



Security Council

S/PV.1898
25 March 1976SECURITY COUNCIL
OFFICIAL RECORDS
THIRTY-FIRST YEAR

CONTENTS

Provisional agenda (S/Agenda/1898)

Adoption of the agenda

Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories:

Letter dated 19 March 1976 from the Permanent Representatives of the Libyan Arab Republic and Pakistan to the United Nations addressed to the President of the Security Council (S/12017)

[*president*: Mr. Thomas S. BOYA (Benin).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom Great Britain and Northern Ireland, United Republic of Tanzania, United States of America.

Provisional agenda (S/Agenda/1898)

1. Adoption of the agenda

2. Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories:

Letter dated 19 March 1976 from the Permanent Representatives of the Libyan Arab Republic and Pakistan to the United Nations addressed to the President of the Security Council (S/12017)

The meeting was called to order at 12.15 p.m.

Adoption of the agenda

The agenda was adopted.

Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories:

Letter dated 19 March 1976 from the Permanent Representatives of the Libyan Arab Republic and Pakistan to the United Nations addressed to the President of the Security Council (S/12017)

1. The PRESIDENT (*interpretation from French*): accordance with the decisions taken earlier [1893rd, 4th, 1896th and 1897th meetings], I shall now invite the representatives of Israel and the Palestine Liberation Organization to take places at the Council table and the representatives of Bangladesh, Egypt, India, Iraq, Jordan, Mauritania, Saudi Arabia, the Syrian Arab Republic, Tunisia and Yugoslavia to take the places reserved for them at the side of the Council chamber, on the usual understanding that they will be invited to take places at the Council table when it is their turn to speak.

*At the invitation of the President, Mr. Herzog (Israel) *Mr. Terzi (Palestine Liberation Organization) took places at the Security Council table and Mr. Kaiser (Bangladesh), Mr. Abdel Meguid (Egypt), Mr. Jaipal (India), Mr. Zahawie (Iraq), Mr. Sharaf (Jordan) Mr. El Hassen (Mauritania), Mr. Baroody (Saudi Arabia), Mr. Allaf (Syrian Arab Republic), Mr. Driss (Tunisia) and Mr. Petric (Yugoslavia) took the places reserved for them at the side of the Council chamber.*

2. Mr. JACKSON (Guyana): Mr. President, before turning to the issue currently engaging the attention of the Council, I should like, on my own behalf and on behalf of the Guyana delegation, to be associated with your remarks and those of my other colleagues in extending a warm welcome to the new Permanent Representative of the United States, Mr. Scranton. We are well aware of the distinguished service Mr. Scranton has rendered to his country and of the wide respect his counsels attract. We look forward to the application of his considerable talents to the serious and genuine efforts of the international community for the achievement of a world society in which justice and equity will prevail unchallenged. I wish Ambassador Scranton a successful and rewarding term of office.

3. Only two months ago there was a full debate in the Council on the Middle East situation including the Palestinian question. During that debate Guyana's position was fully expounded [1872nd meeting]. It is therefore well known and does not need to be repeated at this stage. My delegation will thus on this occasion focus on the particular manifestation of that more general problem which brings us together today.

4. There is no doubt that the situation in and regarding the Arab territories occupied by Israel since 1967 is of serious concern. Occupation itself and its determined prolongation by force, the erosion over time of the multi-religious character of Jerusalem and its systematic domestication to the dictates of the authorities of the Israeli State are the more immediate origin of the recent flow of events. That the authorities in Israel sanction these processes both by positive action and by default, in defiance of world public opinion, is to be regretted. That they do so in clear contravention of so many General Assembly and Security Council resolutions is to be deplored. But that the Israelis have so recently embarked on a programme as brutal in its repressiveness as it is contemptuous of legitimate Arab aspirations is a situation which should be roundly

condemned.

5. The present developments in Jerusalem and the other territories occupied by Israel have served to highlight the linking of issues which have rendered more difficult a rational search for a solution to the critical situation in the Middle East. So far, in the search for that solution, that which is just, deriving authenticity from acknowledged legal precepts, and that which is equitable, proceeding perhaps falsely from an assumption of a common human perception, have suffered. Nevertheless, it is now widely agreed that respect for the legitimate national rights of the Palestinian people is a *sine qua non* for the initiation of a regime of peace and security in the Middle East. It is time for this recognition to be translated into reality and for the necessary steps to be taken, including the withdrawal by Israel from all territories occupied since 1967.

6. The creation of facts by Israel is a matter that has engaged the attention of the Council for a long time. The events of the last few weeks represent only some of the outward and visible manifestations of, and are a response to, these acts. To expect a people subjected to the rigours of alien rule to endure such domination for a prolonged period is something that the experience of recent years has shown to be wrong, counterproductive and self-defeating. In the present case, the remedy lies in the recognition—so urgently needed by the occupying Power, which is Israel, of the logic of history and, in that context, of the requirements of the present situation. Israel must face facts objectively and not be deluded by those it seeks to create.

7. My delegation calls upon Israel to act now and to display that flexibility of attitude and that breadth of vision which have so far not been in evidence.

8. It seems to my delegation that in the present circumstances, action by the Council at this stage can emphasize the need for the manifestation of such an attitude by Israel and can, at the same time, aid in a general way the processes for peace which so often run into dangerous stalemates. I believe that the possibility exists for a decision by the Council, a decision with the potential for achieving these twin purposes. My delegation, therefore, hopes the Council can seize the opportunity of the moment.

9. Mr. SUNDBERG (Sweden): First of all I should like to extend, on behalf of my delegation, a warm welcome to Mr. William Scranton, the new Permanent Representative of the United States. We wish him every success and we look forward to the fruitful cooperation with him and his delegation which he so generously proposed here the other day.

10. Let me also express the satisfaction of the Swedish delegation at the presence of the Israeli delegation in the Council. We see the fact that Israel has chosen to participate in the debate as a welcome step forward which can give but increased significance to the Council deliberations, although the differences still remain deep between the parties concerned.

11. Recent developments in the territories occupied by Israel have resulted in human suffering and casualties. Those events illustrate the always present dangers inherent in a situation which is characterized by occupation and by a series of unresolved political and territorial problems.

12. Any military occupation, however humane and well-meaning the intentions of the occupier, implies a necessity that the inhabitants cannot exercise fully their political and democratic rights. Such a situation leads in turn, as we have seen in the Middle East, to a spiral of violence. The only way out is a political solution.

13. In the meantime, while the search for such a political solution is going on, Israel, the occupying Power, must carefully adhere to the provisions of the fourth Geneva Convention and international law concerning military occupation of the areas occupied in 1967. It goes without saying that the sanctity of Moslem and Christian Holy Places must be scrupulously observed. We are certainly gratified to note that Israel's Supreme Court has upheld that principle. In this context, I should like to stress that Sweden has full respect for the efforts made by the Israeli authorities in following their policy of access for persons of all religions to the Holy Places.

14. Sweden's position since 1967 has consistently been that no action should be taken which would alter the status of Jerusalem. Thus, Sweden voted in favour of General Assembly resolutions 2253 (ES-V) and 2254 (ES-V). This principle has been underscored by the Security Council in resolutions 252 (1968) and 267 (1969).

15. It is today as important as ever that the status of Jerusalem should be respected. It is first of all a consequence of international law and in accordance with the Geneva Convention that no changes should be effected. Any change in the status of Jerusalem would further complicate the search for peace. In addition, the psychological climate, characterized by the bitterness and hatred already now so predominant in the area, may further deteriorate through such acts.

16. Another problem which is giving cause for increasing concern is the settlement policy pursued by Israel. Sweden strongly opposes that policy. We add our support to those who urge Israel seriously to reconsider its policy in this regard. Any new settlement adds to the difficulties. The policy concerning settlements in the occupied territories must be considered unlawful.

17. Sweden has consistently supported the principle of the inadmissibility of the acquisition of territory by war. This generally recognized principle has been confirmed in Security Council resolution 242 (1967). An occupying Power must not by interim actions such as the establishment of settlements create a situation in which withdrawal from occupied territories would be practically and politically difficult to achieve. Such actions can jeopardize the application of the principle.

18. Whatever aspect of the complex of problems in the Middle East we debate in the Council, and from whatever angle we approach these problems, we are always faced with the same common denominator: the necessity of a political solution leading to a just and durable peace. The basic groundwork for such a solution has already been laid. Resolutions 242 (1967) and 338 (1973) provide the basic guidelines for a such solution: The principles embodied in these documents are still fully valid. We must, however, also be aware of the fact that these resolutions are lacking in certain basic elements which are essential for a just and lasting peace in the Middle East.

19. It is now hardly disputed by anyone that during the previous attempts to attain a lasting solution, the interests and rights of the Palestinian Arabs have not sufficiently been taken into account. It is now evident to all that the Palestinian Arabs have legitimate national interests and rights and that these must be fully taken into account in the search for such a solution.

20. At the same time, it must be strongly emphasized that the legitimate interests and rights of other peoples must not be sacrificed. The Swedish delegation considers it to be of decisive importance that the existence and independence of Israel as well as of every other State in the area be safeguarded within secure and recognized borders.

21. The developments which have given rise to the present Council debate remind us once again of how urgent it is to keep up the momentum in the search for a solution to the problems of the Middle East which will

enable all the States in the area to live peacefully and securely side by side.

22. Mr. SALIM (United Republic of Tanzania): On a previous occasion, and in his absence, I had already welcomed the new representative of the United States. Now that Ambassador Scranton is present, I should like to reiterate that welcome and state that we look toward to working with him in an atmosphere of harmony, friendship and co-operation. As already pointed out by many of my colleagues, Mr. Scranton's reputation and prestige have preceded him in the United Nations, and I can only say that the Organization is all the richer by having in its midst a personality of such calibre and eminence.

23. It was intended to confine the current debate in the Council to the recent serious developments in the occupied Arab territories with special emphasis on the repressive measures adopted by the Israeli authorities against the Arab inhabitants of Jerusalem and the West Bank cities and towns. Quite clearly, it has not been the intention of either those members of the Council who specifically called for these meetings--the Libyan Arab Republic and Pakistan--or the rest of the Council membership to have a full debate on the Middle East question.

24. Clearly, that objective of avoiding such a comprehensive debate has by and large been observed. All those of my colleagues preceding me in the debate have sought to emphasize the disturbing developments in the occupied Arab territories rather than to engage in a comprehensive consideration of the Middle East problem and the question of the inalienable rights of the Palestinian people to self-determination and independence. Yet, despite this deliberate restraint on the part of all of us and, indeed, despite the restraint demonstrated by those of our colleagues who are not members of the Council and who have addressed us here, we cannot escape one basic fact: it is impossible to discuss the recent and current developments pertaining to the clear resistance demonstrated by the victims of occupation whether in Jerusalem or the West Bank, or indeed the other occupied Arab territories, in abstraction or in a vacuum. We must recognize--as many of the speakers before me have--that these events are only a symptom or manifestation of the real problem. The main source of the problem before us is the continued occupation by Israel of Arab lands, and only the speedy termination of Israel's illegal occupation of all the Arab territories that it conquered in June 1967 will put an end to the continuous grave and dangerous situation that prevails in those territories.

25. Bearing this overriding consideration in mind, we find that it is all the more regrettable that the unique opportunity which the Council had last January, during the substantive consideration of the question of the Middle East and the question of Palestine, was not made full use of to effect a sound and just framework for a just and lasting peace in the area. What has been happening in the occupied Arab territories should certainly spur Council members to a more determined effort in the search for peace and justice in the Middle East. I need hardly emphasize that in such a course of action two conditions are indispensable. The first is scrupulous respect for the Charter and for international law, which clearly consider absolutely repugnant any notion of the acquisition of territory by military conquest and thus postulate the emphatic and urgent need for Israeli withdrawal from all occupied Arab territories. The second condition is the enjoyment by the Palestinians of their national inalienable rights.

26. Having made these observations, let me comment on the recent developments in Arab Jerusalem and the West Bank towns and cities. The representative of the Palestine Liberation Organization (PLO), as well as the representatives of the Libyan Arab Republic and Pakistan, among others, have already given an elaborate expose on the nature of these events. I shall therefore refrain from going over the same details. Rather, I wish to underscore the meaning of these developments and the conclusions we should draw from them.

27. First, it must now be clear to all of us--assuming that anyone entertained any doubts--that occupation invites resistance and that no amount of force, intimidation or tactics involving sugar-coated bullets can make the victims of occupation acquiesce to their humiliation and degradation. Thus, the resistance, in the form of demonstrations, strikes and other forms of massive protest, displayed by the people of the occupied territories, notwithstanding the risks involved to their own lives and security, is but a logical manifestation on the part of a proud people fighting against foreign occupation in order to regain their rights, their dignity and their self-respect.

28. Secondly, as resistance against the occupation forces mounts there is a corresponding increase in repressive measures adopted by the occupying authorities in an attempt to curb that patriotic resistance. The evidence is abundantly there. Only today, *The New York Times* provided us with additional relevant material. Mr. Terence Smith, reporting from Jerusalem, asserts:

"... the Israelis today hesitate less in using force to maintain public order. In putting down the most recent riots, Israeli soldiers, many of them teenagers, have used tactics they would themselves denounce in any other situation."

The New York Times article makes the following further revealing observation:

"The complaint about harsh personal treatment comes up time and again in conversations with West Bankers. In the name of security, they are continually subjected to sudden searches of their homes and person. Midnight arrests of suspected trouble-makers are frequent and it is often weeks before charges are lodged. Such measures have been in use by the Israeli authorities since 1967, but the intensity has been stepped up in recent months."

As I said, that was not a quotation from any Arab source. It was not a statement by the PLO. It is a quotation from an article reported in today's *New York Times*.

29. Clearly, all this demonstrates the policies of desperation adopted by the Israeli authorities in a vain attempt to curb the legitimate resistance of the people in the occupied Arab territories. But these are not the only measures adopted by the Israeli authorities in violation of the rights of the inhabitants currently under Israeli occupation and in contravention of existing international legal instruments, including the fourth Geneva Convention and resolutions of both the General Assembly and the Security Council. Since 1967, Israel has, in fact, embarked on a systematic violation of its obligations as an occupying Power. The policy of creeping annexation has been meticulously followed. The creation of so-called new facts through the establishment of Israeli settlements, changes in the demographic structure of occupied territories and violations of the status of the occupied territories, including the Holy City of Jerusalem have been part of Israel's arsenal for continued occupation. All these measures, including the expropriation of Arab lands and the unilateral adoption of legal and administrative measures that tamper with the status of the occupied areas, have been taken in violation of international law and in clear defiance of the resolutions and decisions of the Organization. At this juncture I should like once again to categorically affirm my Government's total opposition to such measures and its firm position that it considers all such measures null and void.

30. We must take this opportunity to emphasize what we have repeatedly said before, both in the Security Council and in other forums of the Organization, namely, that these policies adopted by the Israeli authorities can only lead to confrontations. They are self-defeating and can only prolong the agony of the

conflict and increase its tragic repercussions, besides reinforcing Israel's isolation from the international community. Israel would be well advised to begin a new chapter. It must recognize that continued occupation can only invite more vigorous and determined resistance. It must take heed of the preponderant position expressed in the Security Council's discussions last January that the key to Israel's own security lies in respect for the security of others and recognition of the inalienable national rights of the dispossessed Palestinian people. And the Council, as it is about to conclude its consideration of the present debate, must be vigilant to the real needs of the hour—its support for a resolution conducive to a just and lasting peace in the Middle East.

31. Mr. RICHARD (United Kingdom): This is the first formal opportunity which my delegation has had in the Security Council of welcoming Ambassador Scranton to this table. My delegation looks forward with pleasure to working with the distinguished representative of the United States in the pursuit in the Council—to quote the words used by a distinguished Welshman, Thomas Jefferson, whose other claim is that he happened to write the Declaration of Independence—of honour, happiness and hope.

32. May I also refer at the outset of the remarks I wish to make to the speech made yesterday by the representative of Saudi Arabia [1897th meeting]. He will know the respect that I feel for him and I am sure that he will understand if I therefore merely say that it seemed to me that some of his remarks were unnecessary, were irrelevant and indeed were positively unhelpful to the course of this debate. It does not seem to me, at any rate, to do very much good to attempt to falsify, even unintentionally, history which is known, at least to all of us who live in Europe.

33. Let me at the start refer to my delegation's abstention in the procedural vote taken at the beginning of this debate on the question of the participation in it by the Palestine Liberation Organization. I should like to make it clear that we did not abstain because we believed that it was inappropriate for the PLO to participate in the work of the Council; on the contrary, we believe that the representative of the PLO is an indispensable participant in any debate on this subject, we believe that his voice should be heard. But like others who have spoken before us, we too had reservations about the procedures under which the PLO representative was invited to take part. Rules 37 and 39 of the provisional rules of procedure are clear on the question of participation in Council debates. We believe that the formula used to invite the PLO to participate does not conform with those provisions. As the representative of the United States has already [1896th meeting], we may live to regret the thereby set.

34. When this debate started, I was far from certain that it could contribute to a solution of the problems to which the representatives of Libya and Pakistan had drawn attention in their letter of 19 March. That letter referred in particular to the situation arising as a result of the ruling by an Israeli magistrate in Jerusalem on 28 January on the question of prayer in the Al-Aqsa Mosque. Yet as the representative of Israel said in his statement on 22 March [1894th Meeting], the Israeli High Court, in an order made on 21 March, rejected an attempt by an Israeli individual to have the Minister of Police ordered to allow him to visit the Temple Mount in Jerusalem. The High Court upheld its decision of 1970 by which it had rejected an application for an order *nisi* against the Police Minister, saying – and I think this is of some importance in our debate – that the situation of the Temple Mount was a special one in which political and security considerations had to be included.

35. At the same time, my delegation was aware of informal working papers being circulated which, we felt, contained tendentious and exaggerated language and which, so far from contributing to an amelioration the situation in the West Bank and in Jerusalem, would have, by their lack of balance and their neglect, as we saw it, of the actual facts of the situation, only inflamed feelings which were already running high.

36. In view of those earlier forebodings, I am therefore Pleased to be taking the floor late in this debate because it seems to me now that some of our fears have been allayed and that a measure of progress has been made.

37. To name the most obvious, there is the basic fact that we have both the representative of the PLO and the representative of Israel participating in this debate. I would be a foolish man looking at the world through the rosier of pink spectacles who would conclude that the exchanges between the two had revealed a great deal of common ground. But I do draw some comfort from the very fact that they are here together and participating in this debate.

38. Further, my delegation has been encouraged by the way that those who have been concerned with the drafting of the working papers that have been circulating informally have listened carefully to the views of those who had very real difficulties with earlier versions, and the way in which they have incorporated some important amendments in what is, I hope and believe, the final version. In the view of my delegation, these amendments have greatly improved the document.

39. There is a great deal in the paper with which the United Kingdom agrees. The United Kingdom has voted repeatedly in favour of resolutions calling upon Israel not to alter the status of the city of Jerusalem, and that remains our firm view. We have watched with anxiety dangerous and potentially tragic events and developments in the West Bank. We have made plain our view that Israel should acknowledge the applicability of the fourth Geneva Convention to the West Bank, East Jerusalem and the other territories which it occupies.

40. Since, owing to a long-standing engagement later today which unfortunately it is not possible for me to avoid, it seems unlikely that I shall be able to be here to explain my delegation's vote when the draft resolution [S/72022] is put to the vote, I should like to take this opportunity of clarifying the United Kingdom's attitude to two aspects of that document.

41. In the first place, the United Kingdom interprets the reference to resolutions of the General Assembly in the fifth preambular paragraph to mean resolutions 2253 (ES-V) and 2254 (ES-V). Secondly, my delegation believes that there are certain measures which an occupying Power can justifiably take in respect of the inhabitants of the territories which it occupies. With regard to operative paragraph 2, therefore, I must make it plain that in our view the words "all measures" should be taken to mean all unwarranted measures.

42. In conclusion, I would reiterate the United Kingdom's concern at the course of events in the West Bank, and in particular at reports of the means used by the Israeli authorities in restoring order there. We accept that because of these doubts and because of this concern, a debate ranging somewhat beyond the immediate problems raised in the letter of the representatives of Libya and Pakistan has been inevitable. It is, however, of the greatest importance now that the Council try to avoid excessive recriminations, which in our view can lead only to a vicious circle of violence and to the dead end of more suffering. Instead, by providing, as I hope, a framework for peace rather than merely the rhetoric of antagonism, our task should be to try to promote a greater cooperative effort on the part of those immediately concerned to restore peace. I hope that at the conclusion of the debate the Council will be seen to have fulfilled that responsibility.

The meeting rose at 12.55 p.m.

Note

1 United Nations, *Treaty Series*, vol. 75, p. 287.