



SUMMARY RECORD OF THE 42nd MEETING

Chairman: Mr. RODRIGUEZ MEDINA (Colombia)

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AGENDA ITEM 69: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued)

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The meeting was called to order at 6.50 p.m.

AGENDA ITEM 69: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/38/262, 409, 481, 482, 483; A/SPC/38/L.35)

1. Mr. BURAYZAT (Jordan), said that he was not surprised at the lies contained in the Israeli representative's statements at the two preceding meetings because the United Nations had become accustomed to it. The lies and digressions were an attempt to divert attention from the errors committed by Israel by referring to alleged mistakes made by other countries. That had become the only method left to Israel to avoid answering the main question which was when Israel intended to terminate its occupation of the Arab territories and its shameful treatment of the civilian Arab population. The statements by the representative of Israel had contained many inappropriate quotations the purpose of which was to give a human aspect to occupation, whereas the major and undeniable fact was that Israel continued to occupy the Arab territories and to deny the Palestinian people the right to self-determination.

2. He would like the representative of Israel to tell the Committee whether or not all the lies and figures he had quoted could conceal the fact that Israel had occupied the Arab territories since 1967 and was preventing the Palestinian people from enjoying their right to self-determination. He would also like that representative to tell the Committee why Israel was occupying the West Bank, Gaza and the Golan Heights; why the Israeli defence force was in those territories; why Israel was closing schools and universities and firing at students; why children were throwing stones at Israeli soldiers and Palestinians demonstrating in the streets and finally, why the item under discussion was still on the agenda of the General Assembly.

3. If the Israeli representative could answer those questions, the Committee would not have wasted its time in listening to interminable quotations. He might also explain why the Zionist immigrants had gone to Palestine to escape from Nazi persecution and why they had also gone there in 1917. No doubt the Israeli representative would follow the usual Zionist practice of distorting history. He was trying to portray the West Bank as a paradise and described the advantages given to Palestinians, quite oblivious of the fact that they were denied all civil rights and particularly the fundamental right to self-determination and independence. The Israeli representative had also referred to peace and had accused the Palestinians and the Arab States of standing in its way. Apparently, it was difficult to reconcile Palestinian rights with Israeli security.

4. The Israeli representative's rosy picture of the life of an Arab labourer was belied by an article by an Israeli journalist published in Ha'Aretz on 16 September 1983 which quoted one of the highest judicial authorities in the State as saying that, in order to establish rule over another nation, it was becoming necessary to use increasingly cruel means of oppression. Yet the Israeli representative referred to the enjoyment of judicial rights by the Palestinians. The article went on to say that violence was part of the Government and the army

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(Mr. Burayzat, Jordan)

and was gradually being viewed as a norm in human relationships. Aggression and war were becoming part of Israel's social, intellectual and cultural make-up, and it was a well-known fact that its leaders had belonged to terrorist organizations.

5. Despite the Israeli representative's claim that the occupied West Bank was a paradise for the Arab labourers, the same article went on to describe the exploitation of the cheap labour of the population of the occupied territories. It said that the Israeli economy was being made dependent on Arab labour at a time when thousands of Jews were becoming settlers in the West Bank, Gaza and the Golan Heights without any productive function. That process was very similar to those of the bantustans in South Africa.

6. In the light of the Israeli representative's repeated claims about the human aspects of occupation, the subject should become a separate item on the agenda of the General Assembly. If those claims were true, Israel should be asked to occupy many other States in order to improve the living conditions of their inhabitants.

7. The Israeli representative had referred to freedom and democracy. Formerly, the Palestinians had been deprived of freedom on the grounds of security, but Israel was now exploiting the Arab people and resources for economic reasons. Its settlements were also an attempt to falsify geography and to dehumanize the Palestinians.

8. He would not go into details about Israel's violation of human rights, which was well known to the Committee. In order to justify Israel's occupation of the Arab territories, the Israeli representative had spoken of the unity between Jordan and the West Bank before 1967. The Jordanian and Palestinian peoples had certainly been united in 1950 on the basis of self-determination. It was not surprising that Israel should refer to that unity, because it was the Jordanian army that had saved women and children from massacre in 1950.

9. The Israeli representative had also spoken about the freedom of the press in the occupied territories. All his statements reflected a falsification of facts and an attempt to camouflage the basic fact of occupation, which could not be denied.

10. Mr. WEEDY (Afghanistan) said that the report of the Special Committee clearly revealed the many types of pressure Israel used in order to force the Arab inhabitants of the occupied territories from their homeland. As time passed, those oppressive measures got harsher. The number of prisons and detention centres was increasing and arbitrary arrests were becoming a daily practice. Curfews were imposed in the refugee camps under any pretext and often for extensive periods: the short interval between them usually did not permit the residents to provide for their basic needs, and the number of people who had died during the curfews because they could not reach medical facilities was alarming.

11. The Israeli authorities had stepped up their construction of Jewish settlements in the occupied territories as the first step towards full annexation of Palestine. They viewed the settlements as an early-warning system and a vital

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(Mr. Weedy, Afghanistan)

deterrent to war: those misconceptions had reinforced their bellicose designs concerning the Arab population and its land.

12. Considerable friction had arisen between the Palestinians and the new settlers, who enjoyed the support of the military authorities and were able to harass, beat and shoot Arabs with impunity. Restrictions on the educational system in the occupied territories included the closure of schools, the banning of many books and the imposition upon teachers of a pledge to refrain from political activity. The residents of the occupied territories were subjected to various forms of economic pressure: their land and water resources were being plundered and their markets flooded by cheap products imported from Israel. Palestinian farmers were becoming mere sharecroppers and a source of cheap labour for Israeli industries.

13. The Israeli authorities enjoyed the complete military, economic and moral support of the United States. The brutal aggression of the Zionists against Lebanon, which had created another obstacle to peace and security in the region, had been backed by the United States. In callous disregard for human life, the United States was continuing to provide cluster and phosphorous bombs to the same Power that had been responsible for the deaths of thousands of innocent people in Lebanon.

14. As long as Israel had a free hand in pursuing its criminal acts, violations of the human rights of the residents of the occupied territories would continue. His delegation strongly supported the struggle of the Palestinian people to exercise its inalienable rights. Israel must stop its illegal actions and withdraw from the occupied territories - only then would lasting peace in the Middle East be possible.

15. Mr. SENE (Senegal) said that, as a member of the Special Committee himself, he could not accept the allegation that that body's report (A/38/409) was politically biased and reflected only the opinions of countries hostile to the Jewish State. Senegal did not consider itself hostile to that State; rather, it was attached to the principles of law and the respect for human rights and values. The Special Committee could not be called hostile as such, because ever since its creation it had consistently tried to establish a basis for co-operation with the Israeli authorities. The latter had never changed their position and even created difficulties for the Special Committee by preventing people from appearing before it or intimidating those who managed to do so. If, as claimed in the two statements by the representative of Israel, all human rights and freedoms were respected and life in the occupied territories was so pleasant, it was strange that the Special Committee was not asked to witness that paradise for itself, as committees of some of the specialized agencies had done. However, the many countries which had experienced colonial domination would not be deceived by that rosy picture.

16. The report of the Special Committee merely stated the facts objectively. Each year it amassed documents and evidence which it analysed rigorously in the light of international legal instruments and relevant United Nations resolutions.

(Mr. Sene, Senegal)

17. He wished to express appreciation of the work done by the International Committee of the Red Cross (ICRC) in the occupied territories and in particular its role in the exchange of prisoners. He was sure that the representative of ICRC would be able to throw light on the kidnapping of Ziyad Abu Eain referred to in draft resolution A/SPC/38/L.35.

18. The situation of the human rights of the Palestinian Arab population of the occupied territories was a source of grave concern for the international community, which had noted a certain permanence in the policies and practices of the occupation authorities and their intention to transform the geographical and even cultural character of the territories. After the annexation of East Jerusalem and the Golan Heights, the process of annexation of the West Bank was being accelerated through the unprecedented establishment of settlements. Citing security reasons, the occupying authorities turned a deaf ear to the appeals of the international community.

19. That attitude increased tension in the region and created an atmosphere of hatred. It might be asked who needed security most - Israel, the fourth strongest military Power in the world, the Palestinians, humiliated and oppressed, or the neighbouring Arab countries, which were still demanding the withdrawal of occupying troops from their territories. Israel was trying to eliminate the Palestinian people's resistance in the hope of making the world forget their cause, and was trying to discredit the Palestine Liberation Organization (PLO), their legitimate representative, which was recognized by 117 States.

20. Of course, no one could forget the terrible persecution of the European Jews in Nazi Germany, but surely a people which had suffered so much should have more consideration than any other people for human life and suffering. In any case, nothing could conquer the fierce determination of the Palestinians to fight for their legitimate cause. Despite the powerlessness of the international community, the courage and determination of the Palestinian people provided a ray of hope. The question of security was a constant concern of all peoples in the region: no single State had the right to interfere on security grounds in the internal affairs of others.

21. The tragedy of the Palestinian people was a terrible weight on the conscience of the United Nations. It might be asked what had happened to the partition lines established by the Organization when it had decided to create a Jewish and an Arab State in Palestine in 1947. Since that decision, which had sent a whole people into exile, the United Nations had been powerless to re-establish justice. After five wars and long years of suffering, it was urgent to put an end to the Middle East tragedy. However, there could be no lasting peace in the region until Israel decided to recognize all the inalienable rights of the Palestinian people and respected the territorial sovereignty and integrity of neighbouring States. Any solution must respect the right of the Palestinian people, under PLO leadership to self-determination and independence in the framework of the community of Arab nations. It was more necessary than ever for Israel to accept the principle of withdrawal from all the occupied territories in order to show its will to live in peace with its neighbours. It was for that aim that Senegal and the Special Committee had always worked.

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22. Mr. ALSHAWKANI (Yemen), speaking on a point of order, requested that the statement by the representative of Senegal should be reproduced in extenso.

23. The CHAIRMAN said that a transcription would be prepared of the statement made by the representative of Senegal.

24. Mr. SHEHATA (Egypt) said that the statements by the representative of Israel had provided useful instances of how history could be misread and facts twisted. That representative's point of departure was completely erroneous and evaded the main issue - Israeli occupation of Arab territories - by a futile attempt to portray Israel as the "liberator" of those territories. He had been completely oblivious of the time-frame of the matter under discussion; he had described events in 1948 and even earlier and had discussed matters completely extraneous to the occupied territories. It was ironic to listen to the Israeli representative's distortion of the matter under consideration, focusing on alleged Jordanian or Egyptian practices when the Committee had before it a report on the repressiveness of Israeli occupation and not its magnanimity. It was yet another attempt to legitimize the illegitimate and must be seen in the light of the statement in 1967 of the late Prime Minister of Israel, Ben Gurion, that the function of the Israeli Ministry of Foreign Affairs was to justify in the eyes of the world the actions of the Israeli defence forces. The representative of Israel was seeking to comply with that dictum at a time when, within the armed forces of Israel, a debate was raging on the role of Israel in the occupied territories.

25. The Committee had heard a statement on the "benevolence" and "clemency" of the Israeli occupying forces, who were portrayed as the saviours of the oppressed Arabs in the West Bank and Gaza. Such a fallacious approach bordered on fantasy and could not stand up to the evidence. The representative of Israel had not touched upon the havoc and terror wrought by vigilante groups in the occupied territories, or the banning of academic freedom in the Palestinian universities of the West Bank and Gaza. The Israeli representative had completely ignored the accusations of torture levelled by Israeli citizens and officials whose consciences had been awakened to the gravity of those actions. The Israelis boasted of a liberal occupation policy; a "benevolent" tyrant was, however, still a tyrant and a "liberal" occupation was still occupation.

26. With reference to acts of sabotage, he wished to recall that preparations had been made in 1954 to sabotage American and British interests in Egypt in order to undermine Western confidence in the Egyptian régime and to cause the West to cut off economic and military aid to Egypt.

27. Perhaps the conscience of the Israeli delegation might be awakened by reports concerning Israel's attitude towards the Arabs in the occupied territories. He quoted a statement by one of the principal advocates of Jewish settlements in the West Bank, who had warned of the danger to the Jewish State posed by its exploding Arab population. With respect to the way in which Arabs were regarded by Israel generally, he quoted from an Israeli publication whose author had affirmed that Jordan could not be allowed to exist under its current structure and that Israel's policy, in times of both peace and war, should aim for the elimination of Jordan

(Mr. Shehata, Egypt)

and its current régime and the transfer of power to the Palestinian majority. That, according to the author, was the major domestic aim of Israel for the 1990s. The dispersal of the Palestinian population should be an important aim, the author went on, because if the Israelis could not become a majority in Judea and Samaria, then they could not maintain their rule. That quotation had highlighted the fact that re-establishing a strategic, demographic and economic balance in the West Bank was currently the major aim of Israel.

28. He drew attention to a debate which had taken place in the Israeli Knesset on the Land Requisition Law of 1953 which legalized the expropriation of Arab land. A speaker during that debate had recalled how daring the Israelis had regarded themselves for having sought to return to their country 2,000 years after their eviction. Now that Arabs dared to return to the land on which they had lived for a thousand years before they had been forced to flee, they were called infiltrators and were being shot in cold blood.

29. The question of the lack of academic freedom had been completely ignored by the Israeli representative. According to the testimony of American and other foreign professors the oath of loyalty which they were forced to take, abjuring support for the PLO or other "terrorist" organizations considered hostile to Israel, was reminiscent of the Nazi oath described in the diary of Anna Frank.

30. The representative of Israel had referred to the so-called Egyptian occupation of the Gaza Strip. Egypt had never claimed to exercise sovereignty over Gaza. After the 1948 war, it had been decided to keep Gaza under Egyptian rule pending a final settlement of the Palestinian question: thus, Egypt's supervision of the territory had been of a temporary nature. Palestinians in the Gaza Strip had Palestinian passports and Egypt considered Gaza an integral part of Palestine.

31. Egypt and other Arab countries had prepared a thesis on Israeli practices in the occupied territories. In anticipation of that thesis, the Israeli section of the International Commission of Jurists had sought to prepare an "antithesis" in an attempt to legitimize the illegitimate. Such a pseudo-legal approach had no credibility and was a classical piece of propaganda. The antithesis was an assault on justice, law, rationality and conscience.

32. There were a number of myths concerning the Israeli occupation of the Arab territories. One such myth was that Israel's actions were taken only to counter terrorism. The case of the 1948 massacre by Israeli terrorist groups of 24 men, women and children living in an Arab village east of Jerusalem, which had been documented in an ICRC report, disproved that myth.

33. Another myth held that there was democracy in Israel and that Israel was bestowing on Arabs rights of which they had been deprived by Arab Governments. A venerable American rabbi had exposed that myth by drawing attention to Israel's discriminatory legislation: there were laws which bound the Jews into an obligatory nationalist relationship with the new State; laws which discriminated against the 1.5 million Palestinian refugees, who were recognized by the world as

(Mr. Shehata, Egypt)

having legitimate claims to citizenship rights in the occupied territories, and there were laws which discriminated against Jews of Arab or Oriental origin. An official of the United States State Department itself had said that Israel had adopted a conqueror's attitude: it believed that a policy of force and retaliatory killing should be applied to its neighbours.

34. Mr. TERZI (Observer, Palestine Liberation Organization) said that the representative of Tel Aviv had ignored the fact that the subject under discussion was Israeli practices in the occupied territories and how they affected the human rights of the people in those territories.

35. The Security Council and the General Assembly had repeatedly confirmed that the people in occupied territories must be protected in accordance with the 1949 Geneva Convention relative to the Protection of Civilian Persons in Times of War. It was the sacred right and duty of people under occupation to resist such occupation by any means, and that was what the Palestinian people were determined to do.

36. The Israeli representative had painted a rosy picture of life for the Arabs in occupied territories. If that was so, the question arose as to why the Committee had been refused permission to visit the territories. In any case, however, the Palestinians wanted political freedom in their own land and that was possible only if the occupation ended.

37. He wished to refute a number of other Israeli claims concerning freedom in the occupied territories. First, there was no truth in Israel's assertion that there were free elections in the West Bank. There had merely been elections for mayors in 1976 and that experiment had never been tried again. Second, the so-called liberal censorship currently enforced was, according to the Israeli Government, subject to the 1945 Emergency Defence Regulations. Even in 1945 those regulations had been described by Palestinians as criminal. Third, the Israeli policy of so-called academic freedom was based on a British manual of military government. It was claimed that universities in the occupied territories were promoted and financed by Israel. The truth was that the universities existed in defiance of the Israeli presence in the territories. Fourth, Israel claimed that the income of self-employed farmers had risen by 20 per cent, ignoring a rate of inflation of 200 per cent. It was not necessary to comment on Israel's claim that it was determined to ensure equitable conditions of life and work in the areas under its administration. As to the Israeli representative's assertion that criticism of Israel's settlements policy was racially motivated, the question was who the real racists were.

38. Mr. LEVIN (Israel) pointed out to the representative of Senegal that he had never implied that life in the territories under Israeli administration was a paradise. There would be an improvement if it was possible to reach agreement on the situation that should eventually be established there. The attitude of the Arab countries had, however, made negotiations impossible.

39. The simple response to the perplexity of the representative of Jordan as to why Israel was occupying the territories, was that it was doing so because Jordan

(Mr. Levin, Israel)

had made war on Israel in June 1967. Israel had not wanted the territories but now that it was administering them, it would do its best to improve the conditions of life of the population, and indeed much had already been achieved. There had naturally been criticisms. The Arab Governments which had formerly administered the territories felt guilty since they themselves had done little for the population prior to 1967.

40. He denied having said that there had been Egyptian sovereignty over the Gaza Strip. Egyptian supervision had meant that there had been no freedom to enter or leave Gaza and no employment, development or welfare, and there had been police supervision and forcible induction into the Egyptian army. The situation had improved since 1967.

41. Replying to the representative of Senegal, he said that the fact that the Special Committee had amassed a large number of documents was convincing proof that it was politically motivated and anti-Israel. Israel would not co-operate with that Committee, since in the 15 years of its existence it had failed to prove its objectivity. The representative of Senegal had begun his statement well but had fallen prey to his quest for political propaganda. Israel could not co-operate with a committee whose members sought merely to disseminate political propaganda.

42. He denied the use of such words as "paradise", "salvation" or "benevolence" to describe the situation in the territories under Israeli administration, which had been attributed to him by the representative of Egypt. He suggested that the latter should read more widely. The Committee's meetings were not the place for lectures on philosophy, jurisprudence or Judaic studies. The members of the Committee must learn to look at facts objectively if they wished the Committee to achieve anything tangible.

43. Mr. TERZI (Observer, Palestine Liberation Organization) said that the International Conference on the Question of Palestine held in August 1983 had challenged the world and all peace-loving peoples. The question was whether they could work for peace and the settlement of the problem, whether they could accept the Geneva Declaration on Palestine and its guidelines, or whether they would see the signing of a new military and political accord between Israel and the United States which embodied aggressive designs against the Palestinian people, the Arab people and all peace-loving peoples in the world.

44. Mr. SHEHATA (Egypt), speaking in exercise of the right of reply, said that peace based on justice, honour, dignity and recognition of the right of Palestinians to establish a homeland remained a challenge. Many references had been made to the situation in the Gaza Strip under Egyptian "occupation", but the Committee was not engaged in a comparative study of the situation in Gaza before and after 1967 - it was focusing on Israel's policies since it had occupied that sector. The Israeli representative had not answered one important question: what was his opinion of the activities of the vigilante groups in the occupied territories? It was extremely encouraging that a peace movement was developing within Israel, and he hoped that the Israeli representative would soon join its ranks.

45. Mr. HAMADNEH (Jordan), speaking in exercise of the right of reply, said that at the 40th and 41st meetings the Israeli representative had claimed that Jordan had occupied the West Bank from 1948 to 1967. That claim was cynical: Jordan's relationship with the West Bank had been based on the wishes of the people concerned. The residents of the West Bank had requested that unification should be declared in 1950. A State had then been formed within which residents of both the East and West banks had had equal rights. His Government attached great importance to the development of the West Bank, whose residents had enjoyed excellent educational and technical services which had enabled them to contribute effectively to the development of most of the other Arab States.

46. It was natural that the Israeli representative should attack the unity of the East and West banks, for Israeli ambitions were to annex the West Bank, the Gaza Strip and the Golan Heights. Using the principle of divide and rule, Israel sought to split the Arab world and assume the position of a great Power in the Middle East.

47. In response to the Israeli claim that Jordan had invaded the West Bank in 1948, he said that Jordan had entered Palestine at the request of the civilian population to protect them from the massacres perpetrated by terrorist and Zionist gangs.

48. The Israeli representative had also contended that Jordan had prohibited the publication of newspapers in the West Bank before 1967, in violation of the freedom of the press. The Committee should, however, consult the report of the Special Committee to learn how many times West Bank newspapers had been closed down and their editors imprisoned since 1967. The Israeli representative had further claimed that life was calm for the residents of the West Bank and that the area had been greatly developed under Israeli occupation. The fact was, however, that not a day went by without an Israeli attack on the population or a protest by Arabs against Israeli occupation. That hardly showed that the situation on the West Bank was quiet.

49. Prompted by racist principles, and disregarding international law and the rights of the Arab people, the Israeli representative had described Israel's policies of annexation, expulsion of the civilian population and expropriation of lands as liberalization. Since when had occupation become liberalization?

The meeting rose at 8.45 p.m.