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President: Mr. Lazar MOJSOV (Yugoslavia).

AGENDA ITEM 126

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1. The PRESIDENT: The last speaker in the debate on agenda item 126 is the representative of the Palestine Liberation Organization, and I now call on him.

2. Mr. TERZI (Palestine Liberation Organization): Once again this Assembly is considering further Israeli violations of its obligations, violations which are in fact in line with Israel's persistent policy of contempt for the Charter and resolutions of the United Nations, the creator of Israel.

3. This Assembly has been told that the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,¹ is not applicable in the territories under Israeli military occupation. May I remind the Assembly that Article 22, paragraph 4, of the Covenant of the League of Nations recognized provisionally the independence of all of Palestine and entrusted Britain with a Mandate over all of Palestine, defining the borders of the Palestinian independent-to-be State.

4. In 1947 the General Assembly dealt with that Palestine. The real object of General Assembly resolution 181 (II) was the dismemberment of Palestine and not—I repeat, not—the creation of exclusive Jewish and Arab States. Resolution 181 (II) of 29 November 1947 envisaged one State for the Jewish inhabitants of Palestine, a State which would have a

population of 498,000 Jews and 497,000 Palestinians, Moslems and Christians. On the other hand, the Arab inhabitants would form a State of their own with 10,000 Jews and 725,000 Moslem and Christian Arabs. Thus, in accordance with article 2 of the fourth Geneva Convention, the territory which was not assigned to the Jewish State remains legally "the territory of a High Contracting Party".² It is well established that the word "territory" also includes a mere *de facto* title to the territory, and the Palestinian civilians, by virtue of their *de facto*, in addition to their *de jure*, title, cannot and must not be denied the protection of law. The Governments represented at the Diplomatic Conference of Geneva of 1949 stated in the preamble to the fourth Convention that they met "for the purpose of establishing a Convention for the Protection of Civilian Persons in Time of War".³ The Conference was not designed to protect governmental rights; it was designed to protect civilians, and the Palestinians are also civilians entitled to rights and protection by the Convention on civilians.

5. The General Assembly last year unanimously affirmed that the Geneva Convention is applicable [*resolution 31/106 B*]. Only Tel Aviv and Haiti abstained in the vote on that resolution.

6. The United Nations, through both the General Assembly and the Security Council, has taken the position that the fourth Geneva Convention must be applied in the territories occupied by Israel since June 1967. It is particularly important that the United States Government has consistently taken this same position. For example, Ambassador Charles Yost stated in the United Nations Security Council on 1 July 1969 that the Government of Israel was required by law to apply the fourth Geneva Convention and added that the United States Government had "so informed the Government of Israel on numerous occasions since June 1967".⁴

7. This Assembly was informed of the position of the Government of the United States of America not by the representative of the United States but by the representative of the Tel Aviv racist régime. Be that as it may, on 19 October 1977 the United States Assistant Secretary of State for the Near East and South Asia, Mr. Alfred Atherton, testified before the Subcommittees on International Organizations and on Europe and the Middle East of the Committee on International Relations of the House of Representatives of the United States Congress. In his testimony Mr. Atherton said:

² *Ibid.*, p. 288.

³ *Ibid.*

⁴ See *Official Records of the Security Council, Twenty-fourth Year*, 1483rd meeting, para. 98.

¹ See United Nations, *Treaty Series*, vol. 75 (No. 973), p. 287.

"In the West Bank and Gaza, however, the situation is different. Both of these territories were part of the British mandate of Palestine. While the legitimate existence of a sovereign Israel in part of Palestine is recognized, the question of sovereignty in the part of Palestine remaining outside of Israel under the 1949 Armistice Agreements has not been finally resolved."

8. I do not see a clearer way for the United States to make known its position on those specific territories. The United States of America does not—I repeat, not—recognize the sovereignty of Tel Aviv in the part of Palestine remaining outside of Israel under the 1949 Armistice Agreements. That part is not a land without a people; it is not nobody's territory; it is the territory over which Palestinian sovereignty should be recognized.

9. The Zionists are still determined to establish in this age in Palestine a *Judenstaat* which is basically *Judenrein* but with a difference: in the former it is exclusively Jewish and in the latter it is exclusively without Jews. On behalf of the Palestine Liberation Organization, I declare that we Palestinians condemn and combat the two racist ideologies and their manifestations.

10. It was Herzl, the founder of Zionism, who in his diaries wrote on 12 June 1895:

"When we occupy the land, we shall bring immediate benefits to the State that receives us. We must expropriate gently the private property on the estates assigned to us. We shall try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own country. The property owners will come over to our side. Both the process of expropriation and the removal of the poor must be carried out discreetly and circumspectly."

11. Please note the exact terms used: "expropriate . . . the private property"; and "expropriate" means literally to take from its owner, to deprive of ownership, or to dispossess. Thus the Zionist aim was not to go to a land without a people, but to a land populated by its owners. The other aim is yet more horrifying and revealing. Herzl preached the spicing of a population—an entire people—across the border. "Throw them overboard, eliminate their existence in the *Judenstaat*"—a virtual genocide. The property owners, once deprived of their property, will also join the ranks of the penniless.

12. In line with this "holocaust" mentality and in a spirit of hatred and vengeance—vengeance for acts not committed by Palestinians or the Palestine Liberation Organization—the racist Zionists of Tel Aviv persist in their policy of annihilating the Palestinians. The infamous Koenig, a senior executive in the Tel-Aviv Government, went so far as to suggest a "final solution"—and I mark the words "final solution", Hitler's words—to the problem of Arabs in Israel. He, like his Hitlerite masters, prescribed a "final solution" and a systematic and sophisticated formula to do away with or to eliminate the Arabs in Galilee. To us Palestinians that is nothing new. The constitution of the Jewish Agency for Palestine was signed at Zurich on 14 August 1929,

subparagraphs (d) and (e) of article 3 of which read as follows:

"(d) Land is to be acquired as Jewish property and, subject to the provision of article 10 of this agreement, the title to the lands acquired is to be taken in the name of the Jewish National Fund; to that end, the same shall be held as the inalienable property of the Jewish people.

"(e) The Agency shall promote agricultural colonization based on Jewish labour, and in all works or undertakings carried out or furthered by the Agency, it shall be deemed to be a matter of principle that Jewish labour shall be employed . . ."

13. I shall also quote now from article 23 of the *Keren-Kayemeth*, the Jewish National Fund draft lease, which reads as follows:

"... the lessee undertakes to execute exclusively with Jewish labour all works connected with the cultivation of the holding. Failure to comply with this duty by the employment of non-Jewish labour shall render the lessee liable to the payment of a compensation of 10 Palestinian pounds for each default. The fact of the employment of non-Jewish labour shall constitute adequate proof as to the damages and the amount thereof, and the right of the Fund to be paid the compensation referred to, and where the lessee has contravened the provisions of this article three times, the Fund may apply the right of restitution of the holding without paying any compensation whatever."

14. Hope Simpson wrote as follows:

"The lease also provides that the holding shall never be held by any but a Jew. If the holder, being a Jew, leaves as his heir a non-Jew, the Fund shall obtain the right of restitution. Prior to the enforcement of the right of restitution, the Fund must give the heir three months' notice, within which period the heir shall transfer his rights to a Jew; otherwise the Fund may enforce the right of restitution and the heir may not oppose such enforcement."

15. In the agreement for the repayment of advances made by the *Keren-Hayesod*, which is the Palestine Foundation Fund, to settlers in the colonies in the maritime plain, the following provisions are included:

"Article 7. The settler hereby undertakes that he will, during the continuance of any of the said advances, reside upon the said agricultural holding and do all his farm work by himself or with the aid of his family, and that, if and whenever he may be obliged to hire help, he will hire Jewish workmen only."

16. In a similar agreement for the *Emek* colonies there is the following provision:

"Article 11. The settler undertakes to work the said holding personally, or with the aid of his family, and not to hire any outside labour except Jewish labourers."

17. Those provisions illustrate Zionist policy with regard to Arab labour in their colonies. They contradict attempts

to establish the alleged advantage which Jewish settlement purportedly brought to the Arab.

18. Ex-General Dayan told this Assembly that the establishment of settlements was legal. This land, he said, is the "ancestral land" [27th meeting, para. 201]. Let us review the Zionist definition of the "ancestral land".

19. On 3 February 1919, the World Zionist Organization tabled a memorandum to the Supreme Council at the Paris Peace Conference. Its territorial claims went far beyond the description "from Dan to Beersheba", which Lloyd George had learned in his Welsh Sunday school, or which Christians all over the world are learning, that this land was once promised to the Hebrew tribes. That is what we were taught. These boundaries were geo-political and designed to exploit water resources and existing soil fertility over the widest possible area. The boundaries of the territory demanded were as follows. I shall now give the boundaries as set by the Zionist Organization in its memorandum of 3 February 1919:

"Starting on the North at a point on the Mediterranean Sea in the vicinity of Sidon and following the watersheds of the foothills of the Lebanon as far as Jisr El Karaon, thence to El Bire, following the dividing line between the two basins of the Wadi El Korn and the Wadi El Teim, thence in a southerly direction following the dividing line between the Eastern and Western slopes of the Hermon, to the vicinity West of Beit Jenn, thence Eastward following the northern watersheds of the Nahr Mughaniye, close to and west of the Hedjaz Railway.

"In the East, a line close to and West of the Hedjaz Railway terminating in the Gulf of Akaba.

"In the South, a frontier to be agreed upon with the Egyptian Government."⁵

It was indicated that the southern border would extend from El Arish in northern Sinai to Aqaba in the south. In the west, naturally there was the sea, and the Zionists could not go any further. This area, the Zionist memorandum stated:

"... shall be placed under such political, administrative and economic conditions as will ensure the establishment there of the Jewish National Home and ultimately render possible the creation of an autonomous Jewish Commonwealth."⁶

It was an autonomous Jewish commonwealth at that stage; later it became a State; later still it became an empire.

20. The boundaries are of lesser extent than those demanded as the boundaries indicated in *Der Judenstaat* by Herzl in 1896. Herzl then defined the boundaries as follows:

"The northern frontier is to be the mountains facing Cappadocia (in Turkey); the southern, the Suez Canal.

⁵ See J. C. Hurewitz, *Diplomacy in the Near and Middle East—A Documentary Report: 1914-1956*, vol. II (Princeton, N.J., D. Van Nostrand Company, Inc., n.d.), p. 46.

⁶ *Ibid.*, p. 45.

Our slogan"—that is, Herzl's slogan—"shall be: 'The Palestine of David and Solomon'."

21. On another occasion the area was described as extending "from the brook"—presumably meaning the Nile—"to the Euphrates".

22. On 29 October 1899 David Trietsch wrote to Theodor Herzl:

"I would suggest to you to come round in time to the 'Greater Palestine' programme before it is too late. . . . The Basle programme must contain the words 'Great Palestine' or 'Palestine and its neighbouring lands'—otherwise it's nonsense. You do not get the 10 million Jews into a land of 25,000 kilometres."

23. The extent of the area demanded by the Zionist delegation at the Paris Peace Conference comprises, in current terms, the following: first, the whole of Mandated Palestine, which so far, with the help of their friends and supporters, the Zionists have been able to secure; secondly, southern Lebanon, including the towns of Tyre and Sidon, the headwaters of the River Jordan on Mount Hermon and the southern portion of the Litani River; fortunately, and thanks to the valiant Lebanese people, the Zionists have not achieved any of those aims, although ex-General Dayan made this ambition clear and still very much alive in Zionist minds and hopes; thirdly, on the Syrian front, the Golan Heights, including the town of Quneitra, the River Yarmuk and El-Himmeh Hot Springs; in fact, in the 1967 aggression the Zionists did conquer Quneitra, but were later forced to withdraw; fourthly, on the Jordan front, the whole of the Jordan Valley, the Dead Sea and the Eastern Highlands up to the outskirts of Amman, running southwards along the Hejaz Railway to the Gulf of Aqaba, leaving Jordan with no access to the sea; fifthly, on the Egyptian front, from El-Arish on the Mediterranean in a straight southerly direction to the Gulf of Aqaba; in fact, the Zionists went back to the Suez, but thanks to the valiant Egyptian people they were expelled.

24. The political group of Herzlian Zionism headed in the 1920s by revisionist Vladimir Jabotinsky—in whose footsteps Menachem Begin, ex-terrorist, currently Prime Minister, is treading—had a clear and unequivocal definition of Palestine. He defined Palestine as an area whose essential geographical characteristic was that the Jordan River flowed not along its frontier but through its middle. In fact, statements to this effect have been made here in this Assembly by Zionist ex-generals.

25. When the Palestinian and Arab peoples rejected the plan to dismember Palestine they opposed the legalizing and institutionalization of the racist exclusivist concept of the *Judenstaat*.

26. It has been said that the establishment of Jewish settlements in Arab territory does not obstruct the efforts at peace. How true, because it is the establishment of the Zionist colonial settlements with a view to setting up an exclusive *Judenstaat* that sowed the seeds of racism and expansionism and brought the Middle East and the world to this explosive situation.

27. We are opposed to the establishment of a racist *Judenstaat*. We have in the past welcomed, and we still welcome, anyone of any faith, be he Jewish, Moslem or Christian, to live with us and share with us peaceful and constructive living in Palestine.

28. The Zionists are establishing more settlements as military outposts in preparation for a new round of aggression and expansion. And here, for a moment, one remembers the annexation of the Sudetenland by Adolf Hitler, the *Anschluss*. Those were just primary steps in preparation for further attacks. As a matter of fact, the statement that the establishment of settlements was for security and defence reasons—a statement that was made here—reminds us of one of the pretexts Hitler used to attack Poland in 1939.

29. Reference has been made to the Palestine Liberation Organization and its Charter as being Nazi. In this context, permit me to read from a letter which appeared in *The New York Times* on 4 December 1948:

“Among the most disturbing phenomena of our time is the emergence in the newly created State of Israel of the Freedom Party, a political party closely akin in its organization, methods, political philosophy and social appeal to the Nazi and Fascist parties. It was formed out of the membership and following of the former Irgun Zvai Leumi, a terrorist, right-wing, chauvinist organization in Palestine.

“The current visit of Menachem Begin, leader of this party, to the United States, is obviously calculated to give the impression of American support for his party in the coming Israeli elections, and to cement political ties with conservative Zionist elements in the United States. Several Americans of national repute have lent their names to welcome his visit. It is inconceivable that those who oppose fascism throughout the world, if correctly informed as to Mr. Begin's political record and perspective, could add their names and support to the movement he represents.

“Before irreparable damage is done by way of financial contributions, public manifestations in Begin's behalf and the creation in Palestine of the impression that a large segment of America supports fascist elements in Israel, the American public must be informed as to the record and objectives of Mr. Begin and his movement.

“The public avowals of Begin's party are no guide whatever to its actual character. Today they speak of freedom, democracy, and anti-imperialism, whereas recently they openly preached the doctrine of the fascist State. It is in its actions that the terrorist party betrays its real character: from its past actions we can judge what it may be expected to do in the future.

“A shocking example was their behaviour in the Arab village of Deir Yasin. This village, off the main roads and surrounded by Jewish lands, had taken no part in the war, and had even fought off Arab bands who wanted to use the village as their base. On April 9, terrorist bands attacked the peaceful village, which was not a military objective in the fighting, killed most of its inhab-

itants—240 men, women and children—and kept a few of them alive to parade as captives through the streets of Jerusalem. Most of the Jewish community was horrified at the deed, and the Jewish Agency sent a telegram of apology to King Abdullah of Transjordan. But the terrorists, far from being ashamed of their act, were proud of this massacre, publicized it widely, and invited all the foreign correspondents present in the country to view the heaped corpses and general havoc at Deir Yassin.

“The Deir Yasin incident exemplifies the character and actions of the Freedom Party.

“Within the Jewish community they have preached an admixture of ultra-nationalism, religious mysticism and racial superiority. Like other Fascist parties, they have been used to break strikes, and have themselves pressed for the destruction of trade unions. In their stead they have proposed corporate unions on the Italian Fascist model.

“During the last years of sporadic anti-British violence, the Irgun Zvai Leumi and Stern groups inaugurated a reign of terror in the Palestine Jewish community. Teachers were beaten up for speaking against them; adults were shot for not letting their children join them. By gangster methods, beatings, window smashing, and widespread robberies, the terrorists intimidated the population and exacted a heavy tribute.

“The people of the Freedom Party had no part in the constructive achievements in Palestine. They reclaimed no land, built no settlements, and only detracted from the Jewish defence activity. Their much publicized endeavors were minute and were devoted to bringing in Fascist compatriots.

“The discrepancies between the bold claims now being made by Begin and his party and their record of past performance in Palestine bear the imprint of no ordinary political party. This is the unmistakable stamp of a Fascist party for whom terrorism (against Jews, Arabs, and British alike) and misrepresentation are means and a ‘leader state’ is their goal.

“In the light of the foregoing considerations, it is imperative that the truth about Mr. Begin and his movement be made known in this country. It is all the more tragic that the top leadership of American Zionists has refused to campaign against Begin's efforts or even to expose to its own constituents the dangers to Israel from the support to Begin.

“The undersigned therefore take this means of publicly presenting a few salient facts concerning Begin and his party; and of urging all concerned not to support this latest manifestation of fascism.

(Signed)

Isidore Abromowitz
Hannah Arendt
Abraham Brick
Rabbi Jessurun Cardozo
Albert Einstein
Herman Eisen, M.D.

Machman Maisel
Seymour Kelman
Myer D. Mendelson, M.D.
Harry Orlinsky
Samuel Pitlick
Fritz Rohrlich

Hayim Fineman	Louis P. Rocker
M. Galen, M.D.	Ruth Sager
H. H. Harris	Itzhak Sankowsky
Zeling Harris	T. J. Schoenberg
Sidney Hook	Samuel Schuman
Fred Karush	M. Enger
Bruria Kaufman	Irma Wolfe
Irma L. Lindheim	Stefan Wolfe

And I take the liberty to repeat the name of Albert Einstein among the signatories.

30. What the world is dealing with now, what the voices are defending, is this Begin about whom United States citizens of the Jewish faith have said what I have just read to you.

31. Concerning the practices, the tortures, the expulsions, the mass punitive actions by the forces of occupation and the alleged advantages, I shall refer to the report that will be presented to this Assembly in due course by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.⁷ However, I wish to remind this Assembly that it had endorsed in its resolution 31/106 the report submitted by the Special Committee at the thirty-first session.

32. Let me conclude that peace can only be achieved when the Palestinian people, under the leadership of the Palestine Liberation Organization, attains its inalienable rights, particularly those which have been defined and affirmed by this Assembly, namely, the right to repatriation and the right to self-determination, including the establishment of a sovereign Palestinian State in Palestine.

33. The PRESIDENT: We have heard the last speaker on the list, and we have thus concluded the debate on agenda item 126.

34. Before we proceed to the vote on the draft resolution before us, I shall call on those representatives who wish to explain their vote before the vote.

35. Mr. CARIAS (Honduras) (*interpretation from Spanish*): In accordance with the firm and consistent policy of my country of not recognizing the acquisition of territory through the use of force or through occupation, Honduras will vote in favour of the draft resolution contained in document A/32/L.3/Rev.1 and Add.1 and 2.

36. In doing so, we believe that the reference to "territories" in operative paragraph 1 is of a geographical nature and refers to the Arab territories occupied following the hostilities of 1967.

37. My country trusts that the peace negotiations, which we hope will culminate in a new convening of the Geneva Peace Conference on the Middle East, will not be affected by measures taken by the parties which are contrary to international law, and we reiterate our position that the Middle East conflict should be solved by peaceful means, with recognition of the existence and security of all States of the region.

38. Mr. GUTIERREZ (Bolivia) (*interpretation from Spanish*): The Bolivian delegation must express its approval of the draft resolution on the item before us because we believe it is absolutely imperative to uphold age-old principles and not to mislead our people, which is increasingly desirous of clear language.

39. That armed conquest does not grant any rights is a concept deeply rooted in the history of America. Bolívar, a noble and great gentleman, who did not wish to tie anyone's hands, was a remarkable student of the realities and spent his life sowing the ideals of freedom and greatness, not only dreamed of an association of Central American States, but said: "How glorious would it be if the Isthmus of Panama were to be for us what that of Corinth was to the Greeks." He broke out in a monumental outburst of rapture as great as the Chimborazo, saying:

"Would to heaven that one day we will be able to instal an august congress in Panama composed of the representatives of the republics, kingdoms and empire to deal with and discuss the high interests of peace and war with the nations of the other three parts of the world."

40. This outburst is no longer an "unfounded hope" since we have seen that the Security Council held discussions in Panama, nor is it an unfounded hope of the Abbot of St. Pierre, who cherished the hope of "convening a great congress in Europe to decide on the future and the interests of those nations" because the European Economic Community was ultimately set up and old quarrels and ancestral ambitions were forgotten.

41. And his great concern for "the interests of war and peace" are at one with Bolívar's ideals and the true feelings that underlie Pan-Americanism. Thanks to this total ideological identity, in the course of time we have been able to establish the formidable jurisprudence of American international law.

42. At the Amphytionic Congress of Panama, convened by the Great Liberator in 1826, the "guarantee of the territorial integrity and political independence of the member States was proclaimed as the essential basis for the proposed great confederation."

43. And then, too, the First International Conference of American States, held at Washington from 2 October 1889 to 19 April 1890, after having established that in America there was no territory which could be deemed *res nullius* stated:

"First. That the principle of conquest shall not, during the continuance of the treaty of arbitration, be recognized as admissible under American public law.

"Second. That all cessions of territory . . . shall be void if made under threats of war or in the presence of an armed force."⁸

44. Let us straightforwardly look at other precedents. The year was 1932—the Bolivian-Paraguayan war broke out over

⁷ Subsequently circulated as document A/32/284.

⁸ See *The International Conferences of American States, 1889-1928*, James Brown Scott, ed. (New York, Oxford University Press, 1931), p. 44.

the possession of the Northern Chaco. Later, under broad sponsorship, the doctrine of non-recognition of conquest in America appeared. The Foreign Ministries of North, Central and South America, on 3 August of that year, on behalf of the 19 neutral nations declared that:

“... they shall not recognize territorial arrangements of any sort in this controversy unless obtained by peaceful means, nor shall they recognize the validity of the territorial acquisitions obtained by occupation or conquest by force of arms.”

This is a clear condemnation of territorial occupation.

45. Mr. Julio A. Gutiérrez—my own father—then my country's Minister for Foreign Affairs, replied that:

“Bolivia enthusiastically supports the new doctrine that is being initiated in America, namely, that force gives no rights. That is our view and that we shall uphold.”

46. For his part, Mr. Higinio Arbo, the Minister for Foreign Affairs of Paraguay, stated that Paraguay:

“... considers it a historic act of transcendental importance that there is a joint declaration of non-recognition of occupation or conquest by force and has the honour to express its absolute adherence to that declaration.”

47. But truth must be heard; the American doctrine that conquest grants no rights was originally applied by the United States of America at the time of the Sino-Japanese conflict of 1915. It was on 11 May of that year that the Secretary of State of the United States, Mr. Bryan, instructed his Ambassador in Tokyo to notify the Imperial Government of Japan, among other matters, that the United States would not recognize any arrangement with the Government of China that would prejudice the political and territorial integrity of the Republic of China. That decision on the part of the United States Government, namely, “not to admit the legality of any *de facto* situation” and “not to recognize any treaty or agreement” that would alter “the sovereignty, independence or administrative or territorial integrity of the Republic of China,” was reiterated on 7 January 1932 at the time of the Manchurian war, in a note from Mr. Stimson, the Secretary of State at that time, addressed to both the Governments of Japan and China.

48. These are the historical precedents of the Bolivian position. Now, I should like to speak to the political views of my Government and I shall do so with the selfsame words that were spoken here a short while ago, on 26 September last, to be exact, by the Minister for External Relations of Bolivia, Mr. Oscar Adriázola Valda. He said:

“We also wish to express our concern over the conflict in the Middle East. The lack of a settlement there endangers peace not only in that area but in the entire world. For that reason Bolivia wishes to reiterate its support for Security Council resolutions 242 (1967) and 338 (1973), which laid down the basic and adequate guidelines for a permanent peace, taking into account the interests of all those involved in the conflict. The return of... territory, the acceptance of the rights of the

peoples of that area and recognition of the existence of all the States involved in the conflict are fundamental factors for a just and final settlement.

“In keeping with our peace-loving traditions and our inclination to support dialogue, we believe that a delegation of Palestinian people must also participate in the Geneva Conference seeking a realistic solution of the problem of the Middle East. Only thus will all voices be heard, all rights accepted and all aspirations taken into account, so that there can be brought in the region an atmosphere of peace and civilized understanding.” [7th meeting, paras. 241-242.]

49. I think it would be unnecessary for me to go into detail as to the reasons why the Bolivian Government shares the views contained in three preambular and seven operative parts of the draft resolution. Our adherence to that document flows from what I have already said.

50. Mr. ARNELLO (Chile) (*interpretation from Spanish*): The delegation of Chile wishes to give its support to the draft resolution that is to be voted on in the Assembly this afternoon. Our affirmative vote on this draft resolution is in keeping with our desire to co-operate in setting up in that region of the world conditions conducive to a lasting and secure peace.

51. Chile would hope that the peoples concerned in the painful and long-lasting conflict of the Middle East, with all of whom we enjoy profound ties of friendship and even blood relationships on the part of large segments of our people, will be able to achieve peace and mutual recognition of their rights. The delicate and difficult negotiations that have been taking place among the parties most directly concerned in the conflict have led the world to hope that this time an end can be put to the dangerous instability that exists in that region and that peace can be achieved. That possibility of peace cannot be affected by unilateral measures taken in the occupied territories.

52. That peace must be achieved, and it must be a peace that will ensure the security and the national and territorial integrity of the peoples involved in the conflict; that will ensure to Israel its existence and its frontiers; that will assure to the Palestinian people the creation of a homeland; and that will assure to the Arab States of the region the security and stability of their rights.

53. When I cast Chile's affirmative vote on this draft resolution I shall in doing so be reaffirming that we consider that we are taking a positive, calm and serene step towards a just and final peace among the nations of the region.

54. Mr. PAPOULIAS (Greece): The Greek delegation will vote in favour of draft resolution A/32/L.3/Rev.1 and Add.1 and 2.

55. Greece has consistently supported resolutions dealing both with the question of Palestine and with the legitimate rights of the Palestinian people, specifically such resolutions as 31/15 D, calling for the return of the displaced inhabitants to their homes and prohibiting measures affecting the physical and demographic structure of the occupied Arab territories.

56. We have also in mind the statement adopted by consensus in the Security Council on 11 November 1976, which clearly states that the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable in the case of the occupied Arab territories and that measures seeking to alter their demographic composition and particularly the establishment of settlements "have no legal validity and cannot prejudge the outcome of the search for the establishment of peace . . ."⁹

57. The overwhelming support that, we are sure, the draft resolution will obtain certainly means that the international community categorically opposes measures and practices in any part of the world aimed at changing the demographic structure of occupied territories through the forcible displacement of indigenous populations and colonization, which is unfortunately happening and which constitutes a flagrant violation of international law and the basic principles of the Charter.

58. Mr. HERZOG (Israel): Israel strongly opposes the draft resolution before the Assembly, not only because it prejudices the issue and contains allegations which are demonstrably false but also because at base it reflects a racist philosophy reminiscent of the infamous Nürnberg laws.

59. According to international law the Israeli settlements in the administered areas are not illegal—in fact they are legal. That Jordan and Egypt had no legitimate claim to sovereignty in the West Bank and Gaza and that Israel cannot be considered an occupying Power under the provisions of the fourth Geneva Convention has been amply demonstrated by the distinguished authorities in international law whom I cited. Their arguments have not been refuted.

60. Equally disturbing, however, has been the repeated use, especially by those who should know better, of the phrase "demographic change" throughout this debate. It is preposterous to waste all this time and effort on an issue which is inconsequential in the context of the issue in the Middle East in particular and of the tragedies besetting the world in general.

61. Moreover, the prohibition in the draft resolution is of Jewish settlement even on Jewish-owned land, for no other reason than that the settlers are Jews. To say the least, it is alarming to see so many nations which themselves suffered under the yoke of Nazi tyranny prepared to endorse in this Assembly an insidious anti-Semitic philosophy which can be summed up in a single word *Judenrein*, that is to say, this area is to be kept free of Jews. This is horribly reminiscent of nazism and alarmingly typical of a trend in this body.

62. Moreover the absurd proposition has been regularly made that the settlements are an obstacle to peace. This is a total misrepresentation of history designed to obscure the fact that the central and primary obstacle to peace remains the refusal of the Arab States to negotiate with Israel on

the basis of Security Council resolutions 242 (1967) and 338 (1973) without pre-conditions.

63. President El-Sadat of Egypt himself has, as I pointed out, admitted that the settlements are a side issue. How can this be reconciled with President El-Sadat's undertaking on 13 July this year to a visiting United States congressional delegation to "refrain from propaganda" and to "maintain the whole situation in a quiet state in order to build the momentum for peace". The Egyptian role in this debate renders that undertaking cynical and worthless.

64. The paranoiac obsession of this Assembly with a small Jewish democracy called Israel is amply demonstrated when this debate is set in the context of the other anti-Israel activities going on concurrently in this Assembly. Yesterday in the Security Council the report of the so-called Committee on the Inalienable Rights of the Palestinian People was discussed. Yesterday the Special Political Committee opened its debate on UNRWA and will take up immediately thereafter Israeli practices in the administered territories. The Second Committee has already embarked on consideration of two anti-Israeli items. The Third Committee cannot refrain from raising the "Zionist bogey". We have been dragged into item 94 in the Fourth Committee. The Syrian representative tried to turn a purely technical discussion in the Fifth Committee on the financing of UNEF into a political debate. And that is not the end. Soon the Assembly will take up in its plenary meetings the situation in the Middle East. Thereafter the Assembly will discuss for a change in its plenary meetings the question of Palestine.

65. All in all, more than half of the Assembly's time will be frittered away on side issues, and believe me, that is what they are. For let us face it, when it comes to solving the Middle East problem this Organization in the words of Lawrence of Arabia is "a side-show to a side-show"—all this to the exclusion of many major problems and real threats to international peace and security, and this in a week when world opinion demanded that the Assembly should take up in its plenary meetings the question of air safety and air hijacking, for which subject, of course, the Assembly could not free itself because of its by now hypnotic and totally irrational fixation with Israel. We shall, inevitably, be condemned by the automatic majority which prefers to ignore its short-comings by indulging in frontal attacks on Israel. Hence, this side issue took precedence over world opinion, so international terror in the air, largely inspired by the Palestine Liberation Organization, had to be relegated to a committee, where attempts are being made by the Arab group to castrate the draft resolution of meaning.

66. I repeat, we have been seized of what President El-Sadat has called a side issue, of an issue which has not cost one single life and has not wrongfully dispossessed one Arab of his land, of an issue which, as our Foreign Minister pointed out, will not prejudice the delineation of final peace borders since they will be fixed only through peace negotiations. In short, this debate has not advanced us one inch towards peace, for the simple reason that there is no connexion between the settlements and progress towards a Middle East peace agreement. On the contrary, the polemics and barren rhetoric to which we have again been

⁹ See *Official Records of the Security Council, Thirty-first Year, Supplement for October, November and December 1976*, document S/12233.

subjected constitute a retrograde step, for their sole achievement is a poisoning of the atmosphere, which can only harm the prospects for reconvening the Geneva Peace Conference.

67. Let me conclude by addressing myself to those countries which still believe in freedom and in the judicial process and in judging an issue on its merits after giving a fair hearing to those under attack. I appeal to them to see this draft resolution for the racist and discriminatory proposal that it is and, however they vote, not to lose sight of the fact that the path to peace lies only in face-to-face direct negotiations on the basis of mutual recognition and respect.

68. The PRESIDENT: We have heard the last speaker wishing to speak in explanation of the vote before the vote.

69. We shall now vote on draft resolution A/32/L.3/Rev.1 and Add.1 and 2 entitled "Recent illegal Israeli measures in the occupied Arab territories designed to change the legal status, geographical nature and demographic composition of those territories in contravention of the principles of the Charter of the United Nations, of Israel's international obligations under the fourth Geneva Convention of 1949 and of United Nations resolutions, and obstruction of efforts aimed at achieving a just and lasting peace in the Middle East". A roll-call vote has been requested.

A vote was taken by roll call.

Morocco, having been drawn by lot by the President, was called upon to vote first.

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Banglades, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Central African Empire, Chile, China, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Greece, Guinea, Guinea-Bissau, Guyana, Haiti,¹⁰ Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

¹⁰ The delegation of Haiti subsequently informed the Secretariat that it wished to have its vote recorded as an abstention.

Against: Israel.

Abstaining: Costa Rica, Fiji, Guatemala, Malawi, Nicaragua, Papua New Guinea, United States of America.

The draft resolution was adopted by 131 votes, to 1, with 7 abstentions. (resolution 32/5).¹¹

70. The PRESIDENT: I shall now call on those representatives who wish to explain their vote after the vote.

71. Miss CAMPBELL (Canada): Canada's position on the establishment of settlements in the occupied territories is very clear. It was set forth at the time we voted to support a draft resolution very similar to this one at last year's General Assembly,¹² and our Secretary of State for External Affairs re-emphasized in the general debate this year [6th meeting] our concern about Israeli settlements policy and its implications for prospects of an early resumption of constructive negotiations for peace. Our position has not changed; we continue to oppose the establishment of settlements in occupied territories, principally because we believe that it will make more difficult the realization of a negotiated solution in conformity with the framework established by Security Council resolution 242 (1967).

72. We do have certain reservations about the last two operative paragraphs of this draft resolution, although the fact that the text now calls for the Secretary-General to report in December rather than next month certainly represents an improvement. We still wonder, however, whether the Security Council will be able to contribute to our common efforts for peace by considering this single aspect of the Middle East problem in public debate at a time when we hope that preparations for a new Geneva Conference will be nearing completion. It is on the prospect of these negotiations that we believe our attention should be focused.

73. Despite this reservation, the draft resolution is consistent with Canadian policy on settlements in the occupied territories and we have therefore voted for it.

74. Mr. HARRY (Australia): Australia voted in favour of the draft resolution. I wish, however, to associate my delegation with the terms of the statement made by the representative of the delegation of Belgium on 26 October [48th meeting] on behalf of the member States of the European Community, giving the reasons why those States would vote in favour.

75. The principal concern of my delegation, as indicated by the Australian Foreign Minister in his statement during the general debate in the Assembly on 28 September 1977 [11th meeting], is with prospects for reconvening the Geneva Peace Conference on the Middle East and the long-hoped-for settlement of the Middle East problem in all its aspects.

¹¹ The delegations of Chad, Gambia and Ghana subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution.

¹² See *Official Records of the General Assembly, Thirty-first Session, Special Political Committee, 31st meeting, paras. 12-13, and ibid., Special Political Committee, Sessional Fascicle, corrigendum.*

76. Mr. YOUNG (United States of America): The issue under consideration by this Assembly has been a matter of deep concern to my Government since 1967. The representatives of the United States have, on many occasions in the United Nations and elsewhere, stated our position in regard to Israeli civilian settlements in the territories occupied in 1967.

77. There are two elements to our position. First, we are opposed to those settlements because they could be perceived as prejudging the outcome of negotiations to deal with the territorial aspects of final peace treaties. The settlements thus inevitably complicate the already difficult process of negotiation.

78. Secondly, we believe that Israeli civilian settlements in occupied territories are inconsistent with international law as defined in the fourth Geneva Convention. In March 1976 my predecessor, Ambassador Scranton, speaking to the Security Council, described the United States position as follows:

"...my Government believes that international law sets the appropriate standards. An occupier must maintain the occupied areas as intact and unaltered as possible, without interfering with the customary life of the area, and any changes must be necessitated by the immediate needs of the occupation and be consistent with international law. The fourth Geneva Convention speaks directly to the issue of population transfer in article 49: 'The occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.' Clearly, then, substantial resettlement of the Israeli civilian population in occupied territories, including East Jerusalem, is illegal under the Convention and cannot be considered to have prejudged the outcome of future negotiations between the parties on the location of the borders of States of the Middle East."¹³

79. I have stated our position in the clearest possible terms. The draft resolution before us today is consistent in most respects with the position of the United States. However, the United States has accepted a special responsibility as Co-Chairman of the Geneva Middle East Peace Conference. That responsibility requires that we remain impartial and stand apart in any effort of this sort which could be understood as involving the complex issues which will be considered at Geneva. Thus, we have abstained in the vote on this draft resolution.

80. The PRESIDENT: I shall now call on those representatives who wish to speak in exercise of the right of reply.

81. Mr. NUSEIBEH (Jordan): I should like at the outset to express our gratitude to all the delegations which have voted in favour of the draft resolution.

82. In exercise of my right of reply, I wish to state the following. First, in my considered judgement the vote has highlighted the categorical awareness of the international community in its entirety that the Israeli policy of all-out colonization and settlement in all the occupied territories is

not only an undisguised and cold-blooded political, pre-emptive strike against the very survival of the Palestinians and other Arab peoples, but is equally a calculated pre-emptive strike against the possibility, if any, of achieving a just and lasting peace.

83. Secondly, Ambassador Herzog elaborated at considerable length in his largely evasive and abusive manner about Jordan's legality in the West Bank. When the two banks of the Jordan were united by an act of Parliament freely elected from both banks on 24 April 1950, in that act there was a specific provision that the unity was on the basis of working hand in hand towards the restoration of all the inalienable rights of the Palestinian people, including the exercise of their inalienable right to self-determination.

84. Thirdly, as I stated in my reply to General Dayan [28th meeting], the Jordan Army was not an army of occupation, as Ambassador Herzog alleged. In fact, it was in Palestine during the whole of the Second World War, giving valuable assistance to the Allied cause at the time when the Stern Gang, the Irgun and other Israeli terrorist organizations were hanging British soldiers, blowing up military and civilian installations—and the record is far too long to enumerate. The Jordan Army, in deference to the United Nations resolution on Palestine, withdrew to the last soldier by 15 May 1948. A contingent of the army re-entered on the morning of 18 May 1948—that is four days after the end of the Mandate—to rescue the civilian Arab population of Jerusalem at the latter's urgent appeal, having exhausted their last bullet, after the Haganah's Palmach forces and the Irgun from within maintained a relentless four-day assault on Arab Jerusalem with a view to storming it. If this had not been done, the Israeli genocide of Palestinians in other parts of Palestine would have engulfed nearly all of the close to 80,000 Jerusalemites huddled in the old city of Jerusalem, even though they came from both the West and the Old City.

85. Fourthly, the fourth Geneva Convention explicitly states that the lives, properties and rights of the civilian population in time of war shall not be infringed. Now, if Ambassador Herzog insists that the Jordan Army's presence in the West Bank was illegal, even though this would be a grave travesty of the realities of what happened, it does not change one iota the basic condemnation of Israel's expansionist occupation of the West Bank and its massive colonization.

86. In a future discussion of this item the General Assembly should be asking for the application of the fourth Geneva Convention not only to the 1967 occupied territories but to much more: to all of the Palestinian lands occupied over and above those earmarked for the Israelis under resolution 181 (II), which created Israel and which is the only legitimate basis for Israel's existence. This includes western Galilee, where Israel has been confiscating substantial Palestinian lands from the poor farmers; most of western new Jerusalem which was kept for the Arabs because it belonged to them, even though the Israelis have taken them over since 1948; the fertile plains of the Triangle, in the Nablus, Umm Qam Qalqilya and Janeen areas—the Israelis have already confiscated 90 per cent of those fertile plains; the plains and towns of Rameleh and others; large coastal areas in the Gaza Strip. And I am sure

¹³ See *Official Records of the Security Council, Thirty-first Year, 1896th meeting*.

the maps are available which delineate the territories which Israel has occupied illegally and in violation of the very resolution which brought it into existence. If the fourth Geneva Convention is intended to protect civilians in time of war, it surely should apply automatically to the dispossessed and uprooted of all those areas. But it is too late now to submit a draft resolution to that effect.

87. Fifthly, on the day of the Israeli aggression of 1967, which Israel triggered with premeditation, the West Bank was enjoying one of its most prosperous eras. In Arab Jerusalem alone there were at least 50 hotels—many more than the Israelis had on the other side. The West Bank Palestinians were enjoying real prosperity, without a 30 to 40 per cent rate of inflation and a 2 per cent official monthly devaluation of currency, which is their fate today under Israeli occupation. They constituted at least 50 per cent of any Cabinet, the Parliament and the Civil Service not only on the West Bank but on the East Bank as well. Even though both peoples are brethren and the Palestinians could acquire all the lands and properties they wished to acquire and could afford, can Ambassador Herzog show one single Jordanian settlement on the West Bank? Have the Jordanian Government or people ever confiscated and despoiled one single inch of Palestinian land on the West Bank? Were Palestinians denied entry into their homeland and homes on the West Bank, as at least a quarter of a million displaced persons are at present, persons who have had to take refuge on the East Bank, including the Mayor of Jerusalem, the former Chief of the Moslem Supreme Council and, indeed, the majority of the qualified leaders which every country has?

88. There is no need for me to remind the Assembly of the atrocities which the youth of the West Bank and the Gaza Strip have had to undergo during a decade of occupation. Those are very partially covered by the reports on Israeli practices. But the real dimensions of those atrocities will one day come out into the open and shock all those who believe in human rights, the worth of the individual and all the other fundamental values which we have inherited from all our religions—and not exclusively from Judaism, but from the great Greek philosophers, the great Syrian, Egyptian and Mesopotamian civilizations, Roman law, Arab jurisprudence, the great Anglo-Saxon legal systems and numerous other sources, which have given their accumulated wisdom to present-day culture and civilization.

89. Mr. ALLAF (Syrian Arab Republic): I shall be very brief. I should like to say that the representative of Israel made use of the right to explain his vote in order once more to indulge in his customary attacks against the United Nations and, in particular, against the Arab countries. He referred to the great number of issues which the General Assembly of the United Nations is now considering and will consider during the coming weeks. He said that more than 50 per cent of the time of the General Assembly is spent in the discussion of situations relating to the consequences of Israeli aggression against Arab countries. I fully agree with the representative of Israel that half the time of the United Nations really is being wasted, but it is because of the Israeli policy of expansion and aggression against a whole region—the Middle East—and not only against the Arab

peoples but also the African peoples and all the peoples of the third world as well.

90. The Israeli representative considered that the Israeli settlements, the question of the Middle East, the question of Palestine, the plight of 3 million Palestinians and the millions of refugees, the Israeli practices in the occupied Arab territories and all the other issues of the situation in the Middle East are side issues. If the fate of those millions and of this whole region of the Middle East is a side issue, then what is the real issue? Is it Israel itself?

91. The issue is the Israeli aggression, which is not only taking up the time of the General Assembly and of the Members of the United Nations but also causing tragedy, suffering, destruction, sadness and the uprooting of peoples in the Middle East region and creating the danger of a world confrontation, even a nuclear catastrophe.

92. If the huge number of issues being dealt with in the United Nations as a result of Israeli aggression indicates anything; it is that the extent of Israeli crimes and aggression is equal in fact to half the problems and headaches of the international family. Therefore, perhaps the only solution to end those headaches is really to isolate Israel and place it alongside other racist régimes outside the Organization in order that the United Nations may economize half its time. We could then have regular sessions of only six weeks instead of 12 weeks.

93. The only solution is to put an end to Israeli aggression because, as long as that aggression exists in the occupied Arab territories and against the Arab peoples, the Arab peoples have no other alternative but to fight with all means at their disposal—diplomatic means, the United Nations and all other means of self-defence.

94. The result of the vote on the draft resolution which the General Assembly has just adopted is self-evident; it speaks for itself. One hundred and thirty-one countries voted in favour of this draft resolution, including many countries which Israel could not really describe as enemies or as unfriendly to it.

95. The single vote opposing that draft resolution is not surprising to us, because nobody expects a racist régime to admit its crimes. If South Africa were here—God forbid—and a draft resolution against *apartheid* were introduced, that resolution would receive unanimous approval, except for South Africa's vote. So we are not really surprised to see that Israel's was the only vote against the draft resolution.

96. We were also not too surprised that a small number of other countries chose to abstain in the vote. Sometimes we understand the difficulties of certain countries, but we think that they have put themselves in an isolated minority of nations that are really ignoring the true issue and closing their eyes and ears to the tragedy which is being enacted in the Middle East.

97. The only surprise, and the only vote which my delegation finds truly illogical and incomprehensible, is that of the United States of America. The United States Ambassador explained—and I was reassured—that in substance his country is really in full agreement with the

provisions of the draft resolution that has just been adopted. But then he drew the wrong conclusion from the position of the United States by saying that, since it was one of the two Co-Chairmen of the Geneva Conference and since the United States did not wish to be partial, it had chosen to be among the only countries, seven out of 149, that abstained in the vote on that draft resolution. However, in taking that position itself, was it not siding with the Israeli aggressor? When a draft resolution states facts and not only represents and expresses and reflects the opinion of the international community as a whole but also reflects faithfully the opinion and statements of the President of the United States of America and the position just read out here by the United States Ambassador, and—after all this—the United States abstains in the vote on

that draft resolution, is that not siding with the aggressor? It is partiality.

98. How can those delegations that are working very constructively to ensure peaceful negotiations to establish a just and lasting peace in the Middle East really rely on the impartiality and fairness of the United States of America if its name stands almost alone with a yellow light against it on the voting machine, while the names of almost the whole of the States Members of the United Nations have a green light alongside them? To us green represents the hope of humanity. I do not have to interpret the meaning of the colour yellow.

The meeting rose at 5.05 p.m.