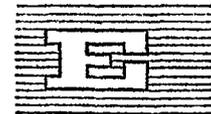


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COMMISSION ON HUMAN RIGHTS

Thirty-eighth session

SUMMARY RECORD OF THE 9th MEETING

held at the Palais des Nations, Geneva,
on Friday, 5 February 1982, at 4.30 p.m.

<u>Chairman:</u>	Mr. GARVALOV	(Bulgaria)
later:	Mr. SALAH-BEY	(Algeria)

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The meeting was called to order at 4.50 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1481, 1482, 1483 and Add.1; A/36/706-S/14762; E/CN.4/1982/L.3)

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION (agenda item 9) (continued) (E/CN.4/1477 and Add.1, 1487, 1490, 1491, 1498; E/CN.4/1982/3 and 6; E/CN.4/1982/L.2 and L.4)

1. Mr. OGURTSOV (Byelorussian Soviet Socialist Republic), speaking on agenda item 9, said that the Commission should focus its efforts on working out new and effective measures to achieve the speedy liberation of colonial peoples, as envisaged in the historic Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960 and the Plan of Action for the full implementation of that Declaration adopted at the thirty-fifth session of the General Assembly in resolution 35/118. There had been profound changes in the world since the founding of the United Nations and now nearly two thirds of the Members of the United Nations were former colonial or dependent countries. Freedom had not been given to those peoples from above but had been won by them in their brave national liberation struggles. The victory of the just cause of oppressed peoples was also to a large extent due to the constant solidarity and support of the socialist countries. Not all countries, however, had been able to free themselves from oppression and achieve self-determination. The peoples of southern Africa, the Arab people of Palestine and the peoples of many island territories in Micronesia and other territories were still subject to the oppression of foreign domination and racist Governments.

2. In South Africa the inhuman system of apartheid or "separate development" had been introduced by the racist régime. Under the apartheid system the indigenous black population, amounting to more than 80 per cent of the total population, had been restricted to 13 per cent of the land, generally in the least fertile areas. Attempts had been made to introduce the same system in Namibia, illegally occupied by South Africa. The heroic national liberation struggle of the Namibian people would have succeeded long ago had it not been for the covert and overt assistance the occupying racists received from the Western Powers, in particular the United States and the United Kingdom, and international monopoly interests. Hypocritically condemning the apartheid system and demagogically proclaiming their readiness to work towards the elimination of colonialism and racism in southern Africa, some Western Powers were in fact carrying out a policy that could only serve to maintain the existing order in that area. Of particular concern was the broad military assistance provided by the Western Powers, in particular the NATO countries and Israel, to the illegal white minority régime in South Africa. That country sought to break up the unity of States opposing its criminal policy and was continuing its military aggression against neighbouring States, namely, Angola, Zambia, Mozambique, Zimbabwe. The Zionist régime in Israel had adopted a similar policy, seeking to impede international assistance for the Arab people of Palestine and to frighten Arab countries by naked military aggression.

3. Many so-called small territories and enclaves in the Pacific, Indian and Atlantic Oceans and in the Caribbean region remained under colonialist rule. The 1960 Declaration applied to all territories, including the Trust Territory of Micronesia, which had been de facto annexed by the United States. In 1980 the United States, instead of granting independence to the Micronesian Territory, had arbitrarily divided it into four semi-colonialist administrative units "in free association" with the United States. However, Washington continued to exercise full control over those so-called "Governments" in respect of their economies and policies. The United States had taken similar action with regard to Puerto Rico, which had also been declared to be "in free association" with the United States in 1952. Since that time Puerto Rico had remained a colonial appendage of the mainland United States and full power continued to be in the hands of that country. In granting those small territories and islands "special status", the imperialist Powers made use of them as naval and air bases and as nuclear testing sites.

4. Those remnants of colonialism were the deliberate work of the evil alliance of the forces of world reaction that were waging a rearguard action against the national liberation movements and were attempting to exact revenge for earlier defeats and to check the advance of the forces of freedom and social progress. His delegation hoped that the Commission would be able to make its contribution to the elimination of such vestiges of racism and colonialism.

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Mr. TOSEVSKI (Yugoslavia) said it seemed that each year peace in the Middle East was further away than ever. Again, in 1982 a new provocative act on the part of Israel, namely, the recent decision of the Israeli Government to annex the Golan Heights - an act of naked aggression and a brutal violation of the most fundamental principles of the Charter of the United Nations, showed that Israel was persisting in its long-term and systematic effort aimed at a single goal. That goal was an order based on Israeli interests alone, one that legalized aggression, claimed occupation as a good benefiting the peoples subjected to occupation, proclaimed annexation as a holy right, and justified the seizure of the property of others by the laws of the so-called free market. The Israeli action was an open threat to the territorial integrity of the Syrian Arab Republic and an open provocation to war.

6. Each year the Commission studied the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and received contradictory information from the observer for Israel, whose aim was to minimize or even nullify the Special Committee's findings. The observer for Israel would have the Commission believe, for instance, that the Israeli occupation of the Arab territories was something to which the Arabs should aspire and that Arabs lived better and had more freedom and a better future under occupation. The Commission was, allegedly, wasting its time with such questions as the legitimate rights of the Palestinian people to self-determination and the creation of their own State; it was wrong to deal with issues concerning the protection of human rights in the occupied Arab territories.

7. Such an absurd view was not restricted to leading circles in Israel but was also held in many parts of the international community, as could be seen from the frequent and persistent practice of racial exclusiveness, aggression, occupation of foreign territories and repression of the right of peoples to self-determination. The international community must react more energetically to such flagrant violations of the Charter. More efficient measures must be taken to prevent further Israeli acts of aggression. Israel would sooner or later have to comply with the basic norms of the international community and must renounce the imposition on others of its own norms of behaviour and its version of peace founded on aggression and the subjugation of other peoples. It must withdraw from all occupied Arab territories, including the Golan Heights and Jerusalem, and conditions must be secured for the realization of the rights of the Palestinian people to self-determination, the creation of an independent Palestinian State and the recognition of the Palestine Liberation Organization (PLO) as the only legitimate representative of the Palestinian people. In particular, his delegation favoured strong and speedy measures, in view of the recent annexation of the Golan Heights, to protect the sovereign rights of the Syrian Arab Republic and other Arab States over territories that had been taken away from them by Israeli aggression.

8. Ms. DERHENDJIEVA (Bulgaria) speaking on agenda item 4, said that the tension in the Middle East had reached a point where new political and military upheavals were possible, with dire consequences for international peace and security. The whole Middle East problem, with all its complexities and in particular the question of the violation of human rights in the occupied Arab territories, including Palestine, was one of the gravest problems facing the United Nations and the Commission.

9. The report of the Special Committee (A/36/579) showed convincingly that Israel had committed massive and flagrant violations of the human rights of the Palestinian people and the population of the occupied Arab territories. With the protection of the United States, the Israeli authorities had for decades pursued a policy of oppression, terror and genocide vis-à-vis the Arab people of Palestine, trying by various means to stifle its just struggle under the leadership of its sole legitimate representative, the PLO. Israeli practices in the occupied Arab territories included expulsion, displacement, transfer, evacuation, deportation, denial of the right of Arabs to return to their homes, confiscation and expropriation of Arab property, destruction and demolition of houses, mass arrests, administrative detention, ill-treatment, torture, and illegal exploitation of the natural resources of the Arab people. Israel sought to annex the occupied territories, either directly or by expanding existing Israeli settlements and establishing new ones, modifying the status of Jerusalem, desecrating and destroying historical, religious and cultural Arab monuments, and escalating repression. Israel's refusal to accept the fact that the Palestinian people had a right to self-determination and to establish its own independent State was the major obstacle to the attainment of a just and lasting peace in the Middle East.

10. There was no doubt that Israel would never have been in a position to carry out its policy of colonization and annexation, and thus cynically to defy the international community, had it not been for the comprehensive and active support of the United States. The "Camp David accords" and the "Washington treaty", concluded without the participation of the Arab people of Palestine, represented a continuation of that policy and an attempt to legalize it. Under the pretext of talks on so-called "Palestinian autonomy" an effort was being made to disguise Israel's plans to perpetuate its occupation of the Arab lands.

11. Bulgaria had repeatedly condemned the expansionist and terrorist policy of the Israeli authorities and had expressed its solidarity and support for the just cause of the Palestinian people. Bulgaria would continue to render active assistance to the legitimate struggle of the Arab people of Palestine under the leadership of the PLO, until the final victory of their cause.

12. Mr. SOLA VILA (Cuba) introduced draft resolutions E/CN.4/1982/L.3 and L.4 on behalf of the delegations of Algeria, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Democratic Yemen, Ethiopia, India, Iraq, Jordan, Madagascar, Morocco, Pakistan, Syrian Arab Republic, Tunisia, Viet Nam, Yugoslavia and Zimbabwe. He expressed the increasing concern of the countries of the non-aligned movement for the need to express moral, political and economic solidarity with the just struggle of the Palestine people and to condemn Israeli practices in the occupied Arab territories, including Palestine. After summarizing the provisions of the two draft resolutions, he commended them to the Commission for consideration and adoption.

13. Mr. AL-KAISY (Observer for Iraq) said that the Zionist occupation of Arab lands since 1948 had almost no parallel in history; it resembled racist rule in South Africa and Nazi occupation during the Second World War in its recourse to the displacement of the indigenous population and repressive measures against detainees.

14. The Zionist occupation of Palestine was associated with an ideology which denied the very existence of the Palestinian people. The basic tenet of Zionism was that the dominant Jewish majority had rights denied to others. More than half a century since the Balfour Declaration, the Arabs of Palestine enjoyed neither the political rights to which they were entitled as a people nor even the civil or religious rights promised them by a former occupier of their land. In fact, the Palestinians were viewed by the Zionists as temporary residents, as was made clear by a statement made recently by a spokesman for the Gush Emunim settlement.

15. The Zionist plan of so-called local rule announced in the Knesset in December 1977 formed the centrepiece of the Camp David accords, which condemned the West Bank and Gaza to a status of subordination and sentenced the Palestinians outside Palestine to permanent exile. The post-Camp David period had witnessed an escalation in repression and violation of human rights, including censorship, restrictions on all political activity, land transfers, expulsion and various forms of terrorism.

16. In view of the seriousness of the question of human rights in the occupied Arab territories, the United Nations General Assembly had established a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories. In his letter transmitting its

thirteenth report (A/36/579), the Chairman of the Special Committee stated that the situation of human rights in the occupied territories had not changed from previous years and that the Government of Israel continued to follow a policy of annexation of those territories. In its conclusions, the Special Committee had once again emphasized the need for the intervention of the international community to put an end to that policy of annexation.

17. It was clear from the report that, in addition to the fact that the occupation in itself constituted a violation of human rights of the civilian population, the policy of the Zionist Government was also contrary to the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Hague Convention of 1907. Those instruments had been repeatedly violated, in particular, through the punishment of civilians for offences they had not committed and through the collective penalties and reprisals inflicted on the civilian population. With regard to the question of judicial remedies, he noted the statement in the report that the situation of the civilian population of the occupied territories was such that the threat to international peace and security due to the policy followed by the Government of Israel in that area was more serious than ever. In his opinion, the report constituted an objective and faithful reflection of the situation regarding the violation of human rights in the occupied Arab territories.

18. The racist, expansionist and aggressive practices of the Zionist entity in Palestine and other occupied Arab territories had been repeatedly condemned by the United Nations and its various organs. In addition, other international organizations such as ILO, WHO and UNESCO had adopted resolutions concerning the conditions of the population in those territories.

19. In 1980, the Zionist entity had announced its decision to annex Jerusalem and declare that city its capital, a measure which showed the extent to which it disregarded world public opinion and flouted the principles of international law. The Security Council had therefore adopted in June 1980 a resolution calling on the Zionist authorities to abandon measures aimed at changing the status of Jerusalem.

20. The Zionist entity had recently announced its decision to annex the Syrian Golan Heights, once again challenging the will of the Arab people and the world community. It had taken that expansionist measure without regard to the resolutions adopted by the Security Council and continuous international demands for it to withdraw from all the occupied Arab lands. In carrying out that measure, the Zionist entity depended on the full support and assistance of the United States.

21. With regard to official measures taken to implement the policy of annexation and settlement, he referred to paragraph 58 of the report of the Special Committee and said that the strategy of the Zionist entity was based on the obliteration of Arab Palestinian identity and the forcible expulsion of Palestinians from their homes. It was clear that through its policy of establishing settlements, the Zionist entity sought to undermine the identity of the Arab population, weaken the factors of Arab resistance and achieve both security and economic benefits through large capital investments in the settlements.

22. He noted the statement by the Prime Minister of the Zionist entity that the Camp David accords which had been concluded under the supervision of the United States, applied to the people and not to the land. In his delegation's opinion, those accords were aimed at depriving the Palestinian people of its right to self-determination and had rightly been opposed by all Arab, Islamic and non-alignment conferences and by the General Assembly at its sessions since 1979. His Government strongly condemned the accords and Security Council resolution 242 (1967).

23. In June 1981 the Zionists had committed a blatant act of aggression against Iraq by bombing the nuclear installations near Baghdad. In that connection, the Security Council had adopted resolution 487 (1981) stating that the military attack clearly violated the Charter and the norms of international conduct, that Iraq was entitled to appropriate redress for the destruction which it had suffered and responsibility for which had been acknowledged by Israel, and reaffirmed the right of Iraq and the developing countries to benefit from the peaceful uses of atomic energy. The resolution further stated that the raid constituted a serious threat to IAEA's safeguards régime; which was the foundation of the Treaty on the Non-Proliferation of Nuclear Weapons, and called upon the Zionist entity to refrain in the future from any such act.

24. Iraq was not satisfied with that resolution and had stated that it reserved the right to take further action on the lines of the resolution. Moreover, the resolution failed to satisfy the desire of international public opinion to see sanctions imposed on Israel - a step which had not been taken because of the attitude of the United States. Meanwhile, the Board of Governors of IAEA had condemned the Zionist entity for its attack and had recommended its expulsion from the Agency. The raid had also been condemned by various countries and political circles throughout the world; it was not only an act of aggression but a blatant violation of all international laws and norms of civilized behaviour.

25. It was well known that Iraq's nuclear installations had been set up for peaceful purposes: that fact had been stressed on several occasions by Iraqi and French officials, France being the supplier of the reactors. Furthermore, since 1 July 1968 Iraq had been a signatory of the Non-Proliferation Treaty, which the Zionist entity had refused to sign. Ever IAEA had confirmed Iraq's peaceful intentions in using atomic energy. Despite all those assurances, the Zionists had persisted in their assertion that the security of their State was threatened by Iraqi potential to build nuclear weapons - a patent falsification since the plant was still in the initial stages of construction and under systematic inspection by IAEA, which had recorded no violation of the Treaty.

26. The Zionists, acting in collaboration with the Iranian régime, had already raided the nuclear installation near Baghdad in September 1980. When Iraq had gone ahead with its peaceful atomic energy programme, the Zionists had attacked again and it appeared that the Iranian régime had prolonged the war and refused to respond to honest offers by Iraq and world bodies for the peaceful settlement of the Iraqi-Iranian conflict in order to give the Zionists opportunities to mount their raids on Iraq's nuclear installations.

27. The real reason for the attacks was that the Zionist entity realized that the decisive importance of its scientific and technical superiority enabled it to plant itself in the heart of the Arab homeland and to annex further Arab territories, and that it was currently losing its advantage. Its aggression was directed against Arab attempts to catch up with world technical and scientific progress. That clearly contradicted the Zionist claim to be an oasis of progress in a backward region.

28. In conclusion, he reminded the Commission that on 13 November 1980 the General Assembly had adopted resolution 36/27 which strongly condemned Israel for its premeditated and unprecedented attacks on Iraqi nuclear installations.

29. Mr. AREBI (Libyan Arab Jamahiriya) said that the list of Israeli violations of human rights in the occupied territories grew longer every year. Horrible acts of persecution and racial discrimination had been committed against Palestinians in a country which gave the "right of return" to foreign immigrants from all parts of the world while forbidding Palestinians to return to their homes. The Palestinians, the indigenous inhabitants of the territory, could not be deprived indefinitely of their inalienable rights, particularly the right of self-determination, which they had been denied for over 34 years ever since the adoption of the General Assembly resolution, approved by all the major Powers, which had set up two States in Palestine.

30. Since then, the great majority of the international community had repeatedly reaffirmed the right of the Palestinians to set up a free and independent State. All the formidable methods used by world Zionism, supported by imperialism, to liquidate the Palestinian people had failed; that people was still there, stronger than ever, and any plan for compromise that did not take account of its legitimate rights was doomed to failure. For that reason, the Camp David accords and the Washington treaties had been rejected by both the Palestinian people and the majority of the international community. Those agreements had not served the cause of peace; they had merely enabled the Zionist entity to step up its aggression and defy the international community by such acts as the annexation of the Golan Heights and the bombing of the Iraqi peaceful nuclear research centre. Aggression clearly paid off when the perpetrator could rely on the veto of that great defender of human rights, the United States. Other friends of Zionism had merely to abstain. No Arab country, however remote from Palestine, could feel safe from United States weapons in Zionist hands. Israeli advances under the United States umbrella showed what reliance could be placed in the goodwill of the United States and in its protection of human rights and peace in the Middle East.

31. All those who encouraged the Zionist entity directly or indirectly were responsible for the misfortunes of the Palestinian people. His delegation found it hard to credit the attachment to human rights in general and the Palestinian cause in particular of those who ordered sanctions of all kinds when one man failed to obtain an exit visa but blocked any action against the Zionist aggressor when the fate of the Palestinian people as a whole was at stake.

32. He urged all peace-loving nations which believed in the Palestinian cause to discard all accords and treaties bearing the overt or covert mark of the

United States or the Zionist entity. The sole condition for re-establishing peace in the Middle East was that the Palestinian people should regain all their rights over the whole of their national territory, Palestine, under the aegis of their sole legitimate representative, the PLO. All intruders should pack their bags and leave.

33. His delegation was obliged once again to denounce the close understanding between the racist régimes of the Zionist entity and South Africa, both of which were upheld by the same Powers. The situation with regard to Namibia was deadlocked, thus putting at risk not only the Namibians fighting for freedom under the banner of SWAPO, their legitimate representative, but also security, development and peace in southern Africa. The attacks of the Pretoria Government against the front-line States demonstrated the necessity of forcing it to give Namibia back its independence in accordance with resolution 435 (1978), which had been accepted by the African and most other States as the basis for any solution of the problem, without prior conditions.

34. In conclusion, he reaffirmed his delegation's political, diplomatic and material support for all subject peoples in Palestine, southern Africa and the Sahara. The United Nations, the Organization of African Unity and the non-aligned countries had repeatedly expressed concern about the right of the people of Western Sahara to self-determination. He was confident that the just cause of all those peoples would finally triumph.

35. He announced that his delegation wished to join the sponsors of draft resolution E/CN.4/1982/L.4.

36. Mr. Salah-Bey took the Chair.

37. Mr. BRIMAH (Nigeria) expressed concern that for over three decades areas of the Middle East had been a hotbed of tension which threatened world peace and security. Since 1967, Israel, in gross violation of the Fourth Geneva Convention, had done everything to maintain its occupation of the Arab territories it had seized by changing their legal status. Its policies were as repressive as they were brutal. Over the preceding two years there had been over 50 General Assembly resolutions condemning the attitude of Israel towards the Palestinian people and their sole representative recognized by the international community, the PLO. The latest negative move, the Israeli annexation of the Syrian Golan Heights, had been the subject of a Security Council resolution calling for sanctions, which had unfortunately been vetoed by the United States.

38. Other recent acts by the Israeli authorities had also clearly shown that Israel was not prepared to compromise for the sake of peace with its Arab neighbours. Its behaviour appeared to be prompted by the delusion that it could secure its own independence only at the expense of leaving other people in the area stateless and disenfranchised. Hence its callous disregard for world opinion and the established norms of international conduct. It might have been thought that a nation which was dissipating all its energies in war efforts would be willing to exchange territories for peace.

39. Quite clearly, Israel held the key to the peaceful resolution of the Middle East crisis. It must show magnanimity, by giving up the West Bank, the Golan Heights, the Gaza Strip and Sinai, and recognize the right of the Palestinians to a State of their own. As a reciprocal gesture, the Arab neighbours of Israel should recognize its right to live within secure boundaries. All the peoples of the Middle East, including the Israelis and Palestinians, must be guaranteed recognized boundaries. Such a solution would enable efforts currently being dissipated in unnecessary conflicts to be devoted to accelerated development in the region.

40. Mr. KIS (Observer for Hungary) said that owing to the Israeli Government's policy the situation in the Middle East had further deteriorated since the Commission's previous session; Israel's attack on Iraq's nuclear installations and the Israeli Parliament's decision concerning the Golan Heights were but two of the many disturbing events that had occurred. Because of lack of unanimity among the permanent members of the Security Council, an emergency special session of the General Assembly had been convened to examine the question of the Golan Heights, whose annexation could set a dangerous precedent and had been condemned by the vast majority of States, including his own. The United Nations and other international bodies must take immediate and appropriate action to stem Israel's expansionist policy in the Middle East, where the situation would remain dangerous unless a comprehensive settlement was reached.

41. As a result of the substantial support it received from its major ally, Israel was able to pursue a systematic policy aimed at changing the character and legal status of the occupied areas, thus violating the norms of international law. Since 1967, successive Israeli Governments had refused to acknowledge the inadmissibility of acquiring territory by force. The major victim of that policy was the Palestinian Arab people; until that people's human rights were fully restored, no just and lasting settlement for the region could be achieved. The policy also extended to unprovoked attacks against independent countries in the region, attacks which violated the sovereignty and territorial integrity of several States Members of the United Nations and posed a constant danger to international peace and security.

42. The Israeli Government could never pursue such a policy without the almost unconditional support of the United States. Nor could that policy serve the Israeli people's long-term interests; national security could not be achieved by endangering the security of other parties to the conflict. The futility of the Camp David accords showed that no partial approach could remove the root cause of the conflict. Only a collective effort with the participation of all those concerned, including the PLO and based on the principles of the relevant United Nations resolutions, could produce a just and comprehensive settlement.

43. For that reason, Hungary resolutely supported all the relevant constructive resolutions of the Commission and other United Nations bodies. It also fully supported the Palestinian people and their sole legitimate representative, the PLO - which was gaining increasing international recognition, in their struggle to re-establish their inalienable rights.

44. Mr. EL REEDY (Observer for Egypt) said Egypt shared the belief that human rights were inseparable from peace and security and should be exercised regardless of frontiers, geography, colour or political affiliation. The question of human rights in the occupied Arab territories and the cause of the Palestinian people was of utmost concern to Egypt and a commitment in its national policy. The appalling situation in the occupied territories, where the inhabitants were constantly subjected to detention, expulsion, deportation, destruction of property, closure of universities and schools, and other forms of subjugation to foreign rule, represented a violation of human rights and a challenge to the international community, in response to which the Commission was called upon to act. The Commission could help to convert a state of war, occupation and human rights violations to one of peace, security, free territories and harmonious coexistence, by impressing upon those most directly concerned the need to abide by universally accepted principles, two of which were fundamental.

45. The first was that of equal rights and self-determination. That principle, stemming from experience of the First World War, had been confirmed by the events prior to and during the Second World War and reflected in the subsequent international order. More than any other principle, it found expression in the struggle against colonialism and foreign domination being waged by millions of Arab, African and Asian peoples. The General Assembly had stated that by virtue of that principle, enshrined in the Charter, all people had the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State had the duty to respect that right in accordance with the provisions of the Charter. The applicability of that principle to the Palestinian people could never be denied.

46. The second principle - unanimously enounced by the Security Council and the General Assembly, and indeed accepted by all the parties to the Middle East conflict - was that of the inadmissibility of the acquisition of territory by force. Pursuant to that principle, all States were obliged not to recognize any territorial change brought about by force; and the General Assembly, on the occasion of the twenty-fifth anniversary of the United Nations, had unanimously declared that no territorial acquisition resulting from the threat or use of force should be recognized as legal. Mindful of that principle, Egypt had jointed the international community in condemning Israel's attempts to annex the Syrian Golan Heights, and in declaring that such action and the attempt to annex Arab Jerusalem had no legal validity. Under the rule of law, Arab Jerusalem was an integral part of the West Bank and its inhabitants an integral part of the Palestinian people.

47. The task of changing the state of war to one of peace was a cardinal aim which Egypt had pursued with determination and conviction. In doing so, it had never claimed to speak on behalf of the Palestinian people; its commitment was to help create conditions for a just solution in which the Palestinian people could freely determine their future. Peace would undoubtedly be the greatest contribution to the cause of human rights; but equally the observance of human rights in the occupied territories would help greatly to establish peace based on justice and equality. Egypt hoped that the Commission would contribute to achieving that goal.

48. Mr. MANSOUR (Observer for the Palestine Liberation Organization) said that the observer for Israel had attempted to falsify not only the human rights situation in the occupied territories but also the region's history and geography. The PLO, while respecting Judaism as a religion and the right of Jews everywhere to live free from discrimination, must condemn zionism as a political and military movement whose policies, aided first of all by British colonialism and later by American imperialism, had deprived the Palestinians of their rights and homeland. It was because they had been expelled from their land that Palestinians currently formed a majority of Jordan's population; the Palestinians wished to return to their homes, not to be absorbed into the population of host countries such as Jordan and Lebanon.

49. It was the international community's inability to stop the aggressors that had decided the Palestinians, in the 1960s, to form an organization of their own, which had become the PLO, now recognized as the Palestinian's sole legitimate representative not only by the international community but by all Palestinians, who would disavow any alternative body of a collaborative nature. The PLO National Council embraced all forms of activity, including military, trade union and professional. In addition, the PLO was the instrument for progress in social, cultural, medical and educational matters; but even in such fields Israel had forbidden all PLO activity in the occupied territories and had blocked Arab-administered financial assistance to townships there.

50. The PLO sought complete self-determination for its homeland and rejected all proposals for autonomy - a disguised form of annexation, which would enable Israel ultimately to destroy the Arab character of the territories concerned.

51. Despite the attempt to portray Israel as a peaceful and endangered nation, it was in fact zionism which since 1882 had posed a threat to the Palestinian and other Arab peoples; Israel now boasted that it had the strongest armed forces in the region and was the sole secure ally of the United States outside NATO.

52. The Palestinians were confident that their liberation struggle would lead to national independence and the full enjoyment of human rights, just as the people of Zimbabwe had now achieved freedom and were represented in the Commission. Whereas Israel was on the side of military dictatorships and repressive régimes, the Palestinian people was proud to be associated with the national liberation movements of southern Africa and El Salvador and with countries which had won freedom, such as Nicaragua and Zimbabwe.

53. He hoped that the Commission would vote in favour of draft resolutions E/CN.4/1982/L.3 and E/CN.4/1982/L.4.

54. Mr. Garvalov (Bulgaria) resumed the Chair.

55. Mr. FEIDMAN (United States of America), speaking in exercise of the right of reply, said that the statements made by the representative of the Byelorussian Soviet Socialist Republic were factually wrong and that, in any case, the conclusions he had drawn did not logically follow from his statements. For example, the Trust Territories of the Pacific Islands had indeed been divided into four areas, pursuant to action taken by the Congress of Micronesia, the representative body of those Territories. But they had not been placed in any new status; such action could be taken only in accordance with the rules laid down for strategic Trust Territories, of which Micronesia was the only one.

56. The people of Puerto Rico had exercised their right to self-determination in referenda held in 1952 and 1967; it should be noted that, during the routine elections for Governor in 1980, the two candidates advocating independence had between them polled only 5.6 per cent of the total votes cast.

57. He wondered when a referendum had last been held in the Byelorussian Soviet Socialist Republic and what attitude towards self-determination was held by the authorities there. He quoted a passage by Lenin to the effect that no true Marxist could deny that the interests of socialism were above the right of nations to self-determination, and a passage by Stalin asserting that the right to self-determination could not and must not serve as an obstacle to the working class in exercising its right to dictatorship.

The meeting rose at 7.25 p.m.