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at 3 p.m.

**FIFTH EMERGENCY SPECIAL SESSION**

**NEW YORK**

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**President: Mr. Abdul Rahman PAZHWAK  
(Afghanistan).**

**AGENDA ITEM 5**

Letter dated 13 June 1967 from the Minister for  
Foreign Affairs of the Union of Soviet Socialist  
Republics (A/6717) (continued)

1. Mr. AL-SABAH (Minister for Foreign Affairs of Kuwait):<sup>1/</sup> Once again the General Assembly meets, in an emergency special session, to consider the armed aggression perpetrated anew by Israel, against the territories of neighbouring Arab States, Members of the United Nations, and to discuss the measures that should be adopted with respect to the consequences of that invasion, including the occupation of territories of the invaded States. And once again the Assembly finds itself facing a test of its readiness to translate the principles of the Charter into practical resolutions.

2. The Assembly, which successfully passed its earlier test eleven years ago, when it adopted resolutions and effective measures which demonstrated its faithfulness to the principles of the Charter, is now still facing its second test, the outcome of which will depend on our discussions and votes.

3. We wish to record our profound gratitude to those Member States whose declared positions have demonstrated that they are firmly opposed to aggression, and that they condone neither aggression itself nor the gaining by an aggressor of political, territorial, economic or other advantages through its resort to force.

4. But it is a source of regret and pain to us that some other States, which proclaim in the abstract their absolute rejection of military aggression, fail nevertheless to apply this general principle to the particular case which we now face. Such States either oppose the adoption of any proposal calling upon the aggressor to withdraw from the territories it has acquired through its aggression, or link the question of withdrawal to some "general settlements", of which the point of departure is precisely the situation created by the aggression.

5. We urge the proponents of such an idea—which is embodied in particular in the draft resolution proposed by the United States [A/L.520]—to reconsider their position. We urge them to re-examine the contradiction, which is implicit in that position, between their proposal, on the one hand, and the Charter of the United Nations and their own declared beliefs, on the other hand. To those States we say that the condemnation in principle of the resort to force, the enunciation in abstract terms of the maxim that an aggressor should not be rewarded for his aggression, and the announced respect for the territorial integrity of all Member States—all these remain insincere as long as they are not applied to the concrete case presently before us, which constitutes a challenge to all the aforementioned principles.

6. Apart from being incompatible with the fundamental principles upon which the United Nations is established, the failure to secure the withdrawal of the Israeli aggressive forces from the occupied Arab territories will lead to a number of grave practical dangers. Permit me to refer to the most important of these consequences.

7. First, such failure will create a situation in which the Arab States will, sooner or later, feel compelled to undertake by their own efforts and through the use of all means at their disposal the restoration of their usurped lands and the safeguarding of their legitimate and inalienable rights, which the United Nations will have been derelict in restoring and safeguarding. For it would be naive and self-deceptive for anyone to believe that the Arab States directly concerned, and the Arab nation in its entirety, might indefinitely accept the present occupation, in whole or in part, or acquiesce in the continued presence of the forces of aggression on Arab soil. Can the world really believe that, in an age distinguished by the eradication of the remnants of past imperial occupation, some Members of the United Nations would tolerate for long the fall of their territories to a new aggressive imperialism and the continued occupation of those territories?

8. Let us recall, in this connexion, the moving and eloquent warning contained in the statement delivered by His Majesty King Hussein of Jordan last Monday before this Assembly. His Majesty said:

"Should this aggression not be condemned, should the return of all our lands be delayed any further and should all traces of the aggression which began on 5 June not be completely erased, Jordan will still survive. Ground down by sorrow for the moment, we will rise again. And with us will arise the Arab Nation.

<sup>1/</sup> Mr. Al-Sabah spoke in Arabic. The English version of his statement was supplied by the delegation.

"It is apparent that we have not yet learned well enough how to use the weapons of modern warfare. But we shall learn if we have to. The battle which began on 5 June will then become only one battle in what will be a long war." [1536th meeting, paras. 25 and 26.]

9. As for us, I wish to announce that Kuwait is fully prepared to employ all its capacities and all its resources towards the securing of Arab rights and principles, and to make any sacrifice, whatever its magnitude, that may have to be undergone in the process of seeking the attainment of this objective full and undiminished.

10. Second, failure to secure the withdrawal of Israel will embolden Israel itself to resort to armed aggression once again in the future for the purpose of attaining further territorial aggrandizement. For it was precisely the original failure of the United Nations in 1948 to apply effectively the principles of the Charter to the conduct of Israel that encouraged Israel to believe that it could always accomplish lasting territorial aggrandizement by resort to armed aggression; and it was this belief that prompted Israel to launch its recent aggression.

11. We all recall that when it began to face the question of armed hostilities in Palestine in 1948, by calling for a cease-fire and a truce, the Security Council declared solemnly and unambiguously, on more than one occasion, that a principal condition of the truce was that "no party is entitled to gain military or political advantage through violation of the truce". This principle was enunciated in Security Council resolution 56 (1948) of 19 August 1948, was reaffirmed on 19 October 1948 [59 (1948)], was enunciated once more on 4 November 1948 [61 (1948)], and was again reaffirmed on 16 November 1948 [62 (1948)]. But the Security Council failed to apply this principle in practice to the actual progress of hostilities. As a result, Israel proceeded to violate the truce time and again, and was thereby enabled to occupy vast areas of Palestine which had not been under its control when the Council proclaimed or reiterated the aforementioned principle. Had the world Organization carried out its duties in 1948, translating its words into deeds, we would not be meeting today to consider a new act of Israeli aggression, which is in reality a repetition of those earlier acts of aggression but on a larger scale. Accordingly, if the United Nations now fails to put an immediate, decisive, and complete end to the consequences of the recent Israeli aggression, it will have planted the seeds of a new Israeli aggression with its own hands in a fertile soil—the soil of the Zionist movement, ever eager for expansion, devoutly attached to violence and the use of force, and desecrating the principles of international law and the United Nations Charter.

12. I referred a moment ago to the Zionist eagerness for territorial expansion. I wish to emphasize that that was not a figure of speech but a realistic and accurate description of a Zionist ideological drive which has been embodied in practical policies and has already achieved actual and steady fulfilment. The Zionist movement, which set out from the very beginning to conquer the entire area it calls Eretz Israel, and which has pursued that objective

through a carefully planned approach of stage-by-stage implementation, remains until today—despite the recent expansion accomplished this month—at a station along its charted path; it has not yet arrived at its terminal. Even if we accept, as a definition of ultimate Zionist territorial ambitions, the minimum demands officially made by the Zionist movement in its 1919 Memorandum to the Paris Peace Conference, we cannot fail to observe that there are still large areas of Lebanon, Syria, and Jordan which are earmarked for Israeli expansion in the future—to say nothing of the much larger areas coveted by so-called Zionist "extremists", whose territorial target stretches all the way from the Nile to the Euphrates. If, then, it does not now impose upon Israel withdrawal from the recently occupied territories of the Arab States, the United Nations will have virtually addressed an open invitation to Israel to proceed tomorrow to achieve another instalment in its well-known expansionist programme.

13. Third, the consequences of the failure of the General Assembly to secure Israeli withdrawal transcend Arab and Zionist reactions and affect the world as a whole. Should the present emergency special session of the Assembly demonstrate either the unwillingness or the inability of the international community to safeguard the principle that States shall not be permitted to resort to armed aggression, or the corollary principle that States which resort to armed aggression shall not be permitted to retain the fruits thereof, the door would be left wide open for further desecration of those principles in the future at the hands of any State which harbours aggressive or expansionist designs against its neighbours, or which attempts to obtain political advantages from them by employing the territorial occupation gained by armed aggression as a bargaining point for exacting political concessions from its victims.

14. I hope that every one of us, while determining his position with regard to the issue presently before us, will consider carefully the consequences which the final attitude of the General Assembly will have upon the fate of all States—particularly the small and emerging States, which have no better guarantee of their territorial integrity than the assurance resulting from the entrenchment of the Charter in the soil of the international system.

15. As a small and emerging State, which believes in this Organization, in its Charter, and in its role in the maintenance of security, equality, and peace based on justice, Kuwait appeals to all other small and emerging States to support those measures which aim at safeguarding and enhancing respect for the principles of the Charter and ensuring their application and effective implementation.

16. Fourth, the vote to be taken at this session, and the ensuing action in implementation of its decisions, will leave their impact upon the destiny of the United Nations itself. For the structure of the United Nations is an indivisible whole; if one of its pillars falls, the entire edifice will sooner or later collapse.

17. In the light of what I have said thus far, it is clear that the choice before us at this session is in reality a choice between the preservation of peace

and the creation of chaos and turmoil in the Middle East and throughout the world; a choice between support for the United Nations and loyalty to its principles, on the one hand, and betrayal of its very *raison d'être* on the other. If it is peace and loyalty to the ideals of the United Nations that we choose, this choice will necessarily require that everything be done to ensure the withdrawal of the Zionist aggressors from the Arab territories which they have just occupied through their recent aggression, and that such withdrawal be complete, immediate, and unconditional.

18. If withdrawal is not complete—that is to say, if the aggressor is permitted to retain a part of the territories which it has occupied by armed force—the result is the same; for, what matters more than the size of the area occupied and retained through armed aggression is the principle of launching an invasion and retaining its fruits, and the significance and consequences of this principle.

19. If withdrawal is not immediate, then every moment that elapses before it is completed will mean the eviction and displacement of more innocent people, the destruction of more cities and villages and installations, the looting of more property, and the illegal exploitation of the natural resources of the invaded States located in the territories occupied during the invasion. Furthermore, every moment that elapses before withdrawal is completed will mean the persistence of the aggressor in adopting measures calculated to render withdrawal more difficult to attain in the future.

20. If withdrawal is not unconditional—that is, if the evacuation of occupied territories is linked to a process of bargaining and barter, in which the aggressor attempts to trade some occupied territories for political, economic, or military gains—then the United Nations will have in effect permitted the aggressor to acquire, through a premeditated aggression, those very advantages which it had always coveted and sought to attain by resort to armed force.

21. Only through complete, immediate, and unconditional withdrawal will the spirit and letter of the Charter be applied. And only thus will the United Nations assert, by deeds and not only by words, that the conquest of territories by force of arms does not bestow upon the occupying force any legal right to remain in the occupied territories, to exploit that occupation in furtherance of prior objectives, or to create changes in the status quo ante in the occupied territories.

22. The imperativeness of the three attributes of the withdrawal which I have just cited—namely, that it be complete, immediate, and unconditional—has been forcefully brought home to us by events which occurred in Jerusalem the day before yesterday. While we were engaged in discussions here, the aggressor was facing this Organization with a new fait accompli and demonstrating once again disrespect for the United Nations and disregard for its will.

23. The Israeli legislature has passed a bill purporting to transform the military occupation of Jerusalem into a complete and administrative annexa-

tion. Purported Israeli annexation has thus been inflicted upon Jerusalem—that one spot in the whole occupied area which has always been the object of the special and supreme concern of the United Nations, as well as of hundreds of millions of people, Moslems, Christians, and Jews and of the religious authorities representing their aspirations.

24. Thus, Israel has in effect addressed to all of us here a message which says: This is what will happen—and it will happen on a larger scale—to all the occupied territories, if you go on considering and discussing what should be done, instead of proceeding with the utmost speed to adopt decisive measures adequate to ensure immediate, complete, and unconditional withdrawal from all occupied territories.

25. Will we now listen to this message, eloquently conveyed to us by Israeli deeds far more articulate than any statements and declarations? Will we learn the lesson of this message? And will we adopt the one appropriate decision commensurate with the magnitude of the challenge and the menace?

26. I wish to announce our full support, in accordance with what I have stated, for the draft resolution submitted by the Union of Soviet Socialist Republics [A/L.519]. And, in the light of the considerations advanced thus far, I earnestly appeal to the United States of America to rise above itself and to withdraw the draft resolution which it has submitted [A/L.520], rather than cling to it. If the United States does so, it will provide a dignified example of the virtue of retreating from error; and it will join the ranks of those numerous States which, throughout the present crisis, have stood resolutely for peace based on justice, for the principles of the Charter, and for buttressing the United Nations—the best instrument for the attainment of peace, security and justice that mankind today possesses.

27. May I also appeal to all those great Powers, which have often voiced their support for the United Nations Charter and their devotion to justice and peace, to translate their announced beliefs into practice in the present crisis. I appeal to them to understand well the feelings of the Arabs and their profound faith in the justice of their cause, and to desist from their hostility to the legitimate Arab aspirations. For the Arab nation, which sincerely and appreciatively befriends those who understand its sentiments and sympathetically respond to its just aspirations, cannot overlook the attitudes of other States which pursue injurious and unjust policies towards it, policies which are incompatible with vital Arab interests or legitimate Arab rights.

28. Mr. LIATIS (Greece): What I was to say in our general debate this afternoon, in stating the position of Greece on the very grave situation resulting from the recent hostilities in the Middle East, has been mostly superseded and rendered actually stale and outdated by the disturbing news that reached us late last night concerning the action taken by the Government of Israel in respect of the Old City of Jerusalem.

29. The attention of all States represented in this emergency special session of the General Assembly is now focused upon this patently illegal and unacceptable unilateral act of annexation of foreign

territory, done while this Assembly is occupied in considering the whole problem of the Middle East. On behalf of my Government, I wish to express our profound disappointment at, and our strong disapproval of, this action, totally unexpected by us, I confess, and incompatible with both international law and the Charter of the United Nations.

30. The threat or the use of force is explicitly banned by the United Nations Charter. It is precluded and prohibited by all political and moral standards governing international relations. It runs counter to all that our Organization stands for and is striving to achieve in its essential efforts to assure peace, security and friendly relations among States throughout the world.

31. May I stress that, in the view of my Government, military conquest or military occupation affords no title of any kind, nor a valid basis for any claim whatsoever, to any parcel of territory taken by military force. On the contrary, we firmly believe that the evacuation of all occupied Arab lands and the withdrawal of all Israeli troops behind the General Armistice Agreements lines are absolutely imperative and should be accomplished without delay. Any other thesis or view would be tantamount to a complete disregard for, and a dangerous reversal of, the basic tenets of the San Francisco Charter, and would represent a flouting of the most elementary rules of international order.

32. For these reasons, my delegation is ready to support the draft resolution introduced yesterday afternoon by the representative of Yugoslavia, on behalf of fourteen other delegations [A/L.522 and Add.1], calling for the withdrawal of all Israeli troops from all Arab territories now occupied by them.

33. My delegation is also prepared, in principle, to support a draft resolution stressing the illegality, under international law as consecrated in the Charter, of the annexation of the territory of Jerusalem carried out by Israel.

34. May I also point out that this step was taken by Israel while the Government of Israel, here and in Tel Aviv, has been asking its Arab neighbours to enter into negotiations with it with a view to resolving the several problems outstanding between them. One wonders whether such an invitation was meant seriously, when the Government of Israel was actually proceeding to measures aimed at settling unilaterally one of the crucial issues in this grave conflict. Moreover, the Government of Israel has taken no account whatsoever of the fact that the future of Jerusalem, besides its main political aspect, involves also a wide religious interest to millions of people throughout the world.

35. In this respect, may I remind you of the traditional attachment of the people of Greece to the Orthodox Christian faith, as well as of the fact that most of the Christian shrines in Jerusalem and elsewhere in Palestine were first erected by, and are still in the custody of, the Greek Orthodox Patriarchate of Jerusalem. In these circumstances, my Government has always been keenly interested in

the preservation and the inviolability of this valuable spiritual and cultural heritage of Christianity.

36. In this same sense of historical duty and responsibility, my Government, upon the outbreak of hostilities on 5 June, addressed an urgent appeal to the Secretary-General, asking him to take the initiative to have Jerusalem declared an open city in order to have it spared from the ravages of war.

37. Another point of grave concern to us is the great loss of life among the civilian population during the hostilities, and even more, the continuing flow of refugees crossing the Jordan River to the east, many of them from the refugee camps of the United Nations Relief and Works Agency on the western bank of the river. This is a new chapter of the human tragedy that has afflicted the innocent people of Palestine for nearly twenty years. To the old refugees there have been added close to 100,000 new expellees, thus expanding, aggravating and complicating a problem which is the sorest wound in Israeli-Arab relations.

38. My Government could not remain unmoved in the face of this fresh tragedy. Our Ministry of Social Welfare, in conjunction with the Greek Red Cross, was among the very first to dispatch, by a ship specially chartered for that purpose, needed assistance in the form of medical personnel, hospital equipment, supplies and medicines, tents and foodstuffs, including a shipment of 1,000 tons of wheat, as related in document A/6727 of 23 June 1967, to help alleviate the sufferings of the victims of the Middle Eastern war in Jordan, the United Arab Republic and Syria, at a cost amounting to nearly \$700,000.

39. It is our earnest hope that this new human tragedy will soon end and that the persons who have fled from their homes in the occupied territories will be allowed and encouraged to return to their homelands. The Israelis, who still have a vivid memory of the sufferings inflicted on their people in the recent past, are expected to do, and to do promptly, no less than their utmost to that effect.

40. Another matter of interest to us, in connexion with our world-wide maritime interests, is the freedom of innocent passage through all international waterways. In this respect we trust that an appropriate settlement, agreeable to all concerned, will not be difficult to reach. To our way of thinking, however, first priority should be given to an early reopening of the Suez Canal, the present obstruction of which affects the widest range of economic interests, particularly those of countries in Asia and Africa.

41. In concluding, I still wish to express the ardent hope and the sincere wish of my Government that the proceedings of this emergency special session of the General Assembly will help the parties, as well as all those who are willing to offer constructive assistance, to find their way towards a peaceful and just settlement that will ensure to all countries of the long-tormented region of the Middle East conditions safeguarding their independence and territorial integrity, their welfare and progress, in an atmosphere of lasting peace. This, as we see it, is the course prescribed for them by the United Nations Charter.



42. Mr. NSANZE (Burundi) (translated from French): The active participation of the Republic of Burundi in this fifth emergency special session of the General Assembly is inspired by two main currents of thought: firstly, the full awareness of the young leaders of Burundi of their sacred and urgent duty to range themselves at the side of the advocates and defenders of peace, and secondly, the staunch determination of President Micombero and his Government to translate into specific action Burundi's unswerving devotion to that solidarity which throughout the world unites the peoples who are resolved to bring about the final victory of the matchless ideal of national freedom, sovereign and complete.

43. Contrary to those who in good faith or for their own purposes argue that the war concerns the Middle East alone, we maintain that the events which have taken place go far beyond the Israel-Arab context and have truly world-wide dimensions.

44. Hence it is important to place the problem in its proper context and to admit that its scope is in fact more than regional, both as regards historical origin and as regards its development to the present culminating stage.

45. After these preliminary comments, to which my delegation attaches a great deal of importance, we shall turn to the fundamental aspect of the matter before us.

46. Resort to force compels condemnation. Aggression is an evil which must be fought wherever and in whatever form it arises. Since the true facts have been established and no one is any longer in a position to doubt which side struck the first blow, the interests of peace demand that the act of aggression committed by Israel, and its use of force before all other means of remedying the pre-existing situation had been exhausted, should be condemned. Whatever the situation prior to 5 June, whatever the complaints, justified or not, concerning land or sea, no reason could justify the outbreak of war, the calamity of which cannot be measured against mere interests, no matter how important. The tragedy which has plunged the Middle East into anguish came about essentially because the universal efforts of distinguished statesmen and persons of international moral and political renown to prevent bloodshed were disregarded.

*Mr. Liatis (Greece), Vice-President, took the Chair.*

47. The following quotation from an author and philosopher, Jean-Paul Sartre, who has the merit of being impervious to partisan views, is a striking example of the condemnation of the opening hostilities:

"Regardless of the long series of frontier incidents, terrorist attacks and reprisals, that party which in carefully calculated challenge or angry impatience takes it upon itself to press the escalation to its last degree and to unleash a massacre the consequences of which cannot be foreseen will be deemed guilty." 2/

Jean-Paul Sartre wrote that on 27 May of this year.

48. Despite the appeals made, the offers of good offices to ward off the conflict and avert the danger which seemed imminent before the melancholy date of 5 June, the aggressor ignored all pleas, disregarding the catastrophic consequences which were to ensue from the outbreak of hostilities.

49. The world today is well aware that modern warfare is characterized by its extension in space and time. In space, a regional conflict rapidly grows into an extra-regional conflagration, if it does not degenerate into a world-wide war. In time, the total warfare of our age has harmful economic, political and military effects which go far beyond the circle of the belligerents to affect neutral States and which subsist long after the hostilities are over. In short, war has become a phenomenon which affects the whole international community, both from the point of view of mutual assistance against aggression and from that of the punishment of the international crime which war has become since it has been outlawed. Neither a just cause nor one which is proportionate to the disasters which it has engendered can be invoked in support of the war that has been started in the Middle East. Moreover, the invasion cannot be justified by any compelling necessity to attack, since it is impossible to plead that other means of settling the dispute which was then under examination in the world Organization were lacking or had been exhausted.

50. The Declaration of Lima of 24 December 1938 condemns the use of force as an instrument of national policy, in conformity with the Kellogg-Briand Pact, or Pact of Paris, signed on 27 August 1928, whereby the Contracting States undertook to renounce wars of aggression "as an instrument of national policy in their mutual relations". The Charter of this supposedly universal Organization imposes on all its Members, in Article 2 (4), the obligation to "refrain from the threat or"—with more reason—"use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations".

51. This legal provision, which is to be found in various international documents, such as the Pan-American texts—article 1 of the Inter-American Treaty of Reciprocal Assistance signed at Rio de Janeiro on 2 September 1947; article 18 of the Charter of the Organization of American States signed at Bogotá on 30 April 1948—completely eliminates any uncertainty as regards the attitude to be adopted to violence. To recapitulate, since 1945, resort to violence in any form—armed demonstrations, reprisals, etc.—has been doomed under international law to condemnation pure and simple.

52. On the basis of these provisions of contemporary international law, this Assembly, which I have the privilege of addressing, will recognize without difficulty that it is the body qualified to rule on aggression, in accordance with Articles 11 and 14 of the Charter.

53. No one would dare to deny that war has become a phenomenon which is contrary to law and whose essential nature is neither super-legal nor extra-legal but quite simply anti-legal. This legal maxim invalidates any attempt to justify the war started in the Near East against Israel's neighbours, unless we invoke

2/ "Pour la vérité", *Les temps modernes*, twenty-second year (1967), No. 253 bis, p. 8.

the mediaeval arguments according to which war was a necessary evil, justified in certain circumstances.

54. My Government, whose stand is supported both by juridical reasoning and by the clear facts as cited above, regards the invaded countries as the victims of an act of aggression committed by the State of Israel. Neither the imminence of the danger nor the terror to which it gave rise were such as to make it possible to decide in advance, as some people thought, that it would be impossible to settle the conflict by peaceful means.

55. The fate of the refugees—here again, the Government of my country must yield to the pressure of its obligations, this time that of pleading for the most elementary human rights of our fellow beings; the right to life and the right to decent treatment.

56. The international Press, both neutral and committed, of all the main languages, as also all eye-witnesses of the horrible scenes, unite in deploring the frightful conditions in which those victims worst affected, namely the refugees, find themselves. The Middle East, whose tormented and tumultuous history is marked by desperate and endemic warfare, has never before been the scene of such tragic human suffering.

57. What attitude should the United Nations adopt to the refugee problem, now so acute? Will the Members of the Organization let themselves be restricted to the utterance of pious hopes, like passive and indifferent spectators at a tragic spectacle? Is it enough to shed tears over the fate of the refugees plunged into shock and humiliation, the inevitable aftermath of such a disaster, demoralizing yet more thousands with the haunting terror of a flood of fire let loose upon them in the course of a crushing battle?

58. The complexity of the refugee problem is frightening. The number of refugees grows larger day by day as a result of the new mass exodus caused by the latest hostilities. Thus a daily influx is added to the high number of refugees already in exile since 1948. For special reasons the Burundi delegation attaches primary importance to the solution of the acute problem posed by these thousands of human beings doomed for nearly twenty years to a distress that beggars description. The Republic of Burundi shares their mourning, and its delegation to this international forum will strive to play a useful role in defence of their rights.

59. Although the United Nations is called upon to play its part as maker of peace and guarantor of the lives and security of peoples, there can be no doubt that the first responsibility in this respect lies with Israel, whose first obligation is to ensure humane, livable and safe conditions for the inhabitants of the occupied territories and to accord them human treatment which will encourage them to remain on their land. By acting in this way, Israel will acquit itself of part of its pressing obligations towards these robbed and cheated landowners. Its fundamental obligation is to comply strictly with General Assembly resolution 194 (III) on the Palestine refugees, enabling them to return to their homes or to obtain compensation, in accordance with both the spirit and the letter of the resolution, comparable to that granted to the State of Israel by

the Federal Republic of Germany, amounting to 3,450 million marks, under the terms of the agreement signed at Luxembourg on 10 September 1952.

60. We earnestly hope that all the members of the family of mankind will do all that they can to remedy, to the extent of their respective means and within their moral and material capacity, the unspeakable suffering to which the recently expropriated refugees are being subjected.

61. On behalf of my Government, I hasten to address well-deserved praise to the States, international agencies and persons which have, collectively or individually, already sped to the relief of thousands of men and women suffering the bitter atrocities caused by the war. For it is a deeply saddening state of affairs enough to melt a heart of stone.

62. The action of the Secretary-General has been in strict compliance with the inherent demands of national sovereignty. Yet hardly had he ordered the withdrawal of the United Nations Emergency Force when U Thant became the object of criticisms varying in bitterness and intensity. Critics vied with each other in reproaching the Secretary-General, some for not having engaged in prior consultations, some for having precipitated the implementation of the action demanded by the Government of the United Arab Republic.

63. No doubt the mistake our strong upholder of peace made was to fail to act to the sound of trumpets, and the displeasure of some of his critics arises from his refusal to follow their instructions rather than from his failure to consult them. The eloquence with which U Thant has refuted these accusations, using arguments as self-evident as they are convincing, based on authentic facts and accurate accounts, relieves my delegation of the duty of making a lengthy defence of the Secretary-General. I invite the Assembly in this regard to refer to General Assembly document A/6730 and Add.1-3, and to the Security Council documents S/7896 and S/7906.3/

64. The fact that the Secretary-General's attitude was in full conformity with the imperatives inseparable from the recognized sovereign right of every Government over its national territory is the best proof of the legitimacy of the withdrawal of the United Nations Emergency Force. It was to the requirements of national sovereignty that U Thant was forced to bow. Since the primary objective of this Assembly is to bring the war that is now going on to an immediate end, there is no need to dwell on an incident that is now closed and that, when all is said and done, bears very little relation to the outbreak of hostilities.

65. The immediate evacuation of the occupied territories is a prior condition for other steps towards peace. The Government of Burundi hails the calling of a cease-fire, in accordance with the order of the Security Council. My delegation has followed with particular interest the various suggestions that have been made with a view to removing the obstacles to the restoration of peace in the Middle East. Besides comparing the many proposals put forward, we have

3/ See Official Records of the Security Council, twenty-second year, Supplement for April, May and June 1967.

been at pains to analyse all the factors, political as well as military and social, which affect the situation as a whole. The result of my Government's efforts, devoted to the study of the most appropriate ways and means of restoring peace, leads us to the conclusion that the general situation which prevails demands that Israel should immediately evacuate all the territories now under its military occupation and that all Israel troops should withdraw unconditionally to their positions prior to the outbreak of hostilities.

66. The presence of Israel's armed forces in territories belonging to neighbouring States is a major obstacle to any steps that might be taken towards the pacification of this disturbed region, while the annexation of any part of the occupied territories should form an insurmountable obstacle to any peaceful settlement.

67. The United Nations, which moreover set as one of its main objectives the safeguarding of the security and territorial integrity of States in conditions of complete independence, would be betraying its ideals if it were to declare itself powerless to oppose any expansionist drive with the firmness and effectiveness that the gravity of the situation requires. To consider the worst possibility, any procrastination in the withdrawal of the occupying troops behind the demarcation line would be tantamount to the rejection of any attempt to make peace, while any effective annexation could only be regarded as a deliberate prolongation of the state of belligerency which might cause the situation to deteriorate further and the fighting to go on for ever.

68. In such circumstances, the nature of the "state of siege" would force international opinion to attribute to the occupying Power a double objective: either it would have embarked upon the road of war under the impulse of colonial ambitions; or else, its armies having been successful, it would be reluctant to forgo the colonial delights it had tasted. In either case, military occupation would cause the world to class the conqueror among the colonial Powers and consequently to treat it as such. The only way of escaping from this dilemma lies in the withdrawal of the foreign forces behind the armistice lines; and, to crown the uneasiness, the present state of affairs would be only in the nature of a pause, a halt as it were, which would serve when the time came as a spring board for new conquests at the cost of the bloody sacrifice of an incalculable number of human lives.

69. If such undesirable hypotheses were to become facts, one inescapable consequence is to be feared: present sporadic anti-semitism would be joined by an anti-colonialist aversion to Israel.

70. To keep the booty that has been won would be an unequivocal confirmation of the ultimate objective, the achievement of which has had as its promoters such theorists as Pinsker, Herzl, Jabotinsky, Weizmann and others, who advocated resort to war and sought to make the future State of Israel a kind of outpost of foreign Powers in the Near East.

71. My Government is convinced that, from defending its right to stay alive, Israel has progressed to the unacceptable policy of conquering Lebensraum. It goes without saying that Burundi cannot in any way support an attempt to procure territorial gains either

for reasons of biological urgency or, even less, from a desire to play a role as a world Power.

72. The Middle East, always the smouldering source of endemic conflict, nevertheless retains the capacity to transform itself into a land of milk and honey, and above all of peaceful stability.

73. As I end my statement, my delegation deems it urgent to appeal to the General Assembly not to restrict its role at this session to purely academic discussions. The nature of the acts and the seriousness of the events in the Middle East compel the Assembly to refrain from the ideological wrangling which usually accompanies, duplicates, amplifies and orchestrates conflicts of political interests, so that the facts of the problem become distorted.

74. The gravity of the situation calls for a speedy settlement, which is possible, provided that the Powers refrain from playing the cards of their expendable clientèle in the two opposing camps. The efforts of the General Assembly should be directed towards a final pacification of the Middle East. But if certain circles try to profit from the disaster instead of providing the required antidote to the disease, it may well degenerate one day into a universal upheaval. Free from all partisan feeling, but always on the side of those elements which promote the security of the peoples, Burundi's position is inspired solely by my Government's supreme interest in contributing to the maintenance of peace.

75. It is for the Members of the United Nations to put an end to the permanent threats of war in the Middle East. To do this successfully, it will be necessary first to ensure that no foreign domination can impose its will, that each nation is given an opportunity for real self-determination, that is, made able to decide upon its own acts, forces and resources, in a world in which conflicts of ideologies and clashes between systems would be subordinated to peace and general progress. Thus will man in the apotheosis of his scientific genius escape destruction by his own creation, the now perfected nuclear weapon.

76. Sir Laurence McINTYRE (Australia): The Australian delegation has listened with close attention to the statements that have been made during this emergency special session of the Assembly, and it goes without saying that it fully shares the concern expressed by virtually all delegations at the dangers that lie for all of us in the present grave situation in the Middle East.

77. The Government and people of Australia, like Governments and peoples everywhere, watched the developments in the Middle East during April and May of this year with growing anxiety. Even with the recent history of this troubled region well in their minds, and thus to some extent conditioned against surprises, our people heard the news of the climax to these developments on 5 June with shock and dismay.

78. The Australian Government had hoped, vainly as it turned out, that the Security Council would be able to act before hostilities began. My Government was all the more thankful when the Council was able to agree on calling for a cease-fire. This was clearly

a necessary and a vitally important achievement. But it is clear, as I think all delegations have pointed out, that it was and could only be a first step. There is so much remaining to be done. In fact, we have to recognize that not even a beginning has yet been made in trying to resolve the many and complicated political and human problems that remain, either as a result of the recent fighting or, in some instances, as a result of various actions taken in the recent and even the distant past; problems that must be resolved if we are ever going to have genuine and lasting peace and security in the Middle East.

79. The Australian Minister for External Affairs, Mr. Hasluck, summed up the Australian Government's attitude to the present crisis on 16 June when he said:

"The primary responsibilities in this difficult matter fall on the countries of the region and on those in a position to bring their influence to bear on them. Although Australia is not directly involved as a party we will be glad to play our part in furthering constructive efforts for peace and will give careful attention to the views of all countries of the region."

80. Mr. Hasluck went on to say that the fighting did not settle any of the old problems of the Middle East, but had only created some new ones; that arguments about who was to blame would not carry us far; and that a new and constructive approach to this complex of problems would not be made easier if the debates at this emergency special session were to be used to inflame feelings and harden attitudes. In short, this should not be a time for recrimination. My delegation fully recognizes that the Arab States and Israel all have legitimate grievances of one kind or another, and that these are sharpened by great and understandable bitterness in this immediate aftermath of war and battle. But this only serves to emphasize the complex nature of the problem as a whole and to remind us that any lasting solution of it must take full account of all such legitimate grievances.

81. In past years we have all continued to place our hopes in the dedicated efforts of individual statesmen, of our Secretary-General and of his predecessor, within and outside the United Nations, to create by degrees a new climate of mutual tolerance and understanding by tackling individual points of friction. At times it has seemed that these efforts would succeed. But it is apparent that we shall have to concentrate on the causes rather than the symptoms, and that what is needed now is a new and sustained effort to settle the entire range of new and old differences, and an earnest search for the basis of a stable and viable peace. In the last analysis, the major effort can only come from the Middle Eastern countries themselves, but the machinery of the United Nations, at any rate if it has the support of the great Powers acting in unison, can and indeed must help them.

82. It is in this spirit that I should like to put forward some of the points that my delegation believes the Assembly needs to bear in mind in its consideration of this difficult and complex situation. My delegation offers these suggestions as a country which has a tradition of friendship with all the peoples of the Middle East and which is very conscious of their pride in their own history and in their own achievements.

83. As regards the role of the United Nations, the primary responsibility for assisting the parties along the road to a more hopeful future rests with the Security Council. It seems to my delegation that the best service the General Assembly can render is to help the Council in the exercise of this function, conferred upon it by the Charter of the United Nations, by identifying the principal elements that will need to be taken into account in the search for a more durable peace than the Middle East has known in the past quarter of a century.

84. I should like to mention those elements which the Australian delegation sees as the most readily identifiable. I shall not attempt to place them in order of importance and urgency; this is essentially a matter for the parties directly involved and to some extent for those Member States which must bear the primary responsibility for the maintenance of international peace and security.

85. One primary requirement—in the Middle East as in all other regions of the world—is that of respect for the territorial integrity and political independence of all the States concerned. Added to this must then be the assurance of their security. These considerations surely lie close to the heart of the entire problem. They must, in the view of the Australian Government, be not only recognized in theory but accepted in practice as one of the fundamental bases of international behaviour without which friendly relations and peaceful co-operation among States will be virtually impossible to develop. This fundamental principle of respect for territorial integrity and political independence of all States is not one which should apply to one side to this dispute and not the other. It must be of general application. It has to be kept in mind both when the parties are considering what temporary arrangements might be made in order that discussions on matters of substance might proceed, and when those substantial discussions take place, as we hope eventually they will.

86. It therefore clearly means, on the one hand, that Israel should adopt a reasonable approach to any question of boundaries; and, equally, that on the part of the Arab States there should be a reasonable approach to acceptance of Israel's existence as a State and of its right to exist in security. In a settlement by negotiation or in an accommodation reached in other ways, there has to be a reasonable approach by all parties to such questions if effect is to be given to this fundamental principle. We also suggest that the General Assembly, in any resolution it may adopt, have clearly in mind that the greatest service it can perform is to clear the way for further discussion between the parties leading to a settlement on a foundation of Charter principles.

87. The principle of territorial integrity and political independence for all States in the area and the assurance of their security apply also to some of the other elements which must be given proper and full consideration in the tangled situation with which we are confronted. There is a need to make a fresh effort, as indeed has been done successfully in other not dissimilar situations elsewhere in the world, to reconcile in some way the legitimate rights of States with the equally legitimate right of free and innocent



passage of ships of all nations through the Suez Canal and to all ports in the Gulf of Aqaba. There can be endless argument over strictly legal rights and obligations in the matter, but it is too important to the world as a whole for the question of freedom of passage to be left out of any permanent and lasting settlement. The principles attaching to freedom of passage are of concern and importance to all the countries of the world and not just to the recent belligerents. Some reconciliation will also have to be made between territorial claims and the desire of peoples of all the three different faiths—Moslems, Jews and Christians alike—to have unrestricted access to their Holy Places in the city of Jerusalem, which in turn raises the question of the future management and status of that ancient city. Such access should be firmly assured.

88. One complicating factor that surely cannot be ignored is the continued existence of a state of belligerency in the area. A claim by one party to maintain a state of belligerency against another party has traditionally carried with it certain rights under international law. But logic as well as international law and practice requires that the other party must be entitled to claim the same rights. My delegation believes that a careful examination should be made of the effect of these claims on such issues as withdrawal and freedom of maritime passage if they are to be resolved, as we believe they must be resolved, not only to the long-term advantage of the parties directly involved, but in the interests of the larger international community as well. After all, it is the principles of Article 2 of the Charter, and not belligerent rights, that we all want to see accepted as the universal guide to relations among all States.

89. A second range of problems, which may perhaps be seen as secondary in time sequence, though in no other sense, concerns questions of reconstruction and the peaceful development of all the countries of the area. The Australian delegation believes that the possibility of ending the arms race in the area must really be seriously considered, not only in the hope of preventing another such tragedy as the one we have recently experienced, but so that all the States of the region may have some relief from the ruinous burden of military expenditures and may then devote their resources, together with necessary outside assistance, to the vastly more urgent and more constructive tasks of improving the well-being of their peoples. Surely there is now an opportunity to make a start, with the co-operation of all the States of the region and of their friends outside it, towards a more sensible and less burdensome situation. The great need for economic development also points towards the overwhelming need for the kind of co-operation in the area that has not been possible in the past, in the use of such common resources as, for example, the waters of the River Jordan.

90. I have left until last the question of refugees. This is not in any sense because it is the least important, but precisely because it is at this very moment the most pressing problem from a humanitarian point of view. The need for urgent assistance for these helpless victims of causes and events far beyond their own control has been rightly emphasized by many speakers in this debate, and we listened with

sympathy to the appeal that you yourself, Mr. President, made to us on Monday [1536th meeting]. The Australian Government is well aware that the situation of the refugees constitutes one of the most difficult of the entire complex of problems of the area, and that in the absence of a just settlement of it there can be no prospect of a lasting peace. It will have to be resolved not only to the satisfaction of the various States concerned, but above all so that these unfortunate victims of the political and military events which have swept over them in the past twenty years can themselves obtain the basic human rights which they, like all other people, are surely entitled to have. The Middle Eastern countries themselves, and the international community as a whole, have an obligation to help meet the longer-term and the shorter-term problems of relief and economic development. The Australian Government has already made clear that it will continue to assist international agencies in their efforts in this direction, as it has done for the past twenty years.

91. These, then, are among the elements which the Australian delegation wishes to suggest as demanding urgent attention. Our objective, now that the fighting has ceased, must be not only to ensure that war does not start again, but to begin in all seriousness the task of laying the foundations for a genuine and durable peace in the Middle East—a peace that will give all the peoples of the area a sound guarantee against the constant threat to their livelihood that they have lived with for so long. We do not for one moment underestimate the enormous difficulties involved or the supreme efforts of restraint, tolerance and magnanimity that will be required if these difficulties are to be overcome. But the Australian delegation sincerely believes that none of us, and most particularly the peoples of the area, can afford not to make such a supreme effort if we are to secure a future that promises greater hope than has the past.

92. Mr. PARDO (Malta): My Government follows a policy of friendship with all countries in the world and maintains excellent relations with both Israel and many Arab countries. As a small and poor country, we understand very well the humiliations, frustrations and suffering of the weak and poor. Accordingly, we approach the problem before this emergency special session of the General Assembly with understanding, with an open and impartial mind, and goodwill to all.

93. During the past months my Government watched with increasing disquiet and dismay the accelerating deterioration of the situation in the Near East. Impotently and, perforce in silence, we watched while the somewhat tardy and confused efforts of many to avert the imminent conflict were frustrated by the passivity of others and by the attitude of a few who appeared to envisage the possibility of war with equanimity and, occasionally, with jubilation.

94. We are grateful to the Security Council for having brought about a cease-fire. Nevertheless, war did break out; we cannot pretend that nothing has happened. As we say in Maltese, *Għall-magħmul m'hemmx kunsill*: what is done cannot be undone. We must try, therefore, to cope constructively with the consequences of recent events and strive to prevent their recurrence. Hence we do not think that it would be useful at this

stage to examine the reasons why, for almost twenty years, our Organization has failed to make a serious attempt to facilitate a permanent settlement of the notoriously dangerous and unstable situation in the Near East; nor do we believe that anything would be gained were we to engage now in attempting to define respective responsibilities for the recent events. As you know, the question of the definition of aggression has been debated in leisurely fashion within the United Nations for many years without noticeable results.

95. The sad fact is that many unrealistic and/or partisan resolutions have been thoughtlessly adopted by the General Assembly in the past; that inconvenient resolutions have too often been honoured more in their breach than in their observance; that several of the most vital questions affecting international peace and security have been and continue to be systematically ignored by our Organization; and that more often than not we have been content to leave undone the things that we ought to have done, while debating at great length questions of secondary importance. Even before the most recent crisis in the Near East, flagrant violations of the Charter of the United Nations and the use of violence to further political aims were widespread. This state of affairs not only caused a disastrous decline in the real influence of the United Nations, but also created a favourable climate for the sequence of events that led to the recent outbreak of hostilities.

96. We must now make a real effort to change our methods and our perspective. It may be our last chance if the Organization to which we belong is to continue to perform in a meaningful way its primary purpose, "to maintain international peace and security".

97. A few moments ago I said that we must try to cope constructively with the consequences of recent events. The first and most immediate consequence is the human suffering which the war has caused. Tens of thousands have been killed or wounded in the fighting. Tens of thousands of additional refugees have been added to the hundreds of thousands who for nineteen years have been subsisting in conditions of scarcely imaginable squalor. Nor should we forget the thousands of Jews who, through no fault of their own, have been imprisoned or have lost their properties.

98. Also in this immense tragedy peaceful citizens of nations not involved in the conflict, including peaceful citizens of Malta, have lost their lives and thousands more, including citizens of Malta, have lost their property or have been cast out penniless from the countries in which they had for many years made their homes.

99. It is of the utmost importance that the United Nations should take the lead in organizing a massive international effort to bring speedy and effective relief to all. We also hope that all States will now at last agree that the time has come, preferably with United Nations assistance, to move towards an equitable solution of the problem of the refugees.

100. While awaiting the organization of a massive international relief effort under United Nations auspices, my Government, in the spirit of human solidarity and despite its economic difficulties, has responded immediately to the appeal of our President last Monday,

26 June [1536th meeting], and has pledged a modest emergency donation of \$5,000 to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

101. Despite all humanitarian efforts, however, the present suffering of so many victims of the conflict may be further increased; and indeed hardship may spread in ever-widening circles to the populations of States, big and small, near and far, which have not been involved either directly or indirectly in the hostilities, if determined national action is not taken to restore economic life in the area, and unless urgent steps are taken, if necessary with international assistance, to reopen international waterways to normal trade and communication. We wish to stress this point: immense human suffering exists in the Near East; and this suffering will not be alleviated, nor would it serve any useful purpose were it believed that political advantage can be derived from needlessly imposing hardship, which inevitably causes resentment, upon peoples who have maintained a strictly neutral and impartial attitude in recent events.

102. The only way in which we can permanently rebuild what has been destroyed and prevent the outbreak of a more devastating war in the highly sensitive area of the Near East is to set as our overriding objective the achievement of an equitable and durable peace in the area, even if this means that both the States directly involved in the recent conflict and other Powers must make painful mutual concessions. Although we are well aware of the difficulties that some may have in accepting this objective at the present time, there is no sensible alternative. Mutual wrongs must be forgiven; a new page must be turned.

103. The General Assembly has limited powers with regard to the establishment and maintenance of international peace. It may discuss—and this we have been doing for two weeks—it may make recommendations, but its right to decide upon specific measures is contested. And even if this right were not contested, its exercise in the present case and in present circumstances would be highly unwise. Although the powers of the Assembly are limited, they are not negligible. If the General Assembly exercises its authority injudiciously, as it has too often in the past, tensions can be exacerbated, a renewal of hostilities becomes more probable, and the continued usefulness of the United Nations—the vitality of which is essential to the great majority of countries in the world—can be damaged almost beyond repair. On the other hand, if the powers of the General Assembly are used wisely, we can facilitate the acceptance by all States of the need to eradicate the causes of war in the Near East through the conclusion of an equitable settlement based upon tolerance and mutual respect.

104. Malta will support any draft resolution which gives reasonable assurance of achieving this purpose. No resolution can provide this assurance if it disregards the vital rights and interests of any of the parties to the recent conflict or if it ignores the primary responsibility of the Security Council, particularly of its permanent members, for assisting the States that took part in the war in finding a basis for an equitable and durable settlement. Hence we would prefer that only two basic principles be speci-

fled in any resolution that we may adopt; first, the right of all States in the Near East to the full recognition of their legal existence and sovereignty with all the rights and duties flowing therefrom; and second, that the successful use of force cannot establish any legal rights. For the rest, our ideal resolution would be couched in terms that encourage, without the impediment of detailed recommendations, however desirable they may appear, the use by the Security Council, by its permanent members and by the parties directly concerned in the recent hostilities, of any of the methods for the pacific settlement of disputes enumerated in Chapter VI of the Charter which may appear most useful in the present circumstances and most likely to facilitate the achievement of peace in the area.

105. By giving the widest possible latitude to the United Nations, to the parties most directly concerned, and to all those whose power gives them special responsibilities for the maintenance of international peace and security, we would multiply, instead of reducing, the opportunities for a freely negotiated, equitable and durable settlement. We would also recognize the reality of the extremely delicate and complex situation where mutual adjustments and concessions between Arabs and Israelis must be matched by the great Powers in the framework of their world-wide interests. We must deplore, therefore, any hasty and unilateral act which alters the status quo and thus makes a freely negotiated peaceful settlement more difficult to attain. One such act was the recent law adopted by the Knesset concerning the City of Jerusalem. We cannot conceal, in this connexion, our earnest hope that the aspirations of millions will be taken into account in any peace settlement that is concluded. We fully share the view that the Old City of Jerusalem should receive in due course an internationally guaranteed, special status, which alone can ensure its unique position as the ideal city of peace where all can come to worship, and which alone can effectively safeguard the Holy Places of three religions from the risks of war.

106. Intransigent voices have been raised proclaiming that what appears to be a tragic national conflict limited in space, in reality should be considered a part of a war of national liberation unlimited in time and space. Should such sentiments prevail, clearly there will be continued insecurity in the Near East, and prospects for the future of the United Nations and for world peace will necessarily be dark. Darkest of all, however, will be the prospects for the peoples and, ultimately, the Governments directly involved. Balanced development of a region with immense possibilities will be the first victim; ever-increasing sacrifices will be exacted from the people; violence will escalate, and human suffering with it. To what purpose? Force is countered by force, escalating force meets escalating force. In so far as an unlimited war of national liberation is successful, that is, in so far as it succeeds by violence in seriously endangering the strategic balance of interests and power in the world, it attracts retaliation in kind, with the ultimate threat of world war.

107. Whatever the arguments in favour of world-embracing wars of national liberation, which are being canvassed with a fervour that could be better

directed towards the immediate betterment of all peoples, the hard fact remains that in existing circumstances the objective conditions for a successful world-wide war of national liberation are lacking; attempts too obstinately persisted in to organize such a war can only result ultimately in unimaginable misery for mankind.

108. There is no real choice. There is no real alternative to moving, slowly perhaps but decisively, towards a real peace in the Near East and in all other parts of the world. The General Assembly has an opportunity, which may not recur, to facilitate this process. We hope and trust that the General Assembly will have the wisdom and the strength to grasp this opportunity.

109. Mr. TINOCO (Costa Rica) (translated from Spanish): Throughout the twenty years of its existence the United Nations has been constantly concerned to ensure peace in the Near East, in conditions that are consonant with the ideals of justice, respect for human rights and effective adherence to the lofty principles of the unwritten international code to which the conduct of States must conform in order that there may be no breach of the harmony of the community of nations.

110. It is this concern that has led to the emergency special session that we are now holding and which is itself clear proof that so far the United Nations has not been successful in its efforts to bring peace to the peoples of that region, in whose soil the first seeds of Western civilization took root and whose rivers, valleys, lakes, hills and mountains will always be associated with the memory of the man who two thousand years ago gave his life for the good of mankind and who is revered by a thousand million human beings as the Son of God and God himself.

111. Costa Rica was in agreement with the Soviet Union's proposal that this Assembly should be convened, though it had reservations about the form in which the item that we are considering is worded, for it considers that the events that took place at the end of May and the beginning of June are so serious as to call for continuous action on the part of the United Nations to douse the flames of that fire that could at any moment plunge mankind into a terrible holocaust from which it would take generations, or perhaps centuries, to recover.

112. The presence here of a large number of Heads of Government and Ministers for Foreign Affairs, from countries of every continent, as also the words that we have heard in this Hall, show that we are not alone in our apprehensions and that the General Assembly is scarcely fulfilling its duty in assuming responsibility for achieving the establishment of an era of peace and mutual respect in that turbulent region of the Near East.

113. I speak of an era of peace, for in our aims we should not limit ourselves to seeking formulas that will merely be new arrangements for a temporary dousing of the conflagration, for the suspension of hostilities, for the conclusion of armistices that are no more than interludes in a struggle that is interrupted but not concluded, for both sides hope to resume it as soon as they have gathered their forces

together again or as soon as the international situation seems to be more favourable.

114. For all too long mankind has lived under the threat of a world conflagration caused by acts, contrary to the principles of the Charter signed at San Francisco, that have occurred in the Near East and the responsibility for which is shared by every one of the countries in the region. The time has come for a special effort to remove that Sword of Damocles hanging over the heads of our sons.

115. An objective, dispassionate and impartial study of the happenings in the valley of the Jordan and in the Sinai peninsula during the last few years presents a picture of mutual aggression, today by one State against another, tomorrow by the latter against the former, sometimes in the form of official threats, sometimes in the form of hidden or open armed attacks, sometimes in a thousand different forms of hostile acts of varying gravity, but all of them creating an atmosphere and a real state of belligerency which runs counter to the ideals and purposes accepted by every State that applies for membership of the United Nations.

116. The documents of the Security Council and other international organs are full of requests and resolutions concerning the events in this region and many of them have never become effective for the simple reason that they have not had the affirmative vote of one of the permanent members of the Security Council.

117. In the circumstances, it is obvious that this Assembly will not help towards the achievement of the objectives for which it was convened if it confines its activities to deciding which of the States is responsible for having cast the first stone in this conflict that has produced so much misery and sorrow for the innocent victims in the region, or which State bears the greatest responsibility for having led up to the tragedy by its acts or by its incitement to action. Moreover, any attempt to do so would have to be preceded by a process of receiving and analysing evidence and considering the facts, something that the General Assembly would certainly not want to do without the help of a committee of investigation, which it would not be expedient to appoint at the present time.

118. For those reasons, my delegation considers that the best service that the General Assembly can do to peace and the ideals of the United Nations will be to devote its efforts to determining what errors of conduct must be corrected in order that an era of co-existence, mutual respect and peaceful relations may open in the Near East and be consolidated as the years go on, based of necessity on the strict observance of the principles of our Charter and the rules of international law.

119. In accordance with that opinion, my delegation considers that it is an essential basis for peace—the first, from the legal point of view, though not necessarily the first in chronological order—that the existence of the State of Israel and its consequent personality as an entity of international law should be accepted as an incontrovertible fact, explicitly or implicitly, by all the States which have not yet done so despite the fact that Israel was admitted as a Member of the United Nations at the meeting held on 11 May

1949, by the votes of a substantial majority of the General Assembly, including all the permanent members of the Security Council. Its admission has created definite legal situations whose acceptance is mandatory on all Member States and which give rise to reciprocal rights and duties. The first and most sacred, deserving of the maximum respect, is the right to existence, to sovereign equality and to territorial integrity. My delegation therefore considers—although it is aware that opinions are not unanimous in this respect—that the recognition of a legally constituted State is a right and a duty, a right to be recognized and a duty to recognize it. That is the opinion held by the celebrated internationalists, Lauterpacht, Jiménez de Aréchaga and Ricardo Alfaro, which finds unquestionable support in the principles of the United Nations Charter if they are analysed in their essence and their foundation.

120. Moreover, to refuse to recognize the existence of the State is tantamount to an act of manifest hostility, a covert declaration of future hostilities, a threat to national independence, which is an incitement to prepare for battle, to prepare to repel force with force. The words spoken by those who have the power to convert those words into deeds are a source of tension which could lead to an explosion, when one threat is answered by another threat.

121. The Government of Costa Rica considers that, in order to bring peace to the Near East, it is essential that the Arab States should abandon their refusal to recognize Israel's legal status as an entity of international law and a Member of the United Nations, with all the rights and duties inherent in that twofold status. Those rights naturally include the right of freedom of transit through the Suez Canal, guaranteed by the Convention of Constantinople of 29 October 1888 and the declaration of 24 April 1957 by the United Arab Republic,<sup>4/</sup> as also of free access and harmless passage through the Tiranian Straits and the Gulf of Aqaba.

122. Once the state of belligerency that has prevailed in the region has ceased, Israel, for its part, should prepare to evacuate the territories occupied by its forces in the recent military campaign. It has been strong in battle and must now show that, after its victory, it respects principles. Nor must it forget that modern law has totally abandoned the old idea, that has been the cause of so much grief and bloodshed, that the spoils of battle belong to the victor and that it lies with the victor to dictate the terms of peace. From this very rostrum we have heard authoritative voices explain how the new doctrine enunciated in the Briand-Kellogg Pact of 1928—to which many nations apart from the original signatories adhered—in the Doctrine proclaimed in 1902 by the famous Chancellor Drago and in the Inter-American Treaty of 1933<sup>5/</sup> was finally incorporated in the 1948 Charter of the Organization of American States in clear terms, and implicitly in the Charter of the United Nations.

<sup>4/</sup> Declaration of the Egyptian Government concerning the Suez Canal and the arrangements for its operation (Official Records of the Security Council, Twelfth year, Supplement for April, May and June 1957, document S/3818).

<sup>5/</sup> Anti-War Treaty of Non-Aggression and Conciliation, known as the Saavedra Lamas Pact, signed at Rio de Janeiro on 10 October 1933.



123. In our progress towards an era in which relations among States will be governed solely by the lofty concept of the rule of law, the United Nations could not tolerate any regression towards the painful period during which a megalomaniac dictator trampled principles under foot, annexed territories and destroyed States, until the peoples of the world could stand no more and in a magnificent epic struggle put an end to his dreams and destroyed the myth of his destructive genius, raising those rejected principles up again from among the ruins and constructing this Organization of the United Nations on the new foundations as a beacon of hope for mankind.

124. Israel cannot appropriate the territories that its armies have occupied. The Knesset has no authority to order the incorporation of the Old City of Jerusalem into the State of Israel. I must tell this Assembly that it was with sorrow that we who represent States that have always felt admiration for the spiritual and material achievements of the Israel people heard the news of this act of arrogance, which reflects contempt for our Assembly and its resolutions. The decree of incorporation is null and void *ab initio*, it has no legal validity and Costa Rica will not consider it capable of producing any international legal effect. The régime by which the city, which is a holy city for more than one religion, is to be governed must be established in due course with the intervention of the United Nations, which, before the adjacent States existed, decreed that it should be maintained as *corpus separatum*, independent of Jordan and independent of Israel.

125. My delegation and my Government thought it useful to state briefly, as I have done, the position of Costa Rica on the more important questions entailed in the serious problem that we are considering. The resolutions to be adopted by the United Nations to help to bring peace to the region—which is tantamount to contributing to the international peace which is threatened—will cover many more aspects. By our modest efforts we shall do all we can to help to ensure that this Assembly will bring a new ray of hope to the afflicted and ill-treated peoples of the areas in dispute, who have our warmest sympathy. May they and the world that is today turning its anxious gaze upon us be able to say always that we are trying to adopt the best course in our decisions and, please God, that what we decided was correct.

126. The PRESIDENT: I now call on the representative of Jordan, who has asked to speak in exercise of his right of reply.

127. Mr. TUQAN (Jordan): The performance of the Israeli representative, at the end of this morning's meeting, on the subject of Israel's action with regard to Arab Jerusalem was only the latest example of what by now has become the habitual practice of the representative of Israel at this session of the Assembly. Mr. Eban seems to think that anything and everything can be verbalized away. All he has to do, he seems to think, is to fire a few bursts of Ciceronian eloquence and this Assembly will be charmed and dazzled into accepting what the military masters of Tel Aviv perpetrate. There is, however, a limit to the effectiveness of eloquence, because facts are facts and they cannot be translated into non-facts by specious verbal images.

128. What is the import and purport of the new so-called Israeli legislation with regard to Jerusalem? It is, according to the Israeli representative, to afford all inhabitants of Jerusalem fiscal, municipal and social amenities without discrimination. We suggest to the Israeli representative that, by giving this explanation, he is deliberately misleading this Assembly. Israel has, in fact, brazenly carried out an act of military and political annexation, with all the implications and consequences that follow from such an act. To hide behind such euphemisms as "social, fiscal and municipal amenities" will not do.

129. "Is there really nothing positive," Mr. Eban asks, "in this union, this intermingling, this breakdown of a wall of separation"? [1541st meeting, para. 102.] Our answer to this is to ask: Who shattered the union of Palestine? Who fouled the centuries-old waters of Arab-Jewish amity? Who set up the partition frontiers of 1947? Who divided the Holy City?

130. The Israeli representative mentions as one of the benefits accruing to the Arabs from Israel's act of armed annexation in Jerusalem the consideration that the Arabs of Jerusalem can now enjoy sight-seeing in the Israeli part of Jerusalem and visit its streets and institutions. At a time when the din of Israeli bulldozers razing to the ground whole Arab villages and quarters still fills the air, and when thousands of Jordanians are driven by Israeli terror across the Jordan Valley, it is no less than obscene, to use one of Mr. Eban's favourite terms, to talk about the touristic vistas opened before the starving and beleaguered inhabitants of Arab Jerusalem.

131. The Israeli representative accuses the Arabs of burning synagogues inside the Old City of Jerusalem in 1948. He knows, as surely as he knows the palm of his hand, that this is not the case. The Jewish inhabitants of the Old City of Jerusalem had ancient ties of friendship and association with the Arab inhabitants. Those were pious, orthodox *Chaluka* Jews and members of the Neturei Karta sect. They were anti-Zionist. They appealed to the Zionists to leave them alone in the Old City because they had always got along well with the Arabs. The Military Governor of Jewish Jerusalem, Doctor Dov Joseph, in 1948, relates in his published memoirs<sup>6/</sup> how a delegation representing the Jews of the Old City visited him and requested that no Zionist military personnel should be admitted into the Jewish quarter in the Old City. Dr. Joseph relates how he threatened to shoot any member of the delegation who attempted to oppose the militarization of the Jewish Quarter. As a result, units of the Etzioni Brigade stationed themselves inside the Jewish Quarter and particularly on the roof of the strategically placed old synagogue. It was as a direct result of this Zionist military policy that this ancient synagogue was unfortunately damaged.

132. To Moslems, the most shockingly slanderous implication of the Israeli representative's statement is that the Arabs desecrated the Holy Places of Judaism. The simple fact, which the Israeli representative knows or should know, is that the Holy Places of Judaism and Christianity are doctrinally

<sup>6/</sup> *The Faithful City; the Siege of Jerusalem, 1948* (New York, Simon and Schuster, 1960).

and theologically holy to Islam. Abraham, according to Islamic belief, was the first Moslem and the builder of the Ka'bah, the holiest shrine of Islam. For Moslems to desecrate a shrine of Judaism is to desecrate a shrine of Islam. If the Wailing Wall stands in Jerusalem today, it surely stands as a monument to the tolerance and reverence of 1,300 years of Islamic guardianship. Unfortunately, the reverse doctrinal position does not obtain; hundreds of mosques, of tombs of Moslem Saints, of shrines of the Companions of the Prophet, have disappeared from the face of the earth in Israel. In Jerusalem itself the dust has hardly settled on the ground of the great and ancient Moroccan Quarter with its countless and priceless architectural gems which were brutally bulldozed into non-existence in one afternoon.

133. One of the most interesting remarks made by the Israeli representative is that the recent so-called Israeli legislation with regard to Jerusalem contains new features providing for the non-desecration of Holy Places. In Islam the non-desecration of Holy Places needs no legislation.

134. But I now come to the real import and purport of Mr. Eban's statement. The purpose of his statement was to provide a verbal smoke-screen behind which Israel could face the world with yet another political fait accompli, based on naked violence.

135. The plain truth of the matter is that the paramount and dominating strategic position of Jerusalem is the key to the strangulation of the entire West Bank of Jordan. That was the real purpose of the recent Israeli legislation, and nothing else. But Israel cannot legislate for the whole world. It cannot impose its will on hundreds of millions of Christians and Moslems whose hearts pound with compassion for Jerusalem. It cannot elevate the law of the jungle into law in one conspiratorial session of the Knesset.

136. The General Assembly knows both its mind and its duty. To Israel it will surely say: The aggressor shall not be rewarded.

137. The PRESIDENT: I now recognize the representative of Syria, who has asked for the floor in exercise of his right of reply.

138. Mr. TOMEH (Syria): Allow me first to state that it is not without a deep sense of gratification that we see you, Mr. Liatis, presiding over our meeting, carrying to the General Assembly the voice and wisdom of the great legacy of Greece.

139. The General Assembly has been subjected during this emergency special session to an uninterrupted flow of interventions by Israeli representatives, including the one made today [1541st meeting] by Mr. Eban and the one made on Tuesday [1538th meeting] by Mr. Hausner, the prosecutor of Eichmann. And they were all designed to prove that the forces of invasion occupying Arab territory are carrying on their work of civilization among the Arabs. They all denied that fascist atrocities and criminal acts were being committed against the civilians in the occupied territories. But while this session of the General Assembly has been meeting and deliberating, and while we have been subjected to these misleading statements by Israeli representatives, information has been

coming to us day after day and hour after hour, bringing fresh news of the most recent atrocities committed by the fascist forces of invasion in the various occupied Arab territories, including my own Syria.

140. The following, which will be the subject of a letter that will be addressed both to the Secretary-General and to the President of the Security Council for investigation,<sup>2/</sup> is a fresh list that I just received while this meeting was proceeding. That list includes the following atrocities carried out by the invaders in the occupied parts of Syria:

(1) Killing young men between the ages of eighteen and twenty-two in the occupied areas for carrying certificates showing that they are at that age eligible for military service.

(2) Taking the sick in the hospital of the village of Nab into captivity.

(3) Taking women and girls, especially in the Golan, and sending them to unknown areas.

(4) Forcing young men to give their blood, then executing them in depravity and despicable cynicism.

(5) Expelling older civilians from their villages, neglecting the wounded and denying them any assistance.

(6) Looting houses and shops in all occupied territory and carrying away the precious belongings of people.

(7) Preventing farmers from harvesting their crops, then destroying the same crops. In fact, all the wheat fields in the El-Joukhadar area have been burned.

(8) Subjecting to humiliation religious men and religious leaders, Moslems and Christians alike, including, recently, the Grand Mufti of Kuneitra; driving away all cattle in the same area; continuing the barbaric acts of raping girls and women.

141. To evoke humanitarian and moral principles would be hopeless in the face of the intrinsically despicable character of these occupying gangsters. Suffice it to invoke here Security Council resolution 237 (1967), which was submitted to the Security Council by the delegations of Argentina, Brazil and Ethiopia and which was adopted unanimously on 14 June by the Security Council. It is in order to read out from that brief resolution:

"The Security Council,

"Considering the urgent need to spare the civil populations and the prisoners of war in the area of conflict in the Middle East additional sufferings,

"Considering that essential and inalienable human rights should be respected even during the vicissitudes of war,

"Considering that all the obligations of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 should be complied with by the parties involved in the conflict,

"1. Calls upon the Government of Israel"—I repeat this because it is very significant—"Calls upon the Government of Israel to ensure the safety, wel-

<sup>2/</sup> Subsequently circulated as document A/6749.

fare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;

"2. Recommends to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war, contained in the Geneva Conventions of 12 August 1949."

142. Surely the prosecutor of Eichmann, Mr. Hausner, who was brought here as a distraction for the General

Assembly and as a propagandist, should be called to court to be prosecuted, together with his authorities, and to account for these crimes, into the factuality and veracity of which we are asking for a full investigation. But, in particular, we accuse not only the Israeli authorities, but their continuous protectors, those from whom they have received encouragement and support: the authorities of the United States of America—for they, too, have to account for these crimes, and they will account for these crimes.

*The meeting rose at 5.45 p.m.*