



SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. HASSAN (Sudan)

later: Mr. PIZA-ESCALANTE (Costa Rica)

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**AGENDA ITEM 55: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued)**

ORGANIZATION OF WORK

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 55: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued) (A/33/356, A/33/369)

1. Mr. ZSOHÁR (Hungary) said that his delegation continued to be concerned that no real progress had been made in finding a comprehensive solution to the Middle East conflict. Unfortunately, Israel was continuing its occupation of Arab territories, interfering in the internal affairs of Lebanon and seeking to divide the Arab countries. A comprehensive settlement of the conflict could only be conceived within the framework of an international conference with the participation of all the parties involved, including representatives of the Palestine Liberation Organization. Such a settlement should be based on Israel's withdrawal from all the territories occupied in 1967 and on recognition of the right of the Palestinian people to self-determination as well as guarantees enabling all the States in the area to live in peace within recognized, secure borders.

2. The report of the Special Committee (A/33/356) truly reflected the situation in the occupied territories. He endorsed the activities of the Special Committee and supported the continuation of its work, which was necessary in view of Israel's annexationist policy. As the Special Committee pointed out, it was regrettable that the Israeli Government was perpetuating the occupation of alien territories and intensifying its efforts aimed at their annexation. The Israeli Government tried to justify its policy of establishing settlements by citing the so-called "homeland" doctrine. On the basis of that principle, it was continuing to acquire land in the occupied territories, to annex the occupied part of Jerusalem and to discourage the population from remaining in the occupied territories. Israel refused to recognize the right of return of those who had fled their homes in 1967.

3. According to the report of the Special Committee, the present leaders of Israel had reaffirmed that the policy which sought to change the geographical and demographic character of the occupied territories had now been further developed. The Israeli Government was even trying to change the legal status of the occupied territories by creating new settlements and applying Israeli laws and regulations to them. That policy of annexation and of attempting to change the geographical and demographic character of the occupied territories was a gross violation of human rights and of international law. There was no doubt that the present policy of Israel in the occupied territories constituted a flagrant violation of the relevant Geneva Conventions and United Nations resolutions, including General Assembly resolution 32/91 C.

4. The statement in paragraph 127 of the report that, in general, the Special Committee had not noted any significant changes in the human rights situation of the civilian population of the occupied territories from that reported in previous years was very regrettable because it meant that Israel refused to accept the United Nations resolutions and, through its stubborn attitude, was hindering the achievement of peace in the Middle East. The main aim of its policy continued

(Mr. Zsohár, Hungary)

to be the integration of substantial parts of the occupied territories into Israel and the destruction of the identity of the Palestinian people living in those territories.

5. In conclusion, he stressed that the prestige of the United Nations depended largely on how effective the Members of the Organization were in preventing the perpetration of crimes against people anywhere in the world. His Government therefore supported all measures taken by the international community to create objective conditions for a just settlement of the Palestinian problem. It therefore supported the proposal that the Committee should adopt a resolution condemning the expansionist policy of Israel and its violations of human rights.

6. Mr. EL-CHOUFI (Syrian Arab Republic), referring to the report of the Special Committee (A/33/356), commended the members of the Committee for their efforts to obtain the necessary information despite the lack of co-operation on the part of Israel. The latter's refusal to grant the Special Committee access to the occupied territories showed that it wanted to hide its inhuman oppression of the people of the territories.

7. The report painted a gloomy picture of the situation of the people in the occupied territories. It showed that the population there was being persecuted and that Israel was continuing to violate human rights, to ignore the relevant United Nations resolutions and to act contrary to international law. However, the report did not deal with the Golan Heights. His delegation would have liked the Special Committee to study the situation there as well as in the West Bank and the Gaza Strip. His Government remained opposed to the establishment of Israeli settlements on Syrian soil, an action regarded by the international community as illegal. Referring to the destruction of the Syrian city of Quneitra, he emphasized the Zionist entity must shoulder full responsibility for that act.

8. His delegation supported the conclusions contained in the Special Committee's report and urged the Special Political Committee to adopt them. Israeli violation of the human rights of the population of the occupied territories was self-evident. The Zionist entity did not attach importance to the suffering of the people in the territories or to world public opinion, and its actions raised doubts concerning its professed desire for peace.

9. The United Nations had been established to preserve peace and to prevent a recurrence of nazism. However, the victim had now become the aggressor. Zionism was a continuation under another name, of racist nazism. Both doctrines were based on the supremacy of one race over the rest of mankind and were contrary to the principles on which the United Nations had been founded. Mankind had a duty to put an end to zionism, as it had done to nazism. It should also be noted that the organic links between Israel and South Africa resulted from doctrinal similarities.

10. The reasons given by Israel for its refusal to co-operate with the Special Committee were not acceptable. If Israel objected to the composition of the Committee, it should not be difficult to add new members such as the United States,

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(Mr. El-Choufi, Syrian Arab Republic)

France and the United Kingdom. However, it should be pointed out that the composition and terms of reference of the Special Committee had been decided upon by the General Assembly. It was clear that Israel opposed any State which criticized its actions.

11. Zionism, with its racist basis, could never bring about peace in the Middle East. The international community, represented by the United Nations, must recognize that doctrine of racist aggression for what it was and take the necessary measures under Chapter VII of the Charter. A just peace in the Middle East would require Israel's repudiation of the Zionist doctrine, its withdrawal from the occupied territories and the restoration of Palestinian rights.

12. Mr. IPSARIDES (Cyprus) said that the element of explosiveness in the Middle East was increasing as the plight of the Arab population of the occupied territories deteriorated. The fact that the Special Committee was still denied access to those territories increased his delegation's apprehension. His Government was bound to oppose any policy of annexation, demographic dismemberment of a country and oppression of the indigenous population by an occupying Power, wherever they were practised. Those practices were clearly contrary not only to international legal instruments, in particular articles 47 and 49 of the Geneva Convention of 1949, but also to the norms of human relations and human rights. As the Special Committee stated in its report (A/33/356, para. 129), the fundamental violation of human rights lay in the very fact of occupation. The international community was duty-bound to oppose the continued military occupation of territories acquired by force and the alteration of their demographic and institutional structure, wherever such events occurred.

13. His delegation supported the measures proposed by the Special Committee for putting an end to that phenomenon, which was spreading across the world at an alarming pace and was fraught with danger to peace. The United Nations must make it clear that what might seem to be a movement of salvation for one people could not be allowed to result in the demise and dispersal of another. His country, which had experienced a similar situation for the past four years as a result of foreign invasion, confidently hoped that the United Nations would take the just and necessary stand which it owed both to those who suffered from such practices and to its own conscience; if it did not, the result would be world anarchy and chaos.

14. Mr. AL-SHAALI (United Arab Emirates) said that the attempt to discredit the Special Committee, which had done its utmost to fulfil its mandate despite the refusal of the Israeli authorities to allow it to visit the occupied territories, could have been foreseen in view of the past history of Zionism. The world was aware of the intention of the Israeli authorities to annex the occupied territories by building settlements and of their final goal of creating a political fait accompli which ran counter to the Charter and to the principles of international law. The only positive aspect of the Israeli authorities' refusal to admit the Special Committee to the territories was that it made the international community understand Israel's real objective, which the Zionist representative had confirmed

(Mr. Al-Shauli, United Arab Emirates)

by drawing attention to the importance of the occupied territories for Israeli security. If the international community continued to ignore the danger represented by zionism, the day might soon come when the borders necessary to Israeli security encompassed the entire Arab world.

15. The discussion on agenda item 54 (United Nations Relief and Works Agency for Palestine Refugees in the Near East) had shown that some countries had reservations concerning the right of the Palestine refugees to return to their homeland and even opposed it. That right should be guaranteed under international law.

16. Each year, the Zionist representative spoke of the advantages that the Arab population gained from Israeli occupation. That was an obvious distortion of fact, since foreign occupation had never brought well-being to the people whose territory was occupied. If those advantages really existed, it would be difficult to explain the 200 incidents listed in table 1 of the Special Committee's report (A/33/356) and the 1,035 trials by military tribunals referred to in table 3. In any case, it was impossible to establish the veracity or otherwise of the allegations if observers designated by the international community were prevented from visiting the territories. If Israeli practices in the territories did not represent violations of human rights, it was difficult to understand why the Special Committee had been refused entry. Even if the Israeli occupation did give the indigenous population some economic advantages, those were much less important to a people than their independence. As was pointed out in paragraph 90 of the report, the military occupation constituted in itself a violation of the human rights of the civilians of the occupied territories. The town of Quneitra would bear lasting witness to the savage aggression committed by Israel.

17. He appealed to States Members of the United Nations to ignore their own special interests and understand the international scope of the racist Zionist movement. If they did not act, the conflict in the Middle East, which had already lasted 30 years, would continue for centuries.

18. Mr. SENGHOR (Senegal), speaking in exercise of his right of reply, said that he had at first thought of ignoring the ridiculous remarks made by the Israeli representative concerning his country. However, he felt obliged to point out that Senegal was committed to such essential principles as justice, truth and absolute respect for human rights, violations of which were unknown there. It participated in all efforts to ensure respect for human rights and had accepted the Chairmanship of the Committee on the Exercise of the Inalienable Rights of the Palestinian People because that people's human rights were being notoriously violated. The international community called upon Israel to withdraw from the occupied territories and allow the members of the Special Committee to carry out their investigation.

19. Mr. ERELL (Israel) commended the representative of Hungary for the emphasis he had placed on peace in his statement. He had, however, omitted to refer to one very

(Mr. Ereli, Israel)

important element in any peace in the Middle East, namely Security Council resolution 242 (1967). He was sure that the Government of Hungary understood that peace in the Middle East would be achieved on the basis of that resolution and not on orders from any Government.

20. There was, however, nothing for which he could commend the representative of Syria, whose statement was typical of the representative of a country whose head of State had recently been accused by a distinguished personality of playing with the fate of nations as if they were toys. When Syria had entered Lebanon, supposedly to bring peace to that country, it had killed thousands of women and children, and the 22,000 houses destroyed in Beirut alone the preceding summer were the equivalent of some 50 Quneitras. It would be interesting to know if Syria recommended that the Israelis in Judea, Samaria and Gaza should conduct themselves as the Syrian armies had in Lebanon. That country could hardly hold up as an example its treatment of the Palestinians in Syria and Lebanon, where four Palestinian terrorists had been hanged within 24 hours of their capture. In Israel, there was no death penalty for terrorism. He was still awaiting an answer from a Syrian representative in a different committee to his query concerning the Syrian Defence Minister's words of praise in Parliament for a soldier who had killed some 20 Israeli prisoners of war in 1973.

21. The Syrian representative had distorted his (the Israeli representative's) remarks concerning censorship. He had not said that Israel had censorship of the press because of the current situation, but that it had censorship only of security subjects because of the state of war which certain Governments maintained with regard to Israel. When representatives of countries spoke as the Syrian representative had done, it was understandable that Israel should be concerned about security. The use of wild language would not achieve peace in the Middle East. Israel would take no orders from the Syrian Government. If the latter wanted peace, it should join the peace talks. The time had come for Syria to understand that the only way to achieve peace in the Middle East was through compromise and negotiation. People must face up to the consequences of their own irresponsible actions and not try to place the responsibility on other countries or on the United Nations.

22. Israel had not agreed and would not agree to permit the Special Committee to visit the occupied territories because it refused to co-operate with a purely political group dispatched by the United Nations on a supposedly unbiased mission. Allegations should be brought before regular courts of law and judged by them rather than by political missions. Courts of law were regularly constituted in Israel, and all problems relating to human rights could be handled by them.

23. He was sorry to have offended the representative of Senegal. That had not been his intention, but he felt obliged to point out that the Committee on the Exercise of the Inalienable Rights of the Palestinian People followed the directions of the Palestine Liberation Organization, whose official programme, which was widely available, called for the destruction of Israel. He hoped that the representative of Senegal would understand his reaction and explain the reason for it to his Government. He had nothing but praise for Senegal's activities in defence of human rights.

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(Mr. Erell, Israel)

24. Israel's policies in Judea, Samaria and Gaza had aimed at establishing the rule of law, and brutal penalties were not imposed. In all three territories, the law was that which was applied in Egypt and Jordan. Israeli laws were perhaps more liberal but, if his Government had applied its laws in those areas, it would undoubtedly have been accused of attempting to annex them. It was very important that the rule of law should be upheld and that an effective administration should function in all areas under Israeli control so that peaceful coexistence between Arabs and Jews would be possible. In that connexion, he doubted whether the Special Committee had any real concern for the welfare of the Arabs in the three territories.

25. The rule of law was safeguarded in Israel by free elections, a free press and the fact that Ministers could be questioned in Parliament and that Parliament was open to the public; furthermore, there were political parties and an opposition. The courts were open to all and were competent to examine claims against the Executive. The system might not be perfect, but the checks available were more effective for the guarantee of human rights than were the investigations and reports of the Special Committee. It would be recalled that the movement of large numbers of Arabs had been permitted across the Jordan, thus providing opportunities for terrorists who had been aided by neighbouring countries. Conditions in the three territories certainly compared favourably with those in other countries of the Middle East. The Minister of Justice of one State which was a member of the Special Committee currently stood accused of fabricating evidence against his political opponents. In such an environment, a Communist or terrorist would have no difficulty in fabricating stories about police brutality with which to regale the group of three for submission to the Special Political Committee.

26. On the question of Jewish settlements in the three territories, it would be recalled that those areas had been mandated to the United Kingdom by the League of Nations with a view to the establishment of a Jewish national home. In so far as the areas in question were a part of the mandated territory, Jewish settlement in them was natural. In 1948, a coalition of States, including Syria, had attacked Israel in defiance of United Nations resolutions; as a consequence, Judea, Samaria and Gaza had been seized by forces which had crossed international boundaries and all Jews had been banished from those territories. During the 1967 defensive war, Israel had obtained control of the three areas, and it had as good a claim to them as any one else. The most important consideration, however, was that the right of Jews to settle within the territory covered by the British mandate remained intact; furthermore, they could not be excluded from their ancestral home. The Israeli settlements had not displaced a single Arab but had been set up on uninhabited desert, which had formerly been Crown land. The Arabs could certainly lay claim to those lands, as could the Jews. As a result of the presence of Jewish neighbours, however, the Arabs had made faster progress towards the practical realization of their human rights. That was not the result of any inherent superiority but of the fact that certain opportunities had been developed by one but not by the other. It was a curious fact that relations between Arabs and Jews deteriorated when they were kept apart. One factor which made coexistence in the three territories critically important was that whoever controlled them could pose a dangerous threat to Israel's

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coastal strip, which, at its narrowest point, was only eight miles wide. The presence of Israel in the three areas was therefore a security factor which contributed to the stability of the region as a whole. That factor was of crucial importance, and his delegation trusted that the neighbouring States would treat it in a serious manner.

27. Mr. ZSOHÁR (Hungary) said that the views of the Israeli delegation had been refuted time and time again, so that further polemics had become unnecessary. Certain rights of the Palestinian people were, however, beyond dispute, namely their rights to return home, to sovereignty, to the establishment of an independent national State and to recognition of the PLO as the sole legitimate representative of the Palestinian people. Any solution to the problem must take account of such realities. The existence of the Palestinian people was a fact, and their rights to existence and to a national home must accordingly be recognized.

28. Mr. ABDEL RAHMAN (Observer for the Palestine Liberation Organization) said that if there was a prize for eloquent distortion, the Zionist representative would certainly be the winner. That sort of behaviour was to be expected of a country whose Prime Minister had been the greatest terrorist in history, had been responsible for the massacre of 254 people in April 1948, and had stated on United States television that, if it had not been for that massacre, the State of Israel would never have come into existence. He did not expect Israel to copy the torture methods of others, because the Zionists had invented new methods themselves. They had been good students of the Nazis. It might be true that the death penalty did not exist in Israel, but there was reliable evidence to show that at least five political prisoners had been murdered under torture while in Israeli prisons. That was the kind of death sentence which Israel meted out to political prisoners. Israel had destroyed 384 whole villages and towns in Palestine, and the entire Palestinian people were refugees or under military occupation.

29. The type of parliamentary democracy to which the representative of Israel had referred was discriminatory in the same way as that of South Africa. In the latter country, all but the whites were excluded from participation, while in Palestine only Jews participated. The National Covenant was the response of the Palestinian people to Zionist ideology calling for their destruction. Under existing circumstances, resistance to military occupation was legal.

30. Mr. EL-CHOUFI (Syrian Arab Republic) said that the discussion should concentrate on the substance of the problem but the representative of Israel had tried to provoke a diversionary dialogue. The Committee was not interested in discussing the parliamentary system of any country, including Israel. While the Israeli system might be good, it did not empower that country to seize territory and to despoil lands and properties in Palestine, Egypt or elsewhere. The fact of belonging to one particular race did not carry with it the right to dominate others. The doctrine of racial superiority represented a threat to all. Israel and the Jewish people should try to live in peace with the Syrians in the same way that the latter wished to live in peace with the Jewish people. Peaceful coexistence, however, called for the renunciation of the use of force.

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(Mr. El-Choufi, Syrian Arab Republic)

31. The representative of Israel had referred to the Balfour Declaration, which gave Jews the right to settle in their historic homeland. However, the Balfour Declaration was no basis for a legitimate international agreement. It should be noted that the settlements in the Golan Heights had been established in an area which had never formed part of the British Mandate. Occupation had taken place by force and was still continuing. The security argument put forward by Israel should logically apply to all parties, including the Palestinian people who had been evicted from their lands. If Israel had a right to establish settlements in Palestine, the same applied to the Palestinians.

32. Mr. SHAMIA (Jordan) said that he would exercise his right of reply at a later meeting.

33. Mr. HAGGAG (Egypt), speaking in exercise of his right of reply, said he hoped that the representative of Israel would in future desist from lecturing the Committee on the laws applying in the Gaza Strip. If he was so sure that the inhabitants of Gaza were satisfied with the Israeli occupation, Egypt would be willing to accept a referendum under international supervision to test their readiness to accept the occupation. The Palestinian people living in Gaza were entitled to the enjoyment of their human rights and to self-determination like any other people.

34. Mr. ERELL (Israel), speaking in exercise of his right of reply, said that certain Governments had been condemning Israel for a long time, whereas they could more usefully have made suggestions on how to deal with the new situation that had arisen. He would like to invite the representative of Syria, whose most recent statement had been considerably milder than his previous one to talk to the Israeli Government in peace negotiations and discuss the best course of action to take.

35. Mr. AL-ATIYYAH (Iraq) noted that at the previous meeting the Chairman had suggested that replies should be restricted to the end of the debate in order to facilitate the work of the Committee. Yet, they were not being made at the end of every meeting. During the last two meetings, the Committee's time had been monopolized by a single representative, who had stooped so low as to slander every delegate who disagreed with the policies of his Government and had accused the Arabs of having an uncivilized way of life. He suggested that the Chairman's proposal should be adhered to and that replies should be restricted to the end of the debate.

36. The CHAIRMAN said that the appeals which he and the Vice-Chairman had made had been intended to enable the Committee to work more effectively. Under the rules of procedure, the rights of representatives could not be restricted. It was his wish that the work of the Committee should proceed in a harmonious and impartial manner.

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37. The CHAIRMAN said that discussion of item 55 should be completed by the end of the week. The next item on the Committee's agenda was item 126 on unidentified flying objects. In order to enable the Prime Minister of Grenada to introduce that

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(The Chairman)

item, two meetings would be held on 27 November, part of the second one being devoted to item 56 on peace-keeping operations. Consideration of item 77 on questions relating to information would begin on 29 November. Further discussion, and the adoption of any resolutions submitted, on item 126 could be left until a later date. No date could yet be scheduled for the discussion of item 32 on apartheid, which depended on a decision of the General Assembly.

38. Mr. SAYEGH (Kuwait) asked the Chairman to clarify whether all those wishing to speak on item 55 could be accommodated at two meetings together with the voting on draft resolutions still to be introduced.

39. The CHAIRMAN said that the Committee should take extra time, if necessary, to finish its consideration of item 55 by the end of the week. Its work must be completed by 8 December.

40. Mr. HASSAN (Sudan) suggested that an extra meeting should be scheduled on item 55.

41. The CHAIRMAN said that that would be done if space was available. He urged speakers to keep their statements as short as possible.

42. Replying to a question by the representative of Singapore, he said that item 57 on the composition of United Nations organs had been discussed at meetings of representatives of the regional groups. He was waiting to see whether a consensus was achieved at those consultations.

43. In reply to an observation by the representative of Finland, he said that it would greatly facilitate matters if members assembled on time in view of the need for a quorum and for the presence of those delegations which were on the list of speakers.

The meeting rose at 5.45 p.m.