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President : Mr. M. KLUSAK (Czechoslovakia).

Present :

Representatives of the following States: Belgium, Cameroon, Canada, Czechoslovakia, Dahomey, France, Guatemala, India, Iran, Kuwait, Libya, Mexico, Morocco, Pakistan, Panama, Peru, Philippines, Romania, Sierra Leone, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Venezuela.

Observers for the following Member States: Algeria, Argentina, Australia, Austria, Brazil, Bulgaria, Central African Republic, Chile, China, Denmark, Hungary, Iraq, Israel, Italy, Netherlands, Portugal, South Africa, Tunisia, United Arab Republic.

Observers for the following non-member States: Federal Republic of Germany, Holy See, Switzerland.

Representatives of the following specialized agencies: International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, International Bank for Reconstruction and Development, International Monetary Fund, World Health Organization.

AGENDA ITEM 1

Adoption of the agenda (resumed from the 1480th meeting)

QUESTION OF THE INCLUSION OF A SUPPLEMENTARY ITEM PROPOSED BY THE USSR (E/4409)

1. Mr. ZAKHAROV (Union of the Soviet Socialist Republics) said that, in accordance with rule 13 of the rules of procedure of the Economic and Social Council, his delegation had addressed a letter to the President of the Council (E/4409), requesting him to include in the agenda of the current session as a separate item the question of the responsibility of Israel for the economic damage caused to Arab and other peace-loving States by its aggression against the United Arab Republic, Syria and Jordan. In its letter, his delegation had pointed out

that, in the period which had elapsed since the Council, at its forty-second session, had considered the provisional agenda for its forty-third session, the world had been shaken by events which the Council, as the organ bearing responsibility under the United Nations Charter for promoting "the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations", could not ignore.

2. There were five aspects of the question which should be considered: the grounds for the payment by Israel of compensation for the damage it had caused; the form which such compensation should take in accordance with international law and practice; the reasons why the matter should be considered by the Economic and Social Council; the question whether the Council could successfully consider the existing items on its agenda if it disregarded the events in the Middle East, and the form and content of the decision to be taken by the Council.

3. According to the Charter the purpose of the United Nations was to save succeeding generations from the scourge of war, to promote social progress and better standards of life and to ensure that armed force should not be used save in the common interest. All Members were required to settle their international disputes by peaceful means in such a manner that international peace and security, and justice were not endangered. How could those principles of the Charter be reconciled with the policy of Israel which, for the second time, had attacked Arab States and threatened the world with war? The Israelis had destroyed homes and property, had expelled people from their homes and had left them without a means of livelihood. It was a long-established principle of international law that an aggressor State bore the responsibility for its action, not only politically but also economically. That principle had been upheld by the decisions taken at the Potsdam Conference of 1945 and by the Geneva Convention of 1949 relating to the Protection of Civilian Persons in Time of War.

4. If Israel had had any claims against its neighbours, it should have sought a settlement by peaceful means. Since, however, it had unleashed a conflict, contrary to the Charter, it must assume responsibility for the consequences, including the economic consequences.

5. Apart from the effects of military operations, Israel had also brought about the closing of the Suez Canal, thereby damaging the economy not only of the United Arab Republic but also of many other peace-loving countries, including developing countries. It had occupied and plundered vast areas of territory. No genuinely peace-loving State could be indifferent to such facts. The Arab States were fully entitled to expect that the

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economic damage they had suffered should be made good. The Council must rise to the occasion. None of the attempts to justify Israel held water and that country should pay compensation for everything that had been destroyed; that was the only just decision. If the question of the amount of compensation arose, the Economic and Social Council could request the Secretary-General to make an assessment.

6. According to Article 7 of the Charter, the Economic and Social Council was "a principal organ" of the United Nations. The functions and powers of the Council were defined in Chapters IX and X of the Charter. Article 55 stated that the United Nations should promote higher standards of living, full employment, and conditions of economic and social progress and development, while Article 60 laid down that the responsibility for the discharge of those functions would be vested in the Economic and Social Council. Clearly the Council would not be able to fulfil those functions if it were precluded from considering such new economic problems as those arising from the war in the Middle East. It was not possible to discuss international co-operation for economic and social development while disregarding the economic consequences of the recent war and the continued occupation by Israel of large areas of the territory of the United Arab Republic, Syria and Jordan. Through the fault of Israel, serious damage had been done to the economic development of a number of countries in the Middle East. In that connexion he reminded Members of the reference in the Secretary-General's statement to the Council at its 1480th meeting to the close interdependence of economic and political problems. If the Council was to deal effectively with the economic consequences of the war, it must also consider the question of the responsibility of Israel.

7. For many years, the Council had been working for the economic and social development of the developing countries, despite shortages of funds and the unsatisfactory implementation of programmes. One country, in violation of the Charter, had, in the space of a few days, caused huge damage to its neighbours. Israel was clearly responsible for the economic consequences of that action and there could be no doubt that the economic aspects of the war lay within the competence of the Council, which was the forum for the discussion of international economic and social policy.

8. The proposed new item was closely linked with many items that were already included on the Council's agenda, as the general discussion of international economic and social policy (agenda item 2) had revealed. It would not be an exaggeration to say that virtually none of the twenty-nine agenda items could be considered without reference to the aggression in the Middle East. In making its proposals, his delegation was basing itself on the principle that the economic consequences should be examined as a whole and not piecemeal under the various agenda items. However, some members of the Council might, for various reasons, feel doubts about concentrating the discussion of the matter under a single agenda item. If that attitude was more or less general, the Soviet delegation readily conceded that a decision

on the responsibility of Israel for the damage it had caused could well be reached under the existing agenda, under item 2, for example.

9. The Economic and Social Council could express an opinion, under Articles 55 and 56 of the Charter, by noting that in the course of aggression against the Arab States and the occupation of Arab territory, Israel had caused and was continuing to cause material damage which had had and was having an unfavourable effect upon the world economic situation as a whole, and could call upon Israel to pay compensation for the damage it had done. It could also request the Secretary-General to determine the extent of that damage. The Council could then furnish information to the Security Council on the subject under Article 65 of the Charter.

10. Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that the USSR representative's request was for the inclusion of a supplementary item under the rules of procedure. It was in fact a procedural, not a substantive, issue. It was, however, necessary to look at the subject as a whole, since it was on the agenda of two other United Nations organs, the Security Council, which had had the problem before it for some two months, and the General Assembly. The latter body, which was entitled to deal with every aspect of international affairs including the economic and social aspects, had considered the question not at a regular or even at a special session but at an emergency special one. It had taken some decisions and deliberately refrained from taking others. In those circumstances, what would be the constitutional position if the Economic and Social Council were to arrive at contrary conclusions and submit its recommendations to the General Assembly? There would be a constitutional conflict and a conflict of jurisdiction. It was doubtful whether the Council could suggest that the General Assembly should reverse its position on a matter of such importance as to necessitate the convening of an emergency session, a matter, moreover, which was still before both the General Assembly and the Security Council. In the absence of a special mandate, it was highly doubtful whether the Council was entitled to deal with a war which was, in fact, still in progress under the thin disguise of a cease-fire. Any war was bound to cause economic and social damage. If the Council were to take up the matter, it would find itself bogged down in questions such as the legal definition of belligerency, the principles of international law applicable to war as distinct from peace and, most fundamental of all, the question of what constituted aggression. There was a Special Committee on the Question of Defining Aggression, established by General Assembly resolution 688 (VII), which had not yet submitted a report. If the Council were to succeed in establishing principles, would they serve as criteria for the consideration of all future wars or, for that matter, current wars?

11. At the emergency special session of the General Assembly, his Government had stated its position, which had been rejected by the Assembly. His Government bowed to the superior wisdom of that body. On 4 July 1967, the General Assembly had taken a vote on a Soviet

Union draft resolution,¹ paragraph 3 of which was of immediate relevance to the debate currently in progress. That paragraph read:

“ *Demands also that Israel should make good in full and within the shortest possible period of time all the damage inflicted by its aggression on the United Arab Republic, Syria and Jordan and on their nationals, and should return to them all seized property and other material assets.*”

His own delegation had voted in favour of that paragraph, which had been rejected by 54 votes to 34, with 28 abstentions.

12. If the Economic and Social Council wished to proceed in the matter, he proposed that it should empower its President to designate not more than five experts in international law and economics, who were citizens of Member States. Those experts, acting in their personal capacity and not as representatives of Governments, would examine the legal and technical position and report back to the Council either at its resumed forty-third session or at its forty-fourth session in the spring of 1968. If that suggestion were not acceptable, then he proposed that the President of the Council should be instructed to undertake urgent consultations with the Presidents of the General Assembly and the Security Council regarding the constitutional and legal issues involved and to report back to the Council before the end of its current session.

13. Speaking not as the representative of his country but in a purely personal capacity, he wished to draw the Council's attention to the plight of the poor and humble everywhere, including the Middle East, who had experienced the sufferings caused by war without being in any way responsible for it. He was anxious for a just and honourable settlement in the Middle East and would urge the Council, if it could do nothing to further that objective, at least not to do anything to obstruct its achievement. It should not forget the purposes and principles of the Charter.

14. Mr. ATTIGA (Libya), referring to the question of the Council's competence to deal with the supplementary item proposed by the Union of Soviet Socialist Republics for inclusion in the agenda, said that the Charter of the United Nations was indivisible. In the general debate on agenda item 2, there had been a consensus that there could be no clear-cut division between political and economic problems. The Council's work would be unavailing if it were undone by the action of aggressive States. It was therefore illogical for the Council to confine its attention to constructive activities and pay no attention to destruction.

15. Turning to the Charter itself, he drew particular attention to Article 62, paragraph 2. Israel had violated the human rights and fundamental freedoms of the peoples of Jordan, Syria and the United Arab Republic. Many had been driven from their homes and deprived of their property, while an Israel spokesman had stated that the whole population of the Gaza Strip would be moved,

whether it so wished or not, to the west bank of the Jordan. Clearly, therefore, on those grounds alone the question came within the competence of the Council. Moreover, Israel had been guilty of economic exploitation of the territory it had overrun.

16. The representative of Tanzania had pleaded for peace. The Arab peoples had lived in peace for centuries not only among themselves but with the Jews in their midst. It was with the advent of the Zionists in Palestine, which had begun in the days of the Turkish Empire, that that peace had been disturbed. In a humanitarian spirit, the Arabs had agreed to allow a number of homeless and persecuted Jews to settle in Palestine. That had been the thin end of the wedge. Those who now ruled the Zionist State in Palestine had adopted techniques which were a replica of Nazi brutality. Their ideology was alien and racist. During the nineteen years of its existence, the Zionist State had always been aggressive. Moreover, its Ambassador in Paris had recently said that there would be another war in ten years' time unless the Arabs accepted the realities of the situation; in other words, they were expected to accept peace on terms imposed by force.

17. The Zionist leaders had mastered the art of sweet words and violent deeds. While saying that they had no territorial ambitions, they had been planning their recent aggression against the Arab States for sixteen years. They had annexed Jerusalem, and had announced their intention of establishing a satellite State on the west bank of the Jordan and exploiting the oil of the Sinai desert. Their soldiers had been guilty of looting and had even looted the property of the United Nations.

18. The representative of the United Republic of Tanzania had said that there was no definition of “aggression”, but the absence of such a definition was solely due to power politics. The Council could not overlook the realities of the situation, and the fact that the General Assembly and the Security Council had been dealing with different aspects of that situation did not preclude it from dealing with the economic aspects.

19. The claims of one million Zionists, who had come to Palestine from all the corners of the world, could not be allowed to override the rights of people who had lived in the country for thousands of years. The Arabs wished to revert to the position in 1948; the Zionists sought to put the clock back two thousand years. The Arab people, who had suffered so bitterly through the Zionist aggression, would never surrender to the forces of destruction, even if their Governments were to accept defeat. It was they who wanted a fair and just solution to the problem. The voice of reason must prevail and attempts to silence it by bribes, propaganda and denunciation must be disregarded. The truth could not be concealed for ever.

20. Mr. KIDRON (Observer for Israel), speaking in accordance with the provisions of rule 75 of the rules of procedure, said he wished to reply to the grave accusations which had been made against his Government, whose motives, policies and actions had been grossly misrepresented by speakers in the Council. Moreover, an attempt was being made to involve the Council in the

¹ A/L.519.

discussion of a subject currently being considered by the General Assembly and the Security Council, which had an overriding responsibility in that field. That attempt had been initiated for propaganda purposes which would not advance the Council's work or the prospects of peace in the Middle East. Draft resolutions submitted by the Soviet Union and other countries sympathetic to the Arab States, embodying similar allegations and demands to those made at the present meeting, had been rejected in the General Assembly and the Security Council by substantial majorities. In effect, the major bodies of the United Nations, which, under the Charter, had sole responsibility in matters affecting international peace and security, had rejected the outrageous claim that the Arab States were entitled to profess and practice a policy of belligerency against Israel, while demanding that Israel should conduct itself as if there were peace. They had rejected the malicious thesis that the state of war which the Arab States had proclaimed against Israel conferred upon them unassailable rights to blockade, boycott, threaten, intimidate and engage in political warfare and sabotage, while requiring Israel to resign itself to the annihilation openly promised and planned by the Arab States. Having claimed the rights of a belligerent, the Arab States could not escape the consequences of their actions and run to the United Nations for help when their gamble miscarried.

21. He recalled that, on 18 October 1954, the Soviet Union had submitted a draft resolution to the General Assembly² declaring that any State which established a naval blockade of the coasts or ports of another State or subjected another State to an economic blockade was guilty of aggression. The United Arab Republic had imposed such a blockade against Israel on 23 May 1967. He described the military preparations made by the United Arab Republic, Syria and Jordan along Israel's frontiers between the middle of May and 5 June 1967 and cited statements made by President Nasser and other Arab leaders which left no room for doubt regarding the intention of the Arab States to attack and destroy Israel.

22. Encircled by a modern, well-equipped army, blockaded at sea, threatened with imminent annihilation and assaulted from the air and by land, Israel had, in accordance with its rights under Article 51 of the Charter, defended itself, alone and successfully. It rejected with indignation the accusation that it was responsible for the hostilities which had broken out on 5 June 1967. Besides being contradicted by all the recent facts, that accusation was belied by the history of Arab belligerency and aggression against Israel since the foundation of the State of Israel nineteen years ago. On the day of its independence, Israel had been attacked by Egypt, Jordan, Iraq, Syria, Saudi Arabia and Lebanon, whose express purpose had been to destroy it. The Foreign Minister of the USSR had at that time described that action as "a threat to peace" and had referred in that connexion to "military operations aimed at the suppression of the national liberation movement in Palestine". That same State of Israel had, for nineteen years, been compelled to

live in a state of siege, imposed by the same Arab States under cover of the United Nations Charter, the General Armistice Agreements and the provisions of international law. Israel was determined that those conditions would not be restored.

23. Israel now had a vision of peace, neighbourly co-operation and constructive, mutual endeavour for the benefit of all the peoples of the Middle East, and would strive to make that vision a reality.

24. The stated reason for the Soviet Union's proposal was concern for the economic plight of the Arab countries, resulting from their ill-fated aggression, coupled with the demand that Israel should foot their collective bill. The economic difficulties of nearly all the Middle Eastern States derived mainly from their policy of belligerency and aggression against Israel. Israel itself had been obliged to divert large sums to the acquisition of armaments to match the unceasing flow of weapons to the Arab States. Sabotage raids from Egypt, Syria, Jordan and Lebanon in frontier areas had caused the destruction of wells, pipelines, bridges, roads, railway lines and houses, the cost of which had been enormous. The economic boycott had closed Israel's markets to Arab farmers in Lebanon, Syria and Jordan, and had denied the Arab States the benefit of exchanges of ideas and modern technology in agriculture and industry which free contact with Israel would have brought. Moreover, vast sums which could have been devoted to economic and social development had been spent by the Arab States on massive quantities of armaments and on colonialist military adventures. The responsibility for the present plight of the Arab people clearly rested with those whose perverse ambitions had led them to drag their countries and peoples into despair, and with those who had fed those ambitions with weapons.

25. The economic effects of the loss of those weapons and the failure of those countries' military forces to accomplish their nefarious purpose did not concern the Council, which had no cause to regret the disappearance of those burdens which had weighed so heavily for so long on the hopes of the peoples of the Middle East. There were other economic consequences of more immediate concern, two of which could be speedily remedied: as far as Israel was concerned, the Suez Canal could be opened to international traffic and the flow of oil to western markets resumed without delay. If the Arab States concerned wished to continue their self-imposed boycotts and blockades and so deprive their hard-pressed peoples of substantial revenues, they had only themselves to blame.

26. Responsibility for the dislocation caused to civilian life by the recent hostilities also rested with those who had planned, instigated and declared the war. It was they who owed reparation. As far as Israel was concerned, he could honestly state that in no other war had such care been taken by the victor to avoid injury to civilians and damage to their property. Civilian casualties on the Arab side had been remarkably few and damage to property, even in areas where heavy fighting had taken place, had been extremely light. As soon as the fighting had ceased, his Government had initiated energetic measures to

² A/C.6/L.332/Rev.1.

restore normal life in the areas under its control and an inter-ministerial committee under the chairmanship of the Minister of Finance had been established to co-ordinate such activities. In most localities affected, local administration and services were functioning again, trade was flourishing and there were ample stocks of raw materials and food, replenished where necessary from government stores. All reports from the area, which was open to representatives of news media all over the world, attested to a rapid return to normality. An honest attempt, largely successful, had been made to restore civilian life in all its aspects, to rehabilitate all that could be rehabilitated and to promote the economic and social progress of all people in the area without discrimination. A special problem had been posed by the large numbers of refugees in the areas of fighting on the west bank and in the Gaza Strip. The UNRWA services had been dislocated for some days, but had soon been restored on the basis of the agreement reached on 14 June 1967 between UNRWA and the Israel Government. The Government had neither initiated nor encouraged the relatively large movement of people across the Jordan to the east bank; they had included Jordanians whose normal residence had been on the east bank, thousands of government officials, troops and police who had returned home, and many who depended for their livelihood on remittances from relatives in other countries, notably Kuwait. The movement would soon be in the other direction, as the Government had decided to permit west bank residents who had crossed to the east bank since 7 June 1967 to return to their former place of residence, provided that they applied before 10 August and furnished satisfactory proof of their former residence on the west bank. The International Committee of the Red Cross would be responsible for the practical arrangements.

27. Mr. ATTIGA (Libya), speaking on a point of order, suggested that the discussion in the Council should be confined to the procedural issue of the inclusion of an item dealing with the economic damage caused by Israel's aggression. A report on the present situation in the area concerned was not relevant to the discussion and he was sure that, even if the Council wanted information on the present situation, it would not wish to hear it from the representative of the aggressor State. The latter's statement was largely propaganda and was contradicted by his country's action. He himself had avoided introducing polemics and propaganda when stating his Government's position on the subject under discussion.

28. The PRESIDENT reminded delegations that the Council was concerned with the procedural question of the inclusion of a new item on the agenda. He hoped that speakers would show a sense of responsibility and present their points of view in such a way as to enable the Council to conduct its meeting efficiently and reach a suitable conclusion on the matter before it. He invited the observer for Israel to resume his statement.

29. Mr. KIDRON (Observer for Israel), summing up the economic and social aftermath of the recent hostilities as seen by Israel, said that on the one side there was a policy of belligerency, boycotts, blockades of international waterways, a crushing burden of armaments supplied in ever-increasing quantities by the Soviet Union, the self-imposed stoppage of oil exports and the deliberate blockage of the Suez Canal and the oil pipelines. On the other side was the unavoidable dislocation and distress caused by war, but also a genuine effort to alleviate those conditions and to restore and rehabilitate the economy of the areas for which Israel was now responsible.

30. Mr. COX (Sierra Leone) said it was often impossible to state categorically that an issue was purely economic or purely political, but for the sake of procedural convenience issues had to be classed as either essentially economic or essentially political, so that they could be effectively discussed in the appropriate bodies. The crisis in the Middle East was essentially a political issue and had quite rightly been submitted to the General Assembly and Security Council, not the Economic and Social Council. In many issues before the Economic and Social Council there was a tenuous political thread which linked its work with discussions in the other bodies. The political element in the question under discussion was an explosive one and could much more appropriately be dealt with in the General Assembly and the Security Council. He therefore opposed its inclusion in the agenda of the Economic and Social Council, which was intended to deal essentially with economic and social matters. Firmly believing in the benefits of international co-operation, his Government maintained friendly relations with both Israel and the Arab States and hoped to continue to do so. He assured the representative of Libya that its position on the issue under discussion had not been influenced by bribery or propaganda.

31. Mr. QURESHI (Pakistan) said he was grateful to the Soviet delegation for bringing such an important and pertinent issue before the Council. The tragedy in the Middle East needed the Council's urgent attention. The inescapable facts were that Israel had committed an act of aggression against the Arab States and continued to occupy parts of their territory, that widespread economic damage had been done and that the economy of the region had suffered a serious setback. He believed that the Council was competent to deal with the proposed item by virtue of Article 62, paragraph 1, of the Charter. Justice should take precedence over procedure and, since a grave injustice had been done to innocent people in the Arab States, the Council could not remain indifferent. He therefore strongly urged that the item proposed by the Soviet Union should be included in the Council's agenda.

The meeting rose at 1 p.m.