonialist authorities have already expelled more than 120,000 Syrian citizens from the Golan Heights since the Israeli aggression of 5 June 1967.

4. In addition, the Israeli Government continues to refuse to repatriate the people who were expelled during and after the aggressions of June 1967 and October 1973. It has been clearly established, moreover, that the Israeli settlements were established on land belonging to these displaced persons and, in some cases, as in Fik on the Golan Heights, in the village itself.

5. While refusing to allow the Syrian citizens who were expelled after the last two Israeli aggressions from returning to their country, the occupying colonialist Power is using new Jewish immigrants to populate the new settlements. They are thus abusing a right (the right to leave one's own country) to the detriment of other rights (the right to return to one's own country and the right to self-determination).

6. The arbitrary mobilization of Jews the world over, who are asked to emigrate to Israel and settle in the occupied territories, is totally at variance with the clearly defined - on the basis of legal texts - and inalienable right of the Palestine Arab people and the displaced persons from the occupied Arab territories to return to their land, their towns, their villages and their farms. The General Assembly has repeatedly stated that this right cannot be made subject to any conditions - not to mention the 100 and more resolutions adopted by the General Assembly and main organs, commissions and committees of the United Nations and the Geneva Conventions which Israel completely disregards.

7. I should like respectfully to call attention, in particular, to a very interesting and serious document, dealing with the occupied Arab territories and their exploitation as an integral part of Israel. This document is the "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories", dated 25 October 1973 (A/9148), and its addendum of 20 November 1973 3/ (A/9148/Add.1). In its report, the Special Committee discussed evidence regarding allegations to the effect that the Israeli Government was pursuing a policy of annexation and settlement in the territories it

3/ Reissued for technical reasons in French, Spanish and Russian on 26 November.

has been occupying since the hostilities of June 1967. In chapter III of its report, the Special Committee, by way of indication, provides examples of evidence pointing to the existence of such a policy. I should like to call attention in particular to paragraphs 40 to 87, entitled "Allegations of a policy of annexation and settlement", and to the map which shows the settlements which the Israeli Government has established thus far in the occupied territories and which is clearly indicative of a policy of annexation and expansion.

8. In its report the Special Committee arrived at some noteworthy conclusions, such as the following (paragraph 141):

"The official pronouncements of members of the Government of Israel and the measures that have been taken in the occupied territories are primarily inspired by the basic Zionist ideology that the whole area rightfully belongs to Jews in the Biblical meaning of the Land of Israel. It is clear to the Special Committee that the Government of Israel regards its presence in the occupied territories as a 'return' to the 'Land of Israel' rather than as territory occupied as a result of hostilities. Pronouncements to that effect have been made repeatedly by the responsible Ministers in justification of measures taken in the occupied territories. This doctrine, which is the basis of the policy of the Government of Israel in the occupied territories, cannot for a moment be entertained, much less accepted by the organization to which the State of Israel owes its very creation."

9. On the basis of its investigation the Special Committee found that "there is conclusive evidence that the Government of Israel is following a policy of establishing settlements in the occupied territories, populating them with Israeli nationals, some of whom are new immigrants and, with regard to certain parts of the occupied territories, such as Hebron (West Bank), Rafah and Sharm el-Sheikh (Sinai) and the Golan Heights, the Government of Israel has adopted long-range plans for settlement" (A/9148, para. 42).

10. In the opinion of my Government these statements, faits accomplis and practices on the part of the official Israeli authorities reflect Israel's determination to pursue its policies and illegal practices in the Arab territories which it has been occupying since 5 June 1967, and constitute a flagrant violation of the Charter of the United Nations, of international law and, in particular, of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

11. Israel's contempt for international law is attaining such proportions that the General Assembly of the United Nations, at its twenty-eighth session, was obliged to adopt, on 7 December 1973, resolution 3092 A (XXVIII), in which it categorically rejected Israel's contention that the fourth Geneva Convention does not apply to the Arab territories occupied by Israel since June 1967. By 120 votes to none, with 5 abstentions, the General Assembly, after reminding Israel of the obligations incumbent upon it under treaties and other sources of international law, affirmed "that the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 applies to the Arab territories occupied by Israel since

1967" and called upon Israel "to respect and comply with the provisions of that Convention in the occupied Arab territories".

12. The General Assembly also, at its last session, approved by an overwhelming majority (90 votes in favour, 7 against and 27 abstentions) resolution 3092 B (XXVIII), in which it:

"3. Expresses its grave concern at the violation by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War as well as the other applicable international conventions and regulations, and in particular the following violations:

"(a) The annexation of certain parts of the occupied territories;

"(b) The establishment of Israeli settlements in the occupied territories and the transfer of an alien population thereto;

"(c) The destruction and demolition of Arab houses, quarters, villages and towns;

"...

"(e) The evacuation, deportation, expulsion, displacement and transfer of the Arab inhabitants of the Arab territories occupied by Israel since 1967, and the denial of their right to return to their homes and property:

"4. Calls upon Israel to desist immediately from the annexation and colonization of the Arab territories occupied by it since 1967, the establishment of settlements and the transfer of population to, from, or within those territories, and from all the other practices referred to in the preceding paragraph."

13. I take this opportunity to confirm the letters of the Permanent Representative of Syria to the United Nations, concerning the annexation by Israel of the Golan Heights, dated 12 December 1968 (A/7390, S/8928), 16 January 1969 (A/7502, S/8971), 5 June 1970 (A/7983, S/9823), 5 January 1972 (A/8651-S/10495, 21 January 1972 (A/8659-S/10518), 20 November 1973 (A/9328-S/11120), 21 November 1973 (A/9331-S/11123), and 29 November 1973 (A/9367 - S/11138), none of which have met with any response, on the subject of Israeli annexationist intentions, from the representative of Israel.

14. Lastly, there is no doubt that the verdict of the international Organization is the most eloquent and just. The General Assembly, almost two weeks ago, declared in resolution 3092 B (XXVIII) that: "Israel's policy of annexation, establishment of settlements and transfer of an alien population to the occupied territories is in contravention of the purposes and principles of the Charter of the United Nations, the principles and provisions of the applicable international law concerning occupation, the principles of sovereignty and territorial integrity, and the basic

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human rights and fundamental freedoms of the people, as well as an impediment to the establishment of a just and lasting peace." In the same resolution the General Assembly "reaffirms that Israel's policy of settling parts of its population and new immigrants in the occupied territories is a flagrant violation of the fourth Geneva Convention and of the relevant United Nations resolutions ...".

I would request you, Sir, kindly to deliver this letter to the Chairman of the Commission on Human Rights and to the Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. I should be grateful if you would kindly arrange for the text of the letter to be issued as an official document of the General Assembly and the Security Council.

(Signed) Haissam KELANI
Ambassador
Permanent Representative of the
Syrian Arab Republic to the
United Nations
