UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

Distr.
GENERAL

E/CN.4/1984/SR.4
13 February 1984

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Fortieth session

SUMMARY RECORD OF THE 4TH MEETING

Held at the Palais des Nations, Geneva, on Wednesday, 8 February 1984, at 3 p.m.

Chairman: Mr. Kooijmans (Netherlands)

CONTENTS

Question of the violation of human rights in the occupied Arab territories, including Palestine (continued)

The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.84-15192

The meeting was called to order at 3.15 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1984/2, 6, 9 and 51)

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (continued) (E/CN.4/1984/15 and 16)

1. Mr. KHMEL (Ukrainian Soviet Socialist Republic) said that, as a result of Israel's behaviour in the Middle East, human rights violations there had exceeded all bounds - legal and moral - and amounted to crimes against humanity and international peace. Israel not only disregarded the international community's call to end its criminal acts but was increasing them. It shamelessly sought to prevent the Commission from considering the question of self-determination of the Arab population of Palestine, and to widen and perpetuate its hold on the entire Middle East. Its continuing expansionist plans in the occupied Arab territories included attempts to distort the latter's traditional social and ethnic patterns.

2. Lebanon was a recent victim of Israeli aggression. On 6 October 1983, more than one year after Israel's occupation of Lebanon, The Washington Post had noted that Israel's policy was based on the belief that Lebanon would remain a country divided into ethnic enclaves and spheres of foreign influence, with a powerless Government; Israel's designs thus appeared ominous even to its well-wishers in the United States.

3. Israel, despite the world community's condemnation, had made it clear all along that its deeds were but steps towards a goal. Its first Prime Minister, Mr. Ben-Gurion, had declared that the State of Israel was not an end in itself but a step towards zionism. As early as 1948 he had said that Israel could not be contained within its current boundaries; since then, Israel had unleashed five large-scale wars and seized more territory, pursuant to Zionist dreams of a "Greater Israel" from the Nile to the Euphrates.

4. Furthermore, in December 1982 the Israeli Minister of Defence had stated that Israel's strategic interests should extend not only throughout the Middle East but even to countries such as Turkey, Iran and Pakistan, to the Persian Gulf and to northern and central Africa. Such ideas, wild as they seemed, could not be disregarded. The notion of Israel as a Zionist State meant not simply that the State was influenced by zionism, a form of racism; Israel was now involved in international zionism through the International Zionist Organization, recognized by the Knesset in 1952. Pursuant to a covenant of 1954, that organization had been given governmental status and the State of Israel had been deemed an entity of the entire Jewish nation, thus becoming a means to serve the deluded aims of zionism in pursuit of a "Greater Israel". Such an unprecedented relationship violated international law and was based on false premises. The Zionist concept of a world-wide Jewish nation was absurd, and the idea that a nation could consist only of persons whose natural mothers practised a certain faith was not only racist, but unscientific and nonsensical. Zionism, in proclaiming such aims, resembled imperialism. It had emerged at the turn of the century, at a time when the capitalist system was intensifying colonial exploitation in a climate of "imperialist fervour", had influenced

many movements, and had inspired the efforts of bourgeois circles of Jewish origin in a number of countries - efforts which were still being pursued. Thus the imperialist forces of the capitalist bourgeoisie of Jewish origin were able to use Israel as an instrument of world-wide imperialism.

5. The United States gave particular encouragement to such activities. Its assistance to Israel had amounted to over $US 25.6 billion between 1948 and 1983 - one tenth of its entire foreign aid during the period; two thirds of that amount had been for military purposes. In 1983 the United States had provided some $US 2.5 billion in budgetary resources, and for the current financial year it had earmarked $US 2.6 billion, including $US 1.7 billion in military credits - of which half was as usual non-repayable. Without such assistance, Israel would long since have been bankrupt or forced to abandon its aggressive and Zionist delusions. So long as such assistance was forthcoming, Israel's aggression would continue. Professor Quandt of the University of Pennsylvania, a former head of the Near East Bureau of the United States National Security Council, had written that the United States would have had to feel more than moral obligation, or pressure from 2 per cent of its population, to have provided military and economic assistance of such magnitude to Israel. The chief reasons were those of regional strategy; Israel's force could be used, in the last resort, to protect United States interests, provide bases for United States military operations and serve as an anti-Soviet bastion.

6. Israel's role in United States and Zionist imperialist plans was in fact embodied in the so-called memorandum on mutual understanding in the field of strategic co-operation signed by the United States and Israel on 30 November 1981. The aims of such strategic co-operation had been evinced by the joint military actions of the Israeli aggressors and marines of the United States Sixth Fleet in long-suffering Lebanon.

7. Israel had become a smouldering hotbed of war, with tragic consequences, because of its attachment to zionism and the racist concepts of "chosen race" and "promised land", and despite disillusionment about growing inflation, unemployment, crime and other adverse effects of its policies. One inhuman aspect of those policies was the treatment meted out to the peoples of the occupied Arab territories, who were regarded as non-persons and slaves, deprived of rights in their own homeland. Israel, while denying those peoples their fundamental rights and freedoms, was seeking to colonize those territories with Jewish settlements in an attempt to change the social structure. Israel was thus becoming a Fascist totalitarian State and a growing threat to peace and democracy.

8. In his delegation's view, the Commission should condemn the Zionism regime of Israel, and its supporters and protectors. The world community, including the Commission, had the noble task of upholding the right of the Arab population of Palestine to self-determination, freedom and independence.

9. Mr. BARAKAT (Jordan) said that the situation in the Middle East was becoming increasingly unstable; the violation of human rights in the occupied Arab territories, including Palestine, continued to be a matter of the utmost gravity. Unfortunately, no way had been found to reduce the tension in the Middle East or to alleviate the tragic situation of the Palestinian people. King Hussein, addressing the European Parliament at Strasbourg on 15 December 1983, had outlined the various political factors which had prevented any solution from being reached. They included the failure to settle the problem of Palestine and the threats to social stability in neighbouring countries, one example being the

almost complete collapse of Lebanon's infrastructure. He had mentioned Jordan's constant efforts to support all peace initiatives, such as its collaboration in the drafting of Security Council resolution 242 (1967), its support for the joint declaration by the United States and the Soviet Union in 1977, and its recognition of the role played by the participants in the Western Summit at Venice in 1980. Jordan had also supported the Soviet Union's call for an international conference on the Middle East, to be attended by all parties concerned, including the PLO as the Palestinian people's sole legitimate representative. Jordan had played a positive role during the Arab Summit Conference at Fez in 1983, and had noted the initiative taken by the President of the United States, which was based on Security Council resolutions 242 (1967) and 338 (1973).

10. The documents before the Commission, and the work of the Special Committee, showed that Israel's leaders were conducting a deliberately expansionist policy in the occupied Arab territories. Settlements were being established apace, land had been confiscated, schools and universities had been closed, instances of assault and arbitrary arrest were commonplace, shrines were desecrated, and many other human rights were being violated. The details were confirmed by information from Israeli sources and the victims themselves.

11. The Director of the Centre for Human Rights, in his preliminary report, had referred to the right to life, which was being violated in the occupied Arab territories because of Israel's policy of killing and expulsion. The occupying military forces even acquiesced in armed attacks by settlers against local Arab populations. An article in the Christian Science Monitor of 7 January 1984, referring to a study commissioned by the Department for Middle East Studies of Harvard University, had noted the view of some of Israel's military leaders that Palestinian nationalism could be overwhelmed by intensive settlement of the West Bank; they encouraged settlers to take up arms and do their own policing, as a time-honoured Zionist policy of territorial self-defence. Provocative acts by settlers against the local Arab population were condoned. And the expansionist policies of the "Gush Emunim" (Bloc of the Faithful) movement, which adhered to the concept of a "Greater Israel", were continually supported. The Israeli newspaper Haaretz had recently accused the Israeli Government of savagely repressing the Arab population in the occupied territories, stating that, as a result of military directives, more Arabs, including children, had been killed than in all the occupied territories since the 1967 war.

12. The Commission had heard the observer for Israel defend his own Zionist beliefs, but the Commission was concerned with practices. The United Nations, it should be recalled, had recognized zionism as a form of racism. An article in the National Geographic magazine of February 1984 had described the attitude prevailing among Israeli settlers in the territory of the West Bank; they were taught that they were fulfilling a divine prophecy and that it was their religious duty to populate those lands.

13. The observer for Israel had said that the late King Hussein ben Ali had extended a welcome to Jews in Palestine, but Arab historical records did not corroborate that claim. However, Jews had co-existed with Arabs there in complete harmony until the emergence of zionism, since when the guests had sought to oust the hosts. The indigenous population was now being harassed and terrorized by settlers. As a result of Israel's policies, some 50 per cent of West Bank territory had been confiscated for the use of 20,000 settlers. Israel's moves to alter the territory's demographic and geographic character included plans for a Mediterranean-Dead Sea canal, which Israel proposed to construct against the international community's wishes, as expressed through United Nations resolutions.

14. The Commission must assume its responsibilities and the appalling human rights situation in the occupied territories must be brought to an end. All peoples should enjoy the right to self-determination, regardless of their circumstances. Jordan would vote in favour of all resolutions supporting that right.

15. Mr. BODDENS-HOSANG (Netherlands) said that the States members of the European Communities attached great importance to respect for human rights in the occupied Arab territories and elsewhere, as well as to the need to achieve a just and comprehensive peace settlement which would provide for an Israeli withdrawal. Until such a settlement was reached, Israel's occupation of Arab territories would continue to have sad consequences for their inhabitants.

16. Nevertheless, much could be done to improve their lot. There was, for example, no justification for the de facto Israeli annexation of East Jerusalem and the Golan Heights. Those acts of annexation were contrary to international law, and were therefore null and void. Moreover, the Netherlands firmly objected to the Israeli settlements policy in the occupied territories, which contravened the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

17. The acts of annexation and the settlements policy also seriously undermined efforts to reach any understanding between the parties concerned. Much of the tension and ensuing repression in the occupied territories were a result of the settlements policy. For example, the recent expansion of Israeli settlements into the centre of the city of Hebron had led to several killings, which his Government condemned. Those responsible should be brought to justice.

18. Prompt and thorough investigations of such crimes, leading to the trial of the perpetrators, were essential to the sense of safety of the population of the occupied territories. Many examples of high-handedness by Israeli settlers had led the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories to conclude that there was a marked double-standard of justice, one aimed at the civilian Arab population, characterized by harshness and arbitrariness, and another aimed at the Israeli settlers, characterized by connivance and permissiveness. It was gratifying, however, that democratic institutions in Israel permitted dissenting opinions and facilitated frank discussion of the issue of human rights in the occupied territories.

19. His Government was concerned about the reported cases of collective punishment imposed by Israel in the occupied territories, which meant that many had to suffer for the crimes of certain individuals. In 1983 there had been demolitions of houses, temporary closures of educational institutions, and curfews, sometimes imposed for futile reasons. His delegation agreed with the findings of the Special Committee to Investigate Israeli Practices that the human rights situation in the occupied territories was deteriorating still further.

20. Ms. DERMENDJIEVA (Bulgaria) said that the situation in the occupied territories had persisted for more than three decades, despite the efforts of a majority of States Members of the United Nations to bring it to an end. Flagrant mass violations of human rights, including overt genocide and denial of the right to self-determination, had become a constant companion of those living under Israeli occupation. The situation had been deteriorating for years, while Israel had been intensifying its expansionist, aggressive and inhuman policies. At the

same time, Israel's closest allies had proclaimed their commitment to peace while doing all they could to encourage war, which corresponded to their perception of their interests in the region.

21. Such co-ordinated policies on the part of Israel and its supporters had resulted in the occupation of a considerable part of Lebanon and the horror of Sabra and Chatila, and were even now causing further death and destruction with dramatic implications for international peace and security and human rights.

22. The Special Committee to Investigate Israeli Practices had concluded that there had been a further deterioration in the human rights situation of the civilian population. It should be recalled that the situation had, in any event, been extremely grave as a result of Israel's illegal occupation of vast Arab territories and its efforts to change the legal status, geographical nature and demographic composition of those territories.

23. For years the population of the territories had been subjected to expulsion collective punishment, mass arrest, detention, ill-treatment and torture. Confiscation of Arab property, destruction of houses and illegal exploitation of natural resources and people were also an integral part of Israeli policy.

24. The international community had, on various occasions, stressed that the Middle East crisis could be resolved only through recognition by Israel of the right of the Palestinian people to self-determination, including the establishment of their own State, complete withdrawal by Israel from all the occupied territories and the immediate cessation of its aggressive policies. Only thus could international peace and security be restored and a radical improvement made in the human rights situation in the region. The International Conference on the Question of Palestine, held in 1983, had made a positive contribution in that regard. Her delegation welcome the General Assembly's call, in resolution 38/58 C, for an International Peace Conference on the Middle East, with participation by all the parties concerned, including the PLO as the legitimate representative of the Palestinian people.

25. The Commission on Human Rights had, in resolution 1983/1 A, requested the Secretary-General to draw the attention of the General Assembly to the conclusions of the 1982 seminar on violations of human rights in the Palestinian and other Arab territories occupied by Israel. The seminar had concluded, inter alia, that in the course of its invasion of Lebanon, Israel had committed acts which, in the view of most participants, fell within the definitions of war crimes, the crime of genocide and crimes against humanity. The seminar had also recommended that all States Members of the United Nations should be made to realize that, by providing political, military and economic assistance to Israel, they were preventing the implementation of United Nations resolutions on the question of Palestine and encouraging Israel to pursue a policy of aggression, occupation and violation of human rights.

26. It seemed that some Member States had failed to grasp that fact. The subsequent seminar held in 1983 had stated that the inability of the United Nations to resolve the problem of Palestine had been traced to Israel's gross violations of its resolutions and of international law and conventions. Israel had been able to persist in its defiance since it enjoyed the support of the United States, whose complicity could not be masked by its professions of peace.

27. A comprehensive, just and lasting solution of the problem could be achieved only through the restoration to the Palestinian people of their inalienable right to self-determination and independence and the establishment of their own sovereign State, as well as Israel's total and unconditional withdrawal from all the occupied Arab territories, including Jerusalem. The Commission should concentrate its efforts on achieving those goals, in order to put an end to one of the gravest human rights situations in the world.

28. Mr. SKALLI (Observer for Morocco) said that the volatile situation in the Middle East was a constant threat to international peace and security. For more than 36 years, the Palestinian people had been denied their fundamental rights, in particular their right to self-determination, by the Israeli Government, which even refused to recognize the existence of a Palestinian entity. However, the United Nations had repeatedly reaffirmed in its resolutions the right of the Palestinian people to achieve self-determination and to establish an independent State within their national territory. It was generally agreed within the international community that the Palestinian question was the central issue in the Middle East and that if a speedy solution was not found tension would increase, posing an even greater threat to peace.

29. Over the previous year the Israeli authorities had continued their policy of oppressing the Arab people while expanding their colonization of Arab territories. In so doing, Israel was in flagrant breach of international law.

30. In its report to the General Assembly, the Special Committee to Investigate Israeli Practices had provided an impressive list of acts of intimidation and repression by the Israeli civil and military authorities, and by private individuals. Such incidents included lengthy curfews, the demolition of houses and various other reprisals. A former Chief of the Israeli General Staff had admitted giving instructions to security forces to harass suspects. The authorities had concentrated their efforts over the past year on educational institutions. Several teachers had been expelled because they had refused to sign a document condemning the PLO. The situation had worsened with incidents in which students had been killed and wounded and schoolgirls poisoned.

31. The Israeli Government was increasing its faits accomplis in the occupied Arab territories with the aim of bringing about an irreversible situation which would make it extremely difficult or impossible to return the territories. The Israelis spoke not of annexation but of liberation, thus revealing the pernicious nature of the doctrine underlying their actions. It had even been claimed in the Knesset that the territories in question were genuinely part of Israel.

32. The Israeli Government was tightening its grip on the territories through intensive colonization. The same procedure was always followed. Arab lands were confiscated on the pretext of security and subsequently redistributed to Jewish settlers. Jewish settlements were deliberately established round Arab towns and villages in the form of cordons to prevent their expansion. Water resources were diverted to the settlements, thus depriving Arab farmers of any chance of pursuing their normal activities. Jewish settlers, with the connivance of the Israeli authorities, had weapons, which they frequently used to sow terror among the Arab people. Acts of violence occurred almost daily. The Israeli authorities went through the motions of carrying out investigations, but the latter never reached a conclusion.

33. The Special Committee had noted in its report that unprecedented violence and acts of aggression had been perpetrated by settlers to the detriment of civilians in the occupied territories, but had gone unpunished. The Special Committee had concluded that the measures taken by the occupation authorities clearly reflected their policy of expulsion.

34. The International Conference on the Question of Palestine, held in 1983, represented a landmark in bringing the Palestinian problem to the attention of the international community. It had given renewed impetus to the quest for peace. The Conference had adopted the Geneva Declaration on Palestine, which proposed a series of guidelines offering a basis for a solution. The Conference had proposed a specific method of implementing them: the convening of an International Peace Conference on the Middle East, with a view to finding a comprehensive, just and lasting solution to the Arab-Israeli conflict. The key element would be the establishment of an independent Palestinian State in Palestine. The Conference would be convened under United Nations auspices, and all parties to the conflict would participate on an equal basis.

35. Participants in the recent Arab Summit Conference in Morocco had reaffirmed their support for the struggle of the Palestinian people to regain their national rights, particularly their right to self-determination and to form a State under the leadership of the PLO, their sole legitimate representative. The countries represented at the Summit had also formally endorsed the Arab Peace Plan.

36. The suffering of the Palestinian people could not continue indefinitely. The world could not remain indifferent to the arrogance of a State which systematically violated international law and United Nations resolutions. The Commission and indeed the international community should adopt a firm approach to meet the challenge posed by Israel.

37. Mr. DOWEK (Observer for Israel) said it was no coincidence that agenda items 4 and 9 had again been singled out for joint discussion. The aim of that diplomatic exercise, pursued at the prompting of certain delegations, was to compel the Commission to embark on a political discussion going far beyond its mandate in the field of human rights and to endorse political stands and opinions serving the military, diplomatic and propaganda warfare relentlessly waged against his country since its inception. His delegation vigorously protested against that dubious procedure and refused to participate passively in it. His delegation would therefore address itself separately to items 4 and 9. That would not place a special burden on the Commission, which had as usual decided to allocate two full weeks to matters supposedly linked with his country and four weeks to all the other agenda items covering the situation of human rights and minorities throughout the world, as well as crucial conventions and declarations, reports of sub-commissions, and the adoption of appropriate steps and remedies.

38. Even in the most retrograde judiciary system, the common legal procedure was to consider the accused person innocent until his guilt had been duly proven before an impartial court, independent of political pressures, and presided over by judges of unquestionable integrity, who made their rulings according to universally applicable laws and standards. The Commission appeared to make no pretence of observing those basic principles when it came to dealing with the Jewish State, and to feel no need to keep even the outward appearance of objectivity or fair play. The very wording of item 4 made it clear that judgement had already been passed. Moreover, three countries - Senegal, Sri Lanka and Yugoslavia, which had no diplomatic relations with Israel and whose hands were far from clean, had been chosen to conduct a sham investigation designed to

provide an excuse for an onslaught on his country. It was understandable that those countries found it more rewarding to scrutinize Israel's deeds or supposed misdeeds than to examine the tragic situation of the Casamance Diola minority in Senegal, the Tamil minority in Sri Lanka or the Albanian minority in Yugoslavia, for example. His delegation did not intend, however, to disregard the Special Committee's ritualistic annual report, even though it formed the usual starting-point for the scandalous defamation of his country in various international organizations and agencies.

39. The sources of information used by the Special Committee - Amman, Damascus, PLO terrorists, Palestinian "representatives", hearsay witnesses and Arab press reports - were as objective as the investigators themselves. The Committee had seen nothing for itself. It had never been able to visit Israel or hear comments or explanations from Israeli representatives, since Israel had simply refused to lend itself to a sham investigation whose conclusions were predetermined by the composition of the Committee itself and the wording of its terms of reference.

40. Israel had nothing to hide. It made no attempt to draw an iron curtain behind which it could freely perpetrate evil designs, as some countries did. On the contrary, it had always been and would continue to be completely open to the world. Diplomatic representatives and international press correspondents had free access everywhere, the International Red Cross fulfilled its duties with the utmost freedom and the fullest co-operation of the Israeli authorities, and investigating teams commissioned by WHO, ILO, UNESCO, the Secretary-General of the United Nations, international jurists, human rights organizations and Churches were all welcomed and given complete freedom of action. More than 1 million tourists, including about 300,000 Arab tourists, visited the country annually. Even Special Committee members could apply for a visa and visit Israel in a private capacity whenever and as often as they wished. The Committee as such was banned only because Israel had the right and the duty to resist bias and double standards and to call world attention to unacceptable manipulation. Impartial investigators would long ago have resigned their commission, but not so the three members of the Committee, who considered it convenient to aid diplomatic and propaganda warfare against Israel and thus gain the sympathy and support of the powerful forces behind the scenes.

41. Recent years had witnessed a growing reliance on the Israeli press and Israeli-sponsored investigations, publications and declarations in order to give more credibility and respectability to the Special Committee's so-called findings, but only passages that conveniently served the purposes of the Committee were quoted. Everything favourable was ignored or discarded, incomplete information was presented as the full truth, conflicting reports were overlooked, extracts of documents were distorted or misused, and statements were quoted out of context. His delegation was nevertheless gratified that the Committee used Israeli or Jewish sources to substantiate its case, since that proved that Israel was an open, free and democratic society where the most delicate issues could be publicly debated, that everyone had free access to the media and that there was no censorship or manipulation. Above all, it showed clearly that the standards of his Government and people were those of the free world and that his country was determined to correct any misdeeds or human errors that might occur in consequence of the protracted conflict and of the indiscriminate means resorted to by those who had pledged themselves to destroy Israel and its people.

42. His delegation was also gratified to see that the report of the Special Committee had not accused Israel, as did some speakers in the Commission, of genocide, massacre, massive deportation, expropriation, disappearances, systematic torture or similar evils. The Committee's sources of information in Damascus or Amman would no doubt have been delighted to provide so-called first-hand evidence of such acts but for the fear of ridicule or the loss of any alleged credibility or objectivity that might be given to the slanderous accusations in the report.

43. In describing the real situation and the true practices of the Israeli authorities towards the Arab population, he would not try to depict an idealistic image or to conceal difficulties and problems, but he would strive to give as accurate, concise and documented a picture as possible. He would not deny that there were political implications, national frustrations or foreign manipulations which might have repercussions on daily life, or that a comprehensive settlement must cover the political, as well as the human, side of the problem. In that respect, his Government and the Government of the Arab Republic of Egypt had taken constructive steps in the Camp David accords, specifically for the purpose of promoting comprehensive peace in the Middle East.

44. Since political considerations and topics were beyond the scope of the Commission's mandate, he would confine his comments on agenda item 9 to those aspects of life which, in any society, determined the level of well-being of its individuals and of society as a whole: work, the economy, development, housing, health, education, social services, basic freedoms and the rule of law. He would deal separately with each of those aspects in relation to Judaea, Samaria and Gaza, so as to give an over-all picture of the true situation, which was a source of inspiration and pride for his country. He did not intend to rely on information from Israeli governmental or private sources, since he did not wish to be taxed with subjectivity; he would rely exclusively on the annual reports of the many investigating committees created at the prompting of those who strove to defame and malign his country. Although far from free of bias and political pressures, those reports contained factual information that could not be overlooked or concealed.

45. The report of the Director-General of ILO for 1983 showed that the unemployment rate had fallen from 4.1 per cent in 1970 to 1 per cent in 1975 and had remained at that level until 1982; that daily wage rates in real terms in the West Bank and Gaza had risen by an average of some 5 per cent annually between 1975 and 1981; that the wage gap between workers employed in the occupied territories and those employed in Israel had virtually disappeared; that good results had been achieved in vocational training; that regulations governing work permits had been made more flexible; and that there had been an 8.8 per cent annual average increase in real terms in GNP in the West Bank and Gaza during the 1970s, with an annual per capita growth rate of 7.1 per cent.

46. The report of the Secretary-General on the living conditions of the Palestinian people (A/38/278) showed that the average annual GNP growth rate for the Gaza Strip and the West Bank for 1975-1981 had been 4.7 per cent and 5.1 per cent respectively; that private consumption as a percentage of gross disposable private income had risen; that capital formation in the occupied territories was high compared with that of many developing countries; that considerable changes had taken place in agricultural production, particularly with respect to improvement of production techniques, reduction of agricultural

unemployment, and increased volume and variety of production; and that there had been progress in the provision of infrastructural services (electric power, telecommunications and public transport) to residents.

47. Where social structure was concerned, the report of the Director-General of ILO showed that the proportion of workers employed in industry had increased from under 12 per cent in 1970 to over 18 per cent in 1982, while the Secretary-General's report showed that, from 1967 to 1981, the number of families on the West Bank had increased by 18,203, the number of dwelling units had increased by 28,792, the average size of a dwelling-unit on the West Bank was 116 square metres, basic housing facilities in the Gaza Strip had substantially improved, housing conditions in refugee camps had also improved, and the authorities had developed plans for several housing complexes near the camps and subdivided the land into small residential parcels which had been offered to the Palestinians.

48. On education, the same report showed that the number of pupils in schools had increased by 14,598 during the period 1979-1982 and that school facilities had kept pace with increased enrolment, while the report of the Director-General of ILO stated that, according to information received from the Government of Jordan, the four universities on the West Bank and the university in Gaza had been attended by more than 6,000 students in 1981 and by nearly 9,000 in 1982. In contrast to the position in 1967, when there had not been a single university in Judaea, Samaria or Gaza, attendance in 1983 had increased by 50 per cent, despite the extensive propaganda campaign about conditions in the universities.

49. Turning to health conditions in the territories, he drew attention to the report of the Director-General of WHO for 1983, which showed that there had been a fall in general mortality, that the figures for infant mortality were very low, and that fertility and birth rates had been maintained at constant levels. The Secretary-General's report on living conditions in 1983 stated that measures and services related to environmental health, immunization and maternal and child care were being provided by an adequate network of clinics and health centres, and that there had been an extension of services in five health institutions on the West Bank and in three in the Gaza Strip during the period 1979-1981 alone.

50. Two passages in particular from the Secretary-General's report on permanent sovereignty over national resources (A/38/282) showed that the rule of law prevailed in Judaea, Samaria and Gaza, as it did everywhere in Israel. The first passage stated that the main change seemed to be the increasing role of the Israeli High Court as supreme judicial authority in matters involving decisions of the occupation authorities, while the second noted that, in lieu of local courts, the military authorities had established appeal boards to hear complaints against decisions by military authorities.

51. The situation in Judaea, Samaria and Gaza had improved dramatically since 1967. In 16 years, the Israeli administration had brought the Palestinian Arab inhabitants to a standard of living far higher than that prevailing in all neighbouring countries and in most developing countries. There had been a spectacular improvement in all fields, including that of human rights, which virtually equalled the high norms of Israeli society and were a matter of envy for many. All those achievements had been made despite the difficult world economic situation, raging inflation in Israel, the protracted conflict, indiscriminate terrorist activities, subversion and incitement to violence. The Government of Israel was determined to persevere in that humane policy, which benefited the Jewish and Arab populations alike. It had recently

finalized a plan for the radical improvement of the situation in the refugee camps through the granting of financial and technical aid to refugees who wished to improve their living conditions, to integrate themselves fully into their society, and to become constructive and productive elements. There was no intention of moving or transferring anyone against his will. The rehabilitation programme would be carried out where the refugee camps were currently situated. He was convinced that many Palestinians would choose to participate in that programme, despite the Committee's rejection of the plan under the instigation of the countries that tried to prevent the Palestinians from progressing and to keep them in camps as a political tool to be used and abused at their convenience.

52. The true situation he had described was clearly more satisfactory than some would like it to be believed. Many delegations, in their relentless propaganda war against Israel, would undoubtedly try to discredit those findings, and many resolutions on the same slanderous lines as those of earlier years would no doubt be adopted, but the facts were there for everyone to see.

53. Mr. EL MAY (Observer, League of Arab States) said that, in a world where the law of the jungle prevailed against the will of defenceless populations, force and oppression by Fascist, colonialist and racist regimes, supported by certain major Powers which claimed to be the chief defenders of human rights, had become an accepted fact.

54. At its thirty-ninth session the Commission had decided to give top priority to agenda items 4 and 9, which had become urgent issues in view of the crimes perpetrated by the Zionist entity against the populations of the Gaza Strip, the West Bank, the Golan Heights and Lebanon. The worsening situation with regard to Israeli expansionist practices in those territories should convince Israel's supporters that its Government had no intention of observing the minimum standards of respect for international law or the most elementary principles of human rights. Successive Israeli Governments had been firmly committed to Zionist principles for the expulsion of the indigenous people by force of arms, intimidation and persecution and for the creation of a greater Israel characterized by racism and by rejection of all the principles of international law and the Universal Declaration of Human Rights. Reports placed before the Commission by international bodies, and particularly by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, eloquently bore out the daily reports in the mass media of the violence, intimidation and persecution suffered by the indigenous population at the hands of the Zionist settlers. In January 1984, a mosque had been set on fire in Nablus, there had been attacks in Ramalla, Elbireh and the Hebron area, two explosive booby-traps had been discovered near the Ibrahimi mosque in Hebron, a time-bomb had exploded at the entrance to a convent near Jerusalem and there had been an attack on the El Aqsa mosque. In an attempt to establish a Jewish area in the heart of the Arab city of Jerusalem, settlers had walled off 10 Arab districts, and an extremist Zionist organization intended to establish 28 residential units on land belonging to a church in the area. Those were just a few of the many terrorist acts perpetrated in January 1984.

55. It had been reported in the Israeli press in December 1983 that, following the arrest of a group of young Palestinian refugees from the El Arab camp by Israeli reservist soldiers, there had been an inquiry which had demonstrated the repressive system employed by the Israeli Government against the Palestinian population. The report had gone on to say that the Israeli Army and police denied all knowledge of the incident.

56. In November 1983, an Israeli lawyer had reported that Palestinian and Lebanese prisoners held by the Israelis had claimed prisoner-of-war status, but Israel had ignored the application despite the provisions of the Hague Convention of 1907 and the Third Geneva Convention to the effect that all prisoners should be granted such status pending a decision by an authorized body.

57. In reports published in 1983 by the chairman of a human rights organization in Israel, it was stated that the situation in both Lebanon and the occupied territories had continued to worsen for a number of years; that the appointment of military judges was the responsibility of the Chief of General Staff, who removed any judges showing the least sign of pity or fairness towards accused persons and replaced them by extremist judges known for their hatred of the Arabs, and that the system followed by the military courts in the occupied territories was a scandal allowing of no possible remedies.

58. It was further reported that most proceedings were based on lies or on "confessions" made under torture, that the lies told by "witnesses" at the request of the attorneys were accepted by the military judges who refused to hear any contradictory Arab evidence, and that most of the military attorneys and their witnesses were members of the Jewish religious group "Gush Emunim", who considered lying a religious duty.

59. The Israeli violations of human rights were an insult to humanity and a black page in the history of mankind. The conduct of the Israelis was not far removed from the barbarity of the Nazis. Having been the victims of Nazi atrocities, the Israelis might be expected to be more humane in their treatment of others. However, they applied the same Nazi methods in dealing with the Arab populations of the occupied territories.

60. In his memoirs, President Truman of the United States had described how, at the time when the General Assembly had been considering its resolution on the partition of Palestine, the leaders of the Zionist movement had brought unprecedented pressure to bear on the United Nations and on the United States in order to ensure a favourable vote in the General Assembly. Nevertheless, Israel had failed to implement the provisions of that resolution, in particular the provision concerning the demarcation of its borders. The fact that the Zionist entity attached no importance to the wishes of the international community or to compliance with the resolutions and Charter of the United Nations had been revealed by its occupation, in the period between the creation of the Israeli entity and its admission to membership of the United Nations, of 80 per cent of the territory of Palestine, instead of 57 per cent, as the General Assembly had stipulated.

61. The conditions for membership of the United Nations were that the State in question should be peace-loving and should be willing and able to fulfil its obligations under the Charter. Israel could not be said to satisfy either of those conditions. Accordingly, under the provisions of Article 6 of the Charter, it could be expelled from the Organization. Israel was able to continue its acts of persecution of innocent peoples, in defiance of the principles of the Charter, simply because no effort was made to bring Israel to reason and because it was receiving support from one of the major Powers. For its part, the League of Arab States would continue its efforts to bring Israel to reason.

62. Ms. ABDALLA (Syrian Arab Republic), speaking in exercise of the right of reply, said that her delegation had been surprised to hear the representative of the Zionist entity boasting of that entity's achievements in an international forum which, by an overwhelming majority, had declared zionism to be a form of racism. In describing zionism as the conscience of progressive mankind, the representative of the Zionist entity had demonstrated his contempt for the international community. In addition, he had accused the international community of lacking objectivity by failing to condemn those whose lands had been occupied, whose farms had been burned, whose homes had been demolished and whose families had been imprisoned by the Israeli occupation forces. In criticizing the members of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, he had cast aspersions on the international community as a whole.

63. The United Nations was prevented from adopting resolutions against the Zionist entity through the use by the United States of its veto in the Security Council.

64. In his statement, the representative of the Zionist entity had recalled the Balfour Declaration. That Declaration remained a time-bomb, threatening the peace and security of the international community.

65. Her delegation's criticisms of zionism should not be interpreted as being directed against Judaism which, like all religions, was respected by the Syrian Arab Republic.

66. Mr. DOWEK (Observer for Israel), speaking in exercise of the right of reply, noted that, during the debate, a number of delegations had referred to the situation in Lebanon. That was not surprising, since the situation of human rights and minorities in that country was far from satisfactory. What was surprising, however, was that those delegations had begun to show concern about the fate of the people of Lebanon only since Israel, exercising its right of self-defence, had been compelled to launch the "Peace for Galilee" operation. Previously, no one had thought it worthwhile to raise the question of the terrible human suffering that had plagued Lebanon since 1975. The killing of more than 100,000 people well before the "Peace for Galilee" operation, the systematic and bloody destruction of entire villages and cities, the plight of hundreds of thousands of refugees, the brutal denial of all forms of human rights, the terrorizing of peace-loving populations, the indiscriminate shelling of humanitarian installations and the assassination of diplomats had not raised even the slightest expression of concern among members of the Commission. Not even the ruthless murder of thousands of Palestinians by the armed forces of Syria, with the active help of fellow-Palestinians, had brought the slightest reaction from those delegations who pretended to have the welfare of Palestine at heart. Lebanon itself was of no importance to those delegations. All that mattered was the relentless propaganda war against Israel. Lebanon was to be sacrificed on the altar of non-existent Arab unity, while Syria took advantage of world complacency to pursue its dream of a "greater Syria".

67. The request of the Lebanese Government to the League of Arab States to withdraw the Syrian occupation forces from Lebanon remained unheeded. Indeed, far from withdrawing its occupying forces, Syria had poured more troops and equipment into Lebanon. Furthermore, it had publicly taken the position that the freely-elected Parliament and Government of Lebanon had no right to decide what would be best for their own country and people. It had assumed the "inalienable right" not only to dictate policies to the small and defenceless Lebanon, but also to impose its will

on Lebanon through the indiscriminate use of brute force and interference in its internal affairs. Syrian intentions had been clearly demonstrated in the statement made by the Syrian Minister for Foreign Affairs to the Lebanese daily Al-Hahar on 8 January 1976, when he had described Lebanon as being a part of Syria.

68. Syria not only vehemently opposed the Israeli-Lebanese non-belligerency agreement of 17 May 1983 - for the sole reason that it provided for the full withdrawal of all foreign forces from Lebanese territory, but also prevented the warring factions in Lebanon from reaching any agreement and the Lebanese Government from even partially reasserting its authority.

69. Lebanon was a living example of what Arab intrigues could lead to in a country unable to resist them. Some delegations would like the Commission to regard the sad mockery of human rights in Lebanon as a family affair and not to interfere or even to raise the subject. In his delegation's view, however, suffering inflicted indiscriminately on civilian populations should be condemned whatever its source. The first and most important human right was the right to life, and no "family doctrine" should induce the world community to close its eyes and condone the savage denial of that right.

70. Israel stood for the full restoration of Lebanese sovereignty, independence, territorial integrity and unity within internationally recognized boundaries. The lawful Government of Lebanon should be restored and all foreign forces, including those of Israel, should be withdrawn from all parts of Lebanon. Israel had no ambitions whatsoever in Lebanon and did not lay claim to a single centimetre of Lebanese soil or a single drop of Lebanese water. Israel's only concern was that its legitimate security should be guaranteed and that Lebanese territory should never again be used for murderous attacks on Israeli citizens. The agreement concluded by Israel and Lebanon on 17 May 1983 met all those requirements. Israel remained firmly committed to a full and speedy implementation of that agreement and called on the world community to help Lebanon save itself from Syrian imperialism, recover its independence and sovereignty, and regain full control of its territory.

71. Mr. SENE (Senegal), speaking in exercise of the right of reply, noted that the observer for Israel had alluded to recent events in Casamance. In that connection, he wished to point out that there was no racial or religious discrimination in Senegal, where the peoples of many races and religions mixed freely. Senegal had achieved national unity well before its accession to independence. It was committed to the principle of pluralism in government, as evidenced by the existence of 14 political parties. Moreover, the fact that 80 per cent of the population was Muslim had not prevented the presidency from being held for more than 20 years by a Catholic, Leopold Senghor.

72. Senegal had broken all diplomatic ties with Israel because it had felt that to continue relations with Israel would be tantamount to approval of a policy which it condemned. In adopting its position, his Government was solely concerned with the protection of human rights in the occupied territories.

73. Mr. RAMLAWI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, said that in his statement the observer for Israel had persistently attempted to mislead the Commission and had disregarded the facts contained in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. The three members of that Committee enjoyed the confidence of the international community, and in saying that their hands were not clean, the Israeli delegation was casting aspersions on the United Nations as a whole.

74. The observer for Israel had not answered one of the accusations of violations of human rights perpetrated by Israel in the occupied territories. On the contrary, he had used figures to attempt to convince the Commission that the sacrifice of the population in those territories constituted a great achievement on the part of the Zionist occupation forces. According to the Israeli delegation, the continued murder of women and children was the reason for the increase in the number of farms in the occupied territories, the closing-down of universities had brought a rise in the number of students and the confiscation of 60 per cent of the land from its owners had raised the standard of living. Such was the nature of zionism, which attached no importance to international criticism and defied international law.

75. Mr. BEAULNE (Canada), speaking on a point of order, suggested that, in view of the lateness of the hour, some limit should be placed on the number of statements in exercise of the right of reply on the item before the Commission.

76. The CHAIRMAN said that only one other delegation had expressed a wish to exercise its right of reply.

77. Ms. ABDALLA (Syrian Arab Republic), speaking in exercise of the right of reply, said that the observer for Israel had attempted to convey the impression that Israel was the centre of peace and humanity in the Middle East and that it abhorred bloodshed. However, Israel had been perpetrating a campaign of murder for more than 30 years in the Middle East. If Israel was so eager to prevent bloodshed, perhaps the Israeli delegation could explain why Israeli soldiers had been sent to train military personnel in South Africa.

78. The CHAIRMAN announced that the list of speakers on item 4 of the agenda was closed.

The meeting rose at 6.10 p.m.