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COMMITTEE ON THE EXERCISE
OF THE INALIENABLE RIGHTS
OF THE PALESTINIAN PEOPLE

Statement made by the representative of Yugoslavia
on 31 March 1976*

The establishment of the Committee on the Exercise of the Inalienable Rights of the Palestinian People amounts to one more effort made by the United Nations with a view to putting an end to a situation in which the Palestinian people is deprived of its rights and propose a way liable to enable this people to achieve its inalienable national rights. The work and role of the Committee are delicate and responsible, because what is involved is the fate of a whole people living under occupation or in exile, without property and homes, deprived of the rights that constitute the very foundation of the Charter of the United Nations and of humanity in general. We are confident that this Committee will do all that is realistic, feasible and forward-looking at the present moment in order to carry out the mandate entrusted to it under General Assembly resolution 3376 (XXX).

We are gratified by the interest shown in our work by all those who are genuinely in favour of a just and lasting solution of the Middle East problem, without which there is no solution for the question of Palestine, and who do not want to miss any opportunity, means or way likely to contribute to this objective in the interest of all. The boycotting of the Committee by Israel is counterproductive and without perspective. We note with regret the lack of active interest - we hope temporary only - of certain (Western) countries, of members of the Security Council in particular. It is alleged that the Committee is one-sided, that the resolution establishing it was not adopted by consensus and that, consequently, its validity is limited, and also that it could bring into question the existence of Israel etc. All this is not helpful, but it cannot stop our work.

The work performed by the Committee so far shows that it has undertaken the task of fulfilling its mandate in a serious and constructive manner. In the general debate, the complex question of the rights of the Palestinian people was dealt with in a comprehensive manner and a number of useful proposals were made. The

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proposals of the PLO, the only legitimate representative of the Palestinian people, deserve particular attention. The PLO has once again given proof of its sense of responsibility, its constructive approach and dignity. It has taken a new step forward towards asserting the Palestinian people and its struggle for the realization of its inalienable rights. These proposals should provide - in the opinion of my delegation - the basis of the Committee's future work.

My delegation set forth, in its first statement here, what we consider to be a suitable framework and some principles relevant to the work of this Committee. These, it seems to us, have been endorsed by the international community as a basic platform for the peaceful and just solution of the Palestinian problem and the crisis in the Middle East and are embodied in the Security Council resolution which was vetoed by the United States in January. In connexion with this, and on the basis of the proposals made during the general debate in the Committee, we would like to underline, more specifically, the following:

The Yugoslav delegation supports the proposal of the PLO relating to the return of Palestinian displaced persons to the territories occupied since 5 June 1967. The best way of ensuring the realization of the recognized and generally accepted rights of the Palestinian people is to implement the right of displaced persons to return to the above-mentioned territories. Consequently, the return of these displaced persons should be effected in the shortest possible time, under the auspices of the United Nations, through the intermediary of appropriate international agencies. The Security Council should take a decision in this sense, whereupon this Committee, with the co-operation of appropriate international agencies and participation of the parties concerned, would prepare a programme for the implementation of this decision.

The Security Council should demand that Israel desist forthwith from the illegal practice of establishment of new settlements in the occupied territory and withdraw those that have been already established, from the transfer and oppression of the Palestinian population. Such behaviour is contrary to the provisions of the Fourth Geneva Convention, of articles 46 and 55 of the Hague Convention and to the universal principles of humanity. The plunder of public property in occupied territories is qualified as a war crime. According to the generally accepted principle of contemporary international law, military occupation resulting from armed aggression does not concede the right of sovereignty over the occupied territory and, consequently, does not include the right to dispose of such territory to anyone's benefit.

The Security Council should demand the urgent withdrawal of Israel from the territories occupied since 5 June 1967. Occupation, resulting from an aggressive and expansionistic war, is illegal and, ipso facto, in contradiction with the Charter of the United Nations and the rules of international law. In the past, occupation has never brought freedom to any occupied people, nor has it brought security to any occupier. All arguments aimed at justifying, for any reason whatsoever, the prolongation of occupation are therefore unacceptable. The Security Council could provide for international guarantees for the peace and security of all States and peoples in the Middle East, linking them to the withdrawal of Israel. After Israel's withdrawal, the Palestinian people would decide its own future.

We note the proposal that the question of the refugees, other than those who became displaced persons after 5 June 1967, should be solved (with the participation of the Security Council after Israel's withdrawal from the territories occupied since 5 June 1967) in the next, second, phase, on the basis of the relevant resolutions of the General Assembly and the Security Council of the United Nations and the agreement of the parties involved. Of course, the Committee may decide how to project and structure the sequence of any phases in implementation of the inalienable rights of the Palestinian people.

My delegation also supports the proposal of the PLO to submit relevant questions to the International Court of Justice with a view to obtaining its advisory opinion. This could prove to be an important instrument for clarification and necessary pressure in the right direction.

The Yugoslav delegation will continue to give its full support to the work of this Committee. It is our wish that the Committee should elaborate such a programme for the implementation of the rights of the Palestinian people as will make the denial of its inalienable national rights become a thing of the past and will, at the same time, prevent this Committee from becoming one more in a series of bodies for the postponement of the solution of the question of the rights of the Palestinian people.
