



**SUMMARY RECORD OF THE 29th MEETING**

Chairman: Mr. NOWORYTA (Poland)

**CONTENTS**

**AGENDA ITEM 77: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued)**

\*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned within one week of the date of publication to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

**Distr. GENERAL**  
**A/SPC/43/SR.29**  
**28 November 1988**  
**ENGLISH**  
**ORIGINAL: FRENCH**

The meeting was called to order at 10.20 a.m.

AGENDA ITEM 77: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES  
(continued) (A/43/557, 558, 559, 560, 608, 609, 636 and 694)

1. Mr. SHEVCHENKO (Ukrainian Soviet Socialist Republic) said that the situation in the Arab territories occupied by Israel since 1967 had reached a critical stage, as shown by the report of the Special Committee (A/43/694). Israel's practices and policies in the occupied territories constituted a flagrant violation of the Geneva Convention of 1949 and also went against the many resolutions adopted by the Security Council and the General Assembly. Ignoring the fact that temporary occupation of those territories did not mean it could violate their integrity, Israel had annexed the eastern part of Jerusalem and imposed its jurisdiction in the Syrian Golan. In accordance with its policy of colonizing the occupied territories in preparation for their complete annexation, Israel had confiscated half the land in the West Bank and Gaza in order to accommodate 60,000 Israeli settlers in 300 settlements. Israeli practices in the territories included the exploitation of Arab property, the demolition of homes, the violation of fundamental human rights and the use of repressive measures against the Palestinian people. Patriots were tortured and harassed; teachers, journalists and writers were persecuted; the press was censored and newspapers had been banned. The occupation authorities had also closed the schools and were attempting to destroy the cultural values of the population.
2. The situation in the occupied territories had deteriorated dramatically in recent years, leading to an uprising on the part of the population. In order to repress the uprising, the occupation authorities had carried out mass arrests, opened fire on demonstrators and used tear-gas, taking a large toll of victims. According to the Palestine Liberation Organization (PLO), 411 Palestinians had been killed by the Israelis in the West Bank and Gaza as of 30 October 1988, and 45,000 had been wounded. In his report (A/43/13), the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) indicated that there had been 8,180 victims over the last seven months. The proportions of those affected by tear-gas and of pregnant women among the victims were also rising. The occupation authorities had resorted to collective punishment such as the demolition of homes, curfews, isolation of certain communities and the severing of public services and, for a period of 72 hours in March, the territories had been declared a closed military zone. According to the International Committee of the Red Cross, 30,000 Palestinians had been arrested in the occupied territories during September. Palestinian patriots were deprived of medical care and social services, as had been noted for a period of over 10 years by members of the Special Committee. Furthermore, the report of the Special Committee indicated that 33 individuals had been expelled since the beginning of the uprising.
3. The facts provided clear evidence that Israel was violating the rights of the Arab population of the occupied territories and attempting to use vicious repression to stifle the Palestinian people's struggle for its freedom and

(Mr. Shevchenko, Ukrainian SSR)

independence. Its policy of changing the status and the geographic and demographic characteristics of the occupied territories represented a flagrant violation of the Geneva Convention of 1949. Such violations of the tenets of international law, which exacerbated tensions and undermined efforts to establish a just and lasting peace in the Middle East, were a cause of great concern for the international community. It was for that reason that the Security Council had in August condemned the expulsions of Palestinians and that the General Assembly had condemned the violation of Palestinians' rights in several resolutions, calling on Israel to respect the Fourth Geneva Convention.

4. His delegation strongly deplored the Israeli authorities' policy of repression in the occupied Arab territories, demanded the cessation of their criminal practices, mass arrests and expulsions of Palestinians and reiterated its support for the struggle of the Palestinian people. The events of recent months had confirmed that Israel's attempts to change the status of the occupied territories had failed and that it was urgently necessary to identify a political solution for the Palestinian problem. That solution must be based on the self-determination of the Palestinian people and on a just and real dialogue which took account of the interests of all parties to the conflict. In order to attain a comprehensive settlement in the Middle East, it was essential to convene an international conference, with the participation of the permanent members of the Security Council and all the parties concerned, including the PLO.

5. Mr. PAPADOPOULOS (Greece), speaking on behalf of the twelve States members of the European Community, said that the Twelve had been following with deep concern the dramatic deterioration of the human rights situation in the occupied territories since the beginning of the Palestinian population's uprising against the Israeli occupation. In that regard, they reiterated that the provisions of the Hague Convention of 1907 and of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 were applicable to the territories occupied since 1967. They were also gravely concerned by Israel's refusal to comply with the many relevant resolutions adopted by the Security Council.

6. The past 12 months had been characterized by violent demonstrations in the course of which many people had been killed or seriously injured. The so-called "iron-fist" policy, together with the brutality displayed by the occupation forces and the extreme severity of the Israeli campaign of repression, had served only to intensify resistance to the occupation. Contrary to assertions by Israel, the use of plastic bullets had proved to be lethal; moreover, as a result of lack of training or discipline, troops had sometimes fired at close range. The Israeli authorities' argument that they needed to re-establish order did not in any way justify such brutality. The cycle of violence must be broken, and violence must be condemned from whatever quarter it came.

7. In accordance with the principle of the inadmissibility of acquisition of territory by force, the Twelve once again rejected Israel's illegal practices in the occupied territories, such as the establishment of settlements and other

(Mr. Papadopoulos, Greece)

measures affecting the demographic structure of those territories. In that connection, the Ministers for Foreign Affairs of the Twelve had declared that both new and existing settlements constituted clear violations of international law. Neither was such a policy likely to establish a climate of confidence such as might contribute to a peaceful settlement of the problem.

8. The collective punishments, extended curfews and the restrictions on exports of basic products from the West Bank to Jordan - as well as on their sale in Israel itself or in the domestic Palestinian market - could not help but seriously disturb the daily life of the Palestinian population. The Twelve strongly deplored Israel's recourse to such repressive measures, as well as to arbitrary detentions, house arrests and the demolition or sealing of homes.

9. The Twelve were seriously concerned by the restrictions on press freedom, by the harassment of journalists and by the expulsions and deportations carried out in violation of article 49 of the Fourth Geneva Convention, particularly in view of the fact that the Israeli authorities appeared to be contemplating an intensification of that policy.

10. The Twelve were also concerned by Israeli infringements of the rights of young Palestinians to education (the prolonged closure of schools and universities) and deplored the Israeli authorities' violent reaction to certain non-violent forms of protest and even to charitable and self-help activities.

11. The Twelve would not accept any unilateral initiative to change the status of Jerusalem, which was a holy city for Jews, Christians and Muslims. Freedom of access to the Holy Places must be guaranteed in any agreement on Jerusalem. In addition, the Twelve condemned Israel's decision to extend Israeli law, jurisdiction and administration to occupied Syrian territory in the Golan Heights. Such a decision was tantamount to annexation, incompatible with international law and therefore invalid.

12. In their desire to see the living conditions of the inhabitants of the occupied territories improved, the Twelve had decided, under an agreement between the European Economic Community and UNRWA covering the period 1987-1989, to increase by 20 per cent its cash contribution to UNRWA education programmes. Together with the food programmes, the Community's contribution to UNRWA would rise during the current year to approximately \$42.8 million, quite apart from the substantial contributions made by individual member States.

13. The European Community had also accorded duty-free access to industrial products and preferential treatment to certain agricultural products from the occupied territories. It thus hoped to be able to help improve the economic situation in the occupied territories, by reducing unemployment and under-employment, provided that the Palestinians in the occupied territories were in a position to take full advantage of those measures.

(Mr. Papadopoulos, Greece)

14. The events in the occupied territories would probably deepen the feelings of mistrust between Israelis and Palestinians and make the achievement of a peaceful settlement more difficult. Only a negotiated settlement of the Israeli-Arab conflict leading to a comprehensive, just and lasting peace could put an end to the tragic situation. All parties must unequivocally accept the right to exist and the right to security of all States in the region, including Israel, as well as the right of the Palestinian people to self-determination, with all that that implied. In that connection, the Twelve reiterated their support for the convening of an international peace conference under the auspices of the United Nations.

15. Mr. NASUTION (Indonesia) said that in the overall context of the Middle East conflict, the situation in the occupied territories was of critical importance and a cause of grave concern. He drew attention to the arbitrary detentions, the illegal demolition of houses, the limitations on fundamental freedoms, the attempts to change the demographic composition of the occupied territories, the régime of terror imposed by the settlers, the desecration of holy places, which had become archaeological excavation sites, and the expropriation of Arab lands and property, which were all violations of the human and national rights of the Palestinian population in the occupied territories.

16. The past year had been marked by the Palestinian people's uprising and by the draconian measures taken by the occupation authorities in implementation of their "iron-fist" policy intended to create a fait accompli, namely, the permanent annexation of the West Bank and Gaza Strip. The mass arrests, live ammunition fire, beatings, collective punishments, including the closing of schools and universities, the sealing of entire localities, and economic sanctions, such as cutting off water, electricity and telephone services, all testified to the state of siege in the occupied territories.

17. The heavy price paid by the Palestinian people (hundreds killed and thousands wounded) and the continuation of the uprising were a scathing denial of the Israeli claims that the rebellion was only a law-and-order problem created by a few agitators; it was a popular and spontaneous revolt by which the Palestinian masses expressed their aspiration to freedom and independence and their rejection of the status quo. It demonstrated the utter bankruptcy of the Israeli policy of perpetuating the occupation of the Arab territories and the futility of all military solutions, as the Palestinian question was essentially a political problem.

18. The heroic struggle of the Palestinian people had proven that 20 years of occupation, terror and repression had failed to destroy the will of the Palestinian people to be free from the dictates of the occupier and to live in freedom in its homeland. That struggle had reached a historic stage with the declaration of Palestinian independence during the nineteenth extraordinary session of the Palestine National Council held recently at Algiers. His delegation concurred with the call by the Conference of Foreign Ministers of the Movement of Non-Aligned Countries held at Nicosia in September 1988 for the Security Council to place Palestinian territory under temporary United Nations supervision. Pending the

/...

(Mr. Nasution, Indonesia)

unconditional withdrawal of Israeli forces, the United Nations had a responsibility to protect the Palestinian people in the occupied territories. Otherwise, an even darker shadow would be cast over the hopes for a peaceful settlement of the Middle East conflict, which must necessarily include recognition of the Palestinians' right to self-determination and the establishment of an independent State in Palestine.

19. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that, despite numerous resolutions of the Security Council and the General Assembly, as well as of other international organizations, Israel continued to defy the international community by denying the Palestinian people its inalienable rights, expelling the Arab population from the territories occupied since 1967 and violating the human rights of the Palestinians. In its report (A/43/694), the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories concluded that "the overall picture drawn from the information available to the Special Committee reflects a new phase in the evolution of the situation in the occupied territories, characterized by a level of violence and repression never reached before in the course of the 21 years of occupation". The seriousness of the situation had been confirmed by the General Assembly, which by an overwhelming majority had adopted resolution 43/21, condemning the repressive policies and practices of Israel in violation of the human rights of the Palestinian people in the occupied territories.

20. The report of the Special Committee gave many examples of the Israeli campaign of terror and repression in the illegally occupied territories. According to the report, hundreds had been killed and thousands injured since the beginning of the uprising, including a number of women, children and elderly people. Collective punishments were applied, towns were under siege, shops were closed, movements were prohibited, public services were no longer operating, houses had been destroyed, and schools, universities and hospitals were closed.

21. Tel Aviv was applying Israeli law in the Syrian Golan territory. The change in the laws, the confiscations of property and other measures by the Israeli authorities were violations of international instruments as important as Convention IV of The Hague of 1907 and the Regulations annexed thereto, and the Fourth Geneva Convention of 1949. Israel's progressive annexation of the West Bank, Gaza Strip and Golan Heights had profoundly changed the political, economic and social life of the population of the territories. As a result of those policies, the economy had been disorganized, human rights had been violated and the exploitation of the natural resources of the territories had intensified. His country condemned Israel's policy of terror, the violence and repression directed against the Arab population of the occupied territories, and the violations of the norms of international law, particularly the Fourth Geneva Convention of 1949, the Charter of the United Nations and resolutions of the Security Council and General Assembly. Israel's actions in the occupied territories complicated the task of the international community in seeking a just and lasting peace in the Middle East.

(Mr. Smirnov, USSR)

22. His country declared itself in solidarity with the struggle of the Palestinian people, under the leadership of the PLO, against the occupation of its lands by Israel, and in favour of a just and comprehensive settlement of the Arab-Israeli conflict and the Palestinian problem, in accordance with the decisions and the Charter of the United Nations and in the framework of an international conference on the Middle East with the participation of all parties concerned, including the PLO and the permanent members of the Security Council. The recent successes achieved by the United Nations in the resolution of regional conflicts were a source of optimism and should sensitize international public opinion to the necessity of restarting negotiations on the Middle East. His country was willing to make every possible effort to reach an agreement on the convening of an international conference on the Middle East.

23. Mr. FREUDENSCHUSS (Austria) said that during previous sessions, his delegation had uttered warnings in the Committee about the situation in the territories occupied by Israel, had expressed its serious concern about that situation, and had appealed to Israel to refrain from pursuing its practices and to respect the norms of international law, particularly the human rights of the population concerned. Regrettably, those warnings had gone unheeded. Indeed, since the beginning of the uprising of the Palestinian population, the situation had dramatically deteriorated. According to the report of the Special Committee, the confrontation was due to the restrictions imposed since 1985 in the framework of the "iron-fist" policy and to the determination of young Palestinians to oppose the arbitrary rules set by the occupiers. As a result of the confrontation, several hundred civilians had been killed and thousands injured. In addition, collective punishments had been meted out, expulsions had taken place, economic sanctions had been imposed and fundamental freedoms had been curtailed.

24. The Committee also had before it the report prepared in January 1988 by the Secretary-General pursuant to Security Council resolution 605 (1987) (S/19443), which contained observations similar to those in the report of the Special Committee. Its conclusions were still valid; the report contained a series of practical recommendations and underlined the necessity for Israel to accept the de jure applicability of the Fourth Geneva Convention and to correct its practices in order to comply with that Convention. His country had made its position clear since the beginning of the uprising. In December 1987, both the Foreign Minister and the Prime Minister had expressed great concern about the increasing violence in the occupied territories. They had appealed to all sides, in particular to Israel, to stop the clashes. They had called on Israel to liberalize its occupation régime and to end illegal acts such as deportations, the destruction of houses and arrests without warrants. Israel was the only State which denied the applicability of the Fourth Geneva Convention to the occupied territories. His delegation considered deportations to be illegal under article 49 of that Convention. Measures such as breaking the bones of demonstrators were cruelties outlawed by article 32. The destruction of property was prohibited by article 53 of the said Convention.

(Mr. Freudenschuss, Austria)

25. The uprising, which had now been going on for almost a year, was a dramatic demonstration of the political consciousness of the Palestinians. Israel's attempts to put down the uprising by force had failed and would continue to fail. His delegation believed that the underlying problem in the occupied territories was of a political nature and could only be resolved through a political settlement which encompassed both the refusal of the Palestinians to accept a continuation of the Israeli occupation and Israel's determination to ensure its security. His country believed that the best way to reach such a settlement was to convene an international conference under the auspices of the United Nations and with the participation of all parties concerned.

26. Mr. TEKAYA (Tunisia) requested that full coverage should be given to the statement made by Mr. Mamour (Observer, Palestine Liberation Organization) at the 28th meeting.

27. It was so decided.

The meeting rose at 11.15 a.m.