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SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. STARCEVIC (Yugoslavia)

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

AGENDA ITEM 74: INTERNATIONAL CO-OPERATION TO AVERT NEW FLOWS OF REFUGEES: REPORT OF THE SECRETARY-GENERAL (continued) (A/SPC/38/L.6/Rev.1, L.9, L.11 and L.12)

1. The CHAIRMAN drew members' attention to document A/SPC/38/L.6/Rev.1, containing a draft resolution entitled "International co-operation to avert new flows of refugees" which had been submitted by the representative of Senegal at the Committee's 17th meeting on 1 November. The administrative and financial implications of the draft appeared in document A/SPC/38/L.11.

2. He also drew attention to document A/SPC/38/L.9, containing amendments to the draft resolution submitted by Cuba and Mexico. The administrative and financial implications of the draft resolution as modified by document A/SPC/38/L.9 had been issued in document A/SPC/38/L.12.

3. Mr. KA (Senegal) said that after the introduction of draft resolution A/SPC/38/L.6/Rev.1 and the very brief discussion that followed, it had been plain that despite consultations with many delegations, operative paragraph 4 still gave difficulties to some. The sponsors had therefore decided to continue and extend their consultations in order to find a more satisfactory wording that would allow the various delegations concerned to adopt the draft resolution without difficulty.

4. It was in that context that Cuba and Mexico had submitted the amendment to operative paragraph 4 that appeared in document A/SPC/38/L.9. After consultations with the delegations of those two countries and other countries in the Committee, agreement had been reached on a draft text that could be generally accepted. The new paragraph 4 would be worded:

"4. Requests the Secretary-General, without prejudice to the mandate contained in resolution 36/148, to assist, as far as possible and as an exceptional measure, the experts from the least developed countries appointed by the Secretary-General to carry out this mandate, to participate fully in the work of the Expert Group".

5. He thanked all the delegations which had contributed to the agreement on the matter, especially Cuba and Mexico for the spirit of compromise they had shown in accepting the text he had just read out and withdrawing their draft amendment. He further stated that Rwanda, the United Republic of Cameroon and Upper Volta had joined the list of sponsors, and in conclusion expressed the hope that the draft resolution, as orally amended, would be adopted by consensus.

6. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft resolution contained in document A/SPC/38/L.6/Rev.1, as orally amended, by consensus.

7. It was so decided.

8. Mr. LINDAHL (United States of America) welcomed the fact that the draft resolution reaffirming and extending the Experts' mandate had been adopted by consensus. He emphasized the earnestness with which the Expert Group had set about its task, and said he hoped that its efforts would truly be of assistance in analysing the problem and finding solutions. He particularly thanked the experts from the Federal Republic of Germany, Togo and Senegal for their important contributions.

9. On the expenses of experts from the least developed countries, he remarked that it was not generally in the interests of the United Nations to cover the travel costs and subsistence allowances of individuals performing tasks assigned to them by their Governments. Accordingly, the experts whose expenses would be covered by the United Nations should be regarded as having been appointed in a personal capacity by the Secretary-General.

10. Mr. NISHIMURA (Japan) said that in principle the expenses of governmental experts from the least developed countries should be borne by their Governments. As far as the rationalization of the Organization's finances was concerned, the principle should be strictly adhered to. His Government had nevertheless joined the consensus in view of the deep interest of the Group's work and the importance of general agreement on the resolution.

11. Mr. MATHEWSON (United Kingdom) welcomed the extension of the Expert Group's mandate. His delegation, however, had supported operative paragraph 4 of the resolution just adopted only as an exception, for that paragraph represented a departure from the general principles on travel costs and subsistence allowances paid by the Organization to the members of the United Nations organs and subsidiary bodies set forth in resolution 1798 (XVII), to which his country remained firmly attached.

12. Mr. AMELGA (Ethiopia) assured the Committee that the expert from his country would participate actively in the Expert Group in strict conformity with the mandate conferred on it by the General Assembly, and said he hoped that the other members of the Group would take the same attitude.

13. There were already many legal instruments on the subject under discussion, and his delegation did not believe it was necessary to draw up another one. The Expert Group should formulate general, flexible guidelines without it being necessary to establish new arrangements for putting them into effect.

14. His delegation supported operative paragraph 4, and paid tribute to the efforts by Senegal and the Federal Republic of Germany to bring about the adoption of the resolution by consensus.

15. Mr. KINGSMILL (Australia) said that his delegation, while having reservations on the financial implications of operative paragraph 4, had joined the consensus on the draft resolution because of the humanitarian nature of the Expert Group's task. Australia had energetically supported the establishment of the Group, and intended to be very actively involved in its work.

16. Mr. DELOUSTE (Belgium) said that his country had joined the consensus on the resolution to express the importance it attached to international preventive action to halt new flows of refugees. For that reason, it welcomed the initiative taken by the Federal Republic of Germany and supported the work of the Expert Group. It nevertheless had reservations as to the financial implications of operative paragraph 4 of the resolution, which threatened to extend beyond the resolution itself.

17. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his country had not objected to the adoption without a vote of the draft resolution with the amendments to operative paragraph 4. The resolution confirmed the mandate of the Expert Group as established under General Assembly resolution 36/148, which emphasized the need to take a constructive and forward-looking approach in considering the question. The consensus principle adopted for decisions by the Group was an acceptable basis to work on, and the Group should seek to encourage co-operation between States in that area.

18. His delegation felt that operative paragraph 6, calling upon the Group to continue its work in two sessions of two weeks' duration each during 1984, would enable the Group to fulfil its mandate in the near future, if not actually during the course of the year.

19. At the root of the refugee problem were policies of aggression and annexation of foreign territories and the policy of apartheid, intervention in the internal affairs of States, colonial situations and economic inequality among States. The refugee problem was, therefore, complex and manifold, and steps should be taken above all to strengthen international security and develop good-neighbourly and trusting relations among States. In order to eliminate the economic factors impinging upon the refugee problem, international economic relations would have to be radically reformed so as to set them on a just and egalitarian basis.

20. Specific problems relating to refugees must be studied pragmatically, with a view to co-ordinating positions and reaching generally acceptable agreements between the States directly concerned, without diktat or outside interference. Accordingly, it was not necessary to establish machinery to supplement the United Nations or to draw up guidelines on the matter.

21. The financial implications of the two sessions of the Group of Governmental Experts during 1984 seemed excessive. The more than \$400,000 indicated would be enough to cover a whole refugee assistance campaign. If the United Nations did assume the travel and daily subsistence expenses of the experts of the least developed countries, that must be as an exception to the general principles usually applied.

22. The estimated allocation for documentation was grossly inflated; provision was made for two post-session documents of 64 pages, whereas a single report - which according to decisions taken by the General Assembly must not go beyond 32 pages - would be sufficient. Provision was also made for interpretation services in six languages for the meetings of the Group of Governmental Experts, even though that was unnecessary in view of the membership of the Group.

(Mr. Smirnov, USSR)

23. His delegation insisted most vigorously that the Secretariat should take the steps required to reduce to a strict minimum the expenses estimated for the two sessions of the Group of Governmental Experts.

24. Mr. CHOWDHURY (Bangladesh) said that the phrase "as an exceptional measure" in paragraph 4 of the draft resolution should have been deleted. The Committee must not prejudge the future participation of experts from the least developed countries.

25. Mr. de la SABLIERE (France) said that, by taking a position in favour of the draft resolution, France had wanted to show its support for the work of the Group of Governmental Experts. His delegation thanked the sponsors for the efforts they had made to allow the draft resolution to be adopted without a vote. However, France stressed the fact that the provisions of paragraph 4 were of an exceptional nature and should not be taken as a precedent.

26. Mr. NAZARI (Iran) said that, if the refugee problem was to be resolved realistically, States must refrain from committing aggression and must respect the United Nations Charter.

27. Mr. ADJOYI (Togo) said that the fact that the draft resolution had been adopted without a vote demonstrated clearly that the international community wanted the Group of Governmental Experts to continue its work, and it was an encouragement for the experts in their future activities.

AGENDA ITEM 73: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued)

- (a) REPORT OF THE COMMISSIONER-GENERAL (continued) (A/38/13)
- (b) REPORT OF THE WORKING GROUP ON THE FINANCING OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (continued) (A/38/558)
- (c) REPORT OF THE UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE (continued) (A/38/397)
- (d) REPORT OF THE JOINT INSPECTION UNIT (continued) (A/38/143)
- (e) REPORTS OF THE SECRETARY-GENERAL (continued) (A/38/149, 361 and Add.1, 382, 386, 418, 419 and 420)

28. Mr. CHOWDHURY (Bangladesh) said that he noted with sadness that the situation of the Palestine refugees had further deteriorated, owing to the repressive measures taken by the Israeli occupation authorities. He was also gravely concerned by the serious threat posed by the Israeli invasion of Lebanon to the services provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to thousands of refugees. While his delegation valued highly the work being done by UNRWA for the Palestine refugees, it fervently wished that a just and lasting solution of the Palestine problem would put an end

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(Mr. Chowdhury, Bangladesh)

to it. The international community could no longer afford to disregard such a situation and must confront not only the humanitarian needs of the refugees but also their political aspirations.

29. Referring to the report of the Commissioner-General of UNRWA (A/38/13), Bangladesh noted with concern that, according to the assessment of the Commissioner-General, the most serious problem for the Palestine refugees, especially in Beirut and south Lebanon, was that of personal security. It was deplorable that killings and acts of intimidation and violence were still being visited upon the Palestinians, even after the massacre of hundreds of civilians in Sabra and Shatila. Because UNRWA had neither the physical nor the legal means to ensure the safety of the refugees, the responsibility for the physical and legal protection of the civilian population should lie with the United Nations, and with the Secretary-General in particular.

30. His delegation was greatly perturbed by the continuous disruption of the operations of UNRWA in the occupied territories of the West Bank and the Gaza Strip, and particularly by the violations of the formal agreement governing the discharge there by UNRWA of the mandate entrusted to it by the General Assembly. It was simply outrageous that UNRWA staff members should be under detention by the Israeli authorities.

31. The relief efforts of UNRWA for the Palestine refugees during the period under review had been commendable. Bangladesh supported the intention of UNRWA to continue to provide emergency assistance to some 185,000 refugees, of whom about 30,000 were completely destitute, and it urged Member States to respond to the appeal made by the Commissioner-General in June 1983 for \$13 million to cover the cost of an initial phase of emergency reconstruction of UNRWA installations, camp infrastructure and refugee housing. It noted with concern that the general distribution of foodstuffs to eligible refugees had been suspended in September 1982 in all areas, with the exception of Lebanon and believed that if it had been absolutely necessary to take such a step in order to divert resources to programmes with higher priority, the suspension of such a basic and long established service should have been gradual. He hoped that UNRWA would soon be able to resume the ration programme. The issuance of new individual registration cards to all Palestine refugees was undoubtedly an improvement over the old system where a single card had been issued to each family. Distribution of the new cards should be completed as soon as possible and preferably by the end of the first quarter of 1984.

32. His delegation recognized the crucial value of the education and training programmes for Palestine refugees and believed that the Agency's services in those fields should continue and expand, for the UNRWA schools and vocational and technical training centres were helping refugees to prepare for their future as citizens of an independent nation.

33. With regard to the financial situation of UNRWA, although it was encouraging to note that in 1983 the Agency had not faced the kind of financial crisis which had in the past threatened its educational programmes, the report of the Working

(Mr. Chowdhury, Bangladesh)

Group on the Financing of UNRWA showed that UNRWA income in 1983 had actually decreased by \$16 million despite sizeable conversions of contributions in kind to cash. His delegation believed that, with the support and combined efforts of the international community, UNRWA would be able to mobilize the \$233 million required for its regular programmes for 1984. In that connection, Bangladesh strongly supported the recommendations of the Working Group relating to resource mobilization for UNRWA.

34. In its report (A/38/143), the Joint Inspection Unit had recommended that the General Assembly should review the possibility of placing the Agency's liability for separation benefits on the United Nations regular budget. According to the Commissioner-General of UNRWA, that idea would be of material assistance to the Agency and involve little risk to the United Nations and no additional outlay by Member States.

35. His delegation believed that the prolonged absence of UNRWA headquarters from its area of operations had weakened confidence in that Agency's ability to maintain its programme level and that the headquarters should be relocated to its former site, Beirut.

36. Bangladesh had already made known its position regarding the Palestinian refugees displaced since 1967. The Israeli authorities should desist from their policy of deporting refugees and destroying their homes. The refugees were entitled to the income derived from their property which was now in occupied areas and to compensation for the destruction of that property. His delegation also supported the establishment at Jerusalem, under the aegis of the United Nations, of a university to cater to the needs of Palestine refugees in the area.

37. The only way to alleviate the plight of the Palestine refugees was to achieve a comprehensive, just and lasting peace in the Middle East. The Palestine question would be solved when the Palestinian people could exercise their inalienable right to self-determination, including the right to establish a State of their own in their homeland. The main obstacle to political solution was Israel's intransigence and aggressive and expansionist policies. The United Nations must act without delay to restore the inalienable rights of the Palestinian people.

38. Since the relief, health and education services provided by UNRWA helped the Palestine refugees maintain their separate identity and contributed towards the establishment of peace and stability in the area, those services should be pursued until a just and durable solution to the Palestinian question had been found.

39. Mr. JAMAL (Qatar) said that the report of the Commissioner-General of UNRWA (A/38/13) confirmed that the Middle East problem was rooted in the plundering of Palestinian lands in 1948, the uprooting of the Palestinians by Zionist terror and the failure to implement United Nations resolutions affirming the right of the Palestinian people to self-determination and to create their own State.

40. It was likewise clear from the Commissioner-General's report that the situation of the Palestine refugees was becoming increasingly difficult. Israeli

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(Mr. Jamal, Qatar)

aggression had become so violent that it now even involved the division of Palestinian families by the murder or imprisonment of heads of households or the dynamiting of houses to get rid of whole families. The violence had reached its culmination with the massacres at Sabra and Shatila, which had been committed at the instigation and with complicity of Israeli leaders and their military command.

41. The refugee problem had begun in 1948. At that time, the Palestine refugees had numbered around half a million. There were now nearly two million of them. That increase was the result of the intensification of savage military campaigns launched by the Israeli occupying forces in the West Bank, the Gaza Strip, Lebanon and the Golan Heights, inter alia. The Commissioner-General's report detailed the heavy damage inflicted on the houses of refugees in camps in south Lebanon and Beirut, as well as on the homes of those who lived outside the camps.

42. The Commissioner-General's report dealt with the personal security of the Palestine refugees, which he saw as one of the major problems, especially in Beirut and south Lebanon. The number of killings had increased and many Palestinians living outside the camps had been forced under threat to abandon their homes. He would have preferred the report to be more specific and to ascribe the responsibility for that situation to the Israeli occupying forces, for the practices in question were similar to those used by Jewish terrorist organizations in the West Bank, and the international community was well aware that they were an integral part of the Sharon plan, which was aimed at the annihilation of every last Palestinian and the definitive annexation of the occupied Arab territories.

43. The situation in the occupied territories, especially in the West Bank, where the Israeli authorities were continually reinforcing their settlements, was extremely disturbing and had led to clashes between the Palestinians and the occupying authorities. He could not agree with the Commissioner-General's view that the expression of Palestinian anger was the main cause of the repressive measures taken by the occupying authorities. In fact, those disturbances were, in most cases, a spontaneous reaction to the terrorism of armed Jewish groups and to the barbaric and arbitrary steps taken by the occupying authorities. The expansionist policy and terror imposed in the occupied territories were the source of the unrest of a people which was seeing itself gradually deprived of its ancestral land. Just recently, Associated Press had reported that the Israeli border police had killed two young Palestinians accused of having thrown rocks at Israelis. And that was not all: innocent children had been killed, students arrested and a curfew imposed in the camp at Tulkarm. Those were merely a few examples of the crimes committed by the Israelis in the West Bank and in the other occupied Arab territories.

44. The deterioration of the Agency's financial situation had led it to interrupt certain basic services and even education programmes, which were, however, essential for the refugees. The removal of its headquarters from the theatre of operations had likewise contributed to its financial decline and had weakened confidence in its ability to meet the basic needs of Palestine refugees. Its

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(Mr. Jamal, Qatar)

financing was unstable, because it depended on voluntary contributions. Moreover, during the invasion of Lebanon, even UNRWA facilities had been attacked and some of its staff imprisoned.

45. His delegation believed that the only way to overcome the financial crisis was to provide UNRWA with stable resources - in other words, to cover its expenses out of the United Nations regular budget, while retaining the system of voluntary contributions. The final settlement of all the problems depended on the implementation of the relevant United Nations resolutions, especially General Assembly resolution 194 (III), which proclaimed one of the fundamental rights of the Palestinians - the right to return to their homes.

46. Mr. ABDEL-RAHMAN (Sudan) said that the reports submitted under the agenda item being discussed revealed the atrocities to which the Palestinian people were being subjected. When UNRWA had been established, the Palestine refugees had numbered half a million; UNRWA currently had to deal with approximately two million of them. For over 30 years, the Committee had discussed the report of the Commissioner-General annually, but no progress had been made in the implementation of resolution 194 (III). In its report (A/38/397), the United Nations Conciliation Commission for Palestine had pointed to the unfortunate circumstances which had prevented it from carrying out its mandate and ensuring that General Assembly resolutions were respected.

47. The refusal of the Palestinian people to submit to the loss of their national identity and their homeland would continue to be an immutable challenge. The Palestinians had been deprived of their national rights by the Zionists, who continued to deny their existence as a people. The fact remained that none of the Palestinians who had been evicted, displaced or uprooted had ever left his homeland voluntarily.

48. When, in 1949, the Agency had been established as a temporary body, the General Assembly had expected that the refugee and other Arab-Israeli problems could soon be solved. The international community had not at that time been in a position to grasp Israel's grand design. It must now therefore address itself to a policy which, simply expressed, means forcing the Palestinians to flee and denying them the right to return, a policy perpetuated by two overlapping tendencies: the physical annihilation or exile of Palestinians by the Israel vultures and hawks, and the creation in Israel itself of a system of exploitation similar to the apartheid régime in South Africa.

49. With regard to the Agency's operations, his delegation commended its activities in the fields of health and of general and higher education, and expressed its gratitude to the contributors to UNRWA. On the question of the establishment of a university at El Quds, his delegation reminded the Committee that the university was to serve exclusively for the higher education of the Palestinian refugees under the auspices of the United Nations.

50. Mr. TARASOV (Union of Soviet Socialist Republics) said that the restoration of the inalienable rights of the Palestinian people was at the core of the Middle East problem. The numerous resolutions on the question adopted by the United Nations constituted the legal framework within which all aspects of the problem, including that of the refugees, could be settled. Once the Palestinians could exercise their inalienable right to establish their own independent State, the refugee problem would no longer exist. That problem was the direct result of the expansionist policy followed over the years by Israel at the expense of the Arab peoples, particularly the Palestinians, whose living conditions it sought to undermine by plundering their land and resources, suppressing their national culture, disrupting their health services, and so on, in other words, by creating conditions calculated to make them flee. Israeli soldiers had shown unbelievable cruelty during the occupation of Lebanon. The Sabra and Shatila massacres had tragically brought home the fact that the Palestinians were deprived even of the right to life and security. Moreover, the Israeli occupiers were detaining in the Ansar camp hundreds of UNRWA staff, thereby defying the United Nations.

51. The Soviet Union continually called for the implementation of General Assembly resolutions, in particular its resolution 194 (III) of 11 December 1948, which provided for the right of the Palestinians to return to their homes and for compensation to those choosing not to do so.

52. The Soviet Union did not approve of the proposal that UNRWA costs should be covered by the United Nations regular budget, since those costs should be borne by Israel, which had created the problem, and by those who, by supporting the aggressor, were helping to perpetuate the present state of affairs. It emerged from the report of the Commissioner-General and from the statements of various delegations that not only was Israel doing nothing for the relief of the refugees but was, on the contrary, endeavouring to pave the way for a definitive annexation of Palestinian territory.

53. The Soviet Union, although not contributing to the UNRWA budget, participated in the financing of various programmes implemented by the specialized agencies of the United Nations and of UNRWA expenditure on international staff. It also provided considerable bilateral assistance to the Palestinians.

54. Mr. LEVIN (Israel), speaking in exercise of the right of reply, asked who were the real aggressors against the Palestine refugees. Those truly responsible were the Arab leaders themselves, who for 25 years had opposed any solution to the tragic problem of the Palestine refugees and who were manipulating the refugees as pawns in the bloody struggles they were waging in northern Lebanon. If no one spoke of the victims of such wars, it was apparently because they were of interest to no one as long as Israel could not be implicated.

55. To solve the refugee problem, the Arab leaders must try to understand their desperate situation and co-operate in seeking an equitable solution. It was time for them to stop shedding crocodile tears and indulging in rhetoric; it was time to act.

(Mr. Levin, Israel)

56. As to the statement of the representative of the Soviet Union, he was surprised that the latter, so ready to denounce aggressive belligerents, never spoke of the situation in Afghanistan or of the Afghan refugee problem caused by Soviet aggression. Nevertheless, everyone knew that on the borders of that country massacres and shootings daily made new victims among the three million refugees, whose numbers were continually increasing.

57. Mr. HAMADNEH (Jordan), speaking in exercise of the right of reply, observed that the representative of Israel was once more accusing the Arab leaders of being responsible for the Palestine refugee problem and for the situation in northern Lebanon. He did not, however, mention the situation of the refugees on the West Bank or speak of their sufferings and of the curfew imposed on them.

58. If the representative of Israel sincerely wished to settle the question, he should turn to his Government and advise it to implement, and scrupulously to respect, the relevant United Nations resolutions, which would suffice to settle all the problems of Palestine, including the refugee problem.

59. Mr. MANSOR (Observer, Palestine Liberation Organization) said that the representative of Israel had put an important question by asking who was the real aggressor against the Palestinians. It was obvious that it was Israel itself which was the aggressor against the Palestinian people and that, to solve the problem of the Palestine refugees, it would be enough for Israel to implement General Assembly resolution 194 (III), which asked, Israel to allow the Palestine refugees to return to their homes, as well as the other relevant United Nations resolutions.

60. Mr. LEVIN (Israel), speaking in exercise of the right of reply, referred to the recent events to which the representative of Jordan had alluded, and quoted the views expressed by the mayor of Tulkarem on Israeli television. When asked to explain the reasons for the agitation in his town, he had replied that the population, seeing itself under attack by the Syrians in the north and being unable to do anything in Syria, had had no other means of venting its anger against the Syrians than to demonstrate in the streets of the town.

61. Mr. ABOUCHAER (Syrian Arab Republic), speaking in exercise of the right of reply, said that, in order to determine who was the true aggressor against the Palestinian people, it was enough to refer to the annals of the Zionist movement, which proved, by the number of acts of terrorism, collective assassinations and murders perpetrated against the Palestinian people and the Arab people as a whole, that terrorism was indeed the weapon of Zionist ideology.

62. Quoting various statements by Zionist leaders and theoreticians, he pointed out that, from its very beginnings, the movement had always aimed at driving the Arabs of Palestine and Jordan into the desert by recourse to force, military occupation and expropriations, and at deporting them to other Arab States in order to establish a Jewish State or territory where there would remain not a single Arab village. The present leaders of the Zionist entity pursued that same policy and employed terrorism to serve their expansionist aims.

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63. Mr. HAMADNEH (Jordan), speaking in exercise of the right of reply, pointed out that, when Israeli television had asked the mayor of Tulkarem why demonstrators were throwing stones at Israeli soldiers if they were angry at the Syrians, he had replied that it was because the Israeli soldiers were the true cause of all their misfortunes.

64. Mr. NAZARI (Islamic Republic of Iran), speaking in exercise of the right of reply, said that it was easy to establish today who was the aggressor and who was the victim of aggression in the Middle East. All the illegal entity occupying Palestine and its allies had so far done was to present the problem of Palestine as a refugee problem which had been included in the agenda of the United Nations for some 38 years, while preventing the Palestinian people from exercising its inalienable rights. He strongly hoped that the Palestinian people would continue its struggle for liberation and accede to independence.

The meeting rose at 12.50 p.m.