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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE SEVENTY-SEVENTH MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 13 December 1988, at 11 a.m.

President:

Mr. CAPUTO

(Argentina)

- Organization of work
- Question of Palestine [37] (continued)
 - (a) Reports of the Committee on the Exercise of the Inalienable Rights of the Palestinian People
 - (b) Reports of the Secretary-General
 - (c) Draft resolutions
- Organization of work

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The meeting was called to order at 11.15 a.m.

ORGANIZATION OF WORK

The PRESIDENT (interpretation from Spanish): Before we turn to the item on our agenda I wish to welcome all delegations to these meetings of the forty-third session of the General Assembly on the question of Palestine, being held in Geneva. We all know that this is the first time since the United Nations took possession of its permanent Headquarters in New York that the Assembly has met elsewhere.

By its resolution 43/49 of 2 December this year, the General Assembly decided to consider the question of Palestine, item 37 on our agenda, in plenary meetings here at the United Nations Office in Geneva from 13 to 15 December 1988.

I should like first, on behalf of the General Assembly and on my own behalf, to express our gratitude to the Secretary-General, Mr. Javier Perez de Cuellar, for having at such short notice, in just a few days, made all the necessary arrangements for the Assembly to meet here in Geneva.

I wish also to express our gratitude to the Government and people of Switzerland for their warm welcome and for all the facilities they have made available to the General Assembly for us to meet here today, Tuesday, 13 December.

I should now like to give representatives some information about our programme of work and especially the organization of our work for the next few days; owing to the exceptional circumstances, it too will be exceptional.

The Assembly will consider item 37, entitled "Question of Palestine", from this morning, Tuesday, 13 December, until 6 p.m. on Thursday, 15 December. I firmly intend to comply strictly with the provisions of the resolution in which we decided to transfer the meetings to Geneva. That resolution provides three days - 13, 14 and 15 December - for our meetings, so we shall not meet beyond 6 p.m. on Thursday.

(The President)

I have to reconcile that firm intention with a very long list of speakers who have already inscribed their names. Approximately 100 representatives have asked to speak during these three days.

Therefore, I have decided on the following arrangements. First, the meetings will begin at 9 a.m. Tomorrow and on Thursday the morning meetings will start at 9 a.m. and the afternoon meetings will start at 3 p.m. Clearly, I need the co-operation of all representatives in making their statements as brief as possible, in view of the long list of speakers and the restricted time.

I am sure that all delegations will help us by ensuring that meetings start punctually at the times I have stated - 9 a.m. and 3 p.m. - and I thank them in advance for that co-operation.

I intend to work as late as possible tomorrow, Wednesday, when we shall have a night meeting starting at 8 p.m. In other words, tomorrow, Wednesday, 14 December, we shall meet at 9 a.m., 3 p.m. and 8 p.m. I intend to continue the 8 p.m. meeting for as long as is necessary to ensure that we shall conclude our meetings by 6 p.m. on Thursday. I also wish to point out that in voting on draft resolutions the procedure will be much slower than the normal procedure followed at Headquarters in New York. Because we do not have the electronic equipment that we have in New York, each vote will take considerably longer. We must also take that into account in order to conclude on time, by 6 p.m. on Thursday.

I thank representatives for their attention and co-operation, which I am sure will enable us to follow our timetable and finish by our deadline of 6 p.m. on Thursday.

AGENDA ITEM 37 (continued)

QUESTION OF PALESTINE

- (a) REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE (A/43/35)
- (b) REPORTS OF THE SECRETARY-GENERAL (A/43/272 and A/43/691)
- (c) DRAFT RESOLUTIONS (A/43/L.50, A/43/L.51 and A/43/L.52)

The PRESIDENT (interpretation from Spanish): In relation to this agenda item the Assembly has before it the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/43/35) as well as the reports of the Secretary-General (A/43/272 and A/43/691).

Before calling on the first speaker, I suggest that, as previously announced, the list of speakers be closed at noon tomorrow, Wednesday.

May I take it that the General Assembly adopts that suggestion on the time for closing the list of speakers?

It was so decided.

The PRESIDENT (interpretation from Spanish): Accordingly, I ask representatives to inscribe their names on the list of speakers as soon as possible.

I call on Mrs. Absa Claude Diallo of Senegal in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mrs. DIALLO (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (interpretation from French): It is a great honour for me and my country, Senegal, which chairs the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to open the debate at the forty-third session of the General Assembly on agenda item 37, concerning the question of Palestine.

(Mrs. Diallo, Chairman, Committee
on the Exercise of the Inalienable
Rights of the Palestinian People)

On behalf of the Committee, I wish to express our sincere thanks to the Government of Switzerland and to the authorities of this beautiful city of Geneva for having been good enough to make all the necessary provisions, in record time, to host this historic meetings of the General Assembly.

This year our work has taken on a special character because of two striking facts: the intifadah, the courageous uprising, which began in the occupied Palestinian territories approximately a year ago, and the recent declaration in Algiers by the Palestine National Council of an independent Palestinian State.

Those events have led to a great movement of sympathy and support throughout the world. Many countries have recognized the Palestinian State, while others have published declarations of support for the action taken by the representatives of the Palestinian people, seeing in it real and positive progress towards the establishment of peace.

Only a few days ago, on 29 November, on the celebration of the International Day of Solidarity with the Palestinian people, an overwhelming majority of Member States of the United Nations yet again committed themselves to intensifying joint efforts to reach a peaceful negotiated settlement capable of putting an end to the sufferings of Palestinian people and to establish peace in the Middle East.

That generous movement complements and encourages the activities of the Committee on the Exercise of the Inalienable Rights of the Palestinian People which it has made continuously since it was set up in 1975 to ensure that the Palestinian people may secure and exercise without external interference their inalienable rights to self-determination, independence and national sovereignty, the creation of an independent, sovereign State and the return of the Palestinians to their homes.

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The General Assembly has many times affirmed that Israel's withdrawal from all the Palestinian territories and other Arab territories occupied since 1967, including Jerusalem, and the exercise by the Palestinian people of their inalienable rights are indispensable conditions for the establishment of peace in the region. Moreover, the General Assembly has declared the right of the Palestine Liberation Organization (PLO), the representative of the Palestinian people, to take part in all efforts, deliberations and conferences on the question of Palestine and the Middle East, on equal footing with other parties.

That is the framework of the activity carried out by our Committee to establish, pursuant to its mandate, a programme whose implementation would promote the full emancipation of the Palestinian people. Since 1983 the Committee has also been entrusted with following up the implementation of recommendations adopted by the International Conference on the question of Palestine, held year in Geneva that year, notably with respect to the right of all States of the region to exist within secure and internationally recognized boundaries; the correct exercise of that right requires the convening of an international peace conference on the Middle East. All those recommendations were adopted by the General Assembly by a very large majority, which continues to grow year by year. They have the advantage of being adequate and constructive, compared with solutions proposed outside the framework of the United Nations.

The recommendations have made it possible to build up a broad international consensus about the question of Palestine. In addition, there have been recent developments that are very favourable to peace and which have led the Committee in its report to call upon the Security Council to take positive measures urgently to

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follow up those recommendations and the recommendation concerning the convening of an international peace conference on the Middle East.

That is an objective that our Committee has steadfastly pursued for five years, and we are firmly convinced that today, more than ever before, the time is propitious for the establishment of a just and lasting peace in the region. The convening of such a conference would safeguard for all the interested parties the possibility of participating fully in the negotiations and would, in practice, provide a just, comprehensive and lasting solution to the Middle East conflict. A draft resolution on the subject will be submitted, and we hope that it will receive unanimous support.

The programme of work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for 1988 was drawn up with two major concerns in mind: on the one hand, the emergency situation created in the occupied Palestinian territories by the repressive policies and practices of Israel, the occupying Power, and, on the other hand, the imperative need to get out of the deadlock and make progress towards a peaceful negotiated settlement in accordance with United Nations resolutions.

(Mrs. Diallo, Chairman, Committee
on the Exercise of the Inalienable
Rights of the Palestinian People)

In his statement, the Rapporteur of the Committee will present in detail the results of our work. For my part, I wish to tell the Assembly that the Committee has closely followed the situation in the occupied Palestinian territories and has regularly kept the Secretary-General and the President of the Security Council informed. Twenty letters have been sent to them, expressing the Committee's grave concern about the growing number of victims, the beatings, the destruction of houses and property, the lengthy curfews, mass arrests, expulsions, and so on. The Committee has requested that urgent measures be taken to ensure respect by Israel, the occupying Power, for the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. It has also called upon all the interested parties and others concerned to take the necessary measures to guarantee the protection of Palestinians living in the occupied territories. That objective has been mentioned in a number of communications from the Chairman of the Committee to the Security Council during consideration of the situation in the occupied territories.

As the Committee has noted, many Governments and intergovernmental and non-governmental organizations have expressed their disquiet with regard to the question and have also called for compliance with the Fourth Geneva Convention.

It is alarming to note that the occupying Power has not yet responded to the appeals that have been made. The situation in the occupied territories continues to deteriorate, as the Secretary-General indicates in the report he has submitted in implementation of resolution 43/21, recently adopted by the General Assembly. In the view of our Committee, it is now imperative that the international community - the High Contracting Parties, in particular - and the Security Council

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take appropriate concrete steps to guarantee the security and the protection of the Palestinians. A recommendation to that effect is contained in the Committee's report, which also calls on the international community, the United Nations system and interested intergovernmental and non-governmental organizations to continue and increase their assistance to the Palestinian people, in close co-operation with its representative, the Palestine Liberation Organization. In this connection, the Committee is grateful to the Secretary-General for the excellent report he submitted in implementation of Security Council resolution 605 (1987).

While in the short term all the efforts of the international community have a crucial importance, it must be agreed that in the final analysis the security and protection of the Palestinian people can be assured only within the framework of a comprehensive settlement guaranteeing justice and respect for the rights of all the peoples of the region, in accordance with the relevant resolutions of the United Nations. Thanks to its information programme and its programme to mobilize international public opinion - through the organization of seminars, regional symposiums for non-governmental organizations and international meetings, the publication of studies and works by the Division for Palestinian Rights, and the Organization, under the auspices of the Department of Public Information, of programmes for journalists - the Committee is taking part in the peace effort to the extent that it can, within the limits of its means.

As is indicated in its report, the Committee has conducted all the activities scheduled in its programme for the year, and it is grateful to the Governments of Cuba and the German Democratic Republic for having hosted, respectively, the Latin American Regional Seminar, held in Havana from 15-17 December 1987, and the

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European Regional Seminar, held in Berlin in April 1988. The Egyptian Government, for its part, has generously agreed to host the African Regional Seminar and the African Regional Non-Governmental Organization Symposium, to be held in Cairo from 18-22 December this year. The Committee also organized a Seminar and Symposium for non-governmental organizations in North America, in New York in June. A European non-governmental organizations symposium and an international meeting of non-governmental organizations was organized in Geneva in August this year.

All those meetings had two major themes: the new situation created by the intifadah and by Israel's repressive practices in the occupied Palestinian territories, on the one hand, and, on the other, the search for ways and means to mobilize public opinion and intensify the activities of non-governmental organizations in support of the objectives of the United Nations.

The Committee had been greatly encouraged by the noticeable increase in the number of participants in the meetings it has organized and by the interest the meetings have aroused, as well as by the growth of the non-governmental organization network concerned with the question of Palestine. The Committee regards as particularly important the dispatch of missions of inquiry to the region by non-governmental organizations and those organizations' efforts to interest decision-makers, influential personalities and various target groups. The Committee has also found encouraging the growing role played by Israeli organizations and by Jewish organizations in North America and Western Europe.

In discharging the various parts of its mandate, the Committee has always felt it necessary to promote a settlement of the Palestinian question taking into account the legitimate concerns and interests of all the parties concerned. In his

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statement to the General Assembly last year, my predecessor urged delegations to give their support to the peace of the brave, and he said that in order to be lasting that peace could not be exclusively Palestinian, Arab or Israeli; it had to be all of them at the same time. History, particularly the history of the region, teaches us that conflicts involving the right to self-determination cannot be resolved by military means. Our Committee is convinced that to achieve a peaceful settlement to the conflict by political means guaranteeing respect for justice and the security of all those concerned, on the basis of the exercise of the inalienable rights of the Palestinian people, is a duty and responsibility of the United Nations. It is also an objective that today is genuinely within our reach. We once again call on all those concerned to rise above emotions, futile lack of understanding and prejudices, to re-evaluate the situation on the basis of current events and to find the political will to get out of the deadlock and begin negotiations, in conformity with the Charter and the relevant United Nations resolutions.

The PRESIDENT (interpretation from Spanish): I now call on Mr. Alexander Borg Olivier of Malta, Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to introduce the Committee's report (A/43/35).

Mr. BORG OLIVIER (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: It is an honour for me to present to the General Assembly the 1988 report (A/43/35) of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in my capacity as Rapporteur.

In 1988, as in previous years, the Committee diligently carried out its mandate on the basis of the resolutions adopted by the General Assembly. It continued to keep under review the situation relating to the question of Palestine and made every effort to promote the implementation of its recommendations for the exercise of the inalienable rights of the Palestinian people. It also continued to give priority to the early convening of the International Peace Conference on the Middle East, in accordance with General Assembly resolution 38/58 C.

In chapter I of the report the Committee has stressed its concern at the grave deterioration of the situation in the occupied Palestinian territories as a result of efforts by Israel to suppress the uprising and the urgency of taking measures for the safety and protection of the Palestinian people.

Chapters II and III are procedural and summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information, and give information on the organization of the work of the Committee.

The action taken by the Committee during 1988 is described in chapter IV of the report. In section A.1, reviewing the situation, the Committee expresses its alarm at the serious deterioration of the situation in the occupied Palestinian territories as a result of Israel's increasing resort to armed force in an effort to suppress the popular uprising, or intifadah, which began in early December 1987, against the continued occupation and gradual annexation of the occupied Palestinian territories and against the Israeli policies and practices violating the rights of

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the Palestinian people. The Committee monitored the situation on an ongoing basis through the media, the reports of missions dispatched to the area by United Nations organs and agencies as well as by non-governmental organizations and the reports of individual experts, Governments and other sources. According to that information, the number of Palestinians shot to death by Israeli armed forces since the beginning of the uprising until the submission of the report had reached a total of 287. Another 138 Palestinians have died from beatings, tear-gas inhalation and other causes related to action by Israeli armed forces and Israeli settlers. Thousands of Palestinians have been wounded by Israeli soldiers.

The Committee further noted that in addition to the use of force the Israeli authorities had resorted to a policy of mass arrests, the imposition of administrative detention without charges or trial, deportations and the banning of popular organizations, in its efforts to eradicate the leadership of the uprising. Over 5,500 Palestinians remained in detention and over 2,500 of them have been placed under administrative detention without charges or trial.

Section A.2 (a) contains a summary of the letters addressed by the Chairman of the Committee to the Secretary-General and the President of the Security Council drawing their attention to specific incidents affecting the inalienable rights of the Palestinian people and urging appropriate action on the basis of United Nations resolutions and calling for the urgent adoption of measures aimed at ensuring the safety and protection of the Palestinians and at bringing about the convening of the International Peace Conference on the Middle East.

In addition the Committee closely followed the activities of the Security Council on matters related to the Committee's mandate and participated in Council debates as necessary, as reflected in section A.2 (b). The Security Council

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met at the request of the Chairman of the Arab Group for the month of December 1987 to consider the situation in the occupied Palestinian and other Arab territories. On 22 December 1987 the Security Council adopted resolution 605 (1987), by which it, inter alia, reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the Secretary-General to examine the present situation in the occupied territories by all means available to him and to submit a report containing his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation.

On 5 January 1988 the Security Council unanimously adopted resolution 607 (1988), by which, inter alia, it reaffirmed once again that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and called upon Israel to refrain from deporting any Palestinian civilians from the occupied territories.

On 14 January 1988 the Security Council adopted resolution 608 (1988). By that resolution the Council expressed deep regret that Israel had deported Palestinian civilians in defiance of resolution 607 (1988) and called upon Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return of those already deported.

In a statement made by the President of the Security Council on behalf of the members of the Council, on 26 August 1988 the Council expressed its profound concern at Israel's continuing policy of deporting Palestinian civilians and

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reaffirmed that the Geneva Convention of 1949 was applicable to the Palestinian and other Arab territories occupied by Israel since 1967.

Section A.2 (c) covers the consideration by the General Assembly of the efforts by the Government of the host country to close the Palestine Liberation Organization (PLO) Observer Mission to the United Nations. The Committee was pleased to note the judgement of the United States District Court judge in Manhattan, of 29 June 1988, which dismissed the United States Government's lawsuit seeking to close the PLO Observer Mission, and the decision of the United States Government not to appeal the judgement of the Court was welcomed by the Committee.

As I have already mentioned, the Committee has continued to give the highest priority to the early convening of the International Peace Conference on the Middle East. Its efforts in this regard are detailed in section A.3 of this chapter. It stresses the urgent need for the Security Council and the parties directly concerned to take positive action for the convening of the Conference, and calls on those who thus far have not shown a willingness to co-operate to reconsider their position. The Committee continued to follow closely and with appreciation the efforts of the Secretary-General in this regard.

In the rest of this section a list of international conferences and meetings at which the Committee was represented, because of their particular relevance to its work, and a list of documents relating to action on the question of Palestine taken by United Nations bodies, the Movement of Non-Aligned Countries and intergovernmental organizations are given. Taken together, they give an indication of the intensity of international concern regarding the current situation and of support for the Committee's recommendations to achieve a comprehensive, just and lasting solution to the question of Palestine.

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Section B.1 describes the activities organized by the Committee in its continuing efforts to expand its contacts with non-governmental organizations and to co-operate with them in their contribution towards heightening international awareness of the facts relating to the question of Palestine. Two regional symposiums for non-governmental organizations were held in North America and Europe and an international meeting of non-governmental organizations was also held in Geneva. The meetings were attended by a large number of non-governmental organizations, more than in previous years, including several from the occupied territories and Israel itself.

The Committee noted that in the various declarations adopted at those meetings the non-governmental organizations supported the uprising and called for the convening of the International Peace Conference on the Middle East without delay. The meetings condemned all deportations and all other action by the occupation forces aimed at the destruction of Palestinian society.

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The international non-governmental organizations meeting held in Geneva urged the United Nations, the five permanent members of the Security Council and the entire international community to help to ensure the protection and safety of the Palestinian people in the occupied territories in accordance with the suggestions contained in the Secretary-General's report of 21 January 1988, submitted pursuant to Security Council resolution 605 (1987).

As detailed in section B.2, seminars were held in the Latin American, European and North American regions. The Committee noted that in the conclusions and recommendations of the seminars it was repeatedly stated that the Palestinian uprising in the occupied territories had confirmed the determination of the Palestinian people to reject and resist Israeli domination and occupation. They reaffirmed that the PLO was the sole and legitimate representative of the Palestinian people. They further expressed satisfaction at the growing support world wide for the convening of the International Peace Conference on the Middle East and urged Israel and the United States to reconsider their attitudes towards that Conference. The text of the declarations adopted by the participants at seminars, non-governmental organizations symposiums and meetings is contained in the annexes to the report.

Section B.3 contains information on the activities of the Division for Palestinian Rights in the field of studies, research and collection of information, and on the commemoration of the International Day of Solidarity with the Palestinian People.

Chapter V of the report details the activities of the Department of Public Information, which continued its information programme on the question of Palestine, with a view to furthering the world-wide dissemination of accurate and

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comprehensive information on the question. The information programme included dissemination of press releases, publications and audio-visual material and the organization of new missions to the Middle East, regional encounters for journalists in Africa and Europe and national journalists' encounters for Africa and Europe.

In its recommendations, contained in chapter VI, the Committee emphasizes the new situation created by the uprising and the impetus thereby given to efforts to reach a peaceful settlement in accordance with United Nations resolutions. The Committee has once again called for urgent, positive action by the Security Council on the recommendations of the Committee and those adopted by the International Conference on the Question of Palestine, held here in Geneva in 1983, and has reaffirmed its position that their implementation would make a positive contribution to the solution of the question of Palestine. The Committee, while referring to the developments in the area, calls upon the United Nations and the international community as a whole urgently to intensify their efforts to bring about the establishment by the Palestinian people of an independent Arab State in Palestine in accordance with General Assembly resolution 181 (II) of 29 November 1947.

The Committee has once again stressed the imperative need for the convening of the International Conference on the Middle East. It has also expressed its intention further to intensify its efforts towards that objective, and has decided to make the convening of the Conference the focal point of its work programme in the coming year. Pending the attainment by the Palestinian people of its inalienable rights, the Committee has affirmed in the strongest terms the urgent

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need for effective measures to ensure the safety and protection of the Palestinian people in the occupied Palestinian territories.

On 21 November 1988 the Permanent Observer of the Palestine Liberation Organization reported to the Committee on the nineteenth extraordinary session of the Palestine National Council, held in Algiers from 12 to 15 November 1988. The Committee welcomed the Political Communiqué and the Declaration of Independence adopted at Algiers and expressed in the strongest terms its belief that they were of the greatest importance to the peace process in the Middle East. It also believed that all concerned should now seize the opportunity to make a determined effort to take effective measures to ensure the security and the protection of the Palestinian population in the occupied territories and intensify their efforts towards a comprehensive, just and lasting settlement of the question of Palestine in accordance with the relevant United Nations resolutions.

ORGANIZATION OF WORK

The PRESIDENT (interpretation from Spanish): Before I adjourn the meeting, I should like to deal with a problem that we face on Thursday.

Approximately 20 representatives have inscribed their names to speak on Thursday afternoon. That means that that meeting would have to last four and a half hours. But the number of draft resolutions on which we shall to vote, without the help of our electronic equipment, is such that the time needed for that procedure will be no less than four years. It is therefore impossible, with such a list of speakers and that time needed for the voting, to conclude on Thursday at 6 p.m., as planned.

(The President)

Accordingly, I seek the understanding of all representatives in asking that all those who have inscribed their names to speak on Thursday afternoon be good enough to help me by instead putting down their names to speak in the meeting that will begin at 8 p.m. on Wednesday.

I apologize for my insistence, but I remind representatives that by a resolution of the Assembly, three days were devoted to these meetings, and that the Fifth Committee allocated resources for only three days. Therefore, we must complete our work in three days.

The meeting rose at 11.55 a.m.