



SUMMARY RECORD OF THE 33rd MEETING

Chairman: 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)

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The meeting was called to order at 3.30 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; A/SPC/33/L.15-17)

1. The CHAIRMAN announced that Bangladesh, India, Indonesia and Malaysia had joined the sponsors of draft resolutions A/SPC/33/L.15, L.16 and L.17.
2. Mr. AL-ALI (Iraq), speaking in exercise of the right of reply, said that the references made by the Zionist representative to practices by Governments within their sovereign territory had no bearing on the subject under discussion, namely, Israeli practices in the occupied Arab territories, which had earned the condemnation of all speakers in the Special Political Committee.
3. The July Revolution had put an end to all the economic and political aspects of colonialism and neo-colonialism in Iraq. It had been the first revolution to achieve the nationalization of oil resources for the benefit of the people, and it had resulted in a Government, the National Front, of all parties, including the Communist Party.
4. The Revolution had also made it possible to settle the problem of the Kurds and of all other minorities in Iraq. He could assure the Zionist representative that Kurdish citizens led a decent life, and that the Kurds enjoyed full rights as a nation. The Kurds had their own administrative bodies and a university, and Kurdish leaders were to be found in a number of different parts of Iraq, not merely in the Kurdish region. Kurdish ministers took part in the Government of the country. A development fund of hundreds of millions of dollars had been established solely for the Kurdish region. Iraq had been visited by hundreds of newsmen and foreign correspondents, who had confirmed the Government's statements with regard to the Kurdish problem. Any journalist would be welcome to visit the country and see for himself.
5. He reminded the Zionist representative that a few years earlier the Iraqi Government had invited Jews who had left Iraq, as a result of Zionist manoeuvres, to return to Iraq with full rights. He challenged Israel to extend a comparable invitation to the Palestinian people.
6. The Israelis constantly spoke of peace; it was clear that, to the Zionists, "peace" meant capitulation by all other parties.
7. Mr. RAHMAN (Observer, Palestine Liberation Organization) replying to the comments made by the Zionist representative at the 32nd meeting of the Committee, said that that representative had spoken of sovereignty over Palestinian territories as if they were a no-man's-land. But sovereignty in fact belonged to the Palestinian people who had lived in the occupied territories for centuries. Menachem Begin, a Polish citizen, had emigrated to Palestine in 1944, yet was claiming sovereignty over a land from which he had expelled the rightful inhabitants on behalf of a people 70 per cent or more of whom were settlers and colonialists.

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(Mr. Rahman, Observer, PLO)

8. The Israeli representative had spoken of human rights violations in many States without, however, mentioning South Africa - the only country with which Israel could truly be compared. He had cited documents sent to the Secretary-General as evidence that the people living in the occupied territories enjoyed a certain degree of freedom of expression: it would be interesting to know whether the expulsion of some 1,600 people, including community leaders, from the West Bank had been connected with the fact that some of them had signed a document in 1974. Many publications, papers, and books, and even the curricula in West Bank schools, were subject to censorship by the Israeli authorities.

9. The Israelis based their claims upon two documents: the Balfour Declaration and the Bible. The Bible, which was a holy book for Islam as well as for other religions, should not be used as a justification for criminal acts. And rather than a declaration giving an assurance on behalf of a colonial Power to just one man, the many General Assembly resolutions recognizing the rights of the Palestinian people should serve as the basis for solving the Palestinian problem.

10. The Zionists had appealed to all Arab States to negotiate, claiming that everything was negotiable. In fact, the Israelis were not prepared to make any concessions, and the Arab States at the summit meeting held at Baghdad had all rejected the appeal, for they were not prepared to negotiate on the basis of a document providing only for the national suicide of the Palestinian people. All calls for peace on the basis of the Balfour Declaration were hypocritical: the underlying intention was to declare war on the Palestinian people.

11. Mr. BOYADJIEV (Bulgaria), exercising his right of reply, refuted the allegations made by the Israeli representative against his country, and drew attention to a newspaper article in The Washington Post of 24 November 1978 reporting attempts by the Israeli authorities to exclude Arabs from a high court hearing on territorial claims to the West Bank.

12. The Bulgarian people had always sided with the oppressed, even in the darkest days of the struggle against Fascism during the Second World War, when they had not allowed one Bulgarian man, woman or child of Jewish origin to be deported or sent to a Nazi concentration camp. They continued to defend basic human rights and freedom for all and demanded that such rights be restored to all oppressed peoples. Bulgaria would be celebrating the first International Day of Solidarity with the Palestinian People on 29 November 1978, and in that connexion the President of the State Council of the People's Republic of Bulgaria had expressed the solidarity of his country with the peoples fighting against foreign occupation for self-determination and national independence.

13. Mr. HUSSAIN (Pakistan), exercising his right of reply, said that the allegations made by the Israeli representative were an attempt to divert attention from the Israeli Government's own excesses in the occupied territories. Such allegations were not relevant to the subject currently under discussion in the Special Political Committee. It was, however, clear that the Israeli representative was misinformed about the current situation in Pakistan.

14. Mr. SURYOKUSUMO (Indonesia) introduced the draft resolution contained in document A/SPC/33/L.15. He said that the draft resolution reaffirmed the validity of the provisions of the 1949 Geneva Convention relative to the Protection of

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(Mr. Suryokusumo, Indonesia)

Civilian Persons in Time of War with regard to the Arab territories occupied by Israel since 1967. States parties to the Convention had to respect its provisions: they could not unilaterally abrogate them. His delegation hoped that the draft resolution could be adopted by consensus.

15. Mr. YEO (Malaysia), introducing draft resolution A/SPC/33/L.16, said that its sponsors felt grave concern over the serious situation in the occupied territories, which had arisen as a result of continued Israeli occupation and from the actions taken by the Government of Israel to change the legal status, geographical nature and demographic composition of those territories. Such measures by Israel not only had no legal validity, but also constituted a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East. The persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, was to be deplored. In operative paragraphs 3 and 4 of the draft resolution Israel was called upon to comply strictly with its international obligations, and to desist from taking any action which would result in changing the characteristics of the Arab territories occupied since 1967, including Jerusalem. In operative paragraph 5, all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War were urged to exert all efforts in order to ensure respect for, and compliance with, its provisions in all the Arab occupied territories, including Jerusalem.

16. Mr. HUSSAIN (Pakistan), introducing draft resolution A/SPC/33/L.17, pointed out that operative paragraph 5 (b) of the resolution should read "The establishment of new Israeli settlements, and the expansion of the existing settlements on private and public Arab lands, and the transfer of an alien population thereto." The sponsors of the draft resolution were concerned over the fact that the report of the Special Committee contained no evidence of any improvement in the conditions of the inhabitants of the occupied areas. The Government of Israel had refused to allow members of the Committee to visit the occupied areas and observe at first hand the violations of human rights which were taking place. The only solution to the problem of the occupation by Israel of Palestinian lands was Israel's immediate withdrawal. Draft resolution A/SPC/33/L.17 was similar to the resolution which the Committee had adopted by an overwhelming majority the previous year. In operative paragraphs 5 to 7 the Assembly would condemn the policy of annexation of parts of the occupied territories, the establishment of settlements, the evacuation of Arab inhabitants, the confiscation and expropriation of property, and the illegal exploitation of the resources of the territories. In operative paragraph 9, the Special Committee was requested, pending the early termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories. It was important for the Special Committee, through its well-documented reports, to continue to focus the attention of the international community on the conditions of those affected.

17. The CHAIRMAN said that the amendment read out by the representative of Pakistan would be incorporated in the text of draft resolution A/SPC/33/L.17, and the revised draft resolution would be issued by the Secretariat.

18. Mr. ALOBAIDLY (Qatar) said that the Special Committee had produced an objective report, despite the refusal of the Zionist occupying forces to allow that Committee to discharge its mandate. The persistent refusal of Israel to permit members of the Special Committee to investigate the situation in the occupied Arab territories proved that Israel failed to recognize its responsibility to the international community. It considered the territories to be part of its own empire. The Zionist entity had been intensifying its efforts to consolidate its occupation by stepping up its policy of settlements, to a degree unprecedented since the 1967 war. A particularly large number of settlements had been established in the West Bank, the Gaza Strip, the Golan Heights and northern Sinai. The Zionist entity now intended to proceed to the full occupation stage, which involved demographic change. The settlement plan drawn up in 1977 by the Jewish Agency had been approved by the Israeli Government, which had received a budget of \$200 million for that purpose from the Jewish Agency, to which it had added 300 million Israeli pounds. Fifty settlements were planned in the northern zone, extending to the border with Lebanon, and fifty in the south, thus creating a belt of land comprising towns and settlements. Fifty-three new settlements were also planned for the eastern area. The Zionist occupiers used terror and the vilest forms of oppression against the Arabs in the occupied territories, with the objective of forcing an exodus of the Arab population. Another method was to deprive the inhabitants of their land, particularly in the West Bank and in the Gaza Strip. The price of raw materials and of basic foods had been increased by 52 per cent, so that most of the population were deprived of the essentials of life. Direct and indirect taxes had increased in the past two years by 60 per cent, and taxes on property and taxes for education and defence had risen by 80 per cent. There was a grave economic situation in the occupied territories, with high unemployment and the threat of a slump in the West Bank and in the Gaza Strip. The purpose of the Likud Government was to drive the young people away from their homes in search of a livelihood. Despite their valiant resistance, the Arab masses in those territories had to endure a continued deterioration in their living conditions, and watch land being expropriated and then completely annexed.

19. The action of the Zionist authorities in the occupied areas since 1948 summed up the history of Zionist policy - annexation, spoliation, and the expulsion of the inhabitants. Zionist colonization was no different from any other form of colonization, apart from its policy of expelling the rightful owners from their territories. The Zionist occupation authorities were now judaising the Galilean area, encircling the territory, and promoting a wave of migration from Galilee. The Minister for Agriculture, Mr. Sharon, had stated in November 1977 that the purpose of the new settlements to be established in the period 1978-1979 was to occupy all parts of the country, including Judaea, Galilee and Samaria. Appearing on Israeli television on 1 January 1978, the Foreign Minister, Mr. Dayan, had said that the question of settlements was at the heart of Zionist policy. The Zionist authorities had annexed Arab Jerusalem, in defiance of the United Nations Charter, of United Nations resolutions and of all international conventions. The occupation of Jerusalem had led to the desecration of Islamic, Christian and Jewish holy places. Tens of thousands of citizens had been expelled. Continued Zionist activities required the United Nations to take every possible step under the Charter to guarantee the immediate

(Mr. Alobaidly, Qatar)

withdrawal of the Israeli occupying forces. The Zionist authorities had changed the character of the occupied territories, and were trying to destroy the Palestinian heritage in the region. There had been a proliferation of strikes, and of arrests and imprisonments of Palestinians. Strikes had been staged in the prisons to improve the living conditions of prisoners, and to put an end to torture. Because of the international wave of protest, the Zionist entity had increased the use of torture against Arabs.

20. The violation of the human rights of the population of the occupied territories was part of Israel's settlement policy. That policy was to sap the morale of civilians under military rule. Yet the Palestinian people would not be exterminated, and would defend their legitimate right to live in peace and dignity. Israel had been created to assume the role of an aggressor in the region and to combat progressive countries. Its only function was to assume a military role. But the resolve of the displaced Arabs under the yoke of zionism could not be broken.

21. Mr. CIRGA (Albania) said that the continuation and intensification of the criminal and inhumane practices committed by the Israeli Zionists in the occupied Arab territories, as shown by the evidence in the Special Committee's report, revolted all those throughout the world to whom the cause of independence was dear and who hated national oppression. The Albanian people and Government had always resolutely condemned those practices and had followed with great concern the drama that the Arab inhabitants of the occupied territories, especially the Palestinian people, had been experiencing for many years. The recent establishment of new Jewish settlements in those territories, as well as the implementation of anti-Arab laws, were manifest and hostile acts designed to compel the indigenous inhabitants to abandon their homeland. The events that had occurred since the last session of the Assembly, and the proclamation of their settlement policy by the Zionist leaders, were clearly designed to change the demographic structure of the territories and perpetuate the Zionist occupation, as well as to make the territories strongholds for attack and provocation against neighbouring countries. The establishment of new Jewish colonies was always accompanied by a campaign of terror and violence against the indigenous population.

22. It had long been clear that the Zionists could not have dared to carry their aggressive activities so far without the open assistance of United States imperialism. At the same time, the Soviet social imperialists, although posing as friends and defenders of the Palestinian and other Arab peoples, were in fact, in pursuance of their expansionist policy in the Middle East, encouraging the Israeli aggressors to continue the implementation of their anti-Arab plans and policy by providing the State of Israel with human resources which were used both for colonizing the new settlements and as cannon-fodder. The two imperialist super-Powers, while working against the unity of the Arab nations, had always proclaimed their so-called role as peace-makers, thus camouflaging their true hegemonistic aims in the region. The State of Israel had been artificially created by zionism and international imperialism at the expense of the Arab, and especially the Palestinian, people. The attempts to gather the diaspora of centuries and liquidate a nation thousands of years old, thus creating

(Mr. Cerga, Albania)

a new diaspora, was condemned by the progressive nations and peoples of the world and, sooner or later, the latent hatred would result in a national war. However, there could be no hope that the Israeli Zionists would give up their annexationist and denationalizing practices in those territories of their own free will. The problem could not be solved without solving the whole Middle East problem, and especially that of the Palestinians, once and for all. The current trend of events showed quite clearly to the Arab peoples and the Palestinians that the only way of realizing their national aspirations was to undertake a struggle to the end against their various enemies.

23. The Albanian people and Government reaffirmed their solidarity with the just struggle of the Palestinian and other Arab peoples against the interference and plots of United States imperialism and Soviet social imperialism in the Middle East. They were convinced that by waging a determined struggle those peoples would liberate the occupied territories and emerge victorious over the imperialist Zionist aggression and the plots that were being hatched by the imperialist super-Powers.

24. Mr. RAI (India) pointed out that if Israel wished to disprove the findings of the Special Committee, it should permit the latter to enter the occupied areas in order to study the situation at first hand. Since it had refused to do so, it must have something to hide, and it was probable that the grim reality of military occupation portrayed in the report would be multiplied by a visit of the Committee to the occupied territories. Israel's unwillingness to accept the fact that the provisions of the fourth Geneva Convention concerning the protection of the civilian population under military occupation applied to the territories occupied in 1967, and its refusal to abide by the terms of that Convention, were inexcusable.

25. Another matter of serious concern was the evacuation of Arab inhabitants in the occupied areas from their ancestral homes and the destruction of their houses to make way for Israeli settlements. There was no justification for the expanding and permanent character of Israeli settlements, except the outdated right of conquest, which was not recognized by the United Nations. The establishment of those settlements was certainly not calculated to facilitate the process of securing a just and lasting peace, for the first prerequisite for peace was the ending of occupation.

26. It was deplorable that, in spite of the concern regarding prison conditions reportedly expressed by some Israeli officials, nothing had been done to alleviate those conditions. His delegation also condemned the practice whereby military courts sentenced parents to prison terms or fines for offences committed by their children, which was contrary to the principle of individual responsibility in law and a violation of the fourth Geneva Convention. The allegations of shocking treatment of Arab inhabitants during interrogation, detention and imprisonment were too serious to be ignored. It was difficult to imagine how a people who had suffered grievous persecution throughout the course of history could indulge in such gross violations of the human rights of others. If the charges were not true or were exaggerated, the only effective way of disproving them was to let the Special Committee study the situation at first hand.

27. Israel's actions aimed at changing the physical and geographical nature,

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(Mr. Pai, India)

demographic composition and cultural life of the occupied territories were contrary to international law and morality and were not in keeping with efforts to arrive at a just and durable peace. The question of the human rights of the Arab people in the occupied territories could not be separated from the over-all political problems in the Middle East.

28. His delegation supported the Special Committee's recommendation that a suitable mechanism should be established to safeguard the human rights of the civilian population in the occupied territories until that occupation was terminated. But that was not the final answer. Israeli occupation had progressively acquired the character of annexation. Military occupation did not confer on Israel any authority to alter the status of the occupied areas. Its responsibility was restricted to the observance of the provisions of the 1949 Geneva Convention on the protection of civilians in time of war. The rights of the Palestinian Arab people remained inalienable, including their right to self-determination and to a nation State of their own. The fundamental principles for the establishment of an enduring peace in the Middle East were: the non-acquisition of territory by force and the vacation of Arab and Palestinian territory occupied by Israel since 1967; the inalienable right of the Palestinian people to self-determination and to a nation State of their own; and the right of all the States in the Middle East to exist in security and peace within internationally recognized boundaries.

29. Mr. APOO (Malaysia) said that in its consideration of item 55, his delegation was guided by the findings of the Special Committee, which had carried out a commendable task against heavy odds. Israel's refusal to co-operate and allow the Special Committee access to the occupied territories had compelled the international community to draw certain unfavourable conclusions about Israel's true intentions.

30. The problem of the human rights of the population of the occupied territories was undoubtedly rooted in Israel's continued refusal to end its illegal occupation of Arab territories. As long as that illegal occupation continued, there could never be genuine restoration of human rights to the civilian population of the territories, still less restitution of the fundamental right of the Palestinian people to self-determination. Israel, as the military occupying Power, had inescapable obligations to respect international law in regard to the protection of the fundamental human rights of the Palestinian people in the occupied territories and to refrain from policies designed to annex those territories or change their demographic composition. Unfortunately, events had shown that Israel was continuing to consolidate existing settlements and to build new ones. That could only undermine the peace process and the search for a comprehensive solution to the problem. The policy of settlement and annexation of the occupied territories was a violation of article 47 of the fourth Geneva Convention of 1949, which specifically prohibited the annexation of territories under military occupation by the occupying Power. His delegation considered that the Israeli measures to change the legal status, geographical nature and demographic composition of the occupied territories had no legal validity.

31. The continuation of current Israeli policies could only have very serious

(Mr. Abou, Malaysia)

consequences for the peace and security of the region. Until a comprehensive settlement of the problem was found, it was just and correct that Israel should undertake seriously to safeguard the human rights of the inhabitants of the occupied territories. The demolition and expropriation of the property of those inhabitants and the arbitrary arrest of persons resisting Israel's policy of occupation could only be condemned by the international community. In that connexion, the Special Committee's recommendation concerning the establishment of an impartial and effective mechanism to safeguard the human rights of the population of the occupied territories deserved international support. The prospects for peace in the Middle East would be greatly improved if Israel adopted an attitude of good will and co-operation. It remained his Government's position that Israel should return all occupied Arab territories, desist from its settlement policy and its attempt to change the legal status and the demographic, geographical and religious composition of the occupied territories, including the Holy City of Jerusalem, and stop the desecration of Islamic monuments in the Holy City.

32. Mr. TSIYREGZEN (Mongolia) expressed appreciation to the Special Committee for its efforts to fulfil its mandate and for its meticulousness and impartiality. His delegation shared the concern of other delegations over the present situation in the occupied Arab territories resulting from the permanent state of occupation and from Israeli measures to change the legal status, geographical nature and demographic composition of those territories. Despite Israel's persistent refusal to allow the Special Committee access to the occupied territories, that Committee had been able to collect ample information testifying to the grave situation prevailing in the territories. According to the Special Committee's report (A/33/356), there had been no positive change in the human rights situation of the civilian population of the occupied territories. The Israeli Government was continuing to implement a policy of settlement and annexation, thereby denying the Palestinian people their fundamental right to self-determination, and was also continuing to refuse to allow civilians, who had fled the territories during the Israeli aggression of June 1967 or immediately thereafter to return. The Israeli Government was consciously following a policy which was in violation of the fourth Geneva Convention, in particular article 47, which prohibited the annexation of territories under military occupation by the occupying Power, and article 49, which prohibited the transfer of citizens of the occupying Power into the occupied territories. The Israeli Government's current policies and practices demonstrated that Israel was determined to continue its occupation and annexation of the Arab territories. As a recent press report had indicated, the Prime Minister and Government of Israel, together with orthodox Jews, believed that the West Bank was part of Israel's biblical heritage and that Jews had a God-given right to settle there.

33. Many delegations had pointed out that the fundamental violation of human rights lay in the very fact of occupation. That was itself the direct cause of the day-to-day pattern affecting the life and liberty of civilians in the occupied territories. The report gave information on the violations of human rights in the occupied

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(Mr. Tsiyregzen, Mongolia)

territories. The Special Committee had recorded 319 specific reports of incidents and 1,192 arrests, which showed that the Israeli Government continued to disregard the resolutions concerning the status of civilians in the occupied territories adopted by the General Assembly, the Security Council and other United Nations organs.

34. His delegation wished to reaffirm its belief that a just solution to the Middle East problem could be achieved only through concerted efforts by all parties concerned, on the basis of the withdrawal of Israeli troops from all Arab territories occupied in 1967, recognition of the legitimate rights of the Palestinian people, including their right to the establishment of their own State, and maintenance of the security of all States in the region. The best way to attain that over-all solution would be to reconvene the Geneva Peace Conference on the Middle East with the participation of all the parties concerned, including the Palestine Liberation Organization, the sole authentic representative of the Palestinian people.

35. Mr. HRČKA (Czechoslovakia) said that if an over-all solution was to be found to the dangerous problem of the Middle East, all aspects of that problem must be studied. The situation in the occupied territories was one such aspect. Israel's actions in those territories clearly indicated its unwillingness to relinquish any territory seized in 1967 and hence its concern to frustrate any efforts to settle the Middle East problem. The ongoing "separate negotiations" also bore witness to that attitude.

36. His delegation took a positive view of both the activities and the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which had provided objective evidence showing that violence and infringements of human rights were a daily occurrence. Israel could not justify its actions by wilful misinterpretation of the status of the occupied territories, by demagoguery, or recourse to biblical arguments. He wished to reiterate that the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War must be fully implemented in the occupied Arab territories.

37. His Government considered that Israel's attempts to change the geographical and demographic character of the occupied territories continued to constitute an obstacle to a just settlement of the Middle East problem, and for that reason it would continue to support the Arab people's legitimate aspirations and their opposition to the Israeli policy of attempting systematically to colonize the Arab territories through intimidation and repression with a view to permanent annexation - a policy that must be universally condemned.

38. That conclusion was amply substantiated by many Israeli Government pronouncements: for example the Minister for Foreign Affairs, Mr. Dayan, had said in the General Assembly that the Israeli settlements in Judaea, Samaria and the Gaza district were there as of right, and that it was inconceivable that Jews should be prohibited from settling in Judaea and Samaria, which were the heart of the Jewish homeland. There was therefore a preconceived plan to prepare world

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(Mr. Hrčka, Czechoslovakia)

public opinion to accept the view that it was unfair to expect Israel to give up the Arab territories. Some 100 settlements had been set up in the occupied territories in the period since 1967. Far from abandoning that practice, Israel had published plans for the establishment of dozens of new settlements and expansion of the existing ones over the next three years.

39. Israel claimed that the occupation of Arab territories was a military and strategic necessity, whereas it was in fact a classic example of aggression and occupation. Israeli so-called philanthropy was no more than propaganda: in reality Arab patriots were being persecuted, and the civilian population repressed and the territory colonized. Underlying such actions was a racist policy of occupation, expropriation and expulsion. Any so-called elections and other measures for self-determination were simply a manifestation of occupation and were intended solely to perpetuate the occupation.

40. Most of the statements made in the Committee confirmed that the majority believes that the only way to resolve the existing situation was to end the occupation of the Arab territories and to secure for the population the right to their own land. His delegation entirely agreed with the conclusion of the report that "the fundamental violation of human rights lay in the very fact of occupation" (A/33/356, para. 129).

41. His delegation condemned the Israeli aggression against neighbouring Arab States and reiterated its view that the question under discussion was an integral part of the over-all Middle East problem, the solution of which required the withdrawal of Israeli troops from all Arab territories occupied in 1967, the realization of the inalienable rights of the Arab people of Palestine, including their right to self-determination and the establishment of their own State, and the safeguarding of the independence and security of all the States parties to the conflict. His delegation would endorse all measures approved by the international community with a view to a solution of that serious problem, in the interests of the Arab people of Palestine and of peace in the Middle East.

42. Mr. ABDEL MEGUID (Egypt) said that since its establishment, the Special Committee had exerted every possible effort to fulfil its mandate. However, Israel's persistent refusal to allow it to investigate conditions in the Arab occupied territories had further complicated its task. The Special Committee's latest report (A/33/356) reflected the suffering to which the Arab population in the occupied territories had been subjected for more than 11 years, and was a fresh reminder to the international community of its responsibility to put an end to the Israeli occupation of all Arab territories occupied since 1967 and to enable the Palestinian people to enjoy all their inalienable rights.

43. Since 1967, the General Assembly had adopted many resolutions condemning Israeli practices in the occupied territories. Similar resolutions had been adopted by international organizations concerned with human rights and by the Security Council. Security Council resolution 237 (1967) called upon Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those who had fled the areas. Although that resolution had been adopted unanimously, Israel had still not complied with it.

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(Mr. Abdel Meguid, Egypt)

44. The facts referred to in the Special Committee's report represented a very serious dimension in the development of the situation in the Middle East. Egypt had called for and still called for a speedy end to Israeli occupation which would guarantee the basic rights of the Arab population of the occupied territories and make the Middle East an area of peace contributing to the progress of mankind as in the past. The Israeli policy of annexation and settlement was illegal and contrary to Israel's international obligations, in particular the fourth Geneva Convention. His delegation urged the Special Political Committee to reaffirm the applicability of that Convention to all Arab occupied territories and to call upon Israel to comply with it. The Convention categorically prohibited collective punishment. Article 49 stated that individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying Power or to that of any other country, occupied or not, were prohibited, regardless of their motive. The occupying Power was prohibited from deporting or transferring parts of its own civilian population into the territory it occupied. Article 53 prohibited the occupying Power from destroying any individual, collective or public property. In document S/12233, the Security Council had expressed its grave concern over the serious situation in the occupied territories as a result of continued Israeli occupation. It had reaffirmed its call upon Israel to ensure the safety, welfare and security of the inhabitants of the territories and to facilitate the return of those who had fled the areas since the outbreak of hostilities. The Council had reaffirmed that the fourth Geneva Convention was applicable to the Arab territories occupied by Israel since 1967 and had called upon the occupying Power to comply strictly with the provisions of that Convention and to refrain from any measure that violated them. The Council had also strongly deplored measures taken by Israel in the occupied Arab territories that altered their demographic composition or geographical nature, particularly the establishment of settlements. It had reaffirmed that such measures had no legal validity and constituted an obstacle to peace.

45. Israel had made no secret of its policy of annexation and settlement, which was a formal declared policy, and was unaware of the seriousness of such a policy, its grave consequences and its total incompatibility with the principles of international law, the United Nations Charter and United Nations resolutions. The principles of international law were very clear in that respect, particularly those laid down in the fourth Geneva Convention and the Hague regulations. They required respect for the family rights, lives, religious convictions and private property of individuals and prohibited the confiscation of public and private property. The provisions embodying those principles were violated every day as a result of the Israeli policy of settlement and the confiscation and expropriation of land from its Arab owners and forceful expulsion. The application of the so-called emergency defence regulations and other Israeli laws in the occupied Arab territories was also a violation of international law and the fourth Geneva Convention. Those Israeli laws and regulations were arbitrary. They permitted the detention of Arab citizens without trial, deprived the Palestinian inhabitants of their elementary human rights and established an arbitrary régime without juridical control.

46. The General Assembly, in resolution 32/5, had strongly deplored the Israeli

(Mr. Abdel Meguid, Egypt)

policy of settlement in the Arab occupied territories and described it as illegal and designed to change the legal status, geographical nature and demographic composition of those territories. The resolution also called upon Israel to comply strictly with its international obligations in accordance with the principles of international law and the provisions of the fourth Geneva Convention. The resolution reiterated that Israel's policy constituted a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East. Egypt again wished to reiterate that all Israeli plans to establish more settlements in the Arab occupied territories or to expand existing settlements constituted new obstacles to the achievement of a just and lasting peace.

47. His delegation appreciated the Secretary-General's report (A/33/369) on United Nations efforts to ensure the widest circulation of the reports of the Special Committee. It believed, however, that a greater effort could be exerted in that direction. At the same time, it believed that all United Nations organs must emphasize the necessity of enabling the Special Committee to have access to the occupied territories so that it could achieve its task.

48. The road to peace in the Middle East was open, thanks to the sincere and persistent efforts that were being made to achieve a just and lasting peace in a sensitive and holy area which had witnessed the birth of three great religions: Judaism, Christianity and Islam. That just peace could be achieved only through a common effort, not by the creation of obstacles.

49. Mr. SAYEGH (Kuwait)* said that his delegation appreciated the thoroughness, objectivity and devotion to duty of the Special Committee and the meticulousness and impartiality of the staff who had assisted it in its work.

50. In the course of the debate, several delegations had noted the Israeli delegation's practice of exercising its right of reply in order to cast doubts on statements made by other delegations, not in terms of the intrinsic merits of those statements, but in terms of what the Israeli delegation alleged to be the conduct of the Governments of the delegations in question. Some delegations had said that those were diversionary tactics. However, the real intention of the Israeli delegation was not merely to divert attention, but to underscore the Israeli view that Israel was not answerable to the United Nations or to the international community for its policies and practices in the occupied territories, that the fourth Geneva Convention did not apply to those territories, and that international investigating committees had no place there. Israel's counter-offensive against every delegation which commented on its practices was an attempt to further its claim that it was above international law in respect of the occupied territories. It was an attempt to muzzle criticism and subvert the application of an international treaty. Under the fourth Geneva Convention, every State party not only had an obligation to respect the terms and provisions of the Convention, but also had an obligation to ensure respect for those terms

* The full text of this statement will be issued as document A/SPC/33/PV.33.

(Mr. Sayeh Kuwait)

and provisions. While many States parties were not able to ensure respect of the Convention by Israel, they could at least object to violations by Israel. Israel, however, was not willing to acquiesce even in that, and the silencing of critics therefore became its major objective.

51. The Israeli delegation had argued that the Special Committee's report (A/33/356) and the debate in the Special Political Committee were largely irrelevant to the terms of reference of the Special Committee and unrelated to human rights. That delegation had claimed that the Special Committee's annual statement that the fundamental violation of human rights lay in the very fact of occupation (A/33/356, para. 129) and that the information which the Special Committee provided every year on the policy of settlement and its implementation were extraneous matters. The international community's definition of human rights was best enunciated in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Article 1, paragraph 1, of both Covenants read: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." Foreign occupation of territories for 11 years could not easily be reconciled with that provision. It was therefore doubtful whether the Special Committee's statement that the fundamental violation of human rights lay in the very fact of occupation could be considered to be irrelevant or extraneous.

52. Article 1, paragraph 2, of both Covenants read: "In no case may a people be deprived of its own means of subsistence." In the case of an essentially agricultural population, those means of subsistence were land and water. It was clear that a settlement programme which deprived the inhabitants of the occupied territories of their land and water could not be considered extraneous to the question of human rights. A distinguished American who had been living for three and a half years in the occupied territories had recently written that the Palestinians continued to be dispossessed of their land, jobs and natural resources. He had stressed that the question of settlements should not be allowed to become a mere part of the political and diplomatic vocabulary, but should be understood in terms of its legal and human rights implications. There could be no doubt that the Special Committee's statement that the fundamental violation of human rights lay in the very fact of occupation, and the Special Committee's detailed information concerning settlements, fell within the arena of concern for human rights. In that connexion, it was astonishing that the United States, whose President had made the crusade for human rights his hallmark, found it possible year after year not to engage in any way in the debate on the Special Committee's report. His delegation was not questioning the sovereign right of the United States to remain silent. However, the conclusion which could be drawn from that silence was that the United States was selective in its concern for human rights. Perhaps its concern for Palestinians or Arabs was less than its concern for those of different ethnic or cultural backgrounds.

(Mr. Sayegh, Kuwait)

53. In the past, Israel had consistently denied that it had a policy of settlement, and had questioned the Special Committee's statement to that effect. At the current session, however, far from denying the existence of that policy, Israel had defended its so-called right to pursue the policy. That change of tune should enable the Special Political Committee to reach its own conclusions regarding Israel's credibility and reliability.

54. The Committee had now been told that of course Israel had the right to settle the West Bank, in other words Judaea and Samaria, and Gaza, because the League of Nations mandate, by incorporating the Balfour Declaration, had authorized the creation of Jewish settlements in that part of Palestine. That assertion might have been a joke, but the Committee was entitled to assume that it had been meant seriously. The representative of Israel should be reminded that the provisions of the mandate for Palestine had ceased to apply in 1947 when the League's successor, the United Nations, had taken up the problem of Palestine and had recommended that it should be divided into two separate territories, one under Israeli sovereignty and one under Palestine Arab sovereignty. In any case, he asked where Israel had derived the right to settle the Golan Heights and the Sinai Peninsula, which had not been covered by the mandate for Palestine. Moreover, when Israel had been admitted into the United Nations it had relinquished all claims to sovereignty over the West Bank and had taken the position that the future of Arab Palestine should be left to its inhabitants in accordance with the principle of self-determination. He asked on what basis Israel currently considered that it was entitled to settle that area.

55. The Committee had also been told that settlements should be encouraged as a means of fostering mutual confidence between the inhabitants and promoting peace. While assuredly coexistence among all kinds of peoples in a pluralistic Palestine would be the most human solution, Israel wanted coexistence between ruler and ruled, and that was being forced on the occupied territories.

56. The settlements were being run by two Jewish agencies, both of which had constitutions stipulating that land acquired by either agency would become the inalienable property of that agency and could be neither sold nor leased to non-Jews, a policy tantamount to apartheid. Therefore, when a Jewish settlement had been established by whatever means, the land became the property of the Jewish people in perpetuity, and the Arabs could no longer buy or lease it. He asked whether that was conducive to peace.

57. The Committee had also been told that the creation of settlements had not displaced a single person and had not violated human rights in the area. The representative of Jordan had provided detailed information on the precise action that had been taken to make the Jewish settlements possible, and in fact the record of the establishment of those settlements showed that they had affected human rights in three ways: first, while the Arabs had not always lost their land, they had lost access to water and therefore could not work the land. They had been obliged to work as hired labourers, had ceased to be masters of their own fate and had soon joined the ranks of the displaced. Then the settlements had been used as a pretext to prevent the return of those already displaced, and by making the

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(Mr. Sayegh, Kuwait)

right to return subject to the criterion of economic viability, Israel had paved the way for again denying those persons the right to return in the future. Lastly, the settlements had created a new body of people on the occupied territories and had completely altered the face of the region, and that would soon affect even the exercise of self-determination by the original inhabitants who had stayed in the territories.

58. In conclusion, the Israeli representative had spoken about his country's generous offer of self-rule to the peoples of the occupied West Bank and Gaza as an alternative to occupation. There were many reasons why that should be considered an infringement of human rights. First of all the Zionist self-serving offer merely relieved Israel of a dilemma that had been facing it since 1967, namely, how to deal with the Palestinians who had stayed instead of running away. Israel wanted the territories but it did not want the population, and that had resulted in a clash between two crucial Zionist imperatives: the territorial imperatives which made it necessary to annex the West Bank and Gaza; and the demographic imperatives which made it necessary not to admit another half million non-Jews to the Jewish State. Israel had devised various means of dealing with that problem, for example, by annexing the territories without enfranchising the population.

59. In December 1977 there had been the Begin plan, which had reappeared at Camp David, designed to distinguish between the fate of the people and the fate of the land. By giving the people a semblance of self-rule, Israel would be relieved of the problem of having to rule them but would retain effective control over the land. Israel's policy of occupation stemmed from the fact that it did not recognize any of its obligations under any international convention because it considered that the territories were part of the original Israel. The self-rule plan was actually part of the same Israeli doctrine, minus the inconvenience of having to deal with Palestinians who resisted annexation.

60. Mr. MESALLATI (Libyan Arab Jamahiriya) requested that the statement by the representative of Kuwait should be reproduced in extenso.

61. Mr. RAHMAN (Bangladesh) requested that the statement by the representative of Kuwait should be reproduced verbatim as a Committee document.

62. The CHAIRMAN recalled that the General Assembly had decided that the Special Political Committee could have records of debates or parts of debates reproduced verbatim, and said that if he heard no objection he would take it that the statement by the representative of Kuwait should be reproduced verbatim as a document of the Committee.

63. It was so decided.

64. Mr. RAHMAN (Bangladesh) said that Israel's efforts to undermine the credibility of the Special Committee only exposed its own perfidy and guilt. International law considered occupation to be a temporary phenomenon; yet Israel had remained in the occupied territories for 11 years and had been systematically adopting measures of a permanent nature incompatible with its obligations as an occupying

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(Mr. Rahman, Bangladesh)

Power. That was tantamount to colonization, with its consequent threat to the survival of the people of those territories as free and independent citizens of their own country. The issues at stake were no longer the simple denial of human rights but were political in nature. Ex post facto rationalization based on security interests or claims of legitimacy derived from some ancient biblical link to a so-called homeland, or attempts to legalize such conquest through payment of compensation or acquisition by apparently normal means, constituted a dangerous precedent which would nullify the injunction in the Charter to the effect that territory could not be acquired by force. Israel's continued justification of its occupation on security grounds negated the letter and spirit of the Hague Conventions of 1899 and 1907 and the Geneva Convention of 1949, as well as numerous United Nations resolutions.

65. The Special Committee's statement that it had not noted any significant changes in the human rights situation of the civilian population of the occupied territories showed that the repeatedly condemned policies and practices of Israel in those territories continued unabated. The drive to encourage settler immigrants through the transfer of an alien population, the confiscation and expropriation of Arab property, mass arrests and intimidation of the Arab population were all complementary to the aim of establishing settlements in those territories, the main purpose of which was to demoralize the civilian population. Meanwhile, Israel continued illegally to exploit the natural resources of the occupied territories, including the petroleum resources of the Sinai and that of the water-table of the northern West Bank. Israel was seeking not only to alter the character and composition of the occupied territories but also to eliminate Arab identity by acts against educational establishments, national leaders and cultural sites.

66. Bangladesh fully endorsed the view that, while the United Nations had ineffectively been passing paper resolutions, Israel had been systematically turning those territories into a veritable homeland. It supported the recommendation of the Special Committee that, pending early termination of the occupation, a suitable mechanism should be established to safeguard the human rights of the civilian population. Failure to oblige Israel to vacate all territories occupied since 1967 would make a mockery of the fundamental Charter provision against the acquisition of territory by force.

67. Mr. WANE (Mauritania) said that every page of the report, and the statements made by previous speakers, showed that the Zionist State of Israel, as had been clearly stated by its leaders, was persisting in its occupation of the Arab territories. That policy was implemented by measures based on racism and violence, in violation of such basic instruments as the Universal Declaration of Human Rights, the Charter of the United Nations and the fourth Geneva Convention.

68. It was to be wondered how long the international community would passively watch the uprooting and dispersal, if not the outright extermination of a whole people. Israeli practices in the occupied territories seriously compromised the chances of a peaceful settlement of the Middle East problem. It was therefore high time that the United Nations forcefully pointed out to Israel that the primary obligation

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(Mr. Wane, Mauritania)

of all Member States was to respect the Charter, which clearly forbade annexation and colonization. Until the United Nations ensured the speedy evacuation of the occupied Arab territories and the restoration of the fundamental rights of self-determination, freedom and national sovereignty to the people of Palestine, peace, justice and human rights would remain empty words.

69. Mr. BENNOUNA (Morocco) paid a tribute to the efforts expended by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, particularly in view of the difficulties caused by Israel's persistence in refusing to co-operate with the Committee. Its report (A/33/356) contained valuable information on the policy of Israel regarding Zionist settlements, the annexation of Arab lands by force and the civil status of Arabs living under the yoke of Israeli colonialism. The Special Committee's conclusions in chapter VI of its report bore irrefutable testimony to Israel's ongoing policy of annexation and settlement of the occupied lands in violation of the human rights of the civilian population. Israel's declared policy was to retain all the occupied lands, and the Arab lands occupied in the June 1967 war had been annexed to the "Jewish homeland". That was a denial of the right of the Palestinian people to self-determination and of the very existence of that people.

70. Israel's leaders had declared that fiendish colonial policy quite openly, and Dayan had stated in the United Nations General Assembly on 9 October 1978 that the Israeli settlements in Judaea and Samaria - as they called the West Bank - and in the Gaza Strip, were there as of right and that it was inconceivable that Jews should be prohibited from settling and living in Judaea and Samaria, which was the heart of the Jewish homeland.

71. Did that mean that the United Nations had made a mistake in 1948 when it had partitioned Palestine and had made provision for the Zionist State, or did it mean that there was a Zionist country which was expanding by armed force and refused to recognize the concept of international law? Or did it mean that the borders of the so-called "Land of Israel" were a secret known only to the Zionists?

72. Mankind was at a loss to understand such statements by the Zionist leaders when they claimed that they desired a just and lasting peace and when that claim then rapidly turned out to be merely a mockery, an insult to human intelligence, in disregard of the decisions of the international Organization. Israel's policy in that field was a clear violation of the fourth Geneva Convention, in particular articles 47 and 49 thereof, because Israel was still persisting in its policy of expansion and settlement, in disregard of all United Nations and Security Council resolutions, which it interpreted from day to day in accordance with its own interests. Serious thought should be given to reviewing the text of those resolutions and their interpretation, so as to leave no room for doubt as to their objectives.

73. The Palestinians' land had gradually been subjected to expropriation, as could clearly be seen with regard to the Holy City of Jerusalem. Four per cent of Jerusalem had been owned by Jews in 1918, but after the 1967 war Jewish ownership had increased to 84 per cent. Over the same period, the Arab population

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(Mr. Bennouna, Morocco)

had been reduced from 75 per cent to 25 per cent. The same thing had happened in other Palestinian towns and villages, although the percentages had varied. That was commented on in paragraph 131 of document A/33/356, and the basic violation of human rights in Palestine and the occupied Arab territories clearly lay in the fact of occupation itself, which was the fundamental evil.

74. His delegation was amazed at the tolerance shown by certain States towards Israel's settlement policy and at their view that some settlements could be removed and others allowed to remain through a process of negotiation with Israel, within the framework of a just and lasting solution to be achieved by coexistence between Israel and the Arab countries. The statements made by Israeli officials clearly contradicted that view. The settlement plans proved that there was a firm, long-term policy, as was borne out by the decision adopted by the Israeli Government on 26 February 1978, stating that there would be no change in its policy of continuing the establishment of Jewish settlements in the occupied Arab territories, with the transformation of all existing military bases on the West Bank into settlements at the appropriate time.

75. A brief glance at the map annexed to the report (A/33/356) showed that the existing settlements had been built on the basis of strategic planning and could be converted into military strongholds in the event of any emergency, being located along three lines crossing the West Bank from north to south. The Israelis were trying to keep the Palestinian Arabs confined in the nine principal towns in the Bank and the Strip, and the same principle had been applied in the Golan Heights and Sinai.

76. What conceivable solution could there be to a situation based on a policy imposing a fait accompli? Israel's purpose in establishing those colonies was to change the geographical and demographic character of the occupied Arab territories, with a view to consolidating Israeli colonialism and establishing the bases for the perpetuation of definitive occupation and achievement of the expansion required for increased immigration. That policy was clearly incompatible with the requirements of peace and a just and lasting solution.

77. That criminal action had extended to all the holy places, such as Al-Masjid Al-Aqsa and the Church of the Ascension. All the Moroccan waqf lands and property which had been used to shelter and feed indigent pilgrims from Morocco had been expropriated, and Morocco therefore strongly condemned those Israeli practices which were aimed at altering the religious and humane character of Palestine, and it reserved its right to demand the restoration of the rights which Moroccans had enjoyed before the Zionist occupation.

78. As for the Israeli practices affecting the rights of the individual, the inhabitants of the occupied lands could expect no mercy from their colonizers. Colonialist coercion and tyranny kindled a patriotic flame and an urge to defend country and honour, as had been the case with all colonized peoples - in the not too distant past. Other colonized peoples had fought and had braved death, united in ranks and goals, and victory had been theirs. They had gained their freedom and independence.

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(Mr. Bennouna, Morocco)

79. Israel had claimed that its aim was to bring civilization, education and other benefits to individuals. The representative of Israel had stated that, through Israeli occupation, the Palestinian people in so-called "Judaea" and "Samaria", i.e., the West Bank, and in Gaza, had won the right to administer their own affairs for the first time in history. Apparently that was what peace meant to Israel. But to all the peoples of the world, peace could be achieved only through human dignity and independence. He hoped that efforts would be redoubled in the international Organization to free Israel from its colonialist, Zionist mentality and to win for the Palestinian people their right to freedom and independence. That was the greatest challenge facing the United Nations, and the greatest achievement whereby it could win the confidence of the peoples of the world.

80. Mr. DIALLO (Niger) said that the situation in the occupied territories was the result of Israel's refusal to implement the relevant United Nations resolutions. Israel had for years been pursuing a policy of annexation and expropriation of those territories, with a view to altering their status and demographic composition, to the detriment of the Palestinian people. That policy involved the progressive establishment of Jewish settlements, for the purpose of driving all non-Jews out of the occupied territories. His delegation condemned those illegal acts which impeded the exercise of the inalienable rights of the Palestinian people and showed the absence of any desire to achieve a just and lasting settlement of the Palestinian problem. The Palestinians could only exercise their rights when the military occupation came to an end.

81. The daily deterioration in the situation of the civilian population of the occupied territories was a subject of concern to the international community. The ill-treatment of prisoners, in defiance of the 1949 Geneva Convention, was described in the Special Committee's report (A/33/356, paras. 106, 115, 118 and 120). The numerous cases of expropriation and displacement of the civilian population, and the exploitation of the natural resources of the occupied territories, showed Israel's arrogant attitude and persistent refusal to implement the relevant United Nations resolutions. Such practices could not fail to strengthen resistance by the civilian population and hamper negotiations for peace in the Middle East. Since that peace depended upon the recognition of the inalienable rights of the Palestinian people, his delegation called upon all Member States to work for the protection of the fundamental human rights of the population of the occupied territories. The Special Committee's recommendation that a suitable mechanism should be established to safeguard the human rights of the civilian population should be supported by all Member States. His delegation also welcomed the ICRC initiative concerning the establishment of fact-finding committees.

82. Mr. AYUBZAI (Afghanistan) said that his delegation would have liked the report of the Special Committee, for which he expressed appreciation, also to cover the situation in the Golan Heights. The Israeli authorities tried to justify by the so-called homeland doctrine their illegal policy of establishing settlements in Arab lands, in defiance of the provisions of the Charter, of numerous United Nations resolutions and of established principles of international law, in particular the cardinal principle of the inadmissibility of territorial

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(Mr. Ayubzai, Afghanistan)

acquisition by force. Israeli activities in those territories were designed to change their legal status, geographical character and demographic structure. The Israelis were also plundering their natural resources. The assertions that the Arabs enjoyed good living conditions under alien domination had no bearing on the matter, since independence was the paramount consideration. The suppression of the elementary human rights of the Palestinian people was inherent in the very fact of occupation.

83. In condemning the expansionist policies of Israel, the international community was not motivated by unworthy sentiments of revenge and unreasonable hostility, as the Israeli representative claimed, but was supporting a just struggle which involved the fate of an entire nation. History had shown that the determination of a people to defend their homeland could not be suppressed, no matter what hardships they suffered. The heroic people of Palestine would be no exception.

84. The struggle of the Arab people against the Israeli aggression could not be separated from the struggle of all other peoples against colonialism, neo-colonialism, imperialism, racism and apartheid. The international community must face up to its responsibility and put an end to the Israeli occupation of Arab territories and not allow the aggressor to enjoy the fruit of his aggression. It was well known that through its settlement policy, Israel wanted to confront the international community with yet another fait accompli.

85. The question under discussion was part and parcel of the Middle East problem. There could be no acceptable solution to the problem of the human rights of the population of the occupied Arab territories without a comprehensive, just and lasting solution of the Middle East problem. Such a solution required the withdrawal of Israel from all territories occupied in 1967 and the recognition of the inalienable rights of the Palestinian people - not only the right to an independent State in Palestine but also the right of those inhumanly uprooted from their ancestral homeland to return home.

86. Mr. MUSSA (Somalia) said that in addition to committing acts aimed at changing the legal status and geographical and demographical nature of the occupied territories, Israel was obstinately engaged in exploiting the resources of those territories and interfering in the holy places. The gradual but steady desecration and destruction of the Islamic holy places were clearly described in the communication of the Government of Jordan to the United Nations (A/33/60) concerning demolition and water-installation projects adjacent to the Western Wall of the Al-Harem-al-Shareef Holy Sanctuary in Jerusalem and in another communication from the same Government (A/33/88) concerning the projected demolition of an Islamic hospice and properties of the Magharbah Waqf charitable foundations near the sacred Aqsa Mosque and expulsion of their residents. The Government of Morocco had also addressed similar communications to the United Nations. Those acts of the Israeli authorities would change the historic, religious and demographic landscape of occupied Jerusalem, in flagrant violation of the resolutions of the General Assembly, the Security Council and UNESCO, and in violation of international conventions. In 1976, the Security Council had issued a consensus statement

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(Mr. Mussa, Somalia)

reaffirming the applicability of the fourth Geneva Convention to the occupied Arab territories and recognizing that any act to profane the holy places, religious buildings and sites, or any connivance at any such acts, might seriously endanger international peace and security.

87. The statements of the so-called Israeli leaders had confirmed Israel's intention to establish new settlements and strengthen those already established. The long list of settlements mentioned in the statement by the representative of Jordan and the countless settlements indicated on the map annexed to the Special Committee's report showed the magnitude of Israeli infiltration and colonialism. Israel's plans for future settlements were equally horrifying. The Chairman of Israel's so-called Ministerial Committee on Settlements had stated early in 1978 that his Committee intended to spend one third of the settlement budget on new sites in Judaea and Samaria, and Israel's Prime Minister had said, on 31 October 1978, that the Jewish people's right to settle in all parts of the land of Israel was inalienable. The Gush-Emunim movement, which claimed, on religious grounds, the right to settle anywhere in Palestine, had published a master plan to increase the number of Jewish settlers on the West Bank to 10,000 over the next three years, and the World Zionist Organization was actively engaged in the annexation of the occupied Arab territories. The latter had stated that, although the final decision must continue to be the responsibility of the Israeli Government, its partners, whose representatives sat jointly with the Government settlement officials in a special committee, must also be consulted.

88. The ill-treatment of civilian detainees described in the report must be intended primarily to demoralize the civilian population by confronting it with the constant reality of military subjugation. In the light of the irrefutable evidence provided in the report and in the statements by the representative of Jordan, the PLO and Kuwait, the Special Political Committee would serve the conscience of the international community if it recommended stringent measures to put an end to the occupation by Israel of the Arab territories and to Israel's denial of the inalienable rights of the Palestinians.

89. Mr. MOGHADDERI (Iran) pointed out that, in addition to the essential and inalienable human rights referred to in Security Council resolution 237 (1967), specific conventions referred to the treatment of civilian persons in time of war. For example, article 49 of the fourth Geneva Convention protected the rights of people of occupied territories. The intention was to preserve the demographic composition of the population of occupied territories and thus protect the most basic of human rights, namely the right to retain a social, cultural and political identity. Although Israel, on joining the United Nations, had become a signatory to that Convention, the report of the Special Committee mentioned numerous instances of non-compliance in practice by that country. The published statements of Israeli leaders announcing their intention to extend and intensify settlement activity throughout the occupied territories, in direct contradiction of the guarantees of the Geneva Convention, were a matter of particular concern. On the West Bank, from which 200,000 Palestinians had been forced to emigrate, the plan of the Gush-Emunim movement mentioned the settlement of 750,000 Jews by the turn of the century (A/33/356, para. 49). The implication of sustained settlement activity through the year 2000 was particularly detrimental to hopes for a cessation of

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(Mr. Moghtaderi, Iran)

the illegal changes in the demographic composition of the Palestinian population. The major infusion of Israeli civilians also diverted the use of the natural resources of the area from the indigenous people. Such a diversion had occurred on the West Bank, where half of the water supply was used by the new settlements.

90. Israel's continued refusal to allow the Special Committee access to the occupied territories prevented it from performing its legitimate functions. The pattern of a disrupted society clearly emerged from the evidence relating to the day-to-day situation of the civilians in the occupied territories. As the Special Committee had said, military occupation was, in itself, a violation of the human rights of the civilian population. The tempo of the incidents mentioned in the report of the Special Committee could not be expected to diminish since, as a civilian population witnessed the systematic usurpation of its land and natural resources, resistance to the usurping forces was predictable. The alleged mistreatment of detained and incarcerated civilians was also the direct result of the occupation and, like other problems investigated by the Special Committee, could only end with Israel's withdrawal from the occupied territories. As was stated in paragraph 127 of the report, the regrettable conclusion was that there had been no significant changes in the human rights situation of the civilian population.

91. Mr. SURYOKUSUMO (Indonesia) said that Israel's continued implementation of its policy of settlement and annexation had caused large-scale human suffering and unrest over the past several years. Additional measures taken by the occupying forces had included the demolition of houses as a penalty imposed on people who had later been found innocent of any crime. Israel had continued, as a matter of policy, to violate the basic norms of international law and international conventions, including the Geneva Convention on the protection of civilian persons in time of war. The very fact of military occupation had prevented the free pursuit of an independent life and, in addition, the Israeli authorities had used educational and cultural institutions as direct instruments of a policy designed to undermine the foundations of Arab culture.

92. Indonesia was particularly concerned at the serious and accelerating encroachments by the occupation authorities on historic, religious and cultural areas and, in particular, on the inviolability of the status of occupied Arab Jerusalem. UNESCO had recently cut off funds to Israel on the grounds that it had damaged Arab monuments in Jerusalem with archaeological and other excavations. It was clear from the report of the Special Committee that the design of the Government of Israel was to perpetuate the occupation of the territories and to intensify its efforts to achieve annexation. Such policies were not only reprehensible in themselves; they also represented an impediment to negotiations for a just solution to the problem of the Middle East. In a number of resolutions, the General Assembly had recognized that such a settlement could only be achieved through Israel's withdrawal from all occupied territories and through recognition of the fundamental rights of the Palestinian people. The continued illegal measures undertaken by Israel constituted a serious contravention of the principles of the Charter, as well as a flagrant defiance of the will of the international community.

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(Mr. Suryokusumo, Indonesia)

93. The Indonesian delegation regretted that the Government of Israel had not yet permitted members of the Special Committee to visit the territories and considered that in accordance with repeated proposals by the Special Committee, Israel should at least agree to nominate a neutral State or international organization to join in an arrangement for the representation of the people of the occupied territories in an act of self-determination. It was clear that the problem of the occupied territories could only be solved within the context of a broad political solution of the whole Middle East problem. Until the wider problem was solved, however, the General Assembly had the duty to put a stop to the continued violations of the human rights of the population of the occupied territories.

94. Mr. HASSAN (Sudan) said that, during the past 10 years, the world had witnessed an escalation of Israeli settlement in the occupied lands, accompanied by the expulsion of the indigenous population and the infliction of torture on the remaining Palestinians as a reprisal for their heroic resistance to the yoke of Zionism. The report of the Special Committee reflected the cowardice of the Israeli authorities, who had refused not only to restore the rights of the Palestinian people as a first step towards a just and lasting peace in the region but also to permit the establishment of a Palestinian State under the authority of the PLO. He accordingly associated himself with the delegation of the Syrian Arab Republic which had challenged Israel to revise the membership of the Special Committee and to permit it to carry out its survey and pass judgement on Israeli practices. The suppression of the human rights of the Palestinian population of the occupied territories was only one example of Israeli intransigence in the face of United Nations resolutions. The Israeli practices were clearly designed to change the sociological, demographic, cultural and economic structures of the Arab territories, and were part and parcel of Israeli aggression and repression of its neighbours, whose territories had been illegally occupied by force, notwithstanding the censure of the international community. Israel's desperate efforts to justify its violations of human rights were proof of Israeli duplicity. Previously the representative of Israel had said that the settlements in the West Bank and Gaza were of a defensive nature and dictated by Israel's military requirements. It was clear, however, that Israel was preparing international opinion for the next stage, which would involve the annexation of the territories. In that connexion, Israeli courts were actually practising the same policy towards the Palestinian people as the Gestapo had followed in regard to Zionism. In conclusion, he wished to pay tribute to the work not only of the Special Committee but also of the International Red Cross; both had carried out their tasks under conditions of extreme difficulty. His delegation supported the three draft resolutions which had been submitted on the item and which contained further condemnations of Israeli practices. The struggle of the Palestinian people would continue, notwithstanding torture and oppression, until the Israeli authorities had made a positive response to their aspirations for dignity and the recovery of their rights.

95. Mr. ADEYEMI (Nigeria) said that the Israeli settlements in the Arab territories seized in the 1967 war lay at the very root of the continuing crisis

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(Mr. Adeyemi, Nigeria)

in the Middle East. The first step towards a realistic solution of the problem must be the termination of the practices listed in the Special Committee's report. Thereafter, all Palestinians, both inside and outside the occupied territories, must be guaranteed unfettered freedom to return to their homes and to exercise their inalienable rights to self-determination and independence in a politically defined homeland of their own. Israel must therefore comply with the relevant resolutions of the United Nations and withdraw unconditionally from all areas occupied in the wake of the 1967 war.

96. Jewish settlements had been established in every part of the territories which Israel had continued to occupy since 1967 and each one of them represented, in the view of his delegation, an element in a conscious and explicit policy of colonization. Israeli Government funds had always been available for the establishment of new settlements on Arab lands and for the drive to bring in new immigrants to man them, notwithstanding pruning of the social service budgets on a scale which had already led to real hardship and internal unrest. Such a pattern of determined colonization was in clear conflict with Israel's declared aim of achieving a peace settlement with its neighbours, and it inevitably called into question the sincerity of the Israeli Government in the current negotiations for peace. That Government had continued to set aside astronomical sums, estimated by the Special Committee at \$600 million, for the promotion of its expansionist ambitions; additional sums had been made available from the budgets of the Housing Ministry and the Ministry of Agriculture. Furthermore, Israel's hard-line Minister for Agriculture had announced, in October 1978, that the Government would start setting up new settlements in the Jordan Valley, once the three-month period following the signature of the Camp David accords had passed, and that the Jordan Valley settlements would not be evacuated. On 9 October 1978, during the general debate at the current session of the General Assembly, the Foreign Minister of Israel had stated that the Israeli settlements in Judaea, Samaria and Gaza were there as of right, and that it was inconceivable that Jews should be prohibited from settling and living in Judaea and Samaria which were the heart of the Jewish homeland. In a press interview on 21 October, Mr. Begin, the Prime Minister of Israel, had stated that the Jewish people's right to settle in all parts of the land of Israel was inalienable, and that that right would continue to be implemented in the future.

97. The settlements had involved the systematic eviction of Arab families from their lands, so that they had been cut off from their only source of livelihood. On each occasion, eviction had been justified under the all-embracing pretext of shoring up Israel's so-called security, but immediately thereafter the sequestered property had been turned over to new Jewish immigrants. Furthermore, Arab religious sites had recently become targets of Israeli demolition measures. In the occupied territories the vast range of security offences of which a civilian might find himself guilty reflected the arbitrary nature of Israeli military orders, which were frequently vague and lent themselves to a broad interpretation. The Arab civilian inhabitant of the occupied territories could therefore become liable to presecution before a military tribunal for such innocuous offences as membership in an illegal organization. Such military tribunals had routinely handed down stiff penalties for minor offences, including long prison terms, in complete disregard of articles 33 and 67 of the fourth Geneva convention.

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(Mr. Adeyemi, Nigeria)

Civilians were still subject to arbitrary measures, including reprisals against their property, even when they were only suspects. It was therefore not surprising that such a style of government had provoked a pattern of resistance on the part of the civilian population, which seemed bent on asserting its right to self-determination. Such resistance had produced an ever-increasing prison population against a gloomy background of escalating repression by the occupation authorities, involving the use of torture, both during the interrogation of suspects and after their incarceration. The vicious circle of resistance and reprisals could only be broken by unconditional removal of the military occupying Power.

98. In continuing to establish settlements, the Israeli Government was in clear breach of specific international agreements. The policy of colonization itself constituted a defiance of United Nations resolutions and of the spirit of the Charter. Furthermore, article 49 of the fourth Geneva Convention, of which Israel was a signatory, stipulated that an occupying Power should not transfer parts of its own civilian population to occupied territories. Protests had been lodged against the Israeli Government by liberal Israeli academics and journalists, who had rightly argued that the colonization process not only represented a violation of the human rights of the Palestinians and an obstacle to peace in the entire region, but was also visibly undermining the theory of Zionist idealism.

99. The colonization of the Arab territories was morally wrong and was doing as much violence to the fabric of Israeli society as it was to the legitimate rights and aspirations of the people on whom Israel was seeking to impose its will. Juridically, the colonization process was illegal, and had involved Israel in a constant battle of wills with the international community from which Israel had become increasingly alienated. Politically, the establishment of more settlements or the expansion of existing ones was futile and self-defeating, and merely perpetuated the very hostility which it should be Israel's first objective to disarm.

100. In the face of such intransigent defiance of its collective will by the State of Israel, the United Nations must demand immediate compliance with its resolutions. Israel must abandon its plan to establish new settlements or to "thicken" old ones. The military administration must stop its provocative policy of evacuating Arab inhabitants from the occupied territories; it must desist from further destruction of Arab houses and terminate its current waves of mass arrests and torture of Arab civilians. It must respect the sanctity of the archaeological, religious and cultural sites belonging to the non-Jewish population. Those steps should be a prelude to the complete and unconditional withdrawal of the Israeli occupation forces so that dispossessed Palestinians could return in safety and dignity to exercise their inalienable rights to self-determination and independence in accordance with General Assembly resolution 194 (III). In conclusion, his delegation would like to express its appreciation to the members of the Special Committee for their comprehensive report (A/33/356), which had been produced notwithstanding obstruction by the Israeli occupation authorities.

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101. Mr. MEGALOKONOMOS (Greece) said that the report of the Special Committee clearly gave cause for concern, as there had been no improvement in the situation regarding the human rights of the civilian Arab population in the occupied territories during the past year. Furthermore, the occupying authorities had continued to create further settlements in violation of international law. Strict respect for the human rights of the population of the occupied territories was not only an obligation dictated by international law but was also an element which could help to create the appropriate climate for a peaceful solution of the whole problem. His Government strongly opposed all military occupation or acquisition of territory by force, and all attempts to annex such territory. It could not endorse the deliberate alteration of the demographic composition of territories or the establishment, anywhere in the world, of settlements in occupied territories and the deportation of the indigenous population. The occupying Power should make a serious effort to ensure that the human rights of the population under its temporary authority were scrupulously respected and to accept scrutiny of that effort by the Special Committee. Human rights were indivisible, and all peoples of the world, including the Arab Palestinian people, must be permitted to enjoy them fully.

102. Mr. ERELL (Israel), exercising his right of reply, said that the representative of India had referred to the human rights aspect of the situation in Judaea, Samaria and Gaza, and to the refusal of the Government of Israel to admit a political committee of inquiry into those territories. But the Government of Israel did not consider that it had anything to disprove. The allegations themselves must first be proved. The question of a committee of investigation had recently arisen in the Indian Parliament in connexion with a person of lofty status; yet the Indian Prime Minister had refused to allow a political committee to investigate the case, and had insisted that the courts should handle any allegations against the person. That was also the position of the Israeli Government: allegations should be handled by the courts, and that was, in fact, what was done in Israel.

103. The representative of Bulgaria had mentioned a United States news report concerning a Supreme Court hearing in Israel of the case of two residents of Judaea and Samaria whose land had been taken by the army for security purposes. His own delegation had tried to emphasize the point that the legal processes open to citizens of Israel were also open to the residents of Judaea, Samaria and Gaza, and that cases brought by them would be heard within 24 hours. The courts often handed down decisions against the Government and the military authorities. That there had been an incident outside the courtroom, involving police intervention, might seem strange in some States, but not in a democracy where the actions of the Government could be challenged through the courts.

104. The representative of Egypt had referred to the Geneva Convention. However, the Geneva Convention allowed the so-called occupation authorities considerable

(Mr. Erell, Israel)

scope for action in connexion with security needs. Those who took the time to read the whole Convention would see that the Israeli Government was, in practice, applying the provisions of the Convention, and was in fact going beyond them in its dealings with the local civilian population.

105. With regard to the misrepresentations by the representative of Kuwait, it should be pointed out that there had been Jewish settlers in Judaea, Samaria and Gaza since the days of the British mandate. They had been removed by force from Judaea and Samaria by Jordan, while Egypt had taken the Gaza Strip. The whole area had, in fact, come under the British mandate.

106. There was no need to approach the occupied territories as if they were some new America which had just been discovered. When it had adopted resolution 242 (1967), the Security Council had refused to require a total withdrawal of Israeli troops. It had deliberately refrained from wording the resolution in such a way as to call for a complete withdrawal from Sinai, the Golan Heights, Judaea, Samaria and Gaza. It had recognized that the future of those areas was a matter for negotiation. In the armistice agreement of 1949 between Israel and the neighbouring countries, the lines dividing the Gaza Strip from Israel and from Judaea and Samaria had merely been armistice dividing lines, and were referred to in the agreement as "military lines". They were devoid of political significance, and had been drawn without prejudice to the boundaries to be established in an eventual peace settlement. The whole territorial question had therefore been left open for negotiation, both by the armistice agreement and by resolution 242 (1967).

107. As he had already explained, Judaea, Samaria and the Gaza Strip posed a security problem of the highest importance. That was clear from the map appended to the report of the Special Committee. In dealing with the territorial question, Israel had tried to reach an agreement. Jordan, however, had refused to enter into negotiations, and had also refused to discuss any boundaries except the armistice lines. It had been impossible to proceed by any means other than self-government in those areas, and their final status had been left for decision at a later date. Unfortunately, some of Israel's other neighbours regarded the dispute with Israel in the manner of a child playing with toy blocks; if they did not like the result, they wanted to destroy the structure and start again. However, the issue was not one of toy blocks, but of life and death. Realities had been created which made it impossible to start from scratch. The statement of the representative of Kuwait had made clear what his own delegation had been trying to explain: that the whole issue was about the destruction of Israel. In speaking of a pluralist Palestine and of an Arab majority in the country, that representative had denied the right of self-determination to the Jews. It should also be pointed out that Judaea and Samaria were government land, not Arab land, and could be sold neither to Arabs nor to Jews.

108. Mr. KUBBA (Iraq), speaking on a point of order, asked whether the representative of Israel was entitled to exercise his right of reply in lieu of making a statement.

109. The CHAIRMAN said that the delegation of Israel could speak in exercise of its right of reply either at the beginning or at the end of its statement.

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110. Mr. RAMATI (Israel), speaking in the general debate, said that the majority of the statements made, and the resolutions introduced, had failed to depart from the stale and barren patterns of previous years. He wished that they had attempted to take into account the realities in the area and the new developments which were taking place, and to encourage the positive trends towards reconciliation and peace.

111. The main trend had been to use the debate as a vehicle for waging Arab political warfare against Israel. The rights of Arabs had been used as a weapon to deny the rights of Jews. It had been said that Arab human rights could be ensured only if not a single Jew were allowed to live in their midst, and only if Israel withdrew to indefensible borders. The impassioned appeal to all nations to join in the eradication of Zionism showed that the debate was only a preparatory stage for a further Arab attempt at Israel's destruction. A famous Arab leader had once stated that Israel's existence was an aggression. Members of the Committee were being invited to join the Arabs in a second holocaust. The representative of Jordan had noted the reluctance of representatives of democratic nations to take part in the debate, and thus make themselves active accomplices in furthering the criminal aim of destroying a Member of the United Nations. Those who had compiled the report of the Special Committee had been more careful than the Arabs; they had avoided making easily refutable allegations, and had only sought to establish some connexion between the humanitarian mandate of the Committee and the political declarations they wished to make.

112. For decades, Arabs had been ready to use any weapon to prevent the Jewish State from being created. They now sought its destruction, and many were unable to reconcile themselves to the fact that Israel was a permanent fixture in the Middle East. That attitude had led to great suffering in the Middle East and in Palestine; it had caused the slaughters of 1920, 1921 and 1929. In the period 1936-1939, Arabs had killed five times as many Jews - 3,200 in all - as Jews and British combined. The same attitude had led to the Arab rejection of United Nations resolution 181/II of 1947, to the Arab invasion of Palestine in 1948, to infiltration and terrorism after the signature of the armistice agreements, and to the wars of 1956, 1967 and 1973. The same attitude had also led to the establishment of the so-called PLO in the mid-1960s, and to the campaign in the United Nations to vilify Israel and glorify the terrorist activities of the PLO.

113. Delegations should, however, consider the very important changes which had taken place in the region during the past year. One hopeful aspect was the enthusiasm of the ordinary people for a peace policy. Yet even when peace treaties were signed with one or more Arab States, the forces in the Arab world which wanted to destroy Israel would still be there. Syria did not disguise its dream of creating a greater Syria. It had spent millions on a project to divert the waters of the Hasbani and the Bannias, two of the sources of the River Jordan, which would not have added one drop of water for Syria's use, but would have made war inevitable. The Syrians had attacked peaceful villages, and such outrages could be renewed at any moment. Judaea and Samaria could not be permitted to become bases for terrorism once more; from those areas, the most vital centres of Israel's population and economy would be open to artillery fire, and terrorists would be able to set out after dusk and attack any Israeli target, returning by dawn. Israel could not be expected again to expose its people to the possibility of facing, as in 1967, armies in Judaea, Samaria and Gaza which had the declared intention of annihilating them.

(Mr. Ramati, Israel)

114. Delegations should reflect carefully before voting on the draft resolutions. Arab armies were no longer what they had once been. According to the International Institute of Strategic Studies in London, Arab States had ordered arms worth tens of billions of dollars for delivery by 1980. On Israel's eastern front alone, the Arab armies already had manpower and tanks equal to those of one of the world's two major military alliances, and possessed twice as much artillery. It was impossible for his small country to feel secure if such forces were concentrated in its capital city of Jerusalem, within artillery range of Tel Aviv.

115. Israel was doing all it could to promote peaceful coexistence and to give tangible expression to the benefits of mutual co-operation between Jew and Arab. Among the Arabs in Judaea, Samaria and Gaza, blind hatred had been replaced by much mutually beneficial co-operation. The framework agreement of Camp David envisaged civilian administration in Judaea, Samaria and Gaza. Israel wished to withdraw its own military Government and civil administration from those areas. While it was difficult to preserve national security for Israel in those areas, the plan presented an exciting challenge to both Israel and its Arab neighbours. His delegation believed that the example of the benefits of peace which Israel's treaty with Egypt would demonstrate, as well as the evolvement of new forms of friendly coexistence in Judaea, Samaria and Gaza, would eventually influence those forces in the Arab world which were as yet unreconciled to Israel's renewed independence in their midst. Delegations should not support resolutions which would make a difficult road to peace even more hazardous.

116. The draft resolution contained in documents A/SPC/33/L.15, L.16 and L.17, contained unfounded assertions with regard to legal questions. In the fourth preambular paragraph of draft resolution A/SPC/33/L.15, the Assembly would note that Israel and the Arab States whose territories had been occupied by Israel since June 1967 were parties to the fourth Geneva Convention. The whole resolution was therefore based on the false premise that Judaea, Samaria and Gaza were sovereign Arab territories. That assumption was incorrect according to international law. Each of the 22 Arab States had its own Government and its own sovereignty; but Judaea, Samaria and Gaza did not belong to any one of those territories. The fourth Geneva Convention did not, therefore, apply to Judaea, Samaria or Gaza. The legal standing of Israel in those territories was that of a State lawfully in control of territory to which no other State could show better title. Israel could not be considered an "occupying force" within the meaning of the Convention in any part of the former mandated territory of Palestine.

117. However, Israel's policy in the administered territories had been to observe all humanitarian provisions of international conventions. Those did not include any restriction on the freedom of persons to take up residence in such areas of their own free will. Article 49 of the fourth Geneva Convention was intended to protect the local population from mass deportation, such as had occurred under the Nazis in the Second World War. Israel had taken great care to ensure that no Arab resident in the area should be displaced by any new Jewish village or township, and article 49 of the Convention did not therefore, apply. Those who had read the Convention would find that it did not sanction recourse to violence or sabotage, obstruction of the administration, or acts against the security of the State and its forces. The administering Power had both the right and the duty to punish those guilty of such acts, in accordance with the law.

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(Mr. Ramati, Israel)

118. Israel had in fact gone beyond the requirements of the Convention by not applying capital punishment, by allowing the population access to Israeli courts, by allowing free movement out of the territories, by assisting the inhabitants of the area in the expansion of their foreign trade, and by twice holding free and democratic elections for municipal and local councils. The settlements in the areas had been described by Foreign Minister Dayan as a deterrent to war. The impression had been given that Jews had come to live in Judaea, Samaria and Gaza for the first time in 1967. Yet Jews had owned land in those areas and in the old city of Jerusalem for centuries. They had constituted the majority of the population in the three areas until the Arab conquest of the seventh century. There had been Jewish settlements in recent generations in the cities of Hebron, Gaza, Jericho, and Shechem, and in Jerusalem itself Jews had outnumbered their Christian and Moslem neighbours for at least the past 150 years. In the 1920s and 1930s, the smaller urban Jewish communities in predominantly Arab cities had been unable to survive attacks by their Arab neighbours, and had therefore been dispersed. Would anyone in the Committee wish to assert that it was illegal for a Jew to settle on land which he owned, merely because Arabs lived in the area? Such Jewish villages existed on Jewish-owned land in the Hebron hills, in the Gaza Strip, in the Jordan valley and by the Dead Sea. The objections to Jewish settlement were either racist in nature or were politically motivated, in cases where Governments preferred to prejudge the status of the areas rather than allow the matter to be settled by negotiation in accordance with Security Council resolutions 242 (1967) and 338 (1973).

119. His Government indignantly rejected the false and totally unfounded accusations contained in operative paragraph 4 of draft resolution A/SPC/33/L.17. Operative paragraph 5 (g) was particularly slanderous. The International Red Cross, which had the opportunity of speaking freely with any detainee, had not substantiated those crude allegations. Operative paragraphs 5 (c), 5 (f), 5 (h), 5 (i) and 5 (j) were utterly ridiculous. The only purpose of operative paragraph 10 was to continue to flood the United Nations with reports deliberately hostile to Israel. Delegates should register their distaste for the exploitation of the United Nations for the purpose of psychological warfare against Israel.

120. One of the draft resolutions referred again to the town of Quneitra. For some years, that town had been under Syrian civilian administration, and was not even mentioned in the report of the Special Committee.

121. Delegates able to cast a free vote should vote in the way they believed would best serve the ideals of the Charter and the aims of the United Nations. Given the present opportunity to achieve peace in the region, they should support progress towards reconciliation, and should oppose draft resolutions calculated to inflame the situation and to perpetuate the conflict. They should encourage the Arab neighbours of Israel to join in the peace process, and should themselves vote for peace by voting against the misguided resolutions.

122. The CHAIRMAN said that the representatives of India, Egypt, Kuwait, Jordan and the observer for the PLO wished to exercise the right of reply. Those replies would

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English

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(The Chairman)

be heard at the meeting to be held the following day. Voting on the draft resolutions would take place on 28 November. Mali, Nigeria and Yugoslavia had joined the sponsors of draft resolution A/SPC/33/L.15; Mali, Turkey and Yugoslavia had joined the sponsors of draft resolution A/SPC/33/L.16; and Mali had joined the sponsors of draft resolution A/SPC/33/L.17.

The meeting rose at 3.50 p.m.