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President: Mr. Hamilton Shirley AMERASINGHE
(Sri Lanka).

*In the absence of the President, Mr. Kanazawa (Japan),
Vice-President, took the Chair.*

AGENDA ITEM 12

Report of the Economic and Social Council

**REPORT OF THE SECOND COMMITTEE (PART I)
(A/31/338)**

1. Mr. PFANZELTER (Austria), Rapporteur of the Second Committee: I have the honour to present part I of the report of the Second Committee on item 12 [A/31/338]. In paragraph 7 of its report, the Second Committee recommends to the General Assembly the adoption of a draft resolution entitled "Assistance to Cape Verde", which it adopted without a vote. In view of the prevailing drought in Cape Verde, the Second Committee expressed the wish that the General Assembly should give priority to the consideration of this matter.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the report of the Second Committee.

2. The PRESIDENT: The Assembly will now take a decision on the draft resolution recommended by the Second Committee in paragraph 7 of its report [A/31/338]. May I take it that the General Assembly adopts that draft resolution?

The draft resolution was adopted (resolution 31/17).

AGENDA ITEM 107

**Conference of plenipotentiaries on succession of States in
respect of treaties: report of the Secretary-General**

REPORT OF THE SIXTH COMMITTEE (A/31/292)

AGENDA ITEM 111

**Respect for human rights in armed conflicts:
report of the Secretary-General**

REPORT OF THE SIXTH COMMITTEE (A/31/295)

3. Mr. BOJILOV (Bulgaria), Rapporteur of the Sixth Committee: It is with pleasure that I take the opportunity to introduce two reports of the Sixth Committee, one relating to item 107 [A/31/292] and the other relating to item 111 [A/31/295].

4. The recommendation of the Sixth Committee concerning item 107 is found in paragraph 10 of its report. That recommendation was adopted by consensus. According to the draft resolution recommended by the Sixth Committee, the General Assembly would decide that the United Nations Conference on Succession of States in Respect of Treaties will be held from 4 April to 6 May 1977 at Vienna. The draft resolution refers to the Conference the draft articles on succession of States in respect of treaties adopted by the International Law Commission at its twenty-sixth session as the basic proposal for its consideration. It also requests the Secretary-General to invite all States to participate in the Conference and to invite as observers representatives of organizations which have received a standing invitation from the General Assembly in accordance with its resolution 3237 (XXIX) and representatives of national liberation movements, in accordance with General Assembly resolution 3280 (XXIX).

5. I now turn to agenda item 111 dealing with respect for human rights in armed conflicts. The recommendation of the Sixth Committee on this item is found in paragraph 12 of its report [A/31/295]. That recommendation also was adopted by consensus. According to the draft resolution recommended by the Sixth Committee, the General Assembly would urge all participants in the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to do their utmost to reach agreement on additional rules which may help to alleviate the suffering brought about by armed conflicts, to respect and protect non-combatants and civilian objects in such conflicts, and to bring the Conference during its final session in 1977 to a successful conclusion. Furthermore, the General Assembly would call upon all parties to armed conflicts to acknow-

ledge and to comply with their obligations under the humanitarian instruments and to observe the international humanitarian rules which are applicable, in particular the Hague Conventions of 1899 and 1907, the Geneva Protocol of 1925 and the Geneva Conventions of 1949. Finally, the General Assembly would express its appreciation to the Swiss Federal Council for convoking the fourth session of the Diplomatic Conference and would request the Secretary-General to report to the General Assembly at its thirty-second session on relevant developments concerning the item, which would be included in the provisional agenda of that session.

6. On behalf of the Sixth Committee, I recommend the two draft resolutions to the General Assembly for adoption by consensus.

Pursuant to rule 66 of the rules of procedure, it was decided not to discuss the reports of the Sixth Committee.

7. The PRESIDENT: The Assembly will first take up the report of the Sixth Committee on agenda item 107 [A/31/292]. We shall now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 10 of that report. The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/31/344. Since the Sixth Committee adopted the draft resolution by consensus, may I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 31/18).

8. The PRESIDENT: The Assembly will now consider the report of the Sixth Committee on agenda item 111 [A/31/295]. We shall now take a decision on the draft resolution recommended by the Sixth Committee in paragraph 12 of its report. Since the Sixth Committee adopted that draft resolution by consensus, may I take it that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 31/19).

AGENDA ITEM 27

Question of Palestine (continued):

- (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People;
- (b) Report of the Secretary-General

9. The PRESIDENT: Representatives will recall that the debate on this item was concluded yesterday morning. The Assembly has before it draft resolution A/31/L.20 and Add.1 and a report by the Fifth Committee on the financial implications of that draft resolution [A/31/346].

10. I shall now call on those representatives who wish to explain their votes before the vote.

Mr. Amerasinghe (Sri Lanka) took the Chair.

11. Mr. KOH (Singapore): My delegation would like to explain its vote on the draft resolution before us. The heart of the draft resolution lies in its operative paragraph 2. That paragraph takes note of the report of the Committee on the

Exercise of the Inalienable Rights of the Palestinian People [A/31/35] and endorses the recommendations of the report, which it describes as a basis for the solution of the question of Palestine.

12. It follows that one's attitude towards the draft resolution depends upon one's evaluation of the recommendations contained in part two of the report. The report contains two main recommendations. The first affects the rights of the Palestinian Arab refugees as individuals. The second affects the rights of the Palestinian Arabs as a nation of people.

13. In summary, the first recommendation is that all Palestinian Arab refugees displaced as a result of the 1967 war should be allowed to return to their homeland in the shortest possible time. The refugees who were displaced between 1948 and 1967 should be given a right to choose either to return to their homeland or to be paid compensation for their lost properties. The second recommendation is that an Arab Palestinian State, under the leadership of the Palestine Liberation Organization [PLO], should be established on the West Bank and in Gaza.

14. The report deals exclusively with the rights of the Palestinian Arabs. It does not refer, in relevant respects, to the rights of Israel. The problem of Palestine is that both the Palestinian Arabs and Israel have legitimate rights. The challenge is to reconcile the competing rights of the Palestinian Arabs on the one hand, and of Israel on the other.

15. The approach of my delegation is an even-handed one. We believe that an acceptable solution to the question of Palestine must at one and the same time vindicate the rights of the Palestinian Arabs and preserve the legitimate rights of the State of Israel. We believe that Palestine is big enough to accommodate both the Jewish State and an Arab State.

16. My delegation can support the proposal to establish a Palestine Arab State on the West Bank and in Gaza. We can also support the proposal that the administrative control of such a State, should, at least in the first instance, be in the hands of the PLO. We understand, however, why Israel is perturbed by these proposals. Israel is perturbed because the PLO has never stated, in clear and unequivocal terms, that it is willing to accept the legitimacy of the State of Israel and to live in peace and amity with it. In this respect, I wish to recall what was said by Mr. Fall of Senegal, Chairman of the Committee, on 15 November. Mr. Fall said:

"The Arabs . . . must adopt a more realistic approach to the question and banish from their minds any idea of 'driving the Jews into the sea'. They must abandon the subjective and emotional approach which has so far characterized their relations with the Jews. The State of Israel is a reality of our time and its existence cannot be denied" [66th meeting, para. 36].

17. We can support the proposal that the Palestinian Arab refugees have a right to choose either to return to their homeland or to be paid compensation for lost properties.

At the same time, we understand why Israel finds this proposal difficult to accept. Obviously, Israel cannot be expected to accept the return of those who seek to destroy it. It is understandable if Israel should insist on the right to admit only those who are willing to live at peace with it. In addition, since the refugees number, in their totality, approximately 1.5 million persons, their right to return must be phased and must be conducted in an orderly and organized manner.

18. Therefore, while my delegation can support the right of the Palestinian Arabs to a State of their own and while we can support the right of the refugees to return or to be paid compensation, we wish to make it absolutely clear that we also support the right of Israel to sovereignty, independence and territorial integrity. This being the case, our support for the report of the Committee is a qualified one. We believe that, when the Security Council meets to reconsider the recommendations contained in the report, the Council must necessarily also take into account the legitimate rights of the State of Israel. As the language of operative paragraph 2 itself suggests, the report forms only "a" basis, not "the" basis for the solution of the question of Palestine. Security Council resolutions 242 (1967) and 338 (1973) must have a rightful place in any comprehensive framework for the solution of the Middle East question and the question of Palestine.

19. My delegation's affirmative vote must therefore be seen in the light of the above caveat and interpretation.

20. Mr. STANBURY (Canada): In view of the grave import of the subject matter of this draft resolution—a draft that is non-polemical in wording and in tone and that has attracted the support of many members of this Assembly—the Canadian delegation wishes to set out clearly the reasons which will cause it to vote in opposition to it. The main reason is essentially that my Government has serious reservations about some of the major recommendations that this draft resolution would have the General Assembly endorse and of which it urges implementation. These recommendations, by laying down the details of, and even a time-table for the implementation of, measures that have not yet been agreed upon by the parties concerned, run directly contrary to the agreed framework for Middle East negotiations laid down in Security Council resolutions 242 (1967) and 338 (1973). It is that framework which has found general acceptance and it is that same framework which continues to offer, in our view, the best hope for resolving the Middle East conflict. In the Canadian view, the effect of the present draft resolution is simply to endorse the substitution of an imposed solution for negotiations between the parties as called for in Security Council resolutions 242 (1967) and 338 (1973).

21. We cannot therefore accept this draft resolution or the report to which it is related. As the agreed basis for comprehensive negotiations is already in place, Canada cannot be a party to any recommendation which would in fact undermine the framework which was so carefully and exhaustively negotiated during 1967 and which has in recent years been supplemented by a universal recognition of the political dimension of the Palestinian issue.

22. May I repeat that the draft resolution before us would bypass negotiations altogether and is tantamount to sup-

porting an imposed settlement of the Middle East conflict. Canada continues to believe that only negotiations in a form and forum agreed upon by the parties concerned can produce a settlement which is both just and lasting.

23. Mr. LINDENBERG SETTE (Brazil): The position of the Brazilian Government regarding the rights of the Palestinian people has been stated by my delegation on a number of occasions in very clear and unequivocal terms.

24. It is our firm conviction that the Palestinian people have a legitimate and unalienable right to self-determination and independence. We further believe that the effective exercise of this right is an essential condition for the establishment of a just and lasting peace in the Middle East.

25. We have also on many occasions repudiated the acquisition of territories by force and we regard the PLO as the representative of the Palestinian people.

26. My delegation wanted to reiterate these positions while explaining why we shall not participate in the vote on draft resolution A/31/L.20.

27. The Brazilian delegation did not participate in the vote on what became resolution 3376 (XXX), which created the Committee on the Exercise of the Inalienable Rights of the Palestinian People. In line with that position, we have not taken part in the present debate and will not participate in the vote on draft resolutions concerning this item.

28. Mr. UMBA-di-LUTETE (Zaire) (*interpretation from French*): Within a few minutes the General Assembly will have to take a decision on the important draft resolution before it on the question of the inalienable rights of the Palestinian people.

29. Here in this hall we all regard the problem of the Middle East and of Palestine as among the most crucial of our times because of the lofty values at issue. Therefore the draft resolution before us and the vote to be cast on it will, in the opinion of my delegation, be decisive in seeking peace in that part of the world. The values and implications of the draft resolution are such that my delegation feels compelled to explain briefly how it views the situation so as to ensure that the Assembly faces up to all its responsibilities. Indeed, our Organization's reputation, the seriousness which characterizes our work, the sense and the duty of honesty, and of working for peace in the region, the goal of representing the universal conscience and a certain moral integrity must prompt us to avoid being carried away by words or any partisan consideration which could satisfy only the shallow.

30. In taking up this question we must therefore consider the interests of peace as we see them in relation to present realities.

31. This is not the first time that my country has had an opportunity to state its position on the question of Palestine. Whenever we have done so, we have approached it with a constant concern for justice, humanitarianism and realism.

32. We should therefore like once again to give a brief summary of our ideas and views on this problem. Our

position was in any case clearly set forth on 4 October 1973 from this very rostrum by the President of the Republic of Zaire, General Mobutu Sese Seko.¹ Since then my country has followed a consistent policy.

33. Zaire believes that the Palestinian people have a right to a homeland, in order to live in dignity and peace, and to affirm their national identity. Israel and the Jewish people, which have suffered so much from the Diaspora and dispersal, should be the first to understand this legitimate aim.

34. There is no reason why what has so generously been accorded to the Jewish people should be refused to the Palestinian people. Above all, there is no justification for the Palestinian people to continue to be the unfortunate victims of the arrival of the Jews in Palestine.

35. The present situation not only denies all rights to the Palestinian people, but also leads to the very negation of that people. By keeping them scattered, it is intended to have them disappear, and that is inadmissible.

36. That is why, whenever the opportunity arises, Zaire has always condemned Israel's policy of expansionism and force. That is also why Zaire has unceasingly called upon Israel to restore the territories it has occupied since the war of 1967. That is also why Zaire has consistently condemned the policy of settlements practised by Israel in the occupied territories, which clearly shows that Israel has no desire to return these territories which it occupies without title or right.

37. In this sense, we cannot but associate ourselves with the recommendations of the Committee, which advocate the return of the refugees to their homes, from which they were uprooted as a result of the war of 1967. That seems to us to be indisputable.

38. But here ends our support for the Committee's recommendations.

39. Indeed, a careful analysis of the recommendations shows that they are, to say the least, incomplete. They err by omission. The identity of those who drafted the report would seem to indicate that this omission was not accidental.

40. The resolution affirming the inalienable rights of the Palestinian people should be brought into line with Security Council resolution 242 (1967), which affirms and recognizes the right of all the States of the region to exist within secure and recognized boundaries. But one would look in vain in these recommendations for the affirmation of the right of Israel to exist, in accordance with resolution 242 (1967). The recommendations which the General Assembly would endorse appear to us to be incomplete and therefore dangerous.

41. Thus, a literal application of the recommendations, which are, moreover, deliberately vague in character, would lead either to the partition or to the disappearance of the State of Israel.

42. There is no other interpretation.

43. On this point, President Mobutu has clearly affirmed that Zaire is in favour of the existence of Israel. We have to have the courage to state the problem forthrightly and to take our decision accordingly, rather than to behave like an ostrich, refusing to acknowledge danger by burying its head in the sand.

44. The position of Zaire and that of the United Nations has two parts: on the one hand, the inalienable rights of the Palestinian people, which have a right to an autonomous homeland and, on the other, the right of Israel to exist. These are the bases for a negotiated settlement of the question which the United Nations has accepted.

45. My delegation accordingly believes that it is not in the interests of peace to entertain or encourage illusions on either side. Israel and the Palestinian people are two facts and two tangible realities which cannot be ignored on the pretext of sparing the sensitivities of one side or the other.

46. We all know that the peace to which we aspire cannot be established and will not flourish in the Middle East without the support of the Palestinians and the Israelis.

47. It is true that there is rancour; but peace is a grand design which requires going beyond one's own interests and also a certain vision of the future.

48. Israel exists. That is a fact. On the other hand, it must give back the occupied territories and recognize the rights of the Palestinian people. That can be brought about only through negotiations between the two parties. The real interests of all concerned must be taken into account. Israel, which exists, must agree that the Palestinian people is represented by the PLO, which is recognized in that capacity by the international community. However repugnant it may be to Israel to accept the PLO, the existence of that organization is also a fact, and to refuse stubbornly to recognize it amounts to flagrant interference in the internal affairs of the Palestinian people. What would Israel say if another State were to recognize the Jewish State at the same time denying the right of the present Government to represent the people of Israel?

49. We cannot accept the argument that the PLO is a terrorist organization. And even if that were the case, is the situation any different from that which existed when the Jewish people installed themselves in Palestine? Need we recall the behaviour of the Stern and Irgun organizations? Finally, it is Israel which holds the negotiating cards; it is Israel which is unjustly occupying the Arab territories; it is Israel which has the force; it is therefore for Israel to take the first step and to demonstrate its good will.

50. I come back now to the draft resolution under discussion. Since that draft resolution would have the General Assembly endorse some incomplete recommendations, my delegation, regretfully, cannot support it. But we shall not oppose it. Our position is that these recommendations, as now formulated, are not likely to promote in a realistic way the search for peace in the Middle East.

51. Mr. BALETA (Albania) (*interpretation from French*): The delegation of Albania set forth its views on the

¹ See *Official Records of the General Assembly, Twenty-eighth Session, Plenary Meetings*, 2140th meeting.

question of Palestine during the general debate in the Assembly [15th meeting]. At this stage, when the General Assembly is about to take a decision on the draft resolution, the Albanian delegation wishes to reiterate that the Albanian people and its Government vigorously support the just struggle and the efforts of the Palestinian people and the other Arab peoples to regain their national rights. They support the struggle of the Palestinian people to recover their country, which was taken away from them by the Israeli Zionists through aggression and the force of arms.

52. Our delegation wishes also to stress its opinion that it is of basic importance to the settlement of the Middle East problem and to the establishment of peace and true stability in that region for the problem of Palestine to be solved in a just way.

53. In our opinion, any so-called partial or temporary solution cannot contribute to the efforts towards a true and lasting settlement of that problem; on the contrary, it would delay even further and render even more difficult the achievement of such a settlement and would prejudice the interests of the Palestinian people and the other Arab peoples. The problem of Palestine and the problem of the Middle East cannot be solved by counting on the good will of the enemies of the Arab peoples, by pinning hopes on the role and the diplomacy of the two imperialist super-Powers, or by taking as a basis for a settlement documents and formulations which merely repeat the plans advocated for many long years by those two super-Powers.

54. We persist in thinking that the settlement of the problem of Palestine, like that of the Middle East, is within the purview of the Palestinian people and the other Arab peoples, and we are convinced that those peoples will succeed in regaining their national rights thanks to their determined struggle, by strengthening their militant unity and by counting on the solidarity of the countries that love freedom and of their true friends.

55. With regard to the draft resolution, which is based on the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the delegation of Albania would like to make the following clarifications. Although that draft resolution recognizes and supports certain rights of the Palestinian people, it nevertheless contains some formulations which, in our view, do not militate in favour of the struggle of the Palestinian people or of the restoration of their national rights. We think it would be a dangerous illusion to think that Israel will voluntarily, of its own free will, give up its aggression against the Palestinian people and the other Arab peoples and withdraw from the occupied Arab territories. The enemies of the Arab peoples—the Israeli Zionists and the two imperialist super-Powers—could use several of the formulations in the above-mentioned document for their own ends, to the detriment of a true settlement of the Palestinian problem and to the detriment of the legitimate rights of the Arab peoples. That is what they have done with other resolutions and documents approved in the past. The attitude of the People's Republic of Albania to those resolutions is well known and will not change. Hence, we do not feel it necessary to set forth that attitude again. Since the delegation of the People's Republic of Albania has reservations about several parts of the report on which

the draft resolution is based, it will not participate in the vote on that text.

56. Miss JAUREGUIBERRY (Argentina) (*interpretation from Spanish*): No one can minimize the importance of the draft resolution now before the Assembly. That cannot be done by those who are in favour of that text or by those who are against it, and certainly not by those who submitted it.

57. We believe that the question of Palestine must be solved in a correct and adequate way as soon as possible, but we believe also that the solution must be carefully studied.

58. Hence, we felt it necessary to request the necessary instructions from our Foreign Ministry. We regret that barely 24 hours have passed since the distribution of document A/31/L.20 and that we therefore have not had the time to receive a reply to our request for instructions. For that reason, we shall not participate in the voting.

59. That attitude should not be interpreted as indifference. The position of Argentina on this question has remained unchanged since 1947. At that time we were among the first of the very few countries that maintained that the sole solution in conformity with the United Nations Charter was to ensure and respect the self-determination of the people of Palestine.

60. We confirm today our recognition of the inalienable rights of the Palestinian people, including its right to self-determination without foreign interference, to national independence and to sovereignty. We recognize also the right of the Palestinians to return to their homes and property. We consider that the satisfaction of the legitimate aspirations of the Palestinian people is a basic condition of any solution to the Middle East problem. Similarly, we believe that there can be no just and lasting peace in the region if Israel does not withdraw from all the Arab territories occupied since 1967—that is, if Israel does not return to its original frontiers, within which it must be recognized that it has the undeniable right to security and a peaceful existence, through the intermediary of an international instrument acceptable to and respected by the neighbouring countries.

61. In conclusion, my delegation hopes that in the future the text of draft resolutions—particularly those relating to questions that Governments must study with the greatest attention—will be distributed in sufficient time so that we may participate responsibly in the voting.

62. Mr. PERRY (Liberia): The Liberian delegation commends the Committee on its report. Consequently, we have decided to vote in favour of the draft resolution.

63. The Liberian Government supports the Palestinians and their right to self-determination. We wish to make it abundantly clear, however, that we also fully support the right of the independent State of Israel to exist within secure and recognized borders in the Middle East. We wish to state unequivocally that we believe a peaceful solution to the Middle East must be based on Security Council resolutions 242 (1967) and 338 (1973).

64. Mr. WU Hsiao-ta (China) (*translation from Chinese*): The Chinese Government and people have consistently held that Israel must withdraw from all the Arab territories it has occupied and that the Palestinian people must regain their national rights. Basing itself on the above position, the Chinese delegation voted in favour of General Assembly resolutions 3236 (XXIX) and 3376 (XXX). Therefore, we are in favour of the contents in the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the contents of draft resolution A/31/L.20, which reaffirm or conform to the above two resolutions. Based on this position, we will vote in favour of draft resolution A/31/L.20. However, we have to point out that the recommendations of the Committee in the report which call for the resolution of the question of Palestine and the realization of a just and lasting peace in the Middle East "in accordance with all relevant United Nations resolutions" may be interpreted as covering Security Council resolutions 242 (1967) and 338 (1973). The Chinese delegation's position on these two resolutions of the Security Council is known to all. We wish to state our reservations in this regard.

65. The Chinese delegation would like to take this opportunity to reaffirm that the Chinese Government and people will, as always, firmly support the Palestinian and other Arab peoples in their just struggle against Israeli Zionism and super-Power hegemonism, for the recovery of their lost territories and the regaining of their national rights. We strongly condemn the Israeli Zionist aggression and expansion. We are firmly opposed to super-Power rivalry for hegemony in the Middle East and to all their scheming activities of aggression, control, intervention and subversion. The road is tortuous, but the future is bright. We have full confidence in the future of the struggle of the Palestinian and other Arab peoples, who are strengthening their militant unity and persevering in protracted struggles. We are deeply convinced that these peoples will triumph in their struggles against aggression and hegemonism and finally achieve their national liberation.

66. Mr. KAUFMANN (Netherlands) (*interpretation from French*): On 18 November [71st meeting] I had the opportunity to express the views of the nine member countries of the European Community on the question of Palestine. Now I should like to explain the position of the nine on the draft resolution which is to be put to the vote in our Assembly.

67. This draft resolution gives rise to a number of reservations on our part. Among the main reservations I should like first of all to recall those expressed with regard to the establishment of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. They deal essentially with the mandate of the Committee, for that mandate is founded on resolution 3236 (XXIX) and does not take into account all the factors which should be considered in the search for a just and lasting settlement of the Middle East problem.

68. With regard to the recommendations in the Committee's report, we have stressed that they suffered from that same fundamental imbalance since they said nothing about respect for the right of all the States of the region, including Israel, to live in peace within secure and recog-

nized boundaries. For that reason we cannot, in particular, endorse operative paragraph 2 of the draft, which approves those recommendations. It follows logically that we also cannot accept operative paragraph 4, which urges the Security Council to take the necessary measures to implement those recommendations. The nine countries of the Community believe, moreover, that that paragraph encroaches on the prerogatives and responsibilities of the Security Council.

69. The nine members of the Community continue to think that the Palestinian problem is one of the central questions in the Middle East conflict. They believe that the solution to this problem cannot be found except as part of an over-all settlement based on Security Council resolutions 242 (1967) and 338 (1973) and taking into consideration the legitimate rights of the Palestinian people.

70. We regret that the sponsors of the draft resolution have not managed to bring out with sufficient clarity the need for a global approach to the problem.

71. For all those reasons our nine delegations are unable to support the draft resolution. We should have liked it to have drawn greater inspiration from certain encouraging trends we thought we had detected in the debate.

72. Mr. MORENO MARTINEZ (Dominican Republic) (*interpretation from Spanish*): The Dominican Republic reiterates that the exercise of the inalienable rights of the Palestinian people must accompany, and not exclude, the exercise of the inalienable rights of the people of Israel. We are convinced that there can be no just and lasting peace in the Middle East until the inalienable rights of the peoples of Palestine and of Israel are recognized and respected equally.

73. The proliferation of General Assembly resolutions prevents us from seeing the decisive role which the parties must play. Furthermore, resolutions which cover only certain aspects of the matter do not further, but make more difficult, the solution of a problem which must be considered globally, in all its implications. The large number of resolutions which the General Assembly has adopted is proof of its goodwill but is also proof that it is incapable of solving the problem. Only the parties themselves—and only by means of negotiations—can achieve a just and lasting peace in the Middle East.

74. Because this is our opinion and because we believe that draft resolution A/31/L.20 does not contribute to the holding of negotiations but might make them more difficult, the delegation of the Dominican Republic will abstain in the vote.

75. Mr. BEKELE (Ethiopia): My delegation would like to explain its position with regard to the recommendations contained in the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the endorsement of which by the General Assembly is sought through the adoption of draft resolution A/31/L.20. In order to explain the vote my delegation intends to cast on this draft resolution, it feels constrained to indicate briefly my Government's understanding of the Middle East problem, and in particular of the Palestinian question, and the requirements for a just and equitable solution.

76. My delegation believes that enabling the Palestinian people to exercise their inalienable right to self-determination and to a homeland within the former Mandated Territory of Palestine is one of the central requirements for a just solution to the Middle East problem. There cannot be a just solution unless the national rights of the Palestinian people to homeland are recognized and implemented.

77. However fundamental the right of the people of Palestine is to an equitable resolution of the Middle East problem, we recognize that, unfortunately, the problem as a whole has evolved to take on wider dimensions and newer ramifications, especially as a consequence of four wars. An over-all settlement of the Middle East problem requires, apart from implementing the rights of the Palestinian people to a homeland, the recognition of the existence of Israel as a sovereign State and the equitable implementation of all the principles and terms of Security Council resolutions 242 (1967) and 338 (1973).

78. My Government does not subscribe to any view that the State of Israel should be supplanted and denied existence. My delegation does not read the recommendations of the Committee in part two of its report [A/31/35], particularly paragraph 70, as suggesting that Israel should be supplanted. My delegation regards that paragraph as reaffirming the rights of the Palestinian people to a national existence within the frontiers of the former Mandated Territory of Palestine. Therefore it is with this clear understanding that the Ethiopian delegation will vote in favour of the draft resolution now before the General Assembly.

79. Mr. UPADHYAY (Nepal): My delegation has on every occasion unequivocally denounced the acquisition of territory by force and has held the question of the withdrawal of Israel from the Arab territories to be a *sine qua non* of the solution of the Middle East problem. The climate for negotiation and normalization may be improved by this one most important development, that is, the willingness of Israel to relinquish occupation and start negotiations with the Arab people of Palestine.

80. The uneasy situation of "no war, no peace" cannot last and it may abruptly erupt into a major conflict. In order to avoid such a situation, my delegation favours the early start of the Geneva Peace Conference on the Middle East.

81. A just and lasting peace in the Middle East cannot be established unless the following factors are taken into consideration simultaneously: there must be a just solution of the problem of Palestine on the basis of the recognition of the rights of the Palestinian people; the right of the State of Israel to exist within secure and recognized boundaries must be recognized; Israel must be willing to negotiate with the representatives of the Palestinian people, the PLO, and the PLO must be willing to recognize the reality of the existence of the State of Israel and to negotiate with it.

82. A settlement has to be negotiated between the parties concerned, and the parties in this case are primarily the Palestinians and the Israelis. The mutual recognition of the existence of both the parties is an essential prerequisite to the start of the negotiations. As long as the legitimacy of

the one is questioned by the other, no third party, not even the United Nations, will be able to help the process of normalization. Neither of the parties concerned may show willingness at the present stage to recognize the other party, for political or other reasons, but at the final stage the settlement has to be made between the parties concerned. In our opinion, the time has come for both the PLO and Israel to express a willingness to negotiate for a peaceful and amicable solution. We believe that it is the natural course of development for peoples to coexist peacefully. Of course they will have to decide among themselves on the nature of their coexistence. However, before one may think of any such possibility, one has to recognize the reality of the day, that is, the need for the fulfilment of the aspirations of the Palestinian people for a homeland and the security of the State of Israel.

83. The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People [A/31/35] is largely acceptable to my delegation. However, the recommendations do not even mention the legitimacy and reality of the State of Israel and thus do not augur well for the chances of a pragmatic approach to the question. Only a solution based on realistic and human considerations can help in the solution of the problem. We do not think that the report takes this into account. Therefore we shall not be able to support the draft resolution.

84. Mr. TRUJILLO (Ecuador) (*interpretation from Spanish*): The delegation of Ecuador will abstain in the vote on draft resolution A/31/L.20 because it considers as still valid the reasons behind the position we explained at the thirtieth session of the General Assembly in connexion with draft resolution A/L.770 and Add.1, which became resolution 3376 (XXX).² We are convinced that any international dispute must be settled not through violence, but peacefully, by dialogue between the parties directly concerned. At that time we regretted, as we do now, the ambiguity in the wording and ideas in the draft resolutions regarding the territory within which the inalienable rights of the Palestinian people are to be exercised. That lack of clarity could, in our opinion, give rise to conflicts concerning sovereignty.

85. Likewise, the position of my delegation also takes account of the fact that the composition of the Committee on the Exercise of the Inalienable Rights of the Palestinian People should have included all parties directly concerned in the Palestine question.

86. At this time, Ecuador reaffirms its recognition of the inalienable rights of the Palestinian people to self-determination, independence and sovereignty, and consequently of the right of the Palestinians to return to their homes and properties from which they were uprooted and expelled, a right that implies withdrawal by Israel from all the Arab territories that have been occupied since 1967, and once again reiterates its unalterable and absolute rejection of any practice that implies the occupation of territories by force, the inadmissibility and illegitimacy of which constitute one of the principles of international law on which my country has always based its foreign policy.

87. My delegation reiterates the view of the Government of Ecuador that the solution of the question of the Middle

² *Ibid.*, Thirtieth Session, Plenary Meetings, 2399th meeting.

East can be attained with full effect only if, far from adopting partial measures or resolutions, we incorporate in the text, with a spirit of generous and dispassionate renunciation, the positive idea of the “disarmament of the spirit” [12th meeting, para. 196], which was stated in this forum by the Minister for Foreign Affairs of my country, Mr. Armando Pesantes García. For this to come about so that our desire for peace and justice may not be frustrated, the delegation of Ecuador considers that an effective and lasting solution in the Middle East will of necessity require the consecration of the principle of the inadmissibility of the forcible occupation of the Arab territories by Israel, the recognition of the inalienable rights of the Palestinian people and the provision of effective guarantees, in conformity with the United Nations Charter, for the sovereignty, territorial integrity and political independence of all the States in the region, including Israel, and of their right to live in peace within secure and recognized boundaries.

88. On this understanding, we concur in the intentions of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in the hope “that all the parties concerned would show statesmanship and genuine willingness to negotiate—necessary prerequisites for achieving a comprehensive political settlement of the Middle East problem” [A/31/35, para. 56].

89. Mr. HERZOG (Israel): I believe that my delegation has made our position very clear on the report of the so-called Committee of 20 [70th meeting]. We have analysed all the implications of that document and have them clear to representatives.

90. I can but repeat that for the first time in the history of the United Nations an *ad hoc* committee of the General Assembly has set out deliberately to distort the history of the Arab-Israel conflict—a history with which this Organization has been intimately involved—to turn the clock back for the purpose of rewriting the history of the Middle East conflict.

91. I can but repeat that for the first time in the history of the United Nations a committee of the General Assembly has consciously ignored the Security Council and its resolutions and has adopted recommendations that conflict with existing Security Council resolutions with the obvious objective of circumventing them.

92. The absurdity of this situation was emphasized only yesterday by the representative of the United States of America [76th meeting], and again today by the representative of the Netherlands speaking for the European Economic Community.

93. I can but re-emphasize the complete one-sidedness, bias and intellectual dishonesty of the Committee, which allowed itself to become a tool in the hands of the PLO and to adopt in its recommendations the political programme of that organization.

94. I pointed out the callous ignoring by the Committee of the entire Jewish refugee problem in the Middle East, a problem of 800,000 Jewish refugees driven from Arab countries.

95. I emphasized the fact that not one single Arab country has gone on record as accepting the 1967 border line as a peace border. This I did without prejudice to Israel's clear and defined stand on this issue.

96. I reiterated the fact that the report is primarily the work of the PLO, which, although it only has observer status, actually participated in the writing of the report. The report reflects the basic elements of the Palestine National Covenant to which the PLO is committed, a Covenant which was ignored entirely by the Committee. In its article 19 that Covenant declares the existence of the State of Israel to be null and void, in article 20 denies the existence of any historical or religious links between the Jewish people and the Holy Land and in article 21 rejects any form of compromise on that issue.

97. To make it clearer, point 3 of the PLO ten-point programme adopted in 1974³ states:

“The Palestine Liberation Organization struggles against any scheme or projected Palestinian entity the price of which is recognition [of Israel], peace [with it], secure boundaries, abdication of the national right . . .”

All of this was studiously ignored by the biased Committee.

98. A terrifying implication of the report of the Committee is the assumption that the General Assembly can impose a solution. It cannot, because we will not agree to it.

99. The manner in which the General Assembly has dealt with the Middle East problem is a tragedy of major international proportions. Its implications are terrifying and sinister. It should have been acting as a body the purpose of which is to encourage negotiations and to strive for consensus and compromise, for that is the only manner in which the problem of the Middle East will be resolved.

100. Instead, the Assembly, by allowing itself to be dominated by a group of intransigent extremists whose declared purpose is to fight against any move towards peace, is encouraging dissent instead of accord, intransigence instead of compromise, fanaticism instead of accommodation, and conflict instead of peace. By taking a subject which can only be solved by compromise and bringing it to the type of discussion which we are obliged to listen to in the Assembly, the United Nations has been manoeuvred into the forefront of those elements which would sabotage every effort in the Middle East towards peace. By allowing small groups of irresponsible extremists to dictate to the United Nations, the tragedy of the Middle East conflict is being prolonged.

101. There are two very serious aspects to this debate that go far beyond the Israel-Arab conflict.

102. The first is that the whole concept of face-to-face negotiations between parties to a conflict is being negated and swept aside by these developments in the United Nations.

³ The transitional program of the Palestine Liberation Organization, adopted at the twelfth session of the Palestine National Council, held in Cairo from 1 to 8 June 1974.

103. The General Assembly, when this draft resolution is passed—as doubtless it will by the automatic majority—will be in direct conflict with the Security Council.

104. The General Assembly has been hijacked by a group of Arab extremists whose policy is designed to erode the authority of the Security Council. There is no mention in this report of the process of negotiation—of face-to-face negotiations—because negotiations imply Israel's right to exist, and this would run counter to Arab policy on the issue, the soothing sounds emanating from various capitals in the Middle East notwithstanding. Indeed it is a terrifying, tragic and sobering thought to contemplate the fact that not one General Assembly resolution on this issue is based on the process of negotiation between the States parties to the conflict, and in fact the General Assembly consciously ignores the whole concept of negotiations.

105. How can anybody ever respect a General Assembly which, because of an Arab dictate, has not got the moral courage or integrity to stand up for the Charter of the United Nations, which insists that conflicts must be solved by negotiations? Indeed, how can one respect many of the members of the Assembly which do not demonstrate a degree of national independence and do not insist on what they, too, believe in this respect?

106. The second terrifying aspect of this debate is the fact that, once again this year as last year, some 50 per cent of the time of this General Assembly is being devoted to Israel. Was this Organization established for this purpose? Are there no other problems in the world? Must the Arab States monopolize every single issue by injecting their own problems into every discussion?

107. Has the Assembly discussed the economic problems facing the world, or the problems of poverty, hunger, disease and oppression affecting millions—nay, billions—of people? Must this Assembly become a mirror of what passes for political discussion and debate in the Arab world? Have representatives no pride—if not as representatives to the United Nations at least as representatives of sovereign States—that they allow this paranoiac obsession with Israel to occupy 50 per cent of the time of the General Assembly? Imagine what a senseless waste of public funds, not to mention of time.

108. What is the purpose of it all? Does it save the cause of peace to listen to these interminable diatribes, which are insulting to the human intelligence and degrading to the audience forced to listen to them?

109. Here we are on Wednesday concluding this debate. On Monday next a new debate on the Middle East is scheduled, to last four days, or almost a week. For what purpose? So that the Arab representatives and their satellites can have the satisfaction of monopolizing your time again, repeating their puerile repetitions? Will it bring peace closer? You know as well as I do that it will not. It will not affect anything or anyone in the Middle East. It will only waste time and money here and divert you from the major issues with which you should be dealing.

110. And if that is not enough, we shall have at least four draft resolutions from the Special Political Committee

brought before this Assembly on the same subject, and a draft resolution from the Second Committee, not to mention other matters which will doubtless be raised. That should get us to the end of the Assembly.

111. Would it not be reasonable to ask the Arab delegations to shoulder the financial implications of this monopolizing of the time of the Assembly? Why should the oil-producing Arab countries contribute together only 0.99 per cent—less than 1 per cent—of the United Nations budget, and in return for that ridiculously low contribution, having regard to their income, monopolize over 50 per cent of the time of the Assembly?

112. For how long can this Organization permit this luxury, this shameful waste of money and time, to continue?

113. As the representative of the United States said yesterday in regard to the discussions in the Security Council: "Over and over again the same speakers say the same things, and none of this excessive rhetoric advances the negotiations even by one step" [*76th meeting, para. 85*]. That, as you are aware, is the situation in the General Assembly too.

114. The solution of our conflict lies only in face-to-face negotiations between the States parties to the conflict on the basis of mutual respect and recognition.

115. We believe, and have always believed, that we can advance towards a comprehensive solution on the basis of Security Council resolutions 242 (1967) and 338 (1973). We will not be dictated to. We will not agree to any attempt to impose solutions. We have no intention of committing national suicide.

116. We will not accept any alternatives to the concept of the process of negotiation. We reject out of hand this report, which serves only to move the area away from peace, ignoring as it does Security Council resolutions 242 (1967) and 338 (1973), ignoring as it does Israel's rights, ignoring as it does the fact that no dictated solution will be accepted by Israel, ignoring as it does the centrality of the process of negotiation in solving any conflict, and being in fact, as it is, nothing more than a rewrite of parts of the PLO Palestine Covenant.

117. There has been talk of late about possible developments in renewed efforts towards peace in the Middle East. My Prime Minister referred to this in a speech delivered in the Knesset two days ago. I should like to conclude my remarks by quoting his words:

"1977 may well prove to be a year of new diplomatic testing and initiative. Israel is ready. Our agenda is flexible.

"If our neighbours wish 1977 to be the year of Geneva we are very willing to join in the renewal of the Geneva Conference for negotiations with them on an over-all peace. If they seek some other framework for genuine peace talks, Israel is not fussy. We are open to all reasonable suggestions.

"Likewise, if, for reasons of their own, our neighbours prefer to negotiate something less than peace, we are ready for that too. We are willing to hold talks with them on ending the state of war as a further crucial step towards peace. These options have been clearly proposed by this Government and we await the Arab response.

"It is up to them to decide. No one can decide for them. No one can serve as a substitute for their responsibility to negotiate with us. And no formula devised outside the region can take the place of a formula which must be devised inside the region. On the contrary: outside initiatives of this kind could prove fatal to the peace process itself.

"Here, in Jerusalem, we have begun to hear all kinds of noises from Arab capitals. They come particularly from Cairo. We are listening to them very carefully. We note that the word 'peace' is being mentioned quite a lot. This, in itself, is interesting. What is not encouraging is that the word is never addressed to us.

"Sadat is saying very nice things about peace to all kinds of visitors to Cairo—to American Senators, to Congressmen and to foreign journalists. However, he has not said a word to us. So let me say a word to Sadat.

"If you are serious about this word 'peace', let us negotiate. You have explained your willingness to make peace to American Senators, Congressmen and other visitors. You have talked about peace with CBS, NBC and ABC; however, these are not parties to peace. Peace in the Middle East can be negotiated only between us who live in the Middle East'.

"I therefore say to Sadat:

"I have heard what you have had to say to others. Now, what do you have to say to me? If you want to talk at Geneva, Israel is ready.

"If you and your colleagues have any other proposal where to meet about over-all peace, let me know about it.

"If you prefer testing our ideas about an end to the state of war—please, let me hear from you.

"I say again: 'If you really want progress towards peace, then let us—your country and mine—negotiate peace'."

118. Mr. ALLAF (Syrian Arab Republic): My delegation will vote in favour of draft resolution A/31/L.20 on the question of Palestine because it believes that that draft resolution is unique. It is a draft resolution on the implementation of other resolutions adopted by the United Nations. It is really a tragic situation that the international Organization, which represents the hopes and aspirations of humanity, needs, after 31 years of existence, a resolution to implement its previous resolutions.

119. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established for that purpose—to implement previous resolutions of the United Nations. Therefore, even without the establishment of that

Committee, its mandate and the spirit of its task should have been insisted on by all Members of the United Nations.

120. I turn now to the Committee's report. In this regard I should like to say that Israel's attitude in respect of any committee which insists on the establishment of a just and lasting peace in the Middle East region has always been a negative attitude, one of complete defiance, insult and non-co-operation. We have seen that attitude by Israel in respect of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. We were told that the three countries of which that Committee is composed did not have diplomatic relations with Israel and, therefore, Israel was not going to co-operate with it. Again we have heard from Israel that its attitude towards the 20 members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People is also negative, because most—note, they did not say "all"—of its members do not at this time have diplomatic relations with Israel.

121. Who is responsible for that tragic situation in which the majority of the nations represented in this Organization do not at present have diplomatic relations with Israel? That is one more reason to condemn Israeli policies and practices; those Members do not have diplomatic relations with Israel because Israel is following a policy of aggression and expansion and violation of the rights of other peoples.

122. The racist régime of South Africa is also in the same position. The overwhelming majority of the States Members of this Organization do not have diplomatic relations with the racist régime of South Africa. But that is no reason for the racist régime of South Africa to say: "We have been discriminated against because the majority of the Members of the United Nations do not have diplomatic relations with us." That is one more reason for condemnation.

123. The Committee's report is only a report on the implementation of previous resolutions—and I shall revert to that. But it is not based solely on General Assembly resolutions; it is based also on Security Council resolutions. It goes so far as to quote word for word the very resolution that is so dear to Israel's heart—Security Council resolution 242 (1967)—to which it has always paid lip service, but which it has never implemented. I refer the Assembly to paragraph 52 of the Committee's report in which three principles for a just and lasting peace in the region are mentioned, namely, Israel's withdrawal from all the occupied territories; secondly, recognition of the national rights of the Palestinian people; and, thirdly:

"Appropriate arrangements . . . to guarantee, in accordance with the Charter of the United Nations, the sovereignty, territorial integrity and political independence of all the States in the area and their right to live in peace within secure and recognized boundaries."
[A/31/35, para. 42.]

That terminology is not strange to the members of the General Assembly or to me. That terminology can also be found in resolution 242 (1967).

124. But the right of every State in the region to live in peace cannot be implemented while the soldiers of occupation of one State are occupying the territories of two States Members of the United Nations and of the people of Palestine. The right of every State to live in peace within secure and recognized boundaries is the obvious result of the implementation of the other principle of peace, namely, that of withdrawal from the territories occupied as a result of aggression in accordance with the unanimously agreed principle of the inadmissibility of the acquisition of territory by force, and of the almost unanimously agreed principle that the Palestinian people, just as any other people, are entitled to their right to a national identity and to live in their homes in peace and security.

125. In the very important section, which is part two of the Committee's report, there is also specific reference to the right of all peoples and States in the region to live in peace in accordance with all relevant United Nations resolutions. I do not know whether Security Council resolutions 242 (1967) and 338 (1973) are considered by Israel to be relevant resolutions. If they are relevant, then they are mentioned word for word in the paragraphs of the report and they are mentioned in spirit by the guarantees to every State and to all peoples to live in peace and security after the other principles of peace are fulfilled. They are also mentioned by the fact that the Committee's report is based on all relevant resolutions of the United Nations.

126. Last January the Security Council discussed the problem of the Middle East, including the question of Palestine. At that time a draft resolution,⁴ which is also mentioned in the Committee's report, was presented to the Security Council in which three principles for the establishment of a just and lasting peace were enumerated. The overwhelming majority of the members of the Security Council, representing all regions of the world, supported that draft resolution, including most of the countries of Western Europe. Those same principles, which were judged by the more than 50 States which participated in the Security Council debate last January as the only just basis for the establishment of a just and lasting peace in the region, are the same principles that are enumerated in the Committee's report, on which its recommendations are based.

127. What are the Committee's most important recommendations? The Committee refers in paragraph 68 to the return of those refugees who fled from their country in 1967. But that is the same terminology and the same provision as that contained in Security Council resolution 237 (1967). That is not a new aspect or a new request. The Security Council itself stated that all refugees who were uprooted from their territory after the aggressive Israeli war in 1967 were entitled to return to their homes and land. That is contained in paragraph 68 of the report.

128. Paragraph 69 of the report refers to the return of those refugees who were obliged to leave their country in 1948. Again, that has been provided for each year in a resolution presented to the General Assembly and sponsored by none other than the delegation of the United

States of America. In accordance with General Assembly resolution 194 (III) all refugees who were uprooted from their territory during the 1948 war are entitled to return to their homes in order to live in peace and harmony with their neighbours. If they do not choose to do so, they are entitled to full compensation.

129. Paragraph 72 of the report mentions several steps to be taken in order to implement the right to self-determination, national independence and sovereignty of the Palestinian people. The most important aspects of those measures are, first, that Israel should withdraw from the territories which it has occupied since 1967 and that it should do so not later than 1 June 1977. On 1 June 1977 the Israeli occupation of the Arab territories will have lasted for 10 years. What is wrong in requesting an aggressor to withdraw its forces from a territory which it has aggressively occupied for more than 10 years? Again, Israel is asked not to establish new Jewish settlements in the occupied territory. But that is the overwhelming opinion of the Members of the United Nations and of the members of the Security Council. Only a few days ago the Security Council unanimously adopted a declaration condemning the Israeli establishment of settlements in the occupied territories and requesting Israel to desist from such establishment. In those measures Israel is requested to abide by the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. Again, that is the unanimous opinion of the Members of the United Nations. Israel has always been requested, and it is under the obligation, to abide by the provisions of the fourth Geneva Convention in the occupied Arab territories. The very important paragraph 72 (g) of the report states:

“As soon as the independent Palestinian entity has been established, the United Nations, in co-operation with the States directly involved and the Palestinian entity, should, taking into account General Assembly resolution 3375 (XXX), make further arrangements for the full implementation of the inalienable rights of the Palestinian people, the resolution of outstanding problems and the establishment”—and I stress—“of a just and lasting peace in the region, in accordance with all relevant United Nations resolutions”.

130. That is what the Committee is requesting in its report—the mere implementation of previous United Nations resolutions concerning the return of the refugees of 1967, the return of the refugees of 1948, which has been repeated by the General Assembly year after year, and the establishment of a just and lasting peace based on these three principles: Israel's withdrawal from all the occupied Arab territories, recognition of the national rights of the Palestinian people and guarantees for every State and people in the region to live in peace and harmony within secure and recognized boundaries.

131. I do not see in this report any provision or recommendation, as claimed by the Israeli representative, which is detrimental to his entity or which would lead, as he said, to the dismemberment of a Member of the United Nations.

132. I should like to conclude by saying that we hear time and again from the Israeli representative that Israel is ready

⁴ See *Official Records of the Security Council, Thirty-first Year Supplement for April, May and June 1976*, document S/12119.

for peace, that Israel is ready for negotiations, that Israel has proposed many times to the Arab countries to end the state of war. And I repeat, as I have done many times before, that Israel is trying to divert world public opinion from the real issue. Israel is trying to deceive world public opinion because, while it calls for negotiations with the Arab countries, it is at the same time blocking any real progress towards these negotiations. The Israeli representative makes repeated references to the Geneva Peace Conference on the Middle East. But who is blocking the reconvening of the Geneva Conference? It is Israel itself. Israel says that it is not ready to sit down in Geneva with the legitimate representative of the Palestinian people. So what are we going to discuss there, if Israel will not sit down with the party most directly involved in the Middle East conflict? Everybody agrees that the Middle East conflict resulted from the question of Palestine, but Israel refuses to sit down with the representatives of the PLO in Geneva. How, then, can it be considered as sincere in requesting negotiations?

133. Secondly, Israel says that it has proposed the end of the state of war and that it is awaiting the response of the Arab countries. The military occupation of the territories of others is an act of war. When a country's soldiers are occupying the territory of another, then that country, pursuant to the Charter and the principles of international law, is committing and undertaking an act of war because it is militarily and by force occupying the territories of others. So how dare Israel speak of ending the state of war when its soldiers are occupying our territories? If Israel really wants to end the state of war, the first stage is that it withdraw its soldiers from our territories and then propose the ending of the state of war.

134. We have time and again repeated that the only two conditions we make for a just and lasting peace—which all of us want and which we have proved that we want—are the following: the withdrawal of Israel from all the occupied Arab territories and the recognition by Israel of the national rights of the Palestinian people. By agreeing to these two conditions Israel could reach the peace it pretends to be seeking; by fulfilling these two conditions a State could be created in the area, where a just and lasting peace would be established and where every State and people in the region could live in peace and harmony.

135. The PRESIDENT: I am rather disturbed that explanations of vote have taken on the character of general statements. The last two statements in particular fall under my observation. There are three more representatives who have asked to speak in explanation of vote before the vote, and I appeal to them to be as brief as possible as I wish to conclude consideration of this item today. As there is no meeting scheduled for this afternoon, explanations of vote after the vote will have to be postponed until Friday morning.

136. Mr. BAROODY (Saudi Arabia): We are going to vote for the draft resolution because we realize that there is more awareness as a result of the efforts of the freedom-loving States Members of the United Nations to put the Palestine question in its own perspective, and we are heartened that the solution of this intractable question has gathered momentum and that year in and year out the

people of the world are becoming increasingly more conscious that the Palestinian people were sold down the Thames River in the days of Balfour and the Potomac River in the days of Truman.

137. I shall not add anything more except to say to Mr. Herzog—who is not here, but I am sure that his delegation will report to him—that, if Israel should become reasonable and seek acceptance and adjust and adapt itself to the Palestinians, who have a right to their homeland, I would prevail on my Arab colleagues, who would then think of paying three times our assessments to the United Nations. And if Israel is finally assimilated—as I am sure it will be—then, if I am still alive, I shall prevail on my Arab colleagues to pay 10 per cent of the budget of the United Nations.

138. Mr. ABDEL MEGUID (Egypt): My delegation will vote for the draft resolution before the Assembly, since it provides for the continuation of the positive work done under the aegis of the General Assembly on the question of Palestinian inalienable rights and fundamental freedoms which have been violated, negated and resisted by the Zionist Government of Israel.

139. The representative of Israel spoke about the time consumed in the debates on the Middle East and Palestine. He forgets, or wants us to forget, the reasons why the Assembly debates the situation in the Middle East. The reasons are Israel's aggression and continued occupation of the Arab territories and the negation of the rights of the Palestinian people. He blames the Assembly for debating items relating to peace, to security and to basic human rights; but the Assembly blames Israel and holds it responsible for the violation of human rights and of the purposes and principles of the Charter and of the basic and fundamental rules of international behaviour.

140. The Israeli representative saw fit to show the annoyance of his Government at the expressions of peace, willingness and peaceful intentions of the Egyptian Government. We are fully aware of the fear of peace, on the part of the Israelis, because they thrive on war and tension, on aggression and expansion. Why would an interview by President El-Sadat to the American media drive the Government of Israel to such nervous attitudes as expressed both by Rabin and his representative here? Perhaps they feel that their monopoly over international mass media has waned since the October war; perhaps they have reached the conclusion that any reasonable, peaceful and rightful voice would harm the Israeli cause of procrastination, defiance and expansion.

141. As for the peace process, Egypt is known for its co-operation with all peace initiatives and Israel is continuing its stubborn rejection of all initiatives likely to lead to a just peace in the Middle East. I do not wish to go as far back as 1971 when Israel spurned the Secretary-General's initiative and stated officially that it would not withdraw to the 1967 borders.

142. This time, the Israeli representative went too far by insulting the General Assembly and its members. It was not fitting to use such words in this Organization, in which members represent their respective countries. He considers that the members in this hall do not represent sovereign,

independent countries but are tools in the hands of others. And yet he wants his country to have contacts and relations with the other countries represented in this Assembly.

143. I am sure that the vote today in this Assembly will be the proper answer to the insults by the representative of Israel.

144. Mr. PALMA (Peru) (*interpretation from Spanish*): The delegation of Peru will vote in favour of the draft resolution before the Assembly because it believes that many of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People will lead to the goal of ensuring the exercise of the rights which the General Assembly recognizes as appertaining to the Palestinian people and also because the draft resolution establishes the proper link between the question of Palestine and the situation in the Middle East. The solution to both of these problems must be found within a context whose essential guidelines have been defined in Security Council resolutions 242 (1967) and 338 (1973), including, above all, respect for and recognition of the sovereignty, territorial integrity and political independence of all the States of the region and their right to live in peace within secure and recognized boundaries.

145. Mr. EL-SHIBIB (Iraq): The position of Iraq on the question of Palestine has been made amply clear in this Assembly and in all the Committees and other organs of the United Nations. Our support for the inalienable rights of the people of Palestine, including their right to national sovereignty, is constant and unwavering.

146. As the representative of Iraq stated during the debate on this item [76th meeting], we feel that the draft resolution on which the General Assembly is about to vote represents the minimum which could be achieved within the United Nations. We have a reservation concerning operative paragraph 2 of the draft resolution. Despite that reservation, however, we find many positive aspects in the text and therefore shall vote in favour of it.

147. The PRESIDENT: The list of representatives wishing to speak in explanation of vote before the voting is getting longer and longer. If we hear all those representatives, we shall not be able to proceed to the vote this morning. I know that that will cause great inconvenience to many members.

148. If the reason why many representatives are transferring their names from the list of speakers in explanation of vote after the voting to the list of speakers in explanation of vote before the voting is that I said that the explanations of vote after the voting would have to be deferred to Friday morning, I am prepared to schedule a plenary meeting of the Assembly for this afternoon to complete the consideration of the present item. On that understanding, may I request those representatives who had already included their names in the list of speakers in explanation of vote after the voting to be kind enough to adhere to that list? As I hear no objection, I take it that that is agreed.

149. We have thus come to the end of the explanations of vote before the voting and shall proceed to the vote on the draft resolution immediately.

150. I have been informed that, in a spirit of understanding, the delegation that had asked for a roll-call vote has withdrawn that request because of the lateness of the hour. We shall therefore have a recorded vote.

151. I now put to the vote draft resolution A/31/L.20 and Add.1. The report of the Fifth Committee on the administrative and financial implications of the draft resolution is contained in document A/31/346.

A recorded vote was taken.

In favour: Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Bhutan, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Egypt, Equatorial Guinea, Ethiopia, Gabon, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Australia, Belgium, Canada, Costa Rica, Denmark, Germany, Federal Republic of, Guatemala, Haiti, Iceland, Israel, Luxembourg, Netherlands, Nicaragua, Norway, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Bahamas, Barbados, Bolivia, Botswana, Chile, Dominican Republic, Ecuador, El Salvador, Fiji, Finland, France, Gambia, Grenada,⁵ Ireland, Italy, Ivory Coast, Jamaica, Japan, Lesotho, Malawi, Mexico, Nepal, New Zealand, Papua New Guinea, Paraguay, Portugal, Surinam, Sweden, Uruguay.

The draft resolution was adopted by 90 votes to 16, with 30 abstentions (resolution 31/20).

152. The PRESIDENT: The representative of the PLO has asked to be given the opportunity to make a statement. Normally his statement would have been heard only after the statements of those representatives wishing to speak in explanation of vote after the voting. Since, however, that representative is scheduled to leave New York early this afternoon, I would ask the Assembly whether it would be willing to hear him now. If there is no objection, I shall take it that members agree that the representative of the PLO should make his statement now.

It was so decided.

⁵ The delegation of Grenada subsequently informed the Secretariat that it wished to have its vote as having been in favour of the draft resolution.

153. Mr. KADDOUMI (Palestine Liberation Organization) (*interpretation from Arabic*): We have followed with the greatest interest the work of this session of the General Assembly, in which we have participated during the debate on the problem of Palestine.

154. We were anxious to have our point of view and our ideas imparted to the members of this great family, but we were equally anxious to understand and appreciate the points of view of the members of the Assembly. To those who shared our understanding of the question, we express our thanks and our appreciation. If we wish particularly to thank the members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman, Mr. Fall, it is because they have faithfully transmitted the feelings of the overwhelming majority of the members of this Assembly; they have also reflected the interest of world public opinion in our problem and our cause and the concern to find the means that could ensure the implementation of the relevant international resolutions and that could prepare the way for the restoration of peace and law in the Middle East.

155. We should like also to express our appreciation to the Committee whose task it is to investigate Israeli practices for its valuable and objective report.

156. Although there are some who continue obstinately to deprive this international family of the exercise of its right to participate in defining the policy of peace in our Arab region, we nevertheless believe that in regard to the problem of Palestine, whose discussion began here, one cannot find a better political body to solve it than this very body. Those same persons cannot deceive the members of this Assembly by proclaiming their support for the interests and aspirations of our people, while at the same time denying our right to self-determination and trying to prevent us from participating fully in the search for a solution of the problem of our homeland, when our delegation constitutes the principal party directly concerned in the problem of the Middle East.

157. Those persons have asked us to cease all discussion of the Palestinian problem and to turn to action in order to reach a solution of that problem, while at the same time they deny the very existence of the Palestinian people as represented by the PLO. That request cannot be taken seriously and they must realize that the power they represent cannot disguise either their political position or the contradiction between what they say and what they do.

158. Despite all the increasing political support it is receiving in the United Nations, the PLO is well aware that it must continue its legitimate struggle by all means if it wants to put into effect the decisions of this Assembly and achieve the implementation of the recommendations and resolutions adopted.

159. We wish to reaffirm here that we have no intention of abandoning the struggle on the political level. Thus no one can accuse us of disregarding the possibility of a peaceful political solution; but we also want to continue to clarify the real position of our Israeli enemy and of the forces which support it, so that everyone may be fully aware of the fact that the principles and values that the people of Palestine are fighting for are the same as those the United Nations has proclaimed with the same sense of urgency and the same vigour it brought to the recognition of the right of all peoples to resort to force to defend those principles and values.

160. We do not feel obliged to reply to the absurd statements of the representative of the Zionist entity, who has tried to ignore the very root of the problem so as to turn it into a refugee problem pure and simple, as was done in Security Council resolutions 242 (1967) and 338 (1973).

161. In essence the problem of the Middle East is the Palestinian problem and the Palestinian problem can only be solved by recognition of the national rights of our people and by a commitment to implement and to permit the exercise of those rights. Any effort to the contrary would not only be a waste of time but would also considerably increase the tension existing in an area where everyone is aware of the grave danger inherent in the outbreak of a new war. As our brother Yasser Arafat said: "War flares up in Palestine, and yet it is in Palestine that peace will be born."⁶

162. The confidence of our people in its leaders, represented by the PLO, cannot be shaken, nor can our determination to resist all manoeuvres, for, despite all challenges and all manoeuvres, we shall continue to fight vigorously on every front so that our people may be able to achieve what this Assembly and all the peoples of the world have recognized as its due: the restoration of its inalienable national rights.

The meeting rose at 1.25 p.m.

⁶ See *Official Records of the General Assembly, Twenty-ninth Session, Plenary Meetings*, 2282nd meeting, para. 83.