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**SPECIAL POLITICAL COMMITTEE**

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**held on**

**Wednesday, 30 November 1983**

**at 10.30 a.m.**

**New York**

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**SUMMARY RECORD OF THE 40th MEETING**

**Chairman: Mr. RODRIGUEZ MEDINA (Colombia)**

**CONTENTS**

**AGENDA ITEM 69: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued)**

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The meeting was called to order at 10.55 a.m.

**AGENDA ITEM 69: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES: REPORTS OF THE SECRETARY-GENERAL (continued) (A/38/262, 409, 481, 482, 483 and 484)**

1. Mr. TERZI (Observer, Palestine Liberation Organization) said that Israel had violated the agreement reached through the International Committee of the Red Cross on 29 November 1983 for an exchange of prisoners of war. The Israeli authorities had kidnapped Mr. Ziad Abu Eain, one of the prisoners to be set free, at the airport near Tel Aviv as he was about to depart for Algeria. Mr. Abu Eain had been imprisoned again and subjected to torture. Immediate action was required to force the Israeli authorities to observe the provisions of the agreement on the exchange of prisoners and release Mr. Abu Eain.
2. Mr. BUSCH (German Democratic Republic) said that the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/38/409) provided ample proof that the ruling circles in Israel had further expanded their policy of occupation and oppression and continued to violate relevant United Nations resolutions and basic norms of international law.
3. It was clear that Israel was stepping up its attacks against the economy and infrastructure of the illegally occupied Arab territories by confiscating land, expanding settlements and illegally exploiting natural resources. The fact that the Security Council had had to be convened several times in the past year to consider the situation in the occupied Arab territories clearly demonstrated that Israel's policy of terror and occupation constituted a persistent threat to regional security. It was obvious that the establishment of a growing number of Israeli settlements was an integral part of the policy of de-Arabization and colonization pursued by the ruling circles in Israel. The scope of that policy was described in paragraphs 366 and 367 of the report of the Special Committee.
4. The attempt to annex the West Bank and the Gaza Strip was cause for alarm. His delegation shared the view that it was time to take resolute measures against Israel in accordance with the United Nations Charter.
5. The "strategic alliance" between the United States and Israel had brought nothing but great suffering to the Arab peoples. In collaboration with Israel, the United States was attempting to carry out its hegemonistic plans to interfere on a massive scale in the internal affairs of Lebanon and carry out new acts of aggression against the Syrian Arab Republic. Furthermore, the United States supported the Israeli expansionist policy aimed at the long-term occupation of south Lebanon. The comprehensive assistance provided by the United States to Israel and the use of the veto by the United States in the Security Council to protect Israel should be interpreted in the light of those facts.

(Mr. Busch, German Democratic Republic)

6. His delegation reaffirmed its support for the just struggle of the Palestinian people under the leadership of their sole legitimate representative, the Palestine Liberation Organization, and for the implementation of their inalienable rights, in particular the right to establish an independent State.
7. His Government highly appreciated the results of the International Conference on the Question of Palestine held in Geneva and supported the call for the convening of an international peace conference on the Middle East under the auspices of the United Nations, with the participation of all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States and the Soviet Union and other concerned States, on an equal footing. His delegation, together with the other socialist States, supported the proposals for a comprehensive, just and lasting settlement of the Middle East conflict made by the Soviet Union in its six-point plan of 15 September 1982 and by the States members of the Warsaw Treaty Organization in their Prague Declaration. He also welcomed the principles adopted at the twelfth Arab Summit Conference, held at Fez, Morocco, for the settlement of the question of Palestine and the problem of the Middle East.
8. Mrs. HEPTULLAH (India) said that her delegation strongly condemned the decision of Israel not to co-operate with the Special Committee. That refusal to co-operate refuted the assertion frequently repeated by Israel that it had an open society and that there was no oppression of the Palestinian people in the occupied territories. Her delegation viewed the situation in the occupied Arab territories with great concern and called upon the international community to take urgent measures to avert disaster in that area.
9. The report of the Special Committee described all the sordid and horrifying practices carried out by Israel. Israel was continuing with renewed vigour its relentless policy of depriving the Palestinian Arab population of every human right recognized under international law and in all accepted norms of civilized behaviour. The Israeli Government could never hope to achieve its objectives through those policies, which, in effect, reflected the strength and determination of the Palestinian people to return to their homeland and live in freedom.
10. The seventh Conference of Heads of State or Government of Non-Aligned Countries in New Delhi had reaffirmed the Non-Aligned Movement's firm opposition to the policies and practices of Israel in the occupied Arab territories and sharply condemned them. It had condemned in particular the illegal establishment of Israeli settlements in those territories, which represented a serious obstacle to a just and comprehensive settlement of the problem. The Conference had totally rejected all Israeli policies designed to change the legal status, geographical nature or demographic composition of the occupied Arab territories and called upon all States not to recognize any such changes and to refrain from any co-operation with Israel that might encourage it to pursue its policies and practices in those territories.

(Mrs. Heptullah, India)

11. The prolonged Israeli military occupation of Palestinian and other Arab territories was a fundamental violation of the human rights of the inhabitants. The measures taken to change the geographical nature, demographic composition and cultural life of the occupied territories were contrary to international law and served only to aggravate the situation. The establishment of Israeli settlements in the occupied areas was in violation of the United Nations Charter and undermined efforts to achieve just and lasting peace in the region.

12. She reaffirmed India's sympathy and support for the cause of the Palestinian people. There would be no peace in the Middle East or in the entire world until that problem was solved. She therefore stressed the need for a comprehensive settlement which would provide for the unconditional withdrawal of Israeli forces from all Arab territories occupied since 1967, including Jerusalem, the recognition of the inalienable rights of the Palestinian Arab people, including the right to establish an independent State in their homeland, and the right of all States in the region to live within secure borders.

13. Mr. ELHOFARI (Libyan Arab Jamahiriya) said that the Special Committee had conducted its inquiry in an objective manner, had heard testimony from the persons directly involved, had noted the statements made by the leaders of the Zionist entity and the laws they had enacted, and had received other information from a variety of organizations. The report showed that the settlement and annexation policy continued to be implemented and that the number of settlements increased daily. The original inhabitants continued to be removed by force and replaced by foreigners brought from various parts of the world. Daily life continued to deteriorate because of the measures taken by the occupation authorities, which touched all aspects of life and affected personal freedom, freedom of movement, freedom of expression, freedom of education and freedom of worship. The situation continued to deteriorate because of the conduct of the Jewish settlers and their provocation of the Arab population.

14. Following the annexation of Jerusalem in 1980 and that of the Syrian Golan in 1981, the policy of establishing settlements remained in full swing and the information available indicated that more than 60 per cent of occupied Arab territory had been annexed and close to 200 settlements established there. According to The Washington Post of 11 January 1983, the objective was to settle 100,000 Jews in those settlements before the end of 1984. The occupation authorities were endeavouring to reach that figure in order to impose a fait accompli on the opposition party if it should come to power, since it would be difficult to remove such a large number of persons. According to an article in Time magazine of 18 January 1983, in the first six months of the year, work would be completed on 6,000 residential units, and, in the same period, 35,000 Jews would be settled in the West Bank. According to the spokesman of the Settlement Department of the World Zionist Organization, there would be 1.4 million Jews in the West Bank by the year 2010. In reality, the true figures were much higher than those given by Zionist leaders or contained in the Western mass media.

(Mr. Elhofari, Libyan Arab Jamahiriya)

15. The annexation policy was one of the prime concerns of the Zionist authorities and had been reaffirmed time and again by the leaders of the Zionist entity. In March 1983, the Prime Minister had said in a Knesset debate that Israel had not conquered territories from their legal owners but had liberated them from the countries that conquered them in 1948; it could not therefore "annex" them, since they were already part of Eretz Yisrael.

16. Acts of provocation by Jewish settlers against the Arab population had increased after the occupation authorities had undertaken to arm those settlers and to incite them to acts of violence and intimidation against the Arabs in order to force them to abandon their homes en masse.

17. The closing of schools and universities was a familiar part of life in the occupied territories. Fourteen educational institutions had been closed during the period February 1982 to February 1983. Twenty-eight Palestinian teachers had been dismissed because they refused to sign an undertaking not to support any terrorist organization, so characterized by the Zionists. Even children and students were not sheltered from such practices and exorbitant fines were being imposed on them.

18. Mayors and lawfully elected members of municipal councils had been arbitrarily dismissed and replaced by Zionist administrative officials. Moslem and Christian holy places had been violated by the occupational authorities and Zionist settlers.

19. The Zionist entity, which continued to oppress and humiliate the Palestinian people and to perpetrate massacres against it, would not be able to do so without the unlimited support of certain States, in particular the United States, which provided the aggressor with full military, political and economic support.

20. Consideration of racist Zionist practices naturally led to a comparison with those of the racist régime in South Africa. There was co-operation between the two racist régimes in all fields, as was evident from the annual report submitted to the General Assembly by the Special Committee against Apartheid. Relations between the two went back to before 1948, when the first President of the Zionist entity had made use of his personal friendship with Jan Smuts, then a special representative of South Africa to the British Government and a member of the War Cabinet, in order to ensure the issuance of the Balfour Declaration in 1916. In 1926, the South African Cabinet had declared its support for the Zionist organization; in 1931, Weizmann had visited South Africa; Malan, whose party acceded to power in South Africa in 1948 and enacted the apartheid system into law, had been the first Head of State to visit occupied Palestine in 1953. In the 1950s a trade in diamonds had been begun between the two régimes.

21. In 1967, a new form of collaboration between them had begun when substantial sums of money had been transferred, together with Jewish contributions of blood. The visit of Vorster to the Zionist entity in 1976 had seen the beginning of nuclear co-operation between them, when South Africa had shipped quantities of enriched uranium to the Zionist entity in exchange for nuclear technology. The experimental explosion which had taken place in the Atlantic Ocean in 1979 had been described by the CIA and the Pentagon as the fruit of Israeli-South African co-operation.

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(Mr. Elhofari, Libyan Arab Jamahiriya)

22. The policies and practices of the two racist régimes were extremely similar. In both occupied Palestine and South Africa, power was in the hands of a foreign minority; Great Britain had brought about the establishment of both régimes; both depended for their existence on the support of colonialist and imperialist States; both régimes ignored world public opinion and the resolutions of the United Nations; both carried out acts of aggression against neighbouring States; both were guilty of a number of atrocious massacres; both were occupying territory which was not theirs; both attempted to link their withdrawal from occupied territories with that of other forces from other areas; and both regarded the national liberation movements opposing them as terrorist organizations.

23. The refusal of the Zionist authorities to allow the Special Committee to enter the occupied Arab territories was a clear indication of the nature of the practices pursued and betrayed a fear that the entry of the Special Committee might lead to the dissemination of more information on such incidents. His delegation condemned those practices and hoped that the international community would continue to extend its assistance to the Palestinian people in order to enable it to continue its struggle and its defiance of Zionist practices.

24. Mr. DICHEV (Bulgaria) said that the ruling circles in Israel, in an attempt to carry out their expansionist plans and deny the sovereign rights of the Palestinian people, had pursued a policy of terror and mass repression directed against the population of the occupied Arab territories. Israel's expansionist designs included altering the status of Jerusalem and destroying Arab historical, religious and cultural monuments. His delegation fully shared the concern of the Special Committee over the further deterioration in the human rights situation of the civilian population in the occupied Arab territories. He commended the work of the Special Committee in carrying out its mandate in spite of the continuing refusal of the Israeli authorities to co-operate. The report of the Special Committee clearly demonstrated that the acts of violence perpetrated by the Israeli authorities against the civilian population had increased, that the expropriation of land and the establishment of new Israeli settlements had continued unabated and that existing settlements had been expanded. The statements made by high-ranking Israeli Government officials concerning the policy of annexation in the occupied Arab territories were particularly alarming. Such policies were in flagrant violation of the United Nations Charter and the fourth Geneva Convention and in defiance of the will of the international community. The report demonstrated the continuing policy of Israel aimed at changing the legal status, geographical nature and demographic composition of the Palestinian and other Arab territories occupied since 1967.

25. The question of Israeli practices affecting the human rights of the population of the occupied territories was only one aspect of the overall Middle East problem, which had been a constant source of political and military tension for almost 40 years. Lasting peace in the region must be based on the withdrawal of Israeli forces from the occupied Arab territories and the implementation of the inalienable rights of the Palestinian people to self-determination and the creation of their own independent State. A just and lasting settlement could be brought about only

(Mr. Dichev, Bulgaria)

through the convening of an international conference with the participation of all parties concerned, including the Palestine Liberation Organization as the sole legitimate representative of the Palestinian people. All schemes, such as the separate Camp David accords, which excluded the Palestinian people from negotiations and made no provision for the establishment of an independent sovereign Palestinian State, were doomed to failure. He reiterated his country's condemnation of the policies and practices of the Israeli occupation authorities and reaffirmed Bulgaria's support for the just struggle of the Palestinian people.

26. Mr. LEVIN (Israel) said that, as had been the case since the establishment of the Special Committee, discussion of so-called Israeli practices affecting the rights of the Palestinians in Judea, Samaria and the Gaza district was based on false premises.

27. The very establishment of the Special Committee was contrary to Security Council resolution 237 (1967), and its mandate was highly irregular, since, as indicated by its name, it had been instructed to collect only material of a negative character. The Special Committee had been composed of representatives of countries that not only had no diplomatic relations with Israel but had demonstrated marked hostility towards it. Its record even went beyond the terms of its mandate and it had expressed political opinions and drawn conclusions based on alleged "findings" which revealed little understanding of the situation. It was for those reasons that his country had declined to co-operate with the Special Committee. There were few precedents for similar activities by United Nations bodies, and if the investigation of practices affecting human rights was a genuine concern of the United Nations, such bodies would have been set up to deal with many countries and peoples.

28. In spite of its 15 years of activity, the Special Committee had yet to perceive the realities of the areas concerned; the sustained improvement in standards of living, levels of economic activity, health, education and housing. The Special Committee had persistently disregarded the background of the situation; the conditions which had brought about Israel's occupation; the atmosphere of unrelenting Arab hostility towards Israel; and the terrorist activity inside the areas supported and financed by the Arab States. Such aspects of life in the territories were intricately related and should be considered as a whole.

29. Perhaps the greatest failure of the Special Committee had been its inability and unwillingness to examine the situation of the Palestinian Arabs during the 19 years which had preceded Israel's administration, so that its reports were deprived of any comparative value. The Special Committee had become a vehicle for anti-Israel propaganda, a source of additional tension in the Arab-Israel conflict and a waste of United Nations money. Its perpetuation could not be justified.

30. Israel did not believe that the Special Political Committee, as a Main Committee of the General Assembly, should be a captive of anti-Israeli prejudice. His delegation would therefore like to bring out some of those key factors of life in the territories which might help an unbiased observer form an independent opinion.

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(Mr. Levin, Israel)

31. The Arab Legion had been sent into Judea and Samaria on 14 May 1948 from Transjordan as an invading force. In an attempt to legitimize the subsequent occupation, the Emir Abdullah had, in December 1948, proclaimed himself "King of all Palestine", as part of an abortive attempt to extend his domain towards Syria. Jordan, as the country was now called, had proclaimed the annexation of Judea and Samaria on 24 April 1950.

32. Mr. HAMADNEH (Jordan), speaking on a point of order, said that the Committee was discussing Israeli practices affecting the human rights of the population of the occupied territories. The representative of Israel had, therefore, departed from the subject under consideration.

33. Mr. LEVIN (Israel) said that the designation "Judea and Samaria", which had been used by the Mandatory Government until its dissolution in May 1948, was subsequently changed to "West Bank" in order to signify the incorporation of those areas lying to the east of it into the Hashemite Kingdom. The annexation was recognized only by Great Britain and Pakistan.

34. The present clamour for a "Palestinian State" had not been heard between 1948 and 1967, during which period the "liberation of Palestine" had been understood to mean the liberation of Israel, as defined by the 1949 armistice lines, from the Jews. The Jordanian claim to sovereignty over Judea and Samaria had been neither accepted nor challenged by the Arab States; they had simply not been interested. Radical Arab leaders had been more interested in establishing a Jordanian Republic, which would also have included Judea, Samaria and the East Bank.

35. Under Jordanian rule, the "West Bank" had been the scene of recurring riots, demonstrations, mass arrests, curtailment of liberties and deliberate economic, social and political neglect. Jordan had given first priority to the East Bank, and East Jerusalem had been turned into a provincial backwater, Amman being the political and administrative capital. Neither the League of Arab States nor any Arab country had done anything whatsoever to alleviate the hardships of the Palestinian Arab population there. There had been no plans for an independent State or for autonomy, and there had certainly been no ambassadors from Sri Lanka, Yugoslavia or Senegal scrutinizing the local press or travelling to meet with complainants in order to tabulate breaches of the human rights of Palestinians. The record of such breaches between the years 1949 and 1967 spoke for itself, and his delegation would like to present certain highlights of that record, in order to refute the argument often repeated by the Special Committee that the overall picture reflected a deterioration in the human rights situation of the civilian population, that the situation of the civilian population was more intolerable than ever and that urgent action must be taken to prevent further deterioration and to protect the very basic rights of the innocent civilians. In introducing his report, the Chairman of the Special Committee had stated that the continued disregard of rights was a threat to stability. In his recent statement, the representative of Jordan had claimed that the conditions of the Palestinians were "deteriorating and threatening to explode". His delegation would show when it was that such explosions had in fact occurred.

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(Mr. Levin, Israel)

36. The present situation in the areas concerned was infinitely more peaceful and secure than it had been before 1967. The Special Committee had taken up the question of measures affecting freedom of expression in paragraphs 142 to 154 of its report. The number of newspapers and periodicals published by Arabs today was greater than it had been under Jordanian rule, and the treatment of the journalistic community was far more liberal. In 1949, in the Jordanian-occupied section of Jerusalem, an Arab newspaper editor and a representative of an Arab news agency had been arrested and exiled. In 1952, distribution of two weekly publications had been suspended for three months for criticizing the Government; in 1954, four Arabic-language newspapers had been closed down; in 1957, three newspapers had been closed for a period of two weeks, and another placed under government control; and in 1955, seven Arabic-language newspapers had been closed for periods of six months each. Such incidents had taken place over a long period of time, and censorship had been repeatedly imposed, especially on overseas cables. There were today four Arabic-language daily newspapers in East Jerusalem, nine weekly publications, six of them in Arabic, two in English and one in Hebrew, and three Arabic-language monthlies. The very fact that the report of the Special Committee was full of quotations from Al-Fajr, an Arabic-language newspaper published in East Jerusalem, itself illustrated the fact that such newspapers continued to appear, that they usually criticized the Government and that they were not prevented from doing so unless they touched upon certain subjects, a matter on which his delegation would have some comments at a later time. Because of the Treaty of Peace between Israel and Egypt, Egyptian newspapers also circulated freely in all the territories under Israeli administration. The situation was therefore markedly different from that which had prevailed in Jordanian-occupied Jerusalem in March 1967, when licences for all newspapers and periodicals had been revoked and stringent conditions attached to their renewal. One of those conditions had been 25 per cent ownership by the Government.

37. The incidents minutely described in paragraphs 42 to 154, purporting to contain information on treatment of civilians in general, could not be compared with the long series of demonstrations and riots that had broken out in the "West Bank" of Jordan during the years 1949-1967. Demonstrations had been widespread, they had often been fired upon and people had often been killed. Ninety demonstrators had been killed in an incident in October 1954, 40 in December 1955 and 11 in April 1964. In November 1966, tanks had been used to suppress demonstrations in Nablus. The report of the Special Committee had complained of restrictions imposed on PLO activists and of curfews imposed in certain cases on refugee camps. Such occurrences had been much more frequent under Jordanian rule. Four refugee camps had been besieged in January 1956, and many refugees had been killed.

38. There had been many similar occurrences, culminating in the bombardment of refugee camps in 1970-1971 by the Jordanian army when literally thousands had been killed. According to Yasser Arafat the figure had been 20,000.

39. The reports of the Special Committee had never referred to the arrests, restrictions and sanctions that had been a matter of routine in the "West Bank",

(Mr. Levin, Israel)

such as the mass arrests of political activists, members of Parliament and prominent politicians which had taken place almost on a yearly basis.

40. In introducing the report (A/38/409), the Chairman of the Special Committee had stated that average civilians had been deprived of all civil liberties including the right to life itself. The truth of the matter was that Israel had no death penalty, a sanction which had been used by Jordan in its 19 years of rule in Judea and Samaria and which it had continued to apply in the East Bank. The Special Committee had, of course, given no evidence to substantiate its allegation. Examples of the execution of Palestinians by the Jordanian Government were, on the other hand, numerous. Thirteen had been executed in August 1958 for possession of weapons, others had been executed in July and December 1959, and there had been many others.

41. In citing those examples, his delegation had merely wished to illustrate some of the better-known aspects of public life in the "West Bank" under Jordanian rule. The lives of private individuals had been far worse, and arrests, torture, police supervision and military interference had been rife. They had been documented in the archives of the Jordanian security services, abandoned in 1967 and now in Israel's safekeeping.

42. The Chairman of the Special Committee had stated also that the rights of the Palestinians were to be viewed in the context of the Palestinian people as a whole, wherever they might be. That was also the view of his delegation, and, in keeping with that premise, it would like to show, very briefly, what had happened to the Palestinians and their human rights in the East Bank in the early 1970s. On 17 September 1970, tanks and troops had entered Amman, engaged the terrorists throughout the city and attacked two refugee camps. House-to-house fighting had continued on the following day, mainly in the Palestinian camps. In January 1971, troops had attacked terrorist bases to the north of Amman and fighting had continued for five days, during which a hospital was shelled and a refugee camp bombed. Between 26 March and 6 April 1971, there had been more fighting in Amman and on the border with Syria and widespread acts of sabotage. On 13 July 1974, there had been an all-out attack in northern Jordan, in the course of which hundreds of Palestinians had been killed. Seventy-two Palestinians had taken refuge in Israel because they knew that the situation there was far better than in Jordan.

43. While it was true that the years 1949-1967 had been characterized by intense anti-Hashemite activity inspired, financed and directed by other Arab countries, its objective had not been the establishment of a Palestinian State but of a Jordanian Arab Republic which would include both sides of the Jordan and would precipitate the eventual destruction of Israel.

44. In the period in question, neither the Arab Governments nor the United Nations had shown any interest in the lot of the inhabitants of the "West Bank" of Jordan, the principle apparently being that the treatment of Palestinian Arabs by their brethren, however harsh, was of no concern to others. It had been only with the

(Mr. Levin, Israel)

establishment of Israeli administration in Judea and Samaria that the Palestinian Arabs had suddenly become the object of the scholarly curiosity of the three Member States of which the Special Committee was composed. The inescapable conclusion was that the Palestinian Arabs had had no rights prior to that date. The killing of thousands of Palestinians in the refugee camps of Jordan during the 1970-1971 crisis had aroused only marginal interest and had been given no close examination by the United Nations. Similarly, Arab apathy with regard to the recent carnage of Palestinians in north Lebanon had been instructive. While Syria and Libya had supported the rebels, it had been a European country that had called for a cease-fire in the Security Council.

45. His delegation would like to point out some glaring examples of bias in the report of the Special Committee. Paragraphs 314, 315, 317, 320, 331, 332, and 345, under the general heading of "Information on judicial remedies sought by the civilian population", made it appear that seven separate cases were being discussed, whereas they related, in fact, to one and the same case. In that light, the seven paragraphs actually illustrated a scrupulous regard for legal procedure from the stage of complaint to that of trial and beyond. Of the seven enlisted men and five officers involved, eight had been condemned at trial to various terms of imprisonment, reduction in rank and transfer to other duties. As a result of those trials, the new Chief of Staff had ordered a review of procedures regarding civilians and had subsequently authorized changes. The Special Committee had, however, preferred to highlight the initial incident and to conceal the ultimate outcome.

46. Regarding the interim injunction of the High Court of Justice against petitioners claiming rights to land on which they had built homes, mentioned in paragraph 326 of the report, the quotation from Ha'aretz failed to mention that the authorities had based their decision on existing Egyptian jurisdiction, which held that no property could be bought or sold by private individuals on State land or religious endowment land, nor any right obtained from building thereon. The petitioners had, in any case, been offered alternative housing on very easy terms, and negotiations had almost been completed; that fact had been concealed by the Special Committee.

47. The two cases mentioned in paragraphs 333 and 343 of the report were, once again, one and the same case and the Supreme Court had increased the qaal sentence of the accused.

48. The case mentioned in paragraph 347 was a clear illustration of the rule of law in the areas under Israeli administration. It required no comment, in spite of the Special Committee's questionable intention in recording the case.

49. The few examples given by his delegation were sufficient to indicate that the Special Committee's methods were characterized by concealment of relevant facts, misrepresentation of others, quotation out of context, truncated quotation and the drawing of tendentious political conclusions.

(Mr. Levin, Israel)

50. The allegations contained in paragraph 247 of the report were not supported by the evidence cited there. The Ha'aretz article contained allegations concerning future intentions, mentioned a survey whose existence had yet to be determined and arrived at questionable conclusions. The Jordan Valley settlements were not located on private land but on land which had been registered as State domain during the Jordanian period itself. As his delegation had expected, the entire report consisted of such imprecisions.

51. While the information contained in paragraph 254 appeared to be substantially correct, the resolution of the problem had been simply omitted. The land had not, in fact, been confiscated but had been returned to the Greek Orthodox Patriarchate. Such selectivity was clear evidence of the Special Committee's intention to misrepresent reality in order to assist its Arab mentors politically.

52. Paragraph 270 contained a complete fabrication. No Arab house in Hebron had been handed over to Jewish settlers. The house in question had belonged to one of those Jewish families massacred in 1929 and had been leased for rent to Arabs in Hebron. Those living in it had not been evicted but given generous compensation.

53. The case mentioned in paragraph 342, in which a local court in Samaria had placed an injunction against an Israeli company, was far from unique. Contrary to the implication of the Special Committee, it illustrated the extent to which the rule of law was, indeed, applied and observed.

54. Unlike the situation prevailing before 1967, Judea, Samaria, the Gaza district and Israel itself were open to the outside. Millions of people, including Arabs from all the Arab States, had been able to see those areas for themselves. In spite of the many obstacles placed before it, Israel's sustained effort to return life to normal in those areas had borne fruit over the last 16 years. Since the report of the Special Committee had absolutely nothing of a positive nature to say about what had been achieved in those areas, his delegation would present a brief account of those achievements in its second statement.

55. Mr. BENCHEKROUN (Morocco) observed that the Israeli authorities, like Hitler and Stalin, were unmoved by the exhaustive reports of their persecution. While feigning sincerity in the Committee, they looked on all its efforts with derision. In that connection, he challenged the Tel Aviv authorities to allow the people of Israel to have access to the eloquent and reliable report prepared by the Special Committee (A/38/409).

56. That report did not contain rumours or propaganda but reflected a clear-cut case of colonialism in its most abominable form, in other words, colonialism which affected the agriculture, the economy and the entire civilization of a people. Although colonialism had almost disappeared elsewhere, it still survived and was even gaining strength, as could be seen from the Israeli authorities' behaviour towards the original inhabitants of Palestine. Just like the British in Rhodesia and the French in Algeria, the Israelis were seeking to turn Palestine into a colony by expelling the indigenous population and replacing them with settlers.

(Mr. Benchekroun, Morocco)

Like their European predecessors, the Israeli settlers refused to heed the call of reason and even believed the myth that the Jews had cleared the land, eliminated hunger and disease and brought civilization to the indigenous population. The statements made by the representative of Israel in the Committee were not dissimilar from those of the former leaders of South Africa and Rhodesia.

57. Unfortunately, national condemnation in Western States of the brutal actions of colonial leaders had not been extended to the new version of colonialism or to the torture, subjugation, expropriation and expulsions which Israel was committing with impunity. On the contrary, some States continued to pursue a laissez-faire policy and even to engage in collusion and to send more arms and money. Not only was Israel being used as a testing-ground for new weapons, but it was also being used to try out new methods of colonization, which affected the entire Middle East region. Seen in that light, the events in Palestine should be a cause of concern for all the leaders of the third world. They should not be tempted to trust Israel's display of good faith but should realize that what was currently happening in Palestine affected them all. What happened there would determine whether they maintained their total freedom or returned to the worst kind of colonialism.

58. British colonialism in Palestine had been replaced by Jewish colonization: the British had returned the land which they had usurped not to its legitimate owners but to settlers whom they had installed in order to perpetuate Europe's domination of the region. Moreover, the conduct of the Israeli settlers and army justified that viewpoint. By the same token, resistance to Israel's colonization was not only legitimate but was a sacred duty and should enjoy every form of support.

59. As the Israeli leaders realized, the new form of colonialism could not succeed. The awakening of the Arab and other oppressed peoples had destroyed the dreams of Zionism. As recent history had shown, the excessive arrogance of the Israeli leaders merely reflected their fall from power. The myth of Israel's security, which had previously been used to justify all their ventures, was no longer credible, and propaganda about their alleged civilizing influence in the region no longer deceived anyone.

60. The Special Committee had sounded the alarm by expressing deep concern about the manner in which the settlers could take any action with impunity. Unless that situation was ended, incidents would become more frequent, with new bloodshed. His delegation also agreed with the Special Committee's concern about the fact that the international community was not taking any specific measures to improve the situation of the civilian population and shared its hope that the international community would spare no effort in seeking to end the human suffering in the occupied Arab territories.

61. The recent exchange of prisoners of war between the Palestine Liberation Organization and Israel should have been a hopeful sign. However, the strengthening of Israel's military power and the increase in the economic and financial aid which it received would, no doubt, result in further inflexibility on

(Mr. Benchekroun, Morocco)

the part of the Israeli authorities and in greater violence against the Palestinian people. Such support would also enable the Israeli leaders to continue to defy the world, to violate international conventions and United Nations resolutions and to obstruct the establishment of a just and lasting peace in the Middle East.

62. Mr. AZZANI (Democratic Yemen) said that the report of the Special Committee conveyed a painful picture of the lives of the inhabitants of the occupied Arab territories, contained abundant facts and gave many examples of the inhuman practices of the Israeli occupation authorities.

63. Israel had persisted in its settlement policy with the aim of annexing more of the occupied Arab territories, in flagrant violation of article 47 of the fourth Geneva Convention, which prohibited the occupying Power from annexing territory under military occupation. Israel had constructed more than 150 settlements and had confiscated the property of the Palestinian people and handed it over to Israeli settlers. The Israeli occupation authorities were planning to expel 83,000 Palestinians from the refugee camps in the West Bank and the Gaza Strip, and, in the next six years, 30,000 families would be evicted from their homes. Such new plans confirmed the intentions of the occupation authorities to increase their military presence in the occupied Arab territories. According to The Hague Convention of 1907, the occupying State could only undertake the temporary administration of the territories that it occupied and was prohibited from annexing such territories, partitioning them or undertaking any act which might have a permanent effect on their legal status. Accordingly, any measure taken by the occupying State to alter the legal, natural or demographic character of the occupied territories was unlawful, as was reaffirmed by Security Council resolution 465 (1980).

64. One of the savage acts perpetrated by Israel during the past year, the like of which the world had not seen since the barbarous Nazi atrocities, was the massacre to which thousands of Palestinian and Lebanese men, women and children had fallen victim. In its savage bombardment of Beirut, the Israeli enemy had used all types of modern weapons of mass destruction, including those internationally prohibited, in defiance of all international instruments and of the resolutions, principles and purposes of the United Nations.

65. Israel had transformed the occupied Arab territories into one large prison, where thousands of the inhabitants of the West Bank and the Gaza Strip were detained. The occupation authorities were opening more detention camps in the occupied territories to the south-east of the site of the Ansar camp, in which several thousand prisoners had been detained for the past 17 months in extremely bad conditions and subjected to extremely brutal treatment.

66. In the West Bank the Israeli occupation forces had a practice of gathering the inhabitants of the refugee camps in the open air at night in order to interrogate them and to subject them to various forms of torture, in contravention of the most basic human rights and international law and custom. Because of the military blockade and the persistent imposition of curfews, many camps suffered from a

(Mr. Azzani, Democratic Yemen)

severe shortage of foodstuffs. The occupation authorities also dismissed and exiled elected mayors, and organized campaigns of extermination, seige, and mass arrests.

67. Although there were already thousands of Palestinian prisoners and detainees, Israel continued to escalate its campaigns of arrest and intimidation against the Palestinian people with the aim of liquidating that people, its revolution and its struggle in order to be able to implement its expansionist, colonialist objectives swallow up the remaining Arab Palestinian territories. The Israeli military authorities also attempted to change the syllabuses of Palestinian secondary schools and universities and to close down such schools and universities. They took repressive measures against students and teachers with the aim of distorting the history of the Arab Palestinian people, its cultural heritage and its national identity.

68. The heinous crime committed by Israel in poisoning the Palestinian girls' schools during the year was one of the most abominable crimes known in the contemporary history of humanity. Israel had aimed at the extermination of the Palestinian Arab people through a series of savage crimes, beginning with that of Deir Yassin and leading up to the massacre of Sabra and Shatila. Israel had proved to the entire world that it was an aggressive and racist State, and it had been condemned by world public opinion time and again.

69. Israel continued to defy the will of the international community as represented by the resolutions of the Security Council and the General Assembly on the question of Palestine. Those resolutions had reaffirmed the right of the Palestinian Arabs to self-determination, to return to their home and to establish an independent national State.

70. His delegation called for the implementation of the relevant resolutions and, at the same time, called upon the international community to impose comprehensive sanctions on Israel under Chapter VII of the Charter, in order to put an end to Israeli intransigence and oblige it to comply with the will of the international community, in order to achieve a just, comprehensive and lasting peace in the Middle East.

71. Mr. IRUMBA (Uganda) said that the report of the Special Committee was a serious indictment of the policies of the Israeli Government. It was clear that Israel had failed to carry out its obligations under international law and had violated the Hague Conventions of 1899 and 1907 and the fourth Geneva Convention, which were applicable to the occupied Arab territories.

72. Military occupation was only a temporary state and did not confer on the occupying Power any right to annex territory or to extend its jurisdiction or administration to the occupied areas.

73. In the past, the Israeli Government had given the impression that it would withdraw from the occupied Arab territories if a comprehensive settlement was

(Mr. Irumba, Uganda)

achieved whereby it could exchange territory in return for recognition by Arab States. The statements of Israeli leaders and their actions in the occupied Arab territories, however, clearly demonstrated the intention to annex those territories. Israel had yet to comply with any of the General Assembly and Security Council resolutions and decisions concerning the situation in the occupied Arab territories.

74. After the massacre of Palestinians in the Sabra and Shatila camps, the international community had become acutely aware of the plight of the Palestinian people and the justness of their cause. Efforts had been made to bring about a comprehensive settlement of the problem in the Middle East. At the twelfth Arab Summit Conference, held at Fez, Morocco, the Palestine Liberation Organization and the Arab countries had adopted proposals which took account of the legitimate concerns of Israel. Unfortunately, the response of the Israeli leaders to those proposals had been negative. Their objective was clearly to block any initiative which would lead to the achievement of a just solution to the Middle East problem.

75. The State of Israel derived its existence from the plan of partition set forth in General Assembly resolution 181 (II) of 1947, which also provided for the establishment of an independent Arab State. The passage of time did not in any way invalidate that resolution. It was particularly regrettable, in that regard, that the Security Council had been unable to enforce the implementation of its resolutions and decisions concerning the question of Palestine.

76. The restoration of the inalienable rights of the Palestinian people must be the basis for any settlement of the Middle East crisis. Therefore, the Palestinians, represented by the Palestine Liberation Organization, must participate in negotiations for a comprehensive settlement based on the withdrawal of Israeli forces from the occupied Arab territories, the right of the Palestinians to return to their homeland and the exercise by the Palestinians of their right to self-determination. The United Nations must provide the framework for a just and lasting peace. In that regard, his delegation fully supported the Geneva Declaration on Palestine adopted at the recent International Conference on the Question of Palestine. The Declaration recommended, inter alia, the convening of an international peace conference on the Middle East under the auspices of the United Nations. He called upon all States Members of the United Nations to support the recommendations of the Conference.

77. Mr. ABOUCHAER (Syrian Arab Republic) said that he had not been surprised by the fact that the statement made by the Israeli representative had contained distortions of fact, had disregarded the truth and had not constituted an objective response to the Special Committee's report. Clearly, Israel could not reply to the report and intended merely to continue to defy the international community.

78. The statement had also reflected Israel's defiance of the United Nations and of United Nations bodies and resolutions, which had become the hallmark of its attitude towards the Organization and of which it boasted even in the United Nations itself. In his delegation's opinion, Israel could be certain of committing its crimes with impunity so long as it enjoyed the unlimited support and protection of the United States.

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79. Mr. LEVIN (Israel), speaking on a point of order, asked whether the representative of the Syrian Arab Republic was speaking in exercise of the right of reply.

80. The CHAIRMAN explained that, earlier in the meeting, the representative of the Syrian Arab Republic had included his name in the list of members wishing to speak on the controversial item under consideration.

81. Mr. ABOUCHAER (Syrian Arab Republic), referring to Israel's contention that the Arab States were seeking to create hatred and anti-Israeli propaganda, observed that the Arab States did not need new evidence to that end: the United Nations had already adopted hundreds of resolutions condemning Israel for violations of human rights and for crimes against the Arab peoples and States. The Arab States were seeking only the exercise by the Palestinian people of their inalienable rights and the return of the Golan Heights and of other Arab territories to their legitimate owners. Once that had been achieved, the Arab States would abandon all their alleged propaganda campaigns.

82. Israel's attempts to cast doubt on the Special Committee's integrity did not deserve to be discussed. The Special Committee had obtained its information from sources which Israel considered to be reliable, from first-hand experience, from Israeli and other news media and from Governments, non-governmental bodies and individuals, as was described in paragraphs 24 to 26 of the report (A/38/409). Accordingly, the Special Committee deserved the gratitude of the entire world.

83. The Israeli representative had also expanded the Special Committee's mandate to include all the territories where there were Palestinian refugees and had criticized it for not dealing with the so-called violations of human rights in neighbouring Arab States. That criticism had no legal foundation and was not consistent with the Special Committee's mandate, as described in paragraph 21 of the report. In that connection, he drew attention to the fact that the Israeli rulers were stating that the West Bank and the Gaza Strip were liberated territories, while the Golan Heights constituted an inseparable part of Israel and would never be returned to the Syrian Arab Republic, even if it signed a peace agreement with Israel.

84. Under all the provisions of international law, the Israeli claims were nothing but lies. Israel's military occupation resulting from its military invasion constituted an act of aggression, in accordance with the Definition of Aggression adopted by the General Assembly (resolution 3314 (XXIX)).

85. The current Israeli position was remarkable for its total defence of Israel's right to establish settlements anywhere in the occupied territories and eventually to annex those territories entirely. That position reflected the extent of Israel's arrogance and defiance of the international community, which had unanimously condemned the settlements policy. His delegation wished to stress that Israel could display such arrogance only because of the limitless political, military and economic support which it received from the United States. Moreover, Israel had no intention of ever evacuating the settlements.

(Mr. Abouchaer, Syrian Arab Republic)

86. Although Israel claimed that its settlements policy had not affected human rights, he wondered how those who had been expelled from their homes and those whose homes had been demolished felt about that assertion, and he drew attention to the Syrian villages that had been destroyed and the Syrian people who had been obliged to accept Israeli nationality.

87. He had not been surprised by the colonialist logic evident in the Israeli representative's reference to the advantages of Israel's occupation, coming as it did from the representative of the Zionist racist entity, but that position was totally unacceptable at a time when the liquidation of colonialism by the United Nations constituted a great achievement and when the entire world realized the importance of human dignity. It was therefore time to halt the arrogant Zionist aggression, occupation and oppressive practices in the occupied territories and to oblige the Israeli leaders to comply with the purposes and principles of the United Nations Charter.

The meeting rose at 1.15 p.m.