



SUMMARY RECORD OF THE 28th MEETING

Chairman: Mr. KOUASSI (Togo)

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AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued)

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 71: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/41/680, A/41/469 and Add.1, A/41/681, A/41/682, A/41/677, A/41/454, A/41/455 and Add.1, A/41/456)

1. Mr. WALTER (Czechoslovakia) said that Israeli policies, trampling down the fundamental principles of international law and the Charter of the United Nations, were aimed at the permanent annexation of the occupied territories. They were an extremely dangerous threat to peace and security in the Middle East and world-wide, and ran counter to all efforts by the United Nations to solve the question of Palestine.

2. His delegation had learnt of the facts related in the report of the Special Committee (A/41/680) with great concern. The Special Committee had compiled voluminous documentation on the subject with the help, among others, of the Palestine Liberation Organization and several Arab countries. The documentation gave evidence of extensive repression and violence against the population of the occupied territories. Many hostile acts against civilians and a number of administrative measures, extending to denial of the right to education and the closure of universities, were, in fact, designed to alter the geographic and demographic characteristics of the occupied territories. Those practices included economic pressure, forced colonization and the economic annexation of the occupied territories. Mention must also be made of violations of the freedom of worship, which sometimes provoked incidents so grave that they reached the agenda of the Security Council, as had been the case with the incident at the Islamic holy places in Jerusalem in January 1986.

3. The Special Committee, in carrying out its mandate, had drawn on a number of important legal instruments, notably the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on civil, political and economic rights, the 1949 Geneva Conventions and the Hague Conventions of 1899, 1907 and 1954, thus demonstrating the illegal nature of Israeli practices.

4. Clearly, Israel's occupation practices deserved strong condemnation, particularly by the United Nations whose noble ideals of humanism and democracy were flouted thereby. The situation required the adoption by the United Nations, in accordance with the Charter, of effective measures against Israel in order to put an end to such practices. His delegation firmly advocated a comprehensive solution to the question of Palestine and the convening of an international peace conference on the Middle East to be attended by all parties concerned, including the Palestine Liberation Organization. It considered that such a settlement must depend on the immediate, unconditional withdrawal of all Israeli forces from all occupied Palestinian and Arab territories, and would require the United States to end its military, political and economic assistance to Israel.

(Mr. Walter, Czechoslovakia)

5. His country supported the just struggle of the Palestinian people for the exercise of all their inalienable rights, including the right to self-determination and the creation of their own State; it considered that the sole legitimate representative of the Palestinian people was the Palestine Liberation Organization, to which it accorded both diplomatic recognition and unconstrained support, thus benefiting the entire Palestinian people. It had supported all resolutions submitted to the Special Political Committee on the question of assistance to Palestinian refugees, as well as the resolution on assistance to the Palestinian people submitted to the Second Committee. It would continue, within the means available to it, to provide the Palestinian people with bilateral assistance in the form of food, medical supplies and clothing, scholarships for Palestinian students, medical services and so forth. It was convinced that the long-lasting struggle of the Palestinian people for national independence would be crowned with success.

6. Mr. SAFRONCHUK (Union of Soviet Socialist Republics) said that Israel had been ignoring international opinion and denying the Arab population of Palestine its inalienable rights for nearly 20 years.

7. In the occupied territories, Israel was conducting a policy of "rampant" annexation, increasing the number of settlements and drawing up plans to "develop" Arab lands with the aim of increasing the Jewish population which, on the West Bank, was expected to reach 1.4 million by the year 2010. The effect was to create an intolerable economic and psychological situation for the Arab population, forcing them to leave the territories where wholesale economic stagnation was already rife, human rights were openly flouted, natural resources were exploited or plundered, and water resources were harshly controlled. The economic relations between Israel and the occupied territories recalled those that had obtained between metropolises and colonies: Israel was exploiting Arab manpower, urging Israelis to invest in businesses on the West Bank so as to gain control of them, and prohibiting Palestinian farmers from selling their produce in Israel or abroad without authority.

8. The growing resistance of the Arab population to such measures was pitilessly suppressed. Emergency legislation had been introduced and 10,000 Palestinians were at present in prison; many were tortured when they did not quite simply disappear. Collective sanctions - curfews, the closure of shops, schools, universities and hospitals, a ban on movement, water and electricity cuts, and the demolition of entire districts - were applied on a massive scale.

9. Israel, which had already declared that greater Jerusalem was the "eternal and indivisible" capital of the country, was seeking total annexation of the occupied territories by modifying their historic characteristics, demographic composition and legal status. It had already brought under its jurisdiction a territory which had always been Syrian, the Golan Heights, and all signs were that it would do the same for the West Bank and the Gaza Strip. There was ample evidence of that not only in the report of the Special Committee but even in the Israeli press, which could not hush up the arbitrary acts of the Israeli authorities in the occupied territories.

(Mr. Safronchuk, USSR)

10. The aims of Israel's rulers were actively encouraged by such individuals as Kahane, whose chauvinist, anti-Arab approach to solving all of Israel's problems, instigated State terrorism and had the goal of driving all Palestinians out of the occupied territories. The Israeli aggressor also benefited from the almost unlimited support of the United States, its long-standing strategic ally, a support too well known for there to be any need to provide examples.

11. The Soviet Union strongly condemned the policy of expansion and the illegal activities of the Israeli authorities in the occupied territories, which were contrary to the resolutions of the United Nations and to the provisions of its Charter, of Convention IV of The Hague of 1907 and of the fourth Geneva Convention. It did not recognize any of the changes instituted by Israel in the occupied territories. It supported the just struggle of the Arabs for the exercise of all their inalienable rights and called upon the United Nations to take the most resolute measures for the implementation of its resolutions.

12. The convening of an International Peace Conference on the Middle East, in keeping with the resolutions of the United Nations, would make it possible to seek an overall solution to the problems of the Middle East, including the Palestinian problem. The sooner that Conference took place, the sooner a settlement could be negotiated that took account of the interests of all the States and peoples of the region which was precisely the aim of the Soviet proposal to establish a preparatory committee made up of the five permanent members of the Security Council.

13. Mr. SHIHABI (Saudi Arabia), after thanking the Chairman and members of the Special Committee for their relentless efforts in gathering information and uncovering the truth, wondered what new facts the Special Committee had been able to discover since the previous year. Had Israel's conduct improved? Had the Zionists realized that they were committing crimes of genocide against the Arabs and that, after more than 35 years of being violated, the human, political and national rights of the Arabs and their material possessions should be protected? In reality, what the Special Committee described in its report was the policy of terror pursued by the Israeli authorities and those armed and protected by them. It was apparent from the report that the crimes against humanity committed by the Israeli authorities had increased in severity and that the Palestinian Arab people remained captive in its own country, deprived of the land of its forebears and its places of worship.

14. The Special Committee had found no sign of improvement over previous years and, indeed, the opposite was true. Freedom of movement was subject to emergency measures and police restrictions, as well as civilian and military constraints. Arbitrary imprisonment and expulsion had affected thousands of persons. The right to education, everywhere considered a natural right, was flouted, and Arab educational institutions were singled out for acts of individual and collective terrorism perpetrated by the Israeli police. Al-Quds was being subjected to the most dangerous measures of Judaization, and the so-called "Greater Jerusalem" project, which sought to expand the city limits to include surrounding towns and a large part of the West Bank, posed a great danger to the security and stability of

(Mr. Shihabi, Saudi Arabia)

the region. The colonialist settlement policy was proceeding apace, despite its condemnation by the whole world and even by those countries that unjustifiably defended Israel. Since 1967, the Israeli authorities had confiscated more than 52 per cent of the agricultural land in the West Bank, in addition to the area they controlled indirectly and on which agriculture and construction were prohibited. They also controlled 42 per cent of the area of the Gaza Strip. They no doubt imagined that, if such crimes accumulated, they would create an irreversible fait accompli. They forgot that the most important and serious fait accompli in the context of the question of Palestine was the Palestinian Arab people itself, which constituted an absolute and inescapable reality in the face of Zionist attempts at colonization.

15. The Israeli authorities committed such crimes by means of official terrorist groups, as had been the case with the Irgun and the Stern Gang during the British Mandate. The only difference was that members of such groups were now in the Government, and some of them members of the Knesset, and that they left it to others to commit the murders which advanced their objectives. They nevertheless forgot, as had many conquerors throughout history, that violence and terror would only create greater violence.

16. The people of Palestine was not a group without an identity and it had no less human potential than the Zionist invaders. It was, without any possible doubt, the rightful owner of the land usurped by the Zionists in defiance of all accepted codes and conventions. Herzl, the proponent of Zionist dreams, had declared that the Jewish State that he wanted would expand its territory whenever immigration increased. That was the way the rulers of Israel operated today, as if the Arab countries were their fiefdom, were devoid of all human or other life and could be annexed at will. As for the fourth Geneva Convention and the Universal Declaration of Human Rights, some wanted them to disappear, for greater convenience, in Palestine alone.

17. Everyone knew that, in 1947, the General Assembly had been pressed into adopting the partition resolution, and that by a simple majority. The proponents of Zionism had thus hoped to establish the legitimacy of their aggression in Palestine. It was also known to all that the admission of Israel as a member of the United Nations was accompanied by conditions that ought to have been fulfilled regardless of their consonance with the rights of the Arab people of Palestine. Everyone knew that Israel had not fulfilled those conditions and that it nevertheless remained seated in the Committee. Eighteen years had elapsed and the Special Committee continued to submit its report each year while the crimes continued to be committed and to go unpunished. The Israeli authorities refused, moreover, to co-operate with the Special Committee and relentlessly sought to hamper its work, thereby aggravating their crime with insolent defiance.

18. In addition to the Zionist authorities, responsibility for the continuance of such practices was borne by those countries that supported Zionism and were reluctant to condemn it. Despite the attempts made by the media and the past and present crimes committed to suppress the facts concerning Palestine as a land and a

(Mr. Shihabi, Saudi Arabia)

people, truth would inevitably triumph. The Zionist myth that had advocated "a land without a people for a people without a land" had fooled the world for decades. When Israel, supported by international Zionism, attempted to attract other countries to its side in its struggle against the Palestinian people, the falsity of that myth would be exposed and the world would know that the Arab people of Palestine had a just cause and was not seeking aggression against others.

19. The international community should seek a just peace that preserved the rights of the Palestinian Arab people and all other Arab and Islamic peoples and should strive to remove the obstacles to the achievement of that goal. His delegation hoped that the Committee would recommend the renewal of the Special Committee's mandate so that its work might lead to concrete results making it possible to find a just solution to the problem of Palestine.

20. Mr. JIN Guihua (China) noted with regret that, although another year had passed, the situation of the Arab population in the Israeli-occupied territories had not changed. The Israeli authorities pursued their policy of annexation and settlement, preventing the exercise of the fundamental rights of that population, which continued to be the victim of expulsion and expropriation measures.

21. It was a cause for concern that the new Israeli Prime Minister seemed determined to intensify his predecessor's policy. Since taking office, he had indicated that new settlements would be established in the West Bank and Gaza Strip as a top priority objective. It was well known that since 1967 Israel had set up 190 settlements in those two regions and that the Palestinians had lost 43 per cent of their land in the West Bank.

22. The past year had also been marked by increased attempts by Israeli authorities to change the topography, demographic composition and legal status of the Holy City of Jerusalem. Eighty per cent of the real estate in that city was held by Jews, compared to 14 per cent in 1948. To make life difficult for the Arab inhabitants of Jerusalem, the occupying Power levied heavy taxes on them. It had also closed Arab banks and banned the sale of Arab industrial and agricultural products in that city. Even more serious was the situation of a large number of Arabs who had been arrested and imprisoned, and were the victims of various forms of persecution. Such flagrant violations of human rights constituted a willful breach of General Assembly resolutions, the United Nations Charter and the norms of international law, and showed Israel's persistent refusal to fulfil its commitments under the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

23. Since the Israeli authorities had made the establishment of Jewish settlements their priority, the international community's priority must be to take measures to force Israel to give up its policy of expansion and aggression. It should also strengthen its ties of solidarity with the people in the occupied Arab territories, increase its support for them and compel Israel, as an occupying Power, to observe the Geneva Conventions.

(Mr. Jin Guihua, China)

24. His delegation noted with satisfaction the measures proposed by United Nations agencies with the aim of developing industry, agriculture, trade, finance and education in the occupied Arab territories. The Chinese Government firmly supported the just struggle of the Arab Palestinian people. It demanded Israeli withdrawal from all the Arab territories which it had occupied since 1967. It maintained that all States in the Middle East had the right to independence and existence, and it was in favour of the convening, under the auspices of the United Nations, of an international conference on the Middle East to seek a peaceful settlement to the Israeli-Arab conflict. Lastly, China supported the efforts by the Arab countries and the Palestinians to strengthen their unity and attain their national goals.

25. Mr. FREUDENSCHUSS (Austria) recalled that the very complex question of the Middle East had acquired an additional and disquieting dimension 19 years previously, when Israel had occupied the territories which, except for the Sinai Peninsula, it continued to occupy. As long as Israel refused to retreat from those territories, in accordance with Security Council resolutions 242 (1967) and 338 (1973), it bore the responsibility of protecting the rights of the population living there. It must be borne in mind, in that regard, that the existing situation in the occupied territories, a situation which was still extremely disquieting, could not fail to have serious consequences for peace prospects in the Middle East.

26. International law clearly established the duties of occupying Powers and defined the rights of the civilian population of occupied territories. Out of concern for the protection of those rights, the Special Committee had been set up in 1968 and, as shown again in its report for the current year, that concern was well founded. Israel's consistent refusal to co-operate with the Special Committee, which it claimed was biased, was unfortunate; it was certainly not the Special Committee's fault if it had been unable to base its report on evidence gathered directly in the occupied territories, a lacuna which did not, however, seriously undermine the report's credibility.

27. One of the most disquieting aspects of the situation in the occupied territories was the refusal of the occupying Power to recognize the applicability of the fourth Hague Convention of 1907 and the fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. There was hardly any other issue on which the Israeli position was as isolated as on that one.

28. Austria had on numerous occasions expressed its most serious reservations with regard to certain legislative and administrative steps taken by Israel, which had had the effect of bringing about the annexation of the occupied territories. It must be recalled that the Israeli military presence could only be temporary. Measures like the extension of Israeli legislation, jurisdiction and civil administration to the Golan Heights thus had to be considered null and void. Austria firmly rejected all attempts to change the legal status of East Jerusalem. The establishment of settlements in the occupied territories, in defiance of international law and world opinion, was the most disturbing manifestation of that

(Mr. Freudenschuss, Austria)

policy of tacit annexation. Besides threatening to change the demographic composition of the territories, it was the most difficult obstacle to a comprehensive peaceful settlement. It evoked not only fears but also resistance on the part of the Arab population and necessarily led to dangerous frictions. Austria appealed to Israel to refrain from pursuing that policy as proof of its interest in establishing real peace.

29. His delegation remained deeply alarmed by Israel's policy in the occupied territories, by certain repressive measures aimed at the Arab population, by arbitrary proceedings in questions such as the use of water or ownership of land, and by the continued harassment of the Palestinians, who rightly feared that they were only second-class citizens in their own land. Attempts to win the confidence of the population of the occupied territories had so far failed; they had been rejected by the very ones to whom they had been addressed.

30. Austria would encourage all measures taken by the occupying Power to ease its administration in the occupied territories. However, as long as that Power entered into no firm commitment with regard to the political future of those territories, it was not surprising that certain measures were being viewed with suspicion - or even rejected - by the population concerned.

31. All the responsible parties should seek a comprehensive and lasting solution to the question of the Middle East, which must be based on Security Council resolutions 242 (1967) and 338 (1973), with due respect for international law, the principles of the Charter and human rights.

32. Mr. GLAIEL (Syrian Arab Republic) said that the Special Political Committee and the General Assembly were obliged to consider a number of items on the question of Palestine and the situation in the Middle East as a result of the usurpation of Palestine, the expulsion of its population, the occupation of Arab territories through armed invasion and certain policies and practices designed to make the acquisition and depopulation of Palestine an accomplished fact so as to settle in that land those who, deceived by world Zionism, had been led to renounce the countries in which they had been born and raised and go to the promised land.

33. The report before the Committee (A/41/680) demonstrated the great efforts made by the members of the Special Committee to carry out their mandate despite Israel's refusal to co-operate with that Committee and the obstacles encountered within the Organization itself. The Syrian Arab Republic believed in particular that the attempts to shorten the report, under the pretext of the restrictions made necessary by the financial crisis of the United Nations, and the device of presenting in an annex, in English only, the information and testimony received by the Committee, was a hostile and subversive act.

34. It was clear from the Special Committee's report that the situation of the population in the occupied Arab territories was constantly deteriorating and that the Israeli authorities were practising an increasingly aggressive policy of terrorism which, unless checked by the international community, would have grave

(Mr. Glaiel, Syrian Arab Republic)

repercussions not only for peace and security in the area but for the international community as a whole.

35. Reviewing the events that had led to the creation of the State of Israel, and quoting Theodor Herzl, he noted that originally Palestine had not been the first country envisaged for the creation of a Jewish State and that it had only been later that the religious argument had been invoked to justify the usurpation of Palestine, where Arabs at the time had constituted 91 per cent of the population and owned 99 per cent of the land.

36. The report singled out the most serious aspects of the Israeli practices, which continued and extended the well-known practices perpetrated, since the beginning of Jewish immigration, by the Stern, Irgun Tzeva'i Leumi and Haganah terrorist organizations, and currently the work of the so-called Israel Defence Forces, which were supplied by their patron, the United States of America, with the most modern and most lethal weapons. Under the pretext of ensuring its security, Israel was also violating the sovereignty of a country of which it occupied half and establishing a puppet army under its orders, while Israeli aircraft constantly bombed the refugee camps.

37. Israel's policy, a product of colonialism and zionism, based on the concept of the chosen people, was reminiscent of the individual and collective crimes committed by the Nazis, as was demonstrated by the massacres, concentration camps, and blitzkriegs launched against the population of Palestine and of the occupied territories. In order to advance their expansionist ambitions, the Zionist authorities were trying to depopulate the land through terror, intimidation and physical liquidation. The report demonstrated the escalation of violence resulting from the revival of the "iron-fist" policy announced by the Israeli authorities themselves and characterized by measures for the confiscation of land and property, control of natural resources, demolition of houses, displacement of populations, increase in arrests, torture of detainees and expulsions, particularly of teachers, intellectuals and patriots.

38. The persistence of the occupation of Arab territories was in itself an act of aggression as defined in General Assembly resolution 3314 (XXIX). If the Israeli practices were considered in the light of that resolution, the resolution of the Commission on Human Rights and the International Covenants on Human Rights, it could be concluded that the Israeli occupation authorities were riding roughshod over all humanitarian and moral values and the rights deriving from international instruments, such as the right of peoples to self-determination.

39. It was noteworthy that Israel, after firmly denying its colonialist policy of establishing settlements, was now proclaiming its irrevocable determination to defend its right to annex the occupied territories once and for all. That policy underlined Israel's claim to be above international law and confirmed its contempt for the United Nations and the international community, which had frequently condemned and declared null and void any action designed to change the geographical nature and demographic composition of the occupied territories.

(Mr. Glaiel, Syrian Arab Republic)

40. The report of Amnesty International confirmed the statements included in the Special Committee's report and also shed light on the practices of the so-called South Lebanon Army, in co-operation with the Israeli intelligence services, as well as the harassment of trade unions and the treatment of juveniles in prison.

41. It was clear that the policy of establishing settlements, based on the confiscation of land and natural resources, was designed above all to deprive the population of its livelihood and subsequently force it either to emigrate or to become a source of cheap labour exploited in the same manner as the population of South Africa by the apartheid régime.

42. The situation in the Syrian Golan Heights was also constantly deteriorating as a result of the campaigns of oppression and terror unleashed against Syrian citizens simply because they declared their allegiance to their native land. Because of its refusal to accept Israeli identity cards, which had to be presented by anyone wishing to avail himself of the health facilities, the population was denied access to medical care and was also denied permission to visit Syria for treatment or to have food and medical supplies sent from that country.

43. In the field of education, the Israeli authorities were modifying school curricula in order to eliminate any Syrian Arab character and impose an Israeli curriculum. To further its policy of annexation, Israel, since the beginning of the occupation, had expelled over 90 per cent of the population of the Golan Heights and established 41 settlements. Since 1981, the territory had been under Israeli administration and subject to Israeli jurisdiction and laws.

44. Such measures were in flagrant violation of all international norms and fundamental values. The persistence of occupation, injustice and arbitrary practices would continue to engender the courageous resistance of the freedom fighters. There would be no peace or security in the Middle East until Israel recognized the inalienable rights of the Palestinian Arab people, withdrew from all the occupied territories, put an end to its racist practices and evinced a genuine desire for peace.

45. The statement made by the spokesman for international zionism at the 27th meeting was nothing but a tissue of lies, and couching those lies in beautiful language would not make them any more credible. Even the verses of the Koran had been shamefully distorted. The representative of the Zionist entity had pushed audacity and arrogance to the point of changing the wording of the agenda item under consideration to: Special United Nations Committee investigating the situation of Palestinians in Judea, Samaria and the Gaza district. That representative had held forth at length on unemployment, health and education, and on justice in the occupied territories which he had described as perfect. He had also spoken of "Jewish villages" created in order to spread civilization and well-being. The Washington Post, however, in its 6 October 1981 issue, had revealed that the World Zionist Organization intended to settle 100,000 Jews on the West Bank of the Jordan River. Was that objective in keeping with what was claimed to be a civilizing mission? In 1969, General Moshe Dayan had cynically

(Mr. Glaiel, Syrian Arab Republic)

acknowledged, in a lecture given at Haifa, that Jewish villages had been built on lands where Arab villages had existed. That was the real goal of the civilization of the settlements much vaunted by the representative of the Zionist entity. According to that representative, a State experiencing economic problems had simply to ask the Zionist hydra to establish settlements in its territory and its problems would disappear and its economy recover. The Committee was currently considering the situation created by the occupation of a territory and the expulsion of part of its inhabitants; a situation which had nothing to do with the problems of internal order raised by the representative of the Zionist entity. Since that representative's own society was the first to be exposed to such problems, he should ask for a committee to be set up to investigate the fate of Oriental Jews or Palashas.

46. While we would leave it to the members of the Special Committee to refute the accusations made against them by the representative of the Zionist entity, he wondered why the International Committee of the Red Cross had not been authorized to visit the occupier's prisons and interrogation centres, since it was claimed that the Zionist society was an open society, why the information contained in the report of the Special Committee, most of which had been taken from the Israeli press which was supposed to be a free press, was being questioned and, lastly, what decision had been taken by the Supreme Court on the appeal lodged by Syrian students from the Golan Heights who had been refused permission to go and study in socialist countries.

47. In speculating about the meaning of the expression "Arab occupied territories", the representative of the Zionist entity was forgetting that every inch of the territory on which that entity was established was occupied. As for the adage that an accused person was innocent until proved guilty, those responsible for Israeli policy should be brought before an international tribunal for crimes against humanity, as others had been before them. There was no doubt whatsoever that such a court would find them guilty. The whole world considered occupation and its attendant practices to be immoral, and though the representative of the Zionist entity could put forth all the specious arguments he wished, he would change nothing. In 1969, Golda Meir had stated that the Palestinian people did not exist. Despite endless efforts to hide the Palestinian identity, that people made its presence felt daily through its struggle.

48. Mr. BURAYZAT (Jordan), speaking in exercise of the right of reply, said that his delegation had been extremely disappointed at the statement made by the representative of Israel at the previous meeting. Despite promises of a "positive" approach, that statement had been nothing more than another exercise in distortion and half-truths, from which it was clear that Israel adamantly refused to admit the harshness, illegality and unacceptability of its occupation of the Arab territories. Even if that statement was interpreted in the most favourable light, as his delegation had tried to do, reality forced one to acknowledge that the approach taken twisted the truth and manipulated the facts. Israel's apologists and spokesmen were never at a loss when it came to putting forward representatives' twisted arguments that were theoretically sound but false in reality. He wished to refute that argument, which was based on twisted facts.

(Mr. Burayzat, Jordan)

49. The first distortion of reality was a startling one: the cover page of the Israeli statement did not use the proper wording for agenda item 71. The words "Israeli practices", "affecting human rights", "the occupied territories" and "report" were all missing. The representative of Israel would of course reject the plea of negligence, for despite every proof to the contrary, in his view his country was not committing human rights violations in the occupied Arab territories. Moreover, in Israel's political lexicon, the West Bank and the Gaza Strip were not occupied territories but "Judea" and "Samaria". He wondered therefore what was positive about an approach that defiantly denied the internationally recognized status of the occupied territories and the well-established facts about Israel's harsh repression there. To Zionist ideologues, the "other's" geographical, historical and cultural existence was immaterial unless it was consistent with their plans. In order to give the West Bank an ideological shape more in keeping with the dreams and ambitions of Israeli leaders, they disregarded its true Palestinian identity and its Arab characters.

50. The second distortion of reality was the attempt to draw political conclusions from a misplaced analogy. To try to compare the living conditions of the Palestinians in the Israeli-occupied West Bank with conditions prior to 1967 was an abuse of intellectual integrity and an insult to other people's intelligence. Statistics on employment, GNP and other social or economic indicators changed progressively over time in their absolute form and a few forceful changes would transform lifestyles, especially in developing areas. If he had been a little less partial, the representative of Israel would have compared present conditions with the level of economic and social development that the Palestinians would have attained had there been no foreign military occupation and economic strangulation by Israel. In its present form, his analogy was groundless for, as any student of comparative politics could tell him, only the comparable could be compared.

51. Occupation could not be justified by the "kindnesses" or "graces" of "masters". People did not sell their freedom, they did not exchange servitude for all the riches in the world. They were prepared to give up what was dearest to them, even their lives, for freedom, that fundamental right enjoyed by the majority of peoples but denied to the Palestinians in Israel. The representative of Israel had said that no one in his right mind could expect his country to receive a Committee whose terms of reference implied Israel's abdication of sovereignty and national statehood. Was that representative in his right mind to ask the Palestinians to abdicate their humanity and their peoplehood?

52. Mr. AL-SUDANI (Iraq), speaking in exercise of the right of reply, said that at the previous meeting, the representative of the Zionist State had painted an extremely rosy picture of the situation in the occupied Arab territories. One might think, from listening to him, that the Zionist army had occupied those territories only to improve the conditions of the Palestinian people, as the adage went: "we came as liberators and not as conquerors".

53. In his statement, that representative had attacked Iraq, either directly or in veiled terms, asking why no mission of enquiry on the situation of the Kurds had

(Mr. Al-Sudani, Iraq)

been sent to Iraq and other countries. He wished to remind that representative that the Iraqi Kurds enjoyed all their national rights in Iraq, thanks to the application of the law on the autonomy of Kurdistan. In pursuance of Iraqi laws, the post of Vice-President of the Republic fell by right to a Kurd. Similarly, many ministers were Kurds. There was also a Kurd parliament and executive council in Kurdistan. Citizens living in the autonomous region were thus doubly represented - in their own parliament and in the Iraqi National Assembly. Anyone visiting Kurdistan would see that all Kurd citizens spoke their language there, which with Arabic was the official language of the region, and that education was given in the two languages. The Kurds also had an academy which ensured the preservation of their language and heritage and had their own university, Saladin University, situated in the capital of the autonomous region. There were several publishing houses and a Kurd television channel and radio station in Kurdistan. Several newspapers and magazines were also issued in the Kurd language. All Iraqi Kurds led a peaceful life, with the exception of a small group that was manipulated by a number of countries, including Israel, which were hostile to Iraq. That group had established its headquarters in the capital of a neighbouring country.

54. With regard to the accusation of collusion with terrorism made against Iraq by the representative of the Zionist State, that representative and the main Zionist leaders were hardly in a position to give lessons to others in that area for it was they who had introduced terrorism to the Middle East. One had only to recall that the current Prime Minister of the Zionist entity had been one of the main leaders of a Zionist terrorist organization. The events of recent days had moreover shown that it was Israel rather than encouraged certain States to collaborate with terrorist groups.

55. Mr. DOWEK (Israel) regretted that his modest means did not permit him to compete with speakers as brilliant and experienced as those who had preceded him, notably the representative of Syria, whose country had made terrorism and war its only course of action in international relations and did not hesitate to use brutal force against the Lebanese people, the Palestinian people and even its own people. He would limit himself therefore to clarifying his country's position regarding the applicability of the Geneva Conventions.

56. Those Conventions, the humanitarian principles of which Israel implemented, were not applicable to Judea, Samaria and the Gaza district. Many political rationalizations but no convincing legal arguments had been put forward to prove such applicability. As their texts stipulated, the Third and Fourth Conventions were applicable to the High Contracting Parties and to territories which, until the outbreak of armed conflict, had been under the recognized sovereignty of one of those parties. Jordan and Egypt had never possessed legitimate sovereignty over Judea, Samaria and the Gaza district, and the terrorist organization which called itself the PLO was not one of the High Contracting Parties.

57. In 1948, the army of what had then been Transjordan had invaded and occupied Judea and Samaria. Two years later, Jordan had illegally annexed those areas, in violation of the Armistice Agreement with Israel. Only two States, and not one

(Mr. Dowek, Israel)

single Arab State, had recognized that annexation. In 1967, when Israel had resisted an unprovoked Arab aggression, those areas, the status of which had yet to be determined, had then come under the control of Israel which had assumed responsibility for them. With regard to the Gaza district, Egypt had never claimed that the territory which it had conquered during the 1948 war belonged to it. The status of those territories was therefore sui generis and were Israel, now, to consider the Conventions as legally applicable to them, it would be recognizing retroactively a non-existent sovereignty, as well as recognizing armistice lines as binding international boundaries. It should be noted that during the more than 19 years of military occupation of Judea and Samaria by Jordan and of the Gaza district by Egypt, not one single State, Arab or non-Arab, had ever raised the issue of the applicability of the Geneva Conventions to those territories. The mere fact that Israel had assumed responsibility for those territories in 1967 did not change their status with regard to those Conventions. Furthermore, no one had ever found it politically worthwhile to call on the administering Powers of that time, Egypt and Jordan, to respect the humanitarian provisions of the Conventions, whether applicable or not. On the other hand Israel's declared policy from the very outset had been that all its civil and military organs should abide by all the humanitarian provisions of the Geneva Conventions, as if they were legally binding and applicable. It had even extended to the territories that it administered the basic tenets of natural justice and humanitarian principles, as derived from the system of law existing in Israel, whether or not they found expression in the Fourth Geneva Convention. Moreover, all actions of the Israeli Administration in those territories were subject to judicial review by the Supreme Court.

58. As for the Third Convention, there was no doubt that it did not apply to members of terrorist organizations who, since they were neither members of the armed forces of the parties to the conflict nor one of the High Contracting Parties and were not, "conducting their operations in accordance with the laws and customs of war", did not meet the requirements of article 2 or article 4 A (1) and (2). Notwithstanding the desires of those States which were interested in legitimizing terrorism, international law was not designed to protect and grant rights to criminals and terrorists.

59. The so-called PLO had always been, and still was, a terrorist organization in infrastructure, methods, practice and aims. Its persistent policy of deliberate and concerted attacks against civilians, its practice of placing weapons and ammunition stores in densely populated areas, the use of children as shields, the torture and assassination of peaceful civilians and the indiscriminate attacks on civil aviation and shipping lines precluded any possibility of claiming protection under the Third Geneva Convention. Were Israel to accept the legal applicability of the Third Convention, as it was repeatedly called upon to do, it would be placed in the unacceptable and intolerable position of recognizing the military status not only of PLO terrorists but also of almost every terrorist organization active in the world. They were all working overtly in close political, ideological, economic or operational co-operation with the PLO. Indeed, the PLO was their channel for arms, forged documents, financing, logistics, intelligence, asylum and terrorist training. Members of many such organizations had actually participated in bloody

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terrorist actions organized by the PLO, and might again do so, and some of them had been caught and detained by Israel in the course of various anti-terrorist operations, or might again be in the future. Israel categorically refused to grant them the protection of international instruments and to recognize them as prisoners of war under article 4 of the Third Geneva Convention.

60. However, Israel firmly believed that whatever the reason for the detention of any prisoner, he was to be treated in a humane manner. That was why it would continue to apply the humanitarian provisions embodied in the Third Geneva Convention to terrorist detainees, despite the Convention's irrefutable non-applicability, and to treat them in accordance with the principles of international humanitarian law.

61. In conclusion, his delegation deplored the fact that the Committee was focusing almost exclusively on Israel while systematically ignoring the flagrant violations of the Geneva Conventions - whether or not they were legally binding - occurring throughout the world, from Afghanistan to Cambodia and from Lebanon to Iran, not to mention Iraq, the southern Sudan and Nicaragua.

62. Mr. MANSOUR (Observer, Palestine Liberation Organization) recalled that the international community and the Security Council had already characterized Israel as an occupying Power and recognized the applicability of the Geneva Conventions, if the representative of the Zionist entity wished to stand out by thinking otherwise, he was free to do so.

63. As for terrorism, State-sponsored or not, the accusations of the Zionist entity could not be taken seriously, for it was the last to have a right to speak on the subject. Its new Prime Minister, Yitzhak Shamir, was a notorious terrorist who had belonged to the Stern Gang, arrested in 1941 by the United Kingdom Government, he had been accused of treason and collaboration with nazism. Mr. Shamir had in fact himself acknowledged having established contacts with Germany to help the Zionist movement to get all the Jews out of Germany. As a matter of fact, his background and his collaboration with the Third Reich had been disclosed by many Jewish and Israeli writers and journalists who were not hostile to Israel. In that connection, he cited a work published in 1974 by David Israeli entitled The Palestine Problem in German Politics, 1889-1945, which mentioned the document in which the Stern Gang offered to co-operate with the Third Reich in expelling the Jews from Germany. Referring to the "new order in Europe", the Stern Gang had declared that the evacuation of the Jews from Europe was a pre-condition for a solution to the Jewish question, which could be finally resolved only by resettling those masses in the homeland of the Jewish people in Palestine and thereby establishing a Jewish State within its historic frontiers.

64. With that in view, the Stern Gang had offered to participate in the war on the side of Germany, provided that its movement's goals were recognized. Its activities were to cover the military, political and intelligence areas, as part of the preparations organized also outside Palestine, and were to be linked with the military training and organization of European Jews who, organized into units, were

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to take part in combat to conquer Palestine under the leadership and direction of the Stern Gang. The indirect participation of the Jewish people was to give the new order in Europe a moral underpinning that all mankind would respect. Such co-operation was in keeping with Hitler's position in one of his last speeches, where he had declared himself ready to resort to any coalition or combination of forces in order to isolate the United Kingdom and inflict defeat upon it.

65. It was up to the members of the Committee to decide whether to believe the actions of the so-called Prime Minister of the State of Israel or the lies put forward by the representative of the Zionist entity.

66. Mr. BURAYZAT (Jordan) said that his country's position on the applicability of the Geneva Conventions to the Israeli-occupied territories was well known; Jordan's sovereignty over Palestine had nothing to do with the matter.

67. According to the Israeli representative's statement, Jordan had occupied Palestine in 1948; but, in the Security Council and in the plenary Assembly, the representative of Israel had said that Jordan was Palestine and Palestine, Jordan. In Israel's political lexicon, Jordan's presence in the West Bank was explained, then, according to two contradictory and diametrically opposed theories. In reality, Jordan and Palestine did not have one and the same territory, as Israel would have one believe, and in 1948, far from occupying Palestine as Israel was currently doing, Jordan had acted in accordance with Chapter VII of the Charter in exercising the right of collective self-defence invoked by the Arab League. The Jordanian forces had intervened to protect the Palestinians from the massacres being threatened by the Israeli terrorist bands and organizations, and the inhabitants had greeted them as defenders. The union of Jordan and Palestine was not the result of an armed conquest or of Jordan's military presence in 1948, but of the choice democratically expressed by the Jordanian and Palestinian peoples. In 1950, two congresses, one held in Jericho and the other in the West Bank, had voted in favour of the reunification of the two banks of the Jordan, and that was the explanation for Jordan's presence.

68. Mr. DOWER (Israel) said that, in view of the late hour, he would not exercise his right of reply.

The meeting rose at 1.25 p.m.