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CONTENTS

	<i>Page</i>
Agenda item 8: Adoption of the agenda ( <i>continued</i> ): Fifth report of the General Committee . . . . .	1
Agenda item 88: Report of the International Law Commission on the work of its twenty-third session Report of the Sixth Committee . . . . .	1
Agenda item 89: Report of the Special Committee on the Question of Defining Aggression Report of the Sixth Committee . . . . .	3
Agenda item 22: The situation in the Middle East . . . . .	4

*President: Mr. Adam MALIK (Indonesia).*

**AGENDA ITEM 8**

**Adoption of the agenda (*continued*)\***

**FIFTH REPORT OF THE GENERAL COMMITTEE  
(A/8500/ADD.4)**

1. The PRESIDENT: In paragraph 2 of its report [A/8500/Add.4], the General Committee recommends that an additional item entitled "Amendment to rule 156 of the rules of procedure of the General Assembly" should be included in the agenda of the current session and allocated to the Fifth Committee.

2. Mr. VINCI (Italy): The Italian delegation, together with the delegations of Argentina, Canada, Chile, Guinea, Iraq, Pakistan, the United Republic of Tanzania and Yemen, is sponsoring a request for the inclusion in the agenda of the twenty-sixth session of the General Assembly of an additional item concerning amendment of rule 156 of the rules of procedure of the General Assembly. This morning at its 197th meeting, the General Committee unanimously approved this request, which is now before the Assembly for its consideration.

3. The Italian delegation considers that the approval of this proposal would certainly contribute to the implementation of General Assembly resolution 2758 (XXVI) of 25 October 1971 seating the People's Republic of China in our world Organization. We have also to consider that the People's Republic of China will certainly be one of the main contributors to the budget of the United Nations. Therefore, we felt that it was appropriate to ensure its

participation in the work of the important Advisory Committee on Administrative and Budgetary Questions, and in this spirit we wished to be associated with an initiative aimed at including a representative of the Government of the People's Republic of China in that Committee.

4. On the other hand, as was stressed this morning by the representative of Canada in the General Committee, rule 157 of the rules of procedure of the General Assembly provides that the members of the Advisory Committee shall be selected on the basis of broad geographical representation, in addition, of course, to their personal qualifications and experience. The proposed amendment to rule 156 seems to the Italian delegation to meet entirely the need to bring the composition of all the main organs and bodies of the Organization into conformity with the new realities.

5. The Italian delegation hopes, therefore, that this new item will be unanimously included in the General Assembly's agenda.

6. The PRESIDENT: May I take it that the General Assembly approves the recommendation of the General Committee?

*It was so decided.*

7. The PRESIDENT: The Fifth Committee will be informed accordingly.

**AGENDA ITEM 88**

**Report of the International Law Commission on  
the work of its twenty-third session**

**REPORT OF THE SIXTH COMMITTEE (A/8537)**

8. Mr. KLAFKOWSKI (Poland), Rapporteur of the Sixth Committee (*interpretation from French*): On behalf of the Sixth Committee, I have the honour to present to the General Assembly the report of that Committee on item 88 of the agenda [A/8537].

9. The Sixth Committee held an extremely interesting discussion on the subject, the general tenor of which has been set forth in its report.

10. As the result of its consideration of the report of the International Law Commission [A/8410 and Add.1 and 2], the Sixth Committee recommends to the General Assembly the adoption of a draft resolution in three sections, which will be found in paragraph 168 of the report. The draft resolution as a whole was adopted unanimously.

\* Resumed from the 1990th meeting.

11. By adopting section I, the General Assembly would approve the programme and organization of work of the session planned by the International Law Commission for 1972, including the decision to place on the provisional agenda of the Commission an item entitled "Review of the Commission's long-term programme of work: 'Survey of International Law' prepared by the Secretary-General". The General Assembly would also recommend that the International Law Commission should continue its work on succession of States, with a view to completing in 1972 the first reading of draft articles on succession of States in respect of treaties, State responsibility, the most-favoured-nation clause, and the question of treaties concluded between States and international organizations or between two or more international organizations. Furthermore, the Commission would be invited to decide upon the priority to be given to the topic of the law of the non-navigational uses of international watercourses.

12. In accordance with section II of the draft resolution, which deals with certain aspects of the final phase of the codification of diplomatic law applicable to relations between States and international organizations, the General Assembly would express its desire that an international convention should be elaborated and concluded expeditiously on the basis of the draft articles on representation of States in their relations with international organizations, as adopted by the International Law Commission. The question of which organ is to be entrusted with working out a future convention on this question has, for the time being, been deferred. In order to facilitate the elaboration of the future convention, Member States, and Switzerland as the host country, are invited to submit their comments and observations on the draft articles and on the procedure to be followed in the elaboration and adoption of the convention. The Secretary-General and the Directors-General of the specialized agencies and the International Atomic Energy Agency are also invited to submit comments and observations on the draft articles. And finally, the General Assembly would decide to include in the provisional agenda of its twenty-seventh session an item entitled "The representation of States in their relations with international organizations".

13. Section III of the draft resolution deals with the question of the protection of diplomats and the inviolability of diplomatic agents and other persons entitled to special protection under international law. By adopting that section, the General Assembly would be requesting the International Law Commission to study the question as soon as possible, in the light of the comments of Member States, with a view to preparing a set of draft articles dealing with offences committed against such persons.

14. I trust that the recommendations of the Sixth Committee will be approved by the Assembly.

15. Before concluding my statement, I would associate myself with the many congratulations expressed in the Sixth Committee to the Codification Division of the Office of Legal Affairs of the Secretariat, for having drawn up the remarkable document entitled "Survey of International Law" [A/CN.4/245]. This is one of the most valuable and useful documents that have been submitted for the International Law Commission's review of its long-term pro-

gramme of work, for Governments, for the Sixth Committee and for other organs working on the codification of international law, and, generally speaking, for any specialist or theoretician interested in international law.

*Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Sixth Committee.*

16. Mr. ALVAREZ TABÍO (Cuba) (*interpretation from Spanish*): I have asked for the floor in order to request a separate vote on section III of the draft resolution. We explained our reasons for opposing that section at the 1280th meeting of the Sixth Committee. We have no objection to the preamble or to sections I and II. I shall not repeat here the arguments which we gave in the Sixth Committee; I shall merely ask formally for a separate vote on section III of the draft resolution.

17. Mr. I aurel B. FRANCIS (Jamaica): I wish to invite the Assembly's attention to operative paragraph 4 (c) of section I of the draft resolution, which deals with "the most-favoured-nation clause". When this matter was raised in the Sixth Committee, my delegation expressed the view—which was shared by several other delegations—that the International Law Commission might wish to consider whether, having regard to the special terms of reference of its sister Commission, the United Nations Commission on International Trade Law [UNCITRAL], the further study of this subject should not in fact be carried out by the latter. The full background of the views expressed in Committee is to be found in paragraph 140 of the report before us and, therefore, there is no need for my delegation to burden the Assembly with the details. For the moment, however, I wish to make just two points.

18. The first point arises out of the final sentence in paragraph 140, which reads:

"It would be regrettable to refer the question to UNCITRAL, whose programme of work was already very heavy."

That view was in fact expressed in the Sixth Committee, but my contention now is that, if UNCITRAL has a heavy programme of work, even heavier is the programme of work of the International Law Commission; and, where the programmes of work of two Commissions are very heavy, it follows logically, in my delegation's opinion, that the Commission to be asked to study a subject should be the one with whose terms of reference the subject has the closest connexion. I have no doubt myself that the "most-favoured-nation clause" is peculiarly relevant to the terms of reference of UNCITRAL.

19. The second point which I wish to make at the moment is that at the Committee stage my delegation did not seek to submit an amendment, principally because we felt that the members of the Assembly and the members of the International Law Commission and of UNCITRAL might wish to reflect further on this matter in an informal manner before a decision was taken.

20. May I add, as a rider, that in making this observation my delegation is aware that in the International Law Commission this subject is in the competent hands of a

Special Rapporteur, Mr. Ustor of Hungary who, I believe, not only was the father of the "most-favoured-nation clause", but also bears special paternity for UNCITRAL itself, and he would have no objection whatever to having this matter dealt with by UNCITRAL—all the more so because Hungary is also a member of UNCITRAL.

21. For those reasons my delegation requests a separate vote on operative paragraph 4 (c) of section I of the draft resolution, and we shall abstain in the vote, as we did in the Committee.

22. The PRESIDENT: Separate votes have been requested on paragraph 4 (c) of section I and on section III of the draft resolution recommended by the Sixth Committee in paragraph 168 of its report. As there is no objection, we shall proceed accordingly.

*Paragraph 4 (c) of section I of the draft resolution was adopted by 94 votes to none, with 8 abstentions.*

*Section III of the draft resolution was adopted by 88 votes to 2, with 11 abstentions.<sup>1</sup>*

*The draft resolution as a whole was adopted by 107 votes to none (resolution 2780 (XXVI)).*

#### AGENDA ITEM 89

##### Report of the Special Committee on the Question of Defining Aggression

##### REPORT OF THE SIXTH COMMITTEE (A/8525)

23. Mr. KLAFKOWSKI (Poland), Rapporteur of the Sixth Committee, (*interpretation from French*): I have the honour to present to the General Assembly the report of the Sixth Committee on agenda item 89 [A/8525].

24. After its consideration of this item, the Committee adopted a draft resolution which, in paragraph 42 of its report, it recommends to the General Assembly for adoption. Under operative paragraph 1 of that draft, the General Assembly would decide that the Special Committee on the Question of Defining Aggression should resume its work, in accordance with General Assembly resolution 2330 (XXII), as early as possible in 1972.

25. I hope that the recommendation of the Sixth Committee will obtain the unanimous support of the General Assembly.

*Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Sixth Committee.*

26. The PRESIDENT: I shall now call upon those representatives who wish to speak in explanation of their vote before the vote is taken.

27. Mr. ENGO (Cameroon): The delegation of the Federal Republic of Cameroon would like first to congratulate the Rapporteur on his excellent report.

28. I have asked to speak in order to explain the vote of the Federal Republic of Cameroon on the draft resolution recommended by the Sixth Committee [A/8525, para. 92]. My delegation has always had its reservations on the endeavour involved in the work of the Special Committee on the Question of Defining Aggression, for reasons we have expressed without equivocation. Those reservations have been registered year after year owing to the fact that we have not as yet been persuaded to change our views. In this we are guided especially by the fact that political will is of greater importance in the attainment of peace than the further elaboration and definition of legal and/or juridical norms. Aggression can cease only when nations not only understand the rules spelled out by the letter of general, accepted norms of law but also make a determined commitment to the pursuit of the prescriptions for peace and security laid down in the United Nations Charter.

29. We have already used the forum of the Sixth Committee to register our reservations. We have noted the enthusiasm of the majority of the members of the Sixth Committee about giving the Special Committee on the Question of Defining Aggression another opportunity to attempt to conclude its mandate. Some of these are nations of my native continent with which Cameroon generally enjoys common fellowship and interest. We are therefore persuaded at this stage not to oppose the draft resolution renewing the Special Committee's mandate for yet another year. We would merely add a foot-note: it is our hope that the type of success to which we aspire and which is within the universe of contemplation will attend the work of the Special Committee.

30. We would like to add that the financial implications of continued delay in concluding the work of the Special Committee is a subject in which the United Nations undoubtedly entertains tremendous interest at this time.

31. Mr. KOLESNIK (Union of Soviet Socialist Republics) (*translation from Russian*): I have taken the floor in order to draw the attention of representatives to document A/8533 on the administrative and financial implications of the draft resolution concerning the report of the Special Committee on the Question of Defining Aggression.

32. According to paragraph 3 of that document, the regular session of the Special Committee could be convened from 31 January to 3 March 1972, and the financial implications of convening the Special Committee are based on those dates.

33. I wish to state on behalf of the Soviet delegation that, as has already been mentioned in the Sixth Committee, the convening of the Special Committee at that time is inconvenient for many delegations, including the Soviet delegation.

34. I wish to state that the reference in the document in question to those tentative dates for the Special Committee's session does not, in our opinion, constitute an obstacle to the convening of the Special Committee later in 1972 if the Secretariat can find other possibilities, provided, of course, that they would not necessitate an increase in the planned expenditures.

<sup>1</sup> The delegation of Madagascar subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of, instead of against, section III of the draft resolution.

35. The PRESIDENT: The General Assembly will now vote on the draft resolution recommended by the Sixth Committee in paragraph 42 of its report [A/8525]. The administrative and financial implications of the draft resolution appear in document A/8533.

*The draft resolution was adopted by 110 votes to none, with 3 abstentions (resolution 2781 (XXVI)).*

## AGENDA ITEM 22

### The situation in the Middle East

36. Mr. RIAD (Egypt): Egypt is asking the General Assembly today to consider Israel's continued aggression against three States Members of the United Nations. Never before has the United Nations been faced with such a challenge: a challenge to the very foundations of international legal order. Never before in its history has the United Nations been faced with the emergence of a colonial Power invoking military conquest as a means of territorial expansion.

37. The point of departure in any effort to comprehend fully the situation in the Middle East is the great injustice inflicted upon the people of Palestine. In their homeland of great religions they lived in peace and tolerance, but Zionism has inflicted upon them the miseries of refugee status or an intolerable life under foreign occupation. No Power can legitimately deny the people of Palestine their inalienable right to self-determination. The Arab peoples, and indeed all peoples who strive for a just peace, take pride in their determined support for the just cause and the noble struggle of the people of Palestine.

38. The Zionist movement, whose first target was Palestine and its people, has revealed itself throughout the past four and a half years as a colonial Power in the Middle East, with Israel attempting to substitute territorial expansion for territorial integrity, the law of the jungle for the law of the Charter, the *fait accompli* for international legal order—in short, sheer tyranny for legitimacy.

39. Shortly, a map will be distributed to the members of the General Assembly. It demonstrates the process of Zionist expansion in the Middle East. Members will be able to trace the road between the first Zionist claim in 1917 for Jewish immigration into Palestine and Israel's attempt today to annex Egyptian, Syrian and Jordanian territory as part of the Zionist plan for an even greater Israel between the Nile in Egypt and the Euphrates in Iraq. That road is punctuated by periodic aggression. That has been frankly expressed by the Minister of Defence of Israel in his famous statement of 5 July 1968, when he announced:

“Our fathers reached the frontiers that were recognized in the Partition Plan of 1947. Our generation reached the 1949 frontiers. But the generation of the Six-Day War was able to reach Suez, Jordan and the Golan Heights in Syria. This is not the end; for after the present cease-fire lines there will be new lines, but they will extend beyond Jordan River, maybe to Lebanon and perhaps to Central Syria as well.”

40. Thus, while Mr. Jarring, the Special Representative of the Secretary-General, was patiently undertaking peace efforts to carry out Security Council resolution 242 (1967), Israel has been actively engaged in a policy of colonizing the occupied territories. Israel has refused to implement that resolution and has set out to undermine Mr. Jarring's mission. It has declared the annexation of Jerusalem. It has expelled and deported more than half a million citizens of the occupied territories. It has destroyed entire villages, residential quarters and thousands of houses. Even the old refugees in shelters bearing the United Nations name have been deported *en masse*.

41. The Secretary-General's note of 17 September 1971 informed the Assembly of the latest operations in Gaza

“... in which shelters in refugee camps were demolished and about 15,000 persons displaced, some of them to places outside the Gaza Strip” [A/8383, para. 2].

42. The United Nations formally protested against those acts as violations of articles 49 and 53 of the fourth Geneva Convention,<sup>2</sup> to which Israel is a party. But the operations have continued.

43. The expulsion of the inhabitants of the occupied territories, the destruction of villages, houses and refugee camps and the establishment of Israeli colonies are among the component elements of the expansionist policy carried out by Israel in the occupied territories.

44. In this process of colonization, not only are lawful inhabitants expelled and robbed of their property but equally the whole structure of international legal order is shattered, and the law of military conquest is being resurrected.

45. It is that colonial policy, being imposed by aggression and repression on the peoples of the Middle East, that the General Assembly is considering today. The people of Egypt will never acquiesce in the Israeli colonial aggression. As they have resisted invaders throughout their history, they will equally resist this new expansionist aggression. In so doing, they will be defending the principles, authority and morality of the United Nations.

46. The aggression, which began with Israel's invasion on 5 June 1967, is continuing with every minute of occupation and every act of colonization in the occupied territories. Today the Israeli aggressors seek to condition the world to tolerate their colonization through aggression. The General Assembly is invited to act firmly and effectively in response to the challenge. For only chaos is the alternative to the application of the Charter in the Middle East.

47. If the past four years of tireless efforts in the United Nations to establish a just and lasting peace have revealed anything, it is that Israel's policy of territorial expansion has been the rock on which all peace efforts have foundered.

48. Today we invite representatives to review the efforts of those past years to carry out the peaceful settlement laid

<sup>2</sup> Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75 (1950), No. 973).

down by the Security Council in its resolution 242 (1967) of 22 November 1967. It is important to begin by recalling the position taken in the United Nations following Israel's aggression in 1967.

49. When the General Assembly met in its fifth emergency special session in June and July 1967, two main trends dominated its deliberations. The first trend was that of the non-aligned countries, which emphasized the need for the immediate withdrawal of the Israeli forces from all the occupied territories, with a subsequent settlement of the underlying problems in the Middle East. The second trend was advanced by the Latin American countries and stressed the necessity of the withdrawal of the Israeli forces from all the occupied territories as part of a general settlement of the Middle East crisis. Both sides insisted on, and indeed the whole Assembly voted for, the full withdrawal of the Israeli forces in fulfilment of the principle of non-acquisition of territory by force.

50. When the question was later taken up by the Security Council, the Council opted for the Latin American approach and laid down a peaceful settlement, which reflected the Latin American thesis in a single, all-embracing sentence:

“... the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security”.

This was stated in Security Council resolution 242 (1967).

51. In all subsequent resolutions on this subject, both the Security Council and the General Assembly have reaffirmed their opposition to the acquisition of territory by force.

52. Since it was adopted four years ago, Security Council resolution 242 (1967) has become the corner-stone of United Nations efforts to establish a just and lasting peace in the Middle East. Various important factors made Egypt accept that resolution in good faith. That resolution expressed the will of the international community with respect to a peaceful solution to the conflict in the Middle East. It offered the only alternative to belligerency and war in the Middle East.

53. Security Council resolution 242 (1967) also provided for a crucial role to be played by the Special Representative of the Secretary-General in ensuring that a just and lasting peace would be achieved only through respect of the Charter and not by *diktat*, coercion or the force of occupation—a principle generally stressed in the 1967 debates, particularly by the representatives of the Latin American countries.

54. However, no sooner had we accepted Security Council resolution 242 (1967) than Israel began to uncover its expansionist policy by revealing its territorial demands:

(a) Occupied Jerusalem: Israel took the illicit and illegal step of declaring the annexation of Jerusalem.

(b) West bank of the Jordan: Israel's Prime Minister has declared since 1968: “The Jordan River must become a security border for Israel; the Israeli Army shall be

stationed on the strip along the border.” That Statement has been consistently repeated by Israel's leaders.

(c) The Syrian Golan Heights: Israeli leaders have repeatedly declared that they would not withdraw from those Syrian territories, and have established Israeli colonies in the area. Lately, Israel's Prime Minister visited those colonies and declared on 8 October last: “International borders have been demarcated by the lines where Jews have settled.”

(d) Gaza: Israeli leaders have affirmed that they would not withdraw from the Gaza Strip. An explicit declaration to that effect was made by the Prime Minister of Israel on 2 October 1970.

(e) The Sinai peninsula: In August 1969, Mr. Allon, Deputy Prime Minister of Israel, declared that a part of Egypt's Sinai comprising one third of the territory has been included in Israel's municipal administration. He declared: “It befits Eshkol's memory that this should be the first regional council to include an area beyond the former demarcation lines.” That area is shown on the map which has been distributed to representatives. Since then, the Prime Minister of Israel has made statements to the effect that Israel would not withdraw from that part of the Sinai peninsula.

55. All those statements accurately reflect the policy of colonization carried out by the Israeli aggressors in the occupied territories. This expansionist policy, by words and by deeds, has been accompanied by a hostile campaign against the United Nations. Since the adoption of Security Council resolution 242 (1967) on 22 November 1967, the United Nations has become the direct target of the leaders of Israel and the Zionist movement. Thus, the Charter principle of non-acquisition of territory by force was described as “immoral” by Israel's Prime Minister on 30 August 1971.

56. Security Council resolutions are immediately rejected by Israel's permanent representative, who denounces them in the Council chamber as reflecting “the moral, political and juridical bankruptcy of the Security Council”; and Israel's Prime Minister, in a policy statement before the Knesset on October 1971, declares the latest of these resolutions to be “devoid of any moral foundation and completely invalid”.

57. It is ironic to see such unprecedented hostility towards the United Nations on the part of a State which came into existence as a result of a United Nations resolution.

58. The Israeli leaders have made an effort to sell their expansionist policy. This effort has convinced no one. Semantics and word-play were often employed. An attempt was made to describe Israel's annexation of Jerusalem as the “unification of Jerusalem”.

59. A similar attempt has been made to distort the provisions of Security Council resolution 242 (1967). Paragraph 1 of this resolution reads:

“Affirms that the fulfilment of Charter principles requires the . . .



“ . . .

“(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.”

Israel picked out of this provision the words “secure and recognized boundaries” and attempted to build on them the illegitimate theory that Security Council resolution 242 (1967) provides Israel with a license for territorial expansion. This attempt was hopeless. For everyone can see that Security Council resolution 242 (1967) has expressly emphasized “. . . the inadmissibility of the acquisition of territory by war . . .”, a principle which cannot be fragmented by its very nature and by the fact that it flows directly from the Charter. The principle cannot conceivably be fulfilled except by its full application to all the occupied territories.

60. Indeed, everyone can see that territorial expansion, which is an act of force, is explicitly prohibited by the very provision on which Israel seeks to base its expansionist claim. Everyone can see that the resolution refers to all States in the area and not only to Israel.

61. Israel's claim to territorial expansion, disguised as considerations of security, defies present-day realities where security can no longer be attained through geography. Israel's claim to territorial expansion in the name of security is an open invitation to international chaos, and carries with it a serious threat to other borders throughout the world.

62. Security Council resolution 242 (1967) addressed itself to the question of security and in this regard affirmed the necessity:

“(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;”

63. The question which then arises is why Israel has rejected all proposals regarding security measures, such as guarantees by the United Nations, the establishment of demilitarized zones astride the borders and the creation of a United Nations peace-keeping force in which the permanent members of the Security Council would participate.

64. Territorial expansion is the exercise of war, not the road to peace or security in the Middle East. Security for the States of the Middle East, as elsewhere, rests on respect for territorial integrity, political independence and sovereignty. This could be reinforced by a system of guarantees under the auspices of the Security Council. This is the rule of the Charter. This is what Security Council resolution 242 (1967) stipulates.

65. When the Special Representative of the Secretary-General started his mission and visited Cairo in December 1967, my Government informed him of its acceptance of Security Council resolution 242 (1967) in all its parts, and

of its readiness to carry out all obligations arising from it. Israel has adamantly refused to give the corresponding commitments of withdrawal from the territories it has occupied since its aggression on 5 June 1967. The pursuit of this expansionist policy has shattered all the initiatives and efforts exerted to carry out the Security Council resolution. I would like to refer to these efforts.

66. First, the time-table. In early 1968, Egypt formally proposed to the Special Representative that he set up a time-table for the implementation of the Security Council resolution in all its parts. Israel rejected this proposal.

67. Second, the four-Power talks. When Ambassador Jarring's efforts were brought to a standstill in late 1968 as a result of Israel's failure to assume its commitments for withdrawal from the occupied territories, France then proposed the initiation of talks among the permanent members of the Security Council. My Government welcomed these talks in the light of the special responsibilities of the permanent members of the Security Council under the Charter. Israel rejected this initiative by France.

68. Third, the Soviet and United States peace plans. In the course of these talks, the Soviet Union presented a comprehensive proposal for a settlement which was rejected by Israel. The United States likewise submitted a plan for settlement, which was reflected in a speech by Secretary of State Mr. William Rogers on 9 December 1969, in which he stated:

“. . . in the context of peace and agreement on specific security safeguards, withdrawal of Israeli forces from Egyptian territory would be required.

“Such an approach directly addresses the principal national concerns of both Israel and the United Arab Republic. It would require the United Arab Republic to agree to a binding and specific commitment to peace. It would require withdrawal of Israeli armed forces from United Arab Republic territory to the international border between Israel and Egypt which has been in existence for over half a century. . . .”<sup>3</sup>

Israel rejected this plan.

69. Fourth, the United States initiative in 1970. On 15 June 1970, the United States made a proposal in which it asked the parties to agree to carry out Security Council resolution 242 (1967) in all its parts, to appoint representatives to contact Ambassador Jarring for the implementation of the Security Council resolution, and to observe a 90-day cease-fire. Egypt accepted this initiative in full, and designated its permanent representative to the United Nations to enter into discussions with Ambassador Jarring. However, no sooner had Israel announced its acceptance of the American initiative than it set out to suppress it. It refrained from entering into a single substantial contact with Ambassador Jarring. On 6 September 1970 it formally withdrew from these contacts. Egypt then brought the situation before the General Assembly at its last session.

<sup>3</sup> See *Official Records of the Security Council, Twenty-fifth Year, Supplement for January, February and March 1970*, document S/9588.

The Assembly called upon the parties concerned to resume contact with the Special Representative in order to enable him to carry out, at the earliest possible date, his mandate for the implementation of Security Council resolution 242 (1967) and recommended that the parties extend the cease-fire for another period of three months [*resolution 2628 (XXV)*]. Egypt fully complied with the Assembly's resolution.

70. Fifth, the Jarring initiative. In fulfilment of his mandate, the Special Representative contacted both Egypt and Israel and then acted on his own initiative. In this connexion I wish to quote from the latest report of the Secretary-General, when he stated:

“Ambassador Jarring felt that at this stage of the talks he should make clear his views on what he believed to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties had agreed to carry out in all its parts. He reached the conclusion, which I shared, that the only possibility of breaking the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings—which seemed to him to be the real cause for the existing immobility in the talks—was for him to seek from each side the parallel and simultaneous commitments which seemed to be inevitable prerequisites of an eventual peace settlement between them.” [*A/8541, para. 12.*]

The report continues:

“It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments, but with equal priority for other topics, and in particular the refugee question.” [*Ibid.*]

I further quote from the report:

“In identical aide mémoires handed to the representatives of the United Arab Republic and Israel on 8 February 1971 Ambassador Jarring requested those Governments to make to him certain prior commitments. Ambassador Jarring's initiative was on the basis that the commitments should be made simultaneously and reciprocally and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem. Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine. The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising directly or indirectly from paragraph 1(ii) of Security Council resolution 242 (1967).” [*Ibid., para. 13.*]

Now I quote from the Secretary-General's report on Egypt's reply. The Secretary-General said:

“On 15 February, Ambassador Jarring received from the representative of the United Arab Republic an aide

mémoire in which it was indicated that the United Arab Republic would accept the specific commitments requested of it, as well as other commitments arising directly or indirectly from Security Council resolution 242 (1967). If Israel would give, likewise, commitments covering its own obligations under the Security Council resolution, including commitments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement for the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be ready to enter into a peace agreement with Israel. Finally the United Arab Republic expressed the view that a just and lasting peace could not be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israel armed forces from all the territories occupied since 5 June 1967.” [*Ibid., para. 14.*]

That was Egypt's response to Ambassador Jarring's initiative. Now Israel's reply: on 26 February, Ambassador Jarring received a paper from the representative of Israel which ignored the specific commitment sought by Ambassador Jarring on withdrawal to Egypt's international borders. The paper further explicitly stated: “Israel would not withdraw to the pre-5 June 1967 lines.” [*Ibid., para. 17.*] I repeat: “Israel would not withdraw to the pre-June 1967 lines.”

71. In reference to the replies which were received by Ambassador Jarring from Egypt and Israel, the Secretary-General stated in his report:

“I wish . . . to note with satisfaction the positive reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel has so far not responded to the request of Ambassador Jarring that it should give a commitment on withdrawal to the international boundary of the United Arab Republic.” [*Ibid., para. 21.*]

72. Israel's formal refusal to assume its commitment to withdraw from Egypt's territory was the most ominous development in the entire United Nations effort to implement Security Council resolution 242 (1967).

73. Sixth, the Secretary-General's appeal. On 5 March, the Secretary-General formally appealed to the Government of Israel “to give further consideration to this question and to respond favourably to Ambassador Jarring's initiative” [*Ibid. para. 21*]. Israel has ignored this appeal.

74. Seventh, President El-Sadat's initiative. On 4 February, President Anwar El-Sadat took a further step aimed at facilitating the implementation of the Security Council resolution 242 (1967) and the withdrawal, in two stages, of the Israeli forces from all Arab lands occupied after 5 June 1967. Israel rejected this initiative.

75. Eighth, Rogers' six points. On 4 October this year Secretary of State William Rogers proposed in the General Assembly [*1950th meeting*] a step in six points towards complete and full implementation of resolution 242 (1967). The step proposed by Mr. Rogers was violently rejected by the Prime Minister of Israel on 26 October. One

reason for this rejection was on the grounds that it constitutes "a step towards the full implementation of Security Council resolution 242 (1967)". Instead, the Prime Minister of Israel called for an interim agreement which would be completely divorced from the final settlement provided for in Security Council resolution 242 (1967).

76. It would be significant at this point to recall the oratory of Israel's spokesmen here, following the 5 June 1967 aggression, to the effect that they were seeking a final peace as a substitute for the armistice agreements of 1949.

77. Ninth, Africa's initiative. On 22 June 1971, the Assembly of Heads of State and Government of the Organization of African Unity adopted a resolution on the continued aggression against Egypt, which has been conveyed for the information of the Security Council in document S/10272.<sup>4</sup> In this resolution the Assembly of the OAU: reaffirmed previous calls for immediate withdrawal of Israeli armed forces from all Arab territories to the lines of 5 June 1967 in implementation of Security Council resolution 242 (1967) of 22 November 1967; expressed full support for the efforts of the Special Representative of the Secretary-General of the United Nations to implement the Security Council resolution and for his initiative for peace of 8 February 1971 in particular; reaffirmed its solidarity with Egypt and appreciated the positive attitude reflected in its reply of 15 February 1971 to the Special Representative's initiative for peace as a practical step for establishing a just and lasting peace in the Middle East; deplored Israel's defiance of that initiative and called upon it to make a similar positive reply to the Special Representative's initiative for peace of 8 February 1971; requested the current Chairman of the OAU to consult with the Heads of State and Government so that they could use their influence to ensure the full implementation of this resolution.

78. In fulfilment of the last provision of this resolution, a Committee of African Heads of States was established under the chairmanship of President Ould Daddah of Mauritania and the Heads of State of Cameroon, Ethiopia, the Ivory Coast, Kenya, Liberia, Nigeria, Senegal, the United Republic of Tanzania and Zaire. A sub-committee, consisting of the Presidents of Cameroon, Nigeria, Senegal and Zaire was established under the chairmanship of President Senghor of Senegal in an endeavour to carry out the resolution of the Organization of African Unity. The mission of the four African Presidents was of great significance in more than one way. For Egypt, it was an act of solidarity on the part of our sister African States. It gave expression to Africa's contribution to the United Nations peace efforts in the Middle East. It was in full support of Ambassador Jarring's efforts to implement Security Council resolution 242 (1967).

79. However, Israel again refused to commit itself to withdrawal to the lines of 5 June 1967. It refused again to commit itself to reply favourably to the initiative of 8 February 1971 of the Special Representative of the Secretary-General of the United Nations. In fact, Israel again maintained its position on territorial annexations under the pretext of security.

80. I have just outlined the initiatives and endeavours taken throughout the past four years to carry out the peaceful settlement embodied in Security Council resolution 242 (1967). If this peaceful settlement is not carried out today, it is for no other reason than Israel's policy of territorial expansion. Manoeuvres, delaying tactics, word-play, semantics and sloganeering have all been endlessly employed to undermine every opportunity to carry out Security Council resolution 242 (1967).

81. The latest device being employed to conceal the real cause of the absence of peace is a new Israeli slogan coined as follows: "Israel is ready to resume talks with Ambassador Jarring without pre-conditions". The following question immediately arises: Are there really any pre-conditions at all in the Jarring aide-mémoire of 8 February 1971 [A/8541, annex I]?

82. If Israel considers itself bound by the Charter of the United Nations; bound by Security Council resolution 242 (1967); bound by the principle of the inadmissibility of the acquisition of territory by force; bound by the rules and norms of the international legal order, then there are no pre-conditions whatsoever in the Jarring aide-mémoire of 8 February 1971.

83. The Jarring aide-mémoire of 8 February was the most decisive test of peace. Israel failed to meet that test.

84. Today Israel's new slogan for the resumption of the Jarring talks "without pre-conditions" conveys only one message: that it still refuses to commit itself to the prerequisites of peace; it refuses to commit itself to the implementation of Security Council resolution 242 (1967); it refuses to abide by its Charter obligations; it refuses to withdraw its forces from Egypt's territory.

85. Nothing can be more illicit than a refusal by a State to commit itself to withdraw its forces from the territory of another State; nothing can be more ominous for the international community than to let such a State escape its sanctions.

86. Opposition to Israel's colonial policy of territorial expansion was not confined to Africa. Indeed, this opposition is universal. Last year in Lusaka all the non-aligned countries declared their opposition to Israel's occupation of Arab territories, called for the withdrawal of the occupation forces from the territories invaded since 5 June 1967, supported the efforts of the Special Representative, and recommended the application of adequate measures against Israel if it persisted in disregarding efforts to establish peace based on justice in accordance with Security Council resolution 242 (1967).<sup>5</sup>

87. The Socialist countries have strongly supported Security Council resolution 242 (1967) and have backed all peace efforts for its implementation. I would wish particularly to refer to the solid and noble support of the Government and peoples of the Soviet Union in the struggle of Arab States victims of Israel's aggression.

<sup>5</sup> See Lusaka Declaration on Peace, Independence, Development, Co-operation and Democratisation of International Relations, signed at Lusaka on 10 September 1970.

<sup>4</sup> *Ibid.*, *Twenty-sixth Year, Supplement for July, August and September 1971.*



88. The peoples and Governments of Asia have repeatedly and strongly opposed the continued occupation of our countries by the military forces of Israel.

89. The People's Republic of China has firmly opposed Israel's aggression and had demanded the immediate withdrawal of the Israeli aggressors from Arab territories in support of the struggle of the Arab peoples.

90. France has, from the very beginning, expressed its firm opposition to the policy of territorial expansion. France's contribution to peace efforts is greatly appreciated by all Arab peoples. Last May France, together with the other members of the European Economic Community, took a significant step for peace in the Middle East. The members of the European Economic Community have lent their unqualified support to the efforts of the Special Representative in carrying out Security Council resolution 242 (1967) and conveyed that position to the Secretary-General. That position is shared by other countries in Western Europe. The Foreign Minister of the United Kingdom has also expressed the opposition of his Government to the policy of territorial expansion and has supported the efforts of the Special Representative.

91. The Latin American countries have made a great contribution to the development of the principle of non-acquisition of territory by force and the inadmissibility of occupation as a means for pressure and coercion. They, surely, continue to be guided by that principle.

92. Indeed, the United States has declared on many occasions its commitment to support the territorial integrity of all States in the Middle East, and its opposition to territorial expansion. That is the declared position of the United States. Yet, for the past years, the United States has supplied Israel with military aid, while Israel has been actively pursuing its expansionist policy and undermining all initiatives to carry out Security Council resolution 242 (1967).

93. There has been a basic contradiction between the repeated assertions of the United States of support for Security Council resolutions and its actual policy of providing military and economic aid to Israel. United States commitments under the Charter should have led the United States to oppose actively the expansionist policy of Israel.

94. The contradiction between the United States support of Security Council resolution 242 (1967) and the policy it has followed by supplying Israel with military and financial aid has resulted in another dangerous phenomenon: it allows Israel to use Security Council resolution 242 (1967) as an instrument of blackmail. We have often heard that Israel would not participate in any peace talks unless its demands for American military assistance were fulfilled.

95. But what has been the result? Have all the American Phantoms and the thousands of millions of dollars which Israel has received during the past four years brought Israel one inch closer to undertaking its commitments to withdraw from the occupied territories? Has all the United States support to Israel brought any co-operation from Israel to respond even to American initiatives? The answers are obvious. Indeed, nothing has enabled Israel to evade its obligations more than its reliance on American support.

96. After Israel's formal refusal to assume its commitments under Security Council resolution 242 (1967) we should expect the United States to follow a policy in harmony with its own obligations under the Charter. We should expect the United States to join others in taking unilateral and collective measures against Israel. By doing so, the United States would not only be assuming its own responsibilities, but would also be serving the cause of a just and lasting peace in the Middle East.

97. By force, Israel occupied the territories of three Arab States. By force, it destroyed villages, towns and homes and expelled their inhabitants. By force, Israel wants to remap the Middle East. Israel, meanwhile, bears the heavy responsibility for the failure of all the efforts exerted for the last four years to carry out the peaceful settlement embodied in Security Council resolution 242 (1967). Those are the bare facts, which no amount of rhetoric can conceal.

98. Those are the facts which bring the United Nations face to face with the most fundamental of its responsibilities. Israel's armed aggression on the territories of Egypt, Syria and Jordan since 5 June 1967, together with Israel's failure to meet its obligations arising from Security Council resolution 242 (1967) is the gravest violation of the Charter. This situation has its consequences; the enforcement measures of Chapter VII of the Charter are in the Charter specifically to meet such a situation.

99. The territory of Egypt is the sacred trust of Egypt's sons and daughters. Through thousands of years that trust was passed from generation to generation. The present generation of Egypt will never betray that trust. This is not only its inherent right but also its sacred duty.

100. The liberation of all the Arab territories occupied as a result of Israel's aggression of 5 June 1967, and the fulfilment of the inalienable rights of the people of Palestine are two sacred commitments.

101. We share with our Arab brothers a common cause, a common struggle and a common destiny. The Arab position is based fully on the rights and obligations recognized in the United Nations Charter and in its resolutions.

102. We share with you the imperative responsibility of protecting an international legal order based on respect for the sovereignty, territorial integrity and political independence of all States. We share with you the historical responsibility of taking action to enforce the rule of the Charter and to apply its provisions. In the life of nations, there come moments when truth has to be faced and action taken. Here, we face those moments. We trust we can act with courage and decision.

103. Mr. FARAH (Somalia): In making this intervention in the debate on the Middle East question, the Somali delegation is guided by two broad considerations which we expressed in the course of the past few months in different contexts. In his statement to the General Assembly [1943rd meeting], the Somali Foreign Minister referred to global problems such as the environmental threat to our planet and the proliferation of weapons, machines and people—problems which concern all peoples, which are well on the way to determining all aspects of human society,

and which are of a scale and complexity unprecedented in the history of civilization. My delegation believes that the Middle East question, the problems of southern Africa, and the other dangerous regional conflicts that threaten international peace and security must be looked at in a global perspective; they must be dealt with as part of a process by which the international community puts its priorities in order.

104. My delegation does not minimize the importance to individual nations of the vital issues that threaten national interests, nor would we support any letting-up in the struggle for the liberation of peoples under the yoke of colonial and racist domination. We do, however, maintain the hope—and we are sure that it is a hope shared by the majority of Member States—that the political and social problems which divide nations or attack human dignity can be settled both with speed and with justice, so that together we can turn to the larger questions of planetary survival.

105. Our second broad consideration is one which my delegation expressed when we welcomed the representatives of the People's Republic of China to the General Assembly [1983rd meeting]. We declared at that time our satisfaction that the United Nations had acted according to principle and not according to other factors, such as sentiment, expediency and an appeal to the so-called realities that had governed the question of China's representation in the past. We pointed out that sentiment was a coin on the other side of which often lay injustice; that what is reality to one is fantasy to another; and that what is expedient for one nation or a group of nations can be harmful to the international community as a whole. We also expressed our belief that the only safe course for a world organization such as ours, charged with the responsibility for international peace and security and composed of States with varying ideological, political, cultural and economic systems, is to eschew sentiment and expediency and appeals to so-called realities, and to adhere strictly to the principles of international law which we are pledged to uphold as a basis for world order.

106. In short, the world needs peace in the Middle East and it needs—and indeed can only have—a peace which is based on established principles of international law.

107. My delegation does not pretend that in attempting to chart a course towards peace with justice for the protagonists of the Middle East conflict, the United Nations is not faced with difficult and complex issues. But there are certain principles—certain guiding stars, to carry my nautical metaphor a little further—which have become fixed points of reference because they are based on relevant principles of the Charter and because they represent the consensus of the international community with regard to the Middle East problem.

108. I am referring to the principle that the territory of a State should not be the object of occupation or acquisition by another State resulting from the use or threat of force; and to Security Council resolution 242 (1967) which represents the fulfilment by the United Nations, in a most effective manner, of its role of mediation and arbitration as prescribed by the Charter.

109. In trying to come to grips with the present phase of the perennial Middle East crisis, it is necessary to go back to a former phase. No development of this question can be viewed in isolation. In the Middle East drama, act III cannot be understood unless we take acts I and II into account. Member States will recall that in the General Assembly debates following the 1967 crisis, the attempts of the Soviet Union to declare Israel the aggressor and to make Israel relinquish its conquests forthwith were frustrated by Israel's powerful supporters. The question of which country was responsible for initiating aggression was not merely of academic interest, as some have claimed. It was initially the central consideration in the Security Council meetings called to deal with the crisis; at least it was the central consideration until it became clear that the country whose air force was destroyed on the ground in a surprise attack had not launched the first strike. But one must also take into account the Israeli contention, which emerged later, to the effect that Israel was driven to aggression because of Arab hostility immediately before the war of 1967. The Israelis made the same claim—that they were pressured by Arab hostility—after their aggression of 1956, and certainly in that case there can be no doubt that Israel had carried out an act of flagrant aggression. One must therefore examine the cause of this Arab hostility that Israel claims has driven it on two occasions to commit major breaches of the peace.

110. The historical record shows that Israel itself bears a heavy responsibility for the escalation of hostile incidents between 1949 and 1956, and again between 1957 and 1967. The policy of four fold reprisals by its armed forces for individual acts of terrorism by the *fedayeen* was a calculated attempt to force Arab States to accept the Israeli terms for peace—terms which excluded a settlement of the Palestine refugee question that would have been satisfactory to all concerned.

111. But the heart of the matter was, of course, the Palestinian question. The Arab people had first of all had an exclusively Jewish State thrust in their midst even though they had been prepared to establish, in the land that had been theirs since time immemorial, a new nation built in partnership with the minority group of Jewish inhabitants and those immigrants who had arrived in the early part of the twentieth century. They they had to witness the drama of Israel's recognition by the United Nations, on the understanding that the Palestinians would be accorded their rights, and Israel's renegeing on that undertaking. As we know, over the past 22 years, every attempt by the United Nations to implement resolutions concerning the Palestine refugees has been strenuously opposed by the Israelis. The refusal of Israel to admit that the fulfilment of the Zionist dream was achieved at the expense of Palestinian nationalism and its rigid attitude towards United Nations and Arab protestations on the question of the Palestine refugees—these have been the causes of what might be termed the righteous anger of the Arab States.

112. It has been argued that the neighbouring Arab States championed the cause of their brother Arabs in Palestine to further their own ends, and not out of any altruistic or pan-Arab sentiment. Well, if such was indeed the case, and if the Israelis really wanted peace, they could, at one and the same time, have tested Arab sincerity, defused a

dangerous situation and put themselves in a strong moral and legal position by righting what they themselves knew to be an injustice of historic proportions.

113. In a recently published book, Amos Elon, a prominent Israeli journalist, observed that the Zionists, in their obsession with founding a homeland in Palestine, were nearly blind to the existence of the Arab people who formed the bulk of the population already there. He admits "that the punishment of the Arabs for the sins of Europe must burden the conscience of Israelis for a long time to come". Arab frustration and hostility was engendered by the fact that Israel's leaders were able to bear this burden on their consciences with equanimity.

114. I have gone back as far as the first scenes of the Middle East drama solely to show that this complex problem, with its deep emotional undertones and overtones, is only capable of solution in the context of the strict application of, and adherence to, the international laws that are relevant to the situation.

115. Out of the General Assembly debate following the 1967 crisis there emerged a realization among the international community that Israel's continued occupation of Arab land contravened the principle of the inadmissibility of the acquisition of territory by conquest and, consequently, that Israel should withdraw from Arab territory in conformity with the principles of the Charter and the international laws which the Charter upholds.

116. The consensus of the membership of the United Nations on this point stands out as one of the main principles that must guide United Nations action on the Middle East. It is significant that even the United States, with its special relationship to Israel, is a party to that consensus.

117. The United Nations second point of reference, as I said before, must be Security Council resolution 242 (1967), which was subsequently endorsed by an overwhelming majority of the United Nations membership [*resolution 2628 (XXV)*]. Ever since the Security Council, in one of the most constructive efforts of its history, formulated and approved that resolution, a reasonable and practicable basis for peace in the Middle East has existed. That resolution, as we know, takes into account the basic positions of the parties to the Arab-Israeli conflict and makes clear the steps which have to be taken by each party if a settlement is to be achieved. It is a resolution which arrived at a compromise between opposing Israeli and Arab positions. The unconditional withdrawal which the Arabs rightly demanded is linked to the satisfaction of long-held Israeli demands, such as the demands for an end to the state of belligerency and recognition of Israel's sovereignty and territorial integrity. Most significantly, Security Council resolution 242 (1967) emphasizes the principle of the inadmissibility of the acquisition of territory by war.

118. It is four years since that resolution was adopted, but the Middle East quarrel still threatens the peace of the region and of the world. It is an inescapable fact that the stumbling-block to peace is Israel's intransigence—an intransigence which has expressed itself in opposition to every United Nations effort to bring peace to the Middle

East—in defiance of the authority of the United Nations and in contemptuous denial of the United Nations responsibility for maintaining international peace and security.

119. First and foremost, Israel remains in determined and unrepentant contravention of the principle which condemns and forbids the acquisition of territory by war. Its leaders even insist that the principle does not exist, in spite of the fact that it was reaffirmed by a virtually unanimous vote of the United Nations membership when it adopted the Declaration on the Strengthening of International Security [*resolution 2734 (XXV)*].

120. As long as Israel insists that withdrawal from occupied Arab territory is not a matter of first principle, but one of negotiation, or that the question is not one of keeping illegally seized territories, but of obtaining what Israel considers to be secure boundaries, then it will be difficult not to see in these positions the expansionist policy that has brought Israel from the small State created by the partition of Palestine to the present area of Israeli control, which has increased more than a hundredfold at the expense of the Arab people.

121. Israel is in effect maintaining that a State has a right to seize from other sovereign States whatever territories it considers necessary for its security. Apart from the illegality of this position, it ignores the fact that in this day of the Phantom jet and the nuclear missile, the only real guarantee of security lies in an agreement which satisfies the just claims of all concerned. Certainly, the very same borders which Israel now retains, supposedly to guarantee its safety, did not guarantee the safety of Egypt from a surprise air attack.

122. But it is not only in the fact of illegal occupation that Israel is in contravention of international law. The conduct of its administration in every area of the occupied territories is characterized by a disregard for accepted international conventions such as the third and fourth Geneva Conventions. The Security Council has repeatedly called on Israel to rescind and to refrain from carrying out further measures which would change the status of East Jerusalem. The response has been official annexation and official pronouncements to the effect that east Jerusalem will never be allowed to become subject to a negotiated settlement as international law demands. The expropriation of Arab lands and the deportation or movement of Arab people to allow for Jewish settlement—flagrant violations of international conventions governing the treatment of civilian populations—continues, with the effect of changing the character and status of the Holy City.

123. Similar declarations of annexationist policies and similar measures to put these policies into effect have been made in every area of occupied Arab territory—on the Golan heights, on the west bank of the Jordan, in the north of the Sinai peninsula at Sharm el Sheikh and most recently, with large-scale effect, in the Gaza strip. There is nothing hidden about these pronouncements or these measures. The facts can be verified in the Israeli and international press, and they are set out in detail in various United Nations reports.

124. The lightning military action; the fait accompli; expropriation followed by colonization; defiance of the authority of the United Nations—this is the familiar pattern of Israel operation. The world has seen it all before and is witnessing it again.

125. If we examine Israel's response to Security Council resolution 242 (1967) the facts are equally an indictment of Israel, equally evidence of its unwillingness to abide by its obligations as a State Member of the United Nations. As we know, the Jarring mission, established by the Secretary-General to translate resolution 242 (1967) into practical terms, is now in abeyance because of Israeli intransigence. At every step of the negotiations Israeli has, so to speak, raised the stakes in an effort to frustrate the purpose of the mission.

126. At one time Israel has insisted that the chief obstacle to peace was the state of belligerency maintained by the Arab States and their refusal to recognize its territorial integrity and sovereignty. Egypt and Jordan agreed to end the state of belligerency and to recognize Israel, provided there was withdrawal from Arab territory. Israel had also insisted on direct negotiations. Egypt and Jordan agreed to negotiate a peace treaty if the terms could be agreed on. Israel reiterated its determination not to agree to withdrawal from Arab territory as a first condition of peace. Egypt agreed to the simultaneous commitments on basic principles suggested by Mr. Jarring, but Israel has not yet replied specifically to this proposal after nearly 10 months.

127. President El-Sadat, on his own initiative, proposed an arrangement for opening the Suez Canal as a step towards an over-all settlement. Further initiatives by the United States on this proposal have failed because of Israel's refusal to allow Egypt to exercise its sovereign rights in the administration and protection of its own territory on the east bank of the Suez Canal.

128. If further evidence were needed of Israel's unwillingness to abandon its expansionist dreams in the cause of peace, it lies in the fact that, whereas Egypt and Jordan accepted the principle of demilitarized zones separating their borders from Israel's and an international force at Sharm el Sheikh—arrangements which would be guaranteed and supervised by the big Powers—Israel maintains that it has no faith in anything but its own military power—a disturbing position, I submit, in the light of its exercise of that power over the past 22 years.

129. One could go on, but the facts are well known. All the basic elements of the situation are contained in Mr. Jarring's aide-mémoire of 8 February 1971 [A/8541, annex II], which met with a positive response from Egypt. One sentence of Israel's reply to that aide-mémoire once again closed the door to peace. It read, "Israel will not withdraw to the pre-5 June 1967 lines" [*ibid.*, annex III].

130. From 1949 to 1967, Israel ensured that tension and violence would be endemic in the Middle East because of its usurpation of the rights and the lands and the properties of the Palestinian people—a usurpation carried out and extended so that the native people of Palestine could be replaced by Jews from all over the world. Far from exercising the compassion and the sense of historic justice

that one would have expected from a people which had experienced a form of persecution unparalleled in history, the former victims of oppression themselves become the oppressors in the land to which they had fled—in the land where they were welcome as friends and partners, but not as usurpers.

131. Since 1967 a new cause for the just anger of the Arab people has been added to the old cause. Since 1967 Israel has refused to return to the international boundaries that existed before the aggression of June 1967 and to return the large areas of Arab land it seized at that time. This is an intolerable situation for sovereign States to accept—States which have co-operated with the peace-keeping measures set in motion by the United Nations and which have made the concessions asked of them in the process of negotiation. What are they expected to do now? Certainly, if Israel remains intransigent and if the United Nations fails to take measures under Chapter VII of the Charter to enforce its authority and to carry out its responsibility for international peace and security, then it is likely that the Arab States will take matters into their own hands and we will be faced with the prospect of another Middle East war—and perhaps a war of even wider dimensions.

132. The United Nations therefore has a grave responsibility in this matter. This Organization must face squarely the threat to its authority and to world peace presented by Israel's attitude and actions. The General Assembly must be prepared to recommend, and the Security Council must be prepared to carry out, enforcement measures under the Charter if Israel continues on its present course. The issue being debated now is not just the issue between Israelis and Arabs; it is also an issue between Israel and the United Nations.

133. Small States like my own—and, one would have hoped, like Israel itself—have a special interest in ensuring that the United Nations would develop its capacity as an effective instrument for world peace. We do not depend on armaments, nuclear or otherwise, for our security. We depend on the provisions of the Charter. Israel, by its rejection of some of the fundamental principles of the Charter, undermines its authority and the source of security of nations large and small. After all, the United Nations is predicated on the assumption that war must not be a profitable endeavour. Israel, by precept and example, is negating that assumption.

134. The Organization of African Unity, which has undertaken the most recent initiative towards peace in the Middle East, is composed mainly of developing nations which share Somalia's concern that the effectiveness of the United Nations should be increased rather than undermined. The initiative taken by the Organization of African Unity on the Middle East conflict is based on the same two points of reference on which there is a consensus among the international community—namely, the principle that the territory of a State should not be the object of occupation or acquisition by another State resulting from the use of force and the provisions of Security Council resolution 242 (1967). It is the hope of the mission of the Organization of African Unity—and this hope is shared by a great majority of the Member States of this Organization—that the Jarring mission will be resuscitated on the basis of his

aide-mémoire of 8 February, not for the purpose of diplomatic stalling, not for maintaining a pretence of reasonableness where no intention of being reasonable exists, but with a sincere desire on the part of all concerned to achieve a just settlement.

135. In the whole history of the Middle East conflict, no greater opportunity for a just and honourable settlement has presented itself than at the present time. If Israel should reject that opportunity, it will bear the responsibility for inflicting on the people of that area the burden of continued conflict, with all its tragic consequences.

136. It seems to my delegation that in the present grave situation it is essential that the United States should bring the strongest pressure to bear on Israel to act in accordance with the considered judgement of the world community. In any set of negotiations there comes a point where the irreducible minimum that could bring about a settlement is reached. In the Middle East conflict that irreducible minimum is a time-table for Israeli withdrawal to the borders which existed prior to 5 June 1967.

137. It is obvious that only the strongest pressure from their powerful supporter, the United States, can persuade the Israelis to abandon their expansionist course. It is obvious also that, unless they can be persuaded to do that, the prospect is for a continuation of a war which will be costly in terms of human lives and national resources and which may drag on unresolved because of the balance of power set up and maintained by the super-Powers. There is

also the danger, which I need not emphasize, that such a war might escalate into a wider and even more dangerous conflict.

138. I began this statement by placing the Middle East conflict in the perspective of the universal concerns that should be the main preoccupation of this world Organization. That kind of perspective was once supported by Mr. Abba Eban, the Foreign Minister of Israel. Some years ago he wrote in an article which appeared in *Look* magazine:

“... it is precisely through concern for supra-national interests that Governments have a chance of transcending their rivalries and developing trustful attitudes that could, in time, transform their approach to the provincial squabbles—the Viet-Nams and Congos of this troubled world.”

I might, of course, add that the development of trustful attitudes by Israel towards United Nations initiatives and proposed guarantees would indeed transform the Middle East situation.

139. The world wants peace—and needs peace—in the Middle East. The key to that peace lies with Israel. If Israel insists upon closing the door to peace it is for us, the international community, to push the door open and to keep it open, by resorting to the necessary measures prescribed in the Charter of the United Nations.

*The meeting rose at 5.25 p.m.*



