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New York

SUMMARY RECORD OF THE 24th MEETING

Chairman: Mr. GREGORIADES (Greece)

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The meeting was called to order at 3.55 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 (A/31/218, A/31/235 and Add.1 and 2, A/31/302; A/SPC/31/6) (continued)

1. Mr. ALLAF (Syrian Arab Republic) said that certain important points in his statement at the previous meeting might have been incorrectly interpreted into English. While he appreciated the problems arising from the fact that Arabic had only recently become an official language of the United Nations, he was anxious to ensure that a number of important requests which he had made at the end of his statement were not open to misinterpretation or misunderstanding.
2. In his statement he had quoted from a number of documents and decisions, and had formulated requests on behalf of his delegation and the Syrian Government regarding the findings in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, and the report by the Swiss expert, Dr. Gruner, on the destruction of the town of Quneitra.
3. It was clear, even from the press release for the previous meeting, that the English interpretation had been inaccurate. For instance, in referring to the report contained in the Jerusalem Post of 26 June 1974, he had said that that report could not be impartial. Yet the press release quoted him as citing the Jerusalem Post in support of his arguments. If such a simple point had been misinterpreted, then major points might be subject to very serious misunderstandings. In formulating certain requests at the end of his statement, he had confined his remarks and the position of his Government to political, documentary and legal aspects of the report by Dr. Gruner and had outlined the action his Government expected the Special Political Committee, the General Assembly and the Security Council to take on the basis of the findings of both the Committee and Dr. Gruner.
4. In particular, he had requested the Special Political Committee to allow a Syrian civil engineer to join the Syrian delegation and to make a statement, at a time the Committee deemed appropriate, on the technical aspects of Dr. Gruner's report. He had also addressed a number of political requests to the General Assembly and the Security Council.
5. He therefore requested that the Arabic text of his statement should be published in extenso and be regarded as the original authentic text. The Committee could then consider his statement, and the requests formulated, in their true light.
6. Mr. DORON (Israel) said he wished to endorse the comments made by the Syrian representative regarding the English interpretation of the Syrian statement. For example, according to the English interpretation, the Syrian representative had stated that a pamphlet by a Mr. Michael Adams had been published on behalf of a group for the strengthening of Arab-Israeli entente. While his delegation would welcome the existence of such an entente, which would, incidentally, require a

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(Mr. Doron, Israel)

change of heart on the part of many Arab leaders, he wished to point out that the group concerned was in fact a group for the strengthening of Arab-British understanding. He trusted that the necessary correction would be made on that point.

7. The CHAIRMAN assured the Israeli representative that the necessary correction would be made.

8. Mr. ALLAF (Syrian Arab Republic) said that the point raised by the Israeli representative showed how necessary it was to know exactly what would happen to the text of his statement. He did not wish his statement to be construed as meaning the exact opposite of what was intended. He declined to comment on the Israeli representative's reference to Arab-Israeli entente, since the only condition for such entente would be Israel's withdrawal from the occupied Arab territories and its recognition of the rights of the Palestinian people.

9. The CHAIRMAN assured the representative of Syria that the Arabic text of his statement would be reproduced in extenso in the summary record and translated into the other official languages of the United Nations.

10. Mr. DROZDOV (Union of Soviet Socialist Republics) said that the objective and comprehensive report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories convincingly showed that the intolerable situation in those territories, which was the direct result of the continuing Israeli occupation, was worsening. Israel was carrying out a policy of racial discrimination and persecution against the Arab population in the territories. The inhabitants of the occupied lands were being forcibly evicted from their homes, which were being destroyed to make room for Israeli settlements. It was clear that Israel had embarked on a policy of annexation, which the Israeli leaders themselves did not deny. The Arab inhabitants were being subjected to continuous persecution, arbitrary arrest and cruel tortures. The Special Committee's report showed that the Arab population refused to be reconciled to the Israeli occupation, and had shown a great determination to fight for its rights. The rising tension in the occupied territories clearly exposed the absurdity of Israeli attempts to assimilate the occupied Arab lands, disregard the rights of the Palestinians and avoid a definitive settlement of the Middle East conflict.

11. His delegation was very concerned over Israel's refusal to co-operate with the Special Committee and over the support Israel was receiving in that connexion from certain Member States which usually professed to be champions of human rights.

12. Israel's actions in defiance of numerous United Nations resolutions and decisions, including resolution 3525 (XXX) and a special resolution adopted by the United Nations Commission on Human Rights, should, in the view of his delegation, be condemned by the General Assembly as war crimes and an affront to mankind. His delegation fully supported the main conclusion of the Special Committee that the only way to guarantee the human rights of the civilian population of the occupied territories was for the Israeli occupation to be

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(Mr. Drozdov, USSR)

terminated. The situation in the occupied Arab territories showed the need for further efforts to achieve a political solution to the problem in the Middle East, based on the relevant decisions of the Security Council and the General Assembly. The establishment of a durable and just peace in the Middle East required the withdrawal of Israeli troops from all Arab territories, the safeguarding of the inalienable rights of the Arab population of Palestine, including its right to establish its own government, the safeguarding of the right of all States directly involved in the conflict to develop independently, and the provision of the necessary international guarantees to those Governments.

13. The recent Soviet proposal concerning the resumption of the Geneva Peace Conference with the participation of all parties concerned, including the Palestine Liberation Organization, was aimed at eliminating a dangerous source of tension in the Middle East, in the interest of strengthening international peace and security. It was his delegation's hope that all Member States would contribute to a solution of the problem.

14. Mr. PANDA (India) said that, in spite of the difficulties created for it by Israel, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories had performed its task with integrity and competence.

15. The report of the Special Committee demonstrated that the Israeli authorities were continuing to implement a policy of annexation and settlement. Official statements by Israel made clear that country's intention to retain those areas where settlements had been established. Under a plan adopted by Israel's Ministerial Committee on Territories, 29 new settlements were to be established during 1976 and 1977, of which 20 were to be located in the occupied territories. It was deplorable that the construction of most of those settlements involved the demolition of Arab homes. Expropriation of Arab land and eviction of Arab inhabitants continued in the Gaza Strip, and the Government of Israel was according high priority to the settlement of Jerusalem and its surrounding areas by Jews. New settlements were also being built in the Golan Heights and the Sinai. Israel's policy of annexation and settlement involved not only expropriation of Arab territories but also measures to discourage the Arab populations from remaining in the occupied territories.

16. Chapter V of the report contained an account of the devastation of the town of Quneitra by the Israeli authorities, which had been studied by a qualified expert in pursuance of General Assembly resolutions 3240 C (XXIX) and 3525 C (XXX).

17. The practices resorted to by the Israeli authorities had understandably given rise to demonstrations by the Arab population. Those demonstrations, in turn, had led to mass arrests, demolition of houses, expulsion or administrative detention. Arab inhabitants detained in occupied territories were treated by the Israeli authorities in a manner incompatible with the Fourth Geneva Convention of 1949.

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(Mr. Panda, India)

18. It was a tragedy that after over 25 years of suffering and life in refugee camps, Arab refugees were still prevented from returning to their homes. The Committee had rightly concluded that the situation of the Arab population in the territories occupied by Israel was one of a people under foreign military occupation. Only termination of Israel's occupation could restore to the Arab population of those territories their legitimate national rights.

19. Mr. KADLEC (Czechoslovakia) said that the overwhelming majority of Member States agreed that the tense situation in the Middle East constituted a threat to peace and security and that a solution to the problem should be achieved by political means. The countries of the socialist commonwealth and the movement of non-aligned countries had expressed their views on ways and means of ensuring a just and lasting peace in the region by peaceful means, based on the satisfaction of the legitimate national demands of the Arab population of Palestine and the withdrawal of Israeli troops from the occupied Arab territories and the establishment of guarantees for the security of all peoples in the region. The failure to achieve any progress towards a solution of the Middle East problem was due to the opposition of Israel and the Powers supporting it in its dangerous policies. The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories afforded ample proof of the measures that were being taken by Israel to alter the political, military, economic and demographic situation in the occupied territories. As a result, the already difficult situation of the Arab population was worsening. Israel's reprehensible and cynical policy, clearly aimed at annexation by faits accomplis, included intimidation and repression of the Arab population, acquisition of Arab lands by expropriation or purchase, and the establishment of an increasing number of non-temporary Jewish settlements.

20. Israel's claim to have improved the living conditions of the Arab population in the occupied territories was completely unacceptable. No one could ever force a freedom-loving people to abandon, for a crust of bread, its struggle to exercise its inalienable right to self-determination. Israel showed extreme arrogance in continuing to disregard resolutions and decisions adopted by the Security Council and the General Assembly. Israeli policy in that connexion was based on several factors. Firstly, Israel had the support of imperialist States, which were afraid that normal conditions in the region might lead to the establishment of progressive Arab governments, and secondly, Israeli leaders and their patrons had been able to count on Arab disunity. His delegation wished to express its firm opposition to Israel's policy of annexation of the occupied territories and demanded that the situation in the Middle East, and hence the problem of the Palestinians, should be settled in the spirit of the Charter and in accordance with the resolutions of the Security Council and the General Assembly.

21. Mr. KORNEYENKO (Ukrainian Soviet Socialist Republic) said that the 1976 report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories showed that Israel was continuing to commit flagrant violations of the rights of the Arab population of the territories and also deliberately to violate the Charter, Security Council and

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(Mr. Korneyenko, Ukrainian SSR)

General Assembly resolutions and the 1949 Geneva Convention. The Special Committee had been able to find ample evidence of systematic and wholesale mass terror and violence committed by the Israeli aggressors against the Arab population, its property and natural resources. Those who were forever talking in the United Nations about alleged violations of human rights in other countries, for some reason kept silent when the subject of the blatant violations of human rights in occupied Arab territories arose.

22. In pursuing its deliberate policy of settlement and annexation, Israel resorted to forced eviction of the Arab population, expropriation of Arab lands and property and the destruction of Arab homes. Furthermore, Israeli settlements were being built on the land from which Arabs had been expelled, which clearly demonstrated Israel's expansionist and annexationist policy.

23. His delegation agreed with the Special Committee's conclusion that the basic violation of human rights committed by Israel in the occupied territories was the mere fact of occupation. The Security Council and the United Nations Commission on Human Rights had taken decisions condemning Israeli practices and policies in the occupied Arab territories. However, the situation in those territories was growing increasingly tense, as could be seen from the massive Arab demonstrations and the brutal Israeli repression.

24. His delegation wished to stress that only a thorough-going, comprehensive settlement in the Middle East could lead to a solution of the problem. Attempts to bypass such a settlement, by resorting to separate arrangements and so-called step-by-step diplomacy, would only give Israel more time and opportunity to strengthen its position in the occupied territories and avoid committing itself to a thorough-going and comprehensive settlement, without which there could be no just and lasting peace in the region. Such a settlement must include three key elements, on which nearly all Governments had agreed: the withdrawal of Israeli troops from all Arab territories occupied in 1967; the satisfaction of the legitimate national demands of the Arab people of Palestine, including their inalienable right to establish a sovereign State; international guarantees of the security and inviolability of the borders of all States in the Middle East and their right to an independent existence and development. In that connexion, his delegation welcomed the new appeal by the Soviet Union to all parties directly involved in the conflict, and all participants in the Geneva Peace Conference, to resume that Conference.

25. Mr. EMILIANI (Colombia) commended the precision and clarity of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which enabled the facts to be viewed and evaluated in their proper light. The report made it abundantly clear that Israel was continuing to strengthen its hold over the occupied territories by annexation, settlement and aggression, and was protecting its occupation by a military legal system which was more concerned with maintaining that hold than with the rights of the individual. The basic rules of that legal system were drastic and sometimes excessive, as was true of any police-type régime. Similarly,

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(Mr. Emiliani, Colombia)

judicial procedure, like the rules, served mainly to protect the occupying country and to deprive the accused of the rights that would be enjoyed in a democracy and was conducive to abuses.

26. Yet, however drastic, that system could not be said to constitute a strict case of violation of human rights, since the political pluralism prevailing in the present-day world had had to limit its defence of human rights to compliance with formal requirements and could not ensure their effective protection. Indeed, if anything more than mere form was required for the protection of human rights, the legal systems of such totalitarian countries as the communist countries would also have to be deemed to violate human rights, for they involved equally drastic rules and procedures and the prisons of such countries were full of political prisoners convicted of the unforgivable crime of exercising freedom of speech or belief. If countries which employed a system similar to that applied by Israel in the occupied territories were not considered to violate human rights because they had established a formal legal apparatus, then Israel could not be deemed to have violated human rights in the occupied territories either, because it too had created a formal apparatus.

27. The problem confronting the international community in that respect arose from an inability to distinguish between good and evil in the contemporary world, for conviction had given way to conformity. However, States might at least try to avoid contradiction by refraining from condemning in some what they praised in others. Accordingly, it was his view that the report of the Special Committee did not succeed in proving what it had set out to prove, namely that Israel had violated human rights in the occupied territories, and it would be hard for the Committee to make such a contention.

28. However, the report did demonstrate one serious fact, namely that Israel intended to continue its occupation of the territories which it had conquered by force and which the United Nations had asked it to relinquish. That was the main cause of the consternation in the international community. Israel could argue that the report was biased and inconclusive and that the circumstances justified many excesses. But as long as it continued to occupy by force lands which did not belong to it, it must be held responsible for any reprehensible acts that took place in those territories.

29. Israel's obstinacy had prevented any international punitive measures from being taken against it. His country was bound to Israel by bonds of admiration and affection and thus had no qualms about calling upon that country to respond to the appeals of the United Nations. Tension was increasing daily and the very survival of the United Nations was threatened, because its prestige was eroded when Members turned a deaf ear to its recommendations. The situation was particularly serious in the case of Israel, since Israel had been one of the major creations of the United Nations. If Israel defied the United Nations, the latter would become an international laughing stock. But when that happened, the rule of law would have ended for ever and the process of mankind's destruction would have begun.

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(Mr. Emiliani, Colombia)

30. The cause of the Palestinian people was too just and too self-evident to be obscured by controversial or questionable elements. Such elements could only serve to harm it, particularly when used by some countries for unworthy ends instead of the defence of the Palestinian cause, as had been the case in the present debate.

31. It was Colombia's policy to seek peace through justice. It would therefore vote for any draft resolution inspired solely by a concern for strict justice.

32. Mr. BURAVKIN (Byelorussian Soviet Socialist Republic) said that his country had experienced occupation for nearly three years during the Second World War and could thus well understand the note of alarm sounded in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. The report had been prepared in spite of the defiant refusal of the Israeli Government to admit representatives of the Special Committee to the occupied Arab territories. Yet it managed to show objectively and convincingly that Israel was continuing its destruction of Arab homes and its exploitation of the labour and non-renewable natural resources of others. Searches, arrests, firing on peaceful demonstrators and atrocities against historic sites had become common occurrences in the occupied Arab lands. Israel's stubborn disregard of binding Security Council decisions, General Assembly resolutions and the demands of peace-loving and progressive world opinion was becoming increasingly intolerable.

33. The very fact of occupation was a flagrant violation of human rights. Those who attempted to defend Israeli occupation should remember that, from the point of view of contemporary international law, forcible occupation of territories belonging to other States was considered to be an extension of aggression. The only way to end the violations of human rights in the occupied Arab territories was for Israel to cease its occupation and allow the unconditional exercise of the inalienable rights of the Palestinian people. Reliable international guarantees should be established to ensure the independent existence and security of all States in the region. His delegation condemned the Israeli crimes in the occupied Arab territories and supported all measures aimed at an over-all solution of the situation in the Middle East, and particularly the immediate resumption of the Geneva Peace Conference on the Middle East.

34. Mr. AL ATIYYAH (Iraq) proposed that, to enable members of the Committee to attend the plenary debate on the question of Palestine the following day, the Special Political Committee should not meet until Monday, 22 November.

35. The CHAIRMAN announced that the Special Political Committee would hold its next meeting on Monday, 22 November, when it would continue its consideration of agenda item 55.

The meeting rose at 5.25 p.m.