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SUMMARY RECORD OF THE 6TH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 7 February 1985, at 10 a.m.

Chairman: Mr. CHOWDHURY (Bangladesh)

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The meeting was called to order at 10.35 a.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE (agenda item 4) (continued) (E/CN.4/1985/5, 6, 34 and 35; E/CN.4/1985/NGO/1; A/39/591)

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.4/1985/12, 13, 37, 39 and 40)

1. Mr. KARIM (Bangladesh) said that Israel's arrogant and aggressive conduct in the occupied Arab territories including Palestine constituted a gross violation of human rights which the Commission should strongly condemn. The Palestinian people had not only been dispossessed of its homeland, but had also been subjected to cruel persecution. The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/39/591) had concluded that the situation in the occupied territories continued to deteriorate and that the Israeli military occupation authorities were using measures which adversely affected virtually all aspects of life and all fundamental freedoms. More and more people were being arrested and tortured, and increasingly severe penalties were being imposed for relatively minor offences committed by Palestinians. The report also clearly exposed the dualism in the application of the law, which discriminated against the Palestinians. To make the situation worse and to deprive the Palestinians of their right to land and property and with the ultimate objective of annexing Arab lands, the Jewish settlement programme was being intensified. The note prepared by the Permanent Observer for the PLO and transmitted by the Permanent Representative of Jordan (E/CN.4/1985/35) gave a distressing account of murder and torture, as well as of terrorism committed against the Palestinian people: those acts were obviously premeditated and violated all canons of international law and all norms of civilized conduct.

2. Bangladesh's position on the question of Palestine and the occupied territories was based on its enduring commitment to the cause of oppressed peoples all over the world, and was rooted in the ideals of tolerance and the conviction that men and women of all races and religions could live together in peace, justice and equality. It was geared to uphold the right of every people freely to determine its own social, economic and political system.

3. Consequently, the Government and people of Bangladesh were deeply committed to the cause of the Palestinian people and were convinced that a just and lasting peace in the Middle East could not be reached without the total and unconditional withdrawal of Israel from all the occupied Arab territories, including Jerusalem. The participation of the PLO on an equal basis with all other parties in peace negotiations was indispensable. While the Commission's immediate concern was to prevail upon the Israeli authorities to cease violating human rights forthwith, the Palestinian problem would be solved only when the Palestinian people were able to exercise their inalienable right to establish a sovereign and independent State in its own homeland, with Jerusalem as its capital.

4. Mr. SCHIFTER (United States of America) said he wished to restate his Government's commitment to the cause of human rights and to the United Nations Charter. The people of the United States deplored all acts of cruelty or oppression, wherever they might occur, and they expected their Government to try to take action to improve international human rights conditions. At the end of the Second World War, they had looked to their Government to find ways of guaranteeing world peace and had enthusiastically supported the creation of the United Nations.

When concern was expressed in the United States of America about the shortcomings of the United Nations, it was because there was a desire to see the Organization succeed, to help to solve problems rather than to exacerbate them. It was therefore necessary to speak of the Organization's present-day failings with utter candour.

5. There was no doubt that the Arab-Israeli dispute had resulted in suffering and fatalities on both sides, and most assuredly, every death from violence in the international area and every human rights violation should be cause for concern. Nevertheless, by every reasonable yardstick, in terms of the numbers of persons affected and in terms of the nature of the hardships suffered, there appeared to be a disproportion in the allocation of time and attention within the United Nations system to the Arab-Israeli dispute. Could it be that an attempt was being made to sweep other problems under the rug? By waxing eloquent on one set of problems, might not some members be seeking to draw attention away from other problems that should concern the Commission, and might not the most serious human rights violators be those who spoke out most loudly about the human rights violations attributed to others?

6. The Arab-Israeli conflict had lasted almost 37 years: what those who paid the price of that conflict in blood and suffering needed was not more rhetoric in the Commission or in some forum created especially for that purpose, but rational, result-oriented peace discussions among those most directly concerned. It would be recalled that more than two years ago, the President of the United States had submitted a concrete proposal for peace; he had reiterated his commitment to that proposal in his address to the General Assembly in September 1984. The United States was prepared to assist the parties directly concerned in any effort to promote peace.

7. His delegation believed that there was a real possibility of achieving a just and lasting peace, in view of recent and significant signs of potential progress. If the major hurdles that stood in the way were to be overcome, it would be by thoughtful exchanges of views leading to negotiation and ultimately to reasonable compromises, not by the use of inflammatory rhetoric, flagrant distortions of historical facts and outside intervention.

8. He agreed with the representative of Colombia that the Commission must seek to break the chain of invective that stretched from year to year. The Commission was a highly appropriate forum from which an appeal could be made to put an end to divisiveness and hatred.

9. His delegation had not exercised its right to reply in each instance to the usual derogatory references to the United States of America. The many false accusations levelled against the United States would not deter it from continuing to try to contribute to the cause of peace in the Middle East. It looked to people of good will everywhere to support its efforts.

10. Mr. SAKER (Syrian Arab Republic) said the right of peoples to self-determination was one of the most important tenets of contemporary international law and had been enshrined in a number of United Nations resolutions and in the Charter of the United Nations itself. All countries which respected the Charter of the United Nations must support the Palestinian people in its aspiration to exercise its social, economic, cultural and political rights in its own land. Only two countries persisted in obstructing the fulfilment of that dream.

11. The situation in the occupied territories was steadily deteriorating. The Israeli authorities were blithely unconcerned about the principles of international law and knew that they could act with impunity. They destroyed houses, profaned places of worship and attempted in every way to sow fear among the Palestinians. They had expressed their virulent hatred of that people through their invasion of Lebanon, the massacres at Sabra and Chatila, the siege of Beirut and numerous flagrant violations of human rights in the occupied territories. He urged the Israeli authorities to remember the sufferings they had undergone under nazism and to heed the international community's condemnation of any action which resembled Nazi oppression.

12. Israel's continued defiance of the international community could not be accomplished without the unconditional support of its staunch ally, the United States. Other countries, however, supported the Palestinians in their struggle for peace, independence and their aspiration to live in harmony with other peoples of the region in a sovereign State of their own. His delegation saluted their valiant struggle against Israeli aggression and hoped that, as so often in the past, an oppressed people would ultimately triumph.

13. His delegation unequivocally condemned the United States veto of the Security Council resolution which would have forced Israel to comply with previous resolutions declaring its annexation of the Syrian Golan Heights to be null and void and without international legal effect.

14. The Syrian Arab Republic condemned imperialism and racism in all parts of the world. It therefore deplored the Pretoria regime's violations of human rights, pillaging of Namibia's natural resources and use of that country as a springboard for military action against others.

15. Mrs. GU Yijie (China) noted that, forty years after the founding of the United Nations, the question of Palestine remained unsolved. Millions of Palestinians were living in other countries, unable to return to their homeland, while more than a million Palestinians and other Arabs lived in humiliation in the occupied territories. The fundamental rights of the Arab and Palestinian peoples in the occupied territories, including Palestine, were still arbitrarily violated and the people of Lebanon was still unable to resume a peaceful life because of the policy of expansion and aggression pursued by the Israeli authorities, in defiance of the Charter of the United Nations, and the basic norms of international law.

16. The report by the Secretary-General (A/39/51) demonstrated clearly that the Israeli authorities had taken a series of deliberate measures and actions hostile to the Arab and Palestinian peoples. The Israeli authorities had totally disregarded the provisions of the Geneva Convention relative to the Protection of Civilians in Time of War and had arbitrarily detained, arrested and expelled Palestinians. They had wantonly closed schools, banned text-books and distorted history. They had forcibly closed down hospitals and shops, levied heavy taxes on the Palestinians, demolished Palestinian homes and illegally occupied and confiscated Palestinian land. In order to perpetuate their illegal occupation of the Arab territories, they had refused to implement the relevant United Nations resolutions and were attempting to change the legal status, geographic nature and demographic composition of Palestine and the other Arab territories occupied since

1967. They had annexed Jerusalem and had imposed Israeli legislation and administration on the Syrian Golan Heights in a similar attempt at annexation. They were also stepping up the establishment and expansion of Jewish settlements in the occupied territories, going so far as to draw up plans for settlements in the next century. Those acts by Israel could not be separated from the support it received from one super-Power.

17. The people of Palestine had waged an arduous struggle, which had won it ever wider sympathy and support from the international community. Her delegation firmly believed that under the leadership of the PLO, the noble aspirations of the Palestinian people would surely be realized.

18. The Commission should once again condemn the Israeli authorities for their policy of aggression and expansion as well as their violation of the fundamental rights and freedoms of the residents of the occupied territories. It should repeat its demand for Israel to withdraw immediately and unconditionally from the occupied Arab territories occupied since 1967, including Arab Jerusalem. The Commission should reiterate its firm support for the inalienable right of the Palestinian people to return to its homeland and to achieve national self-determination. Her delegation hoped that the current session of the Commission would make its due contribution to the halting of Israeli aggression and to the maintenance of peace in the Middle East.

19. Mr. KLENNER (German Democratic Republic) noted that whereas the preservation of peace and the implementation of human rights were inseparable, violations of the peace and violations of human rights were equally interconnected. Mass violations of human rights by Hitlerite facism had been part of its preparations for and conduct of war, just as the defeat of that fascism had made possible the establishment of the current international legal order, the cornerstones of which included anti-colonialism and anti-racism, the right to self-determination, and individual human rights. The Joint Declaration issued in New Delhi on 28 January 1985 was of the utmost significance for the preservation of peace and the implementation of human rights.

20. The connection between peace and human rights was also borne out by the issue of human rights violations in the occupied Arab territories, including Palestine. The Commission's decision to give high priority to the item had been more than justified, in view of the substantial factual information submitted to the thirty-ninth session of the General Assembly, particularly in the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/39/591). The Special Committee had noted a further deterioration in the level of respect for the human rights of the civilian population and rightly feared that the situation could have harmful effects on peace and security in the region.

21. His delegation strongly condemned the Israeli practices described in the conclusions of the report of the Special Committee, particularly the settlement policy by means of which Israel was attempting to push ahead with the so-called de-Arabization and colonization of the occupied territories. His delegation was also categorically opposed to the escalation of attacks by Israeli citizens against Palestinians living in the occupied Arab territories. It was clear that Israel was trying to intimidate the Palestinian population by creating an atmosphere of fear and terror. His delegation recalled with horror the massacres of Sabra and Chatila as well as the acts of terror committed against the Palestinian refugee camp at Ein El Hilweh.

22. The Commission should endeavour, with the means at its disposal, to force Israel to withdraw immediately and unconditionally from all Arab territories occupied in 1967 so that the Arab people of Palestine might be enabled to enjoy its inalienable national rights. The principles for a Middle East solution proposed by the USSR on 29 July 1984, which his delegation fully supported, constituted one way towards that goal. His delegation also considered as extremely important the final communiqué of the meeting of Ministers and Heads of delegation of non-aligned States at the thirty-ninth session of the General Assembly, in which they expressed opposition to the continued violation of the rights of the indigenous Arab inhabitants, their forced dispersion and other policies aimed at changing the basic character and legal status of those territories. The Ministers and Heads of delegation had affirmed that those practices and policies were contrary to international law and relevant United Nations resolutions.

23. There has been a growing recognition among States Members of the United Nations that the reason why it had not yet been possible to force Israel to abandon its policy and to implement the legitimate rights of the Palestinian people was due primarily to the conduct of its strategic ally. The policy of the "strategic alliance", characterized in General Assembly resolution 39/146 A as encouragement for the aggressor, clearly implied a permanent threat to peace and the existence of Arab peoples.

24. His Government's position on the question of the Middle East and Palestine had recently been reaffirmed by Mr. Honecker, Chairman of the Council of State of the German Democratic Republic, on the occasion of the International Day of Solidarity with the Palestinian People when he had stated that his country advocated a comprehensive, just and lasting settlement of the Middle East conflict, which required that the inalienable rights of the Palestinian people, including its right to the establishment of an independent State, be assured. Israel must without delay withdraw from all territories it had occupied since 1967, including East Jerusalem. It was only thus that peace, security and the independent development of all States and peoples in the region could be ensured. He had further stressed support for the early convening of an international conference on the Middle East, with the participation of all parties concerned, including the PLO.

25. Mr. RAVENNA (Argentina) said his delegation was convinced that the only viable solution to the conflict in the Middle East must be based on recognition of the inalienable right of the Palestinian people to self-determination. The principle of self-determination was complemented by another fundamental pillar of international law, namely the principle of territorial integrity. Israel's illegal occupation of the Arab territories since 1967 consistently violated both principles. The situation had been aggravated by the violation of the civil, political, economic, social and cultural rights of the Palestine population by the Israeli occupation forces.

26. His Government shared the concern expressed by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, in particular with regard to mass detentions, collective punishments, administrative detention and the treatment meted out to prisoners. The non-application by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War warranted special attention by the Commission.

27. In conclusion, he reaffirmed that his Government desired a peaceful, just and lasting solution to the question of the Middle East, and considered that such a solution could be achieved only by negotiations among all the parties concerned, including the PLO. The solution should recognize the inalienable right of the Palestinian people to self-determination and to establish a sovereign State, provide for the unconditional withdrawal of Israel from all Arab territories occupied since 1967, proclaim the right of all States in the region to live in peace within secure and internationally recognized frontiers, and establish a special regime for the city of Jerusalem, in accordance with the terms of General Assembly resolution 303 (IV).

28. Mr. DHILLON (India) said that the events in the Israeli occupied territories, including Palestine, constituted one of the most serious violations of human rights in modern times. Not only were the Palestinians denied civil rights and human dignity in their homeland but those who had taken refuge abroad had been hounded and massacred. That was a situation not only of denial of political, civil and economic rights but even of the right to live. The international community must reiterate its resolve to seek every means of resolving the issue.

29. The periodic reports submitted by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories had repeatedly stressed that Israeli policy was directly responsible for the continuing and systematic violations of human rights. It was a matter of regret that Israel, by denying the members of the Committee access to the occupied territories, did not allow that mechanism to function effectively. Israel had violated with impunity the 1949 Geneva Conventions, in particular by its annexation of part of the occupied territories, including Jerusalem, the establishment of new Israeli settlements and expansion of existing settlements, the expulsion and displacement of Arab inhabitants from those territories, the systematic destruction of historical, cultural and religious places, the closure of schools and universities, arbitrary arrests, ill-treatment and torture of detained persons, and so on.

30. Although the International Conference on the Question of Palestine, held in August-September 1983, had called for a halt to such practices as the resettlement of Jews, destruction of Arab property, alteration of archeological and cultural edifices, interference with the education system and illegal exploitation of the material resources and population of the occupied territories, in 1984 a large number of new Jewish settlements had been established in the West Bank. Palestinian leaders of local administrative bodies had not been allowed to function and some of them had been imprisoned for political reasons. Over 3,000 Arab prisoners were reported to be held in Israel on security charges. Israel did not provide adequate material support to development projects in the occupied territories and placed restrictions on the transfer of money from Arabs abroad to the West Bank. There were restrictions even on the import of Arabic books for students. Those facts indicated that Israel was attempting to alter the ethnic and demographic composition of the occupied territories, to stamp out the identity of the original inhabitants of the area and to destroy the very basis of their physical existence.

31. The only way to secure the human rights of the people of the occupied territories would be for Israel to agree to a negotiated settlement providing for a just, comprehensive and durable solution acceptable to all concerned. Such a solution must ensure the inalienable rights of the Palestinian people, including its right to an independent nation State. He recalled that Shrimati Indira Gandhi, the late Prime Minister of India, had stated that Israeli attempts to wipe out the Palestinian movement could not succeed in the long run and a popular movement based on the legitimate aspirations of the people could not be put down by the force of arms.

32. The general principles on the basis of which the Palestinian question could be resolved included the various resolutions of the United Nations General Assembly and the Security Council, the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Arab Peace Plan elaborated at the twelfth Arab Summit Conference and the proposals made by both Eastern and Western groups of countries. The Non-Aligned Summit Conference, held in New Delhi in March 1983, identified the core of the problem as being the Zionist occupation of Palestine and the usurpation and denial of the inalienable rights of the Palestinian people. It expressed firm opposition to and condemnation of the policies and practices pursued by Israel in the occupied Arab and Palestinian territories. According to the Declaration, a just and durable peace in the area could not be established without Israel's total and unconditional withdrawal from all Arab territories occupied by it since 1967, including Jerusalem, and without the exercise of the inalienable rights of the Palestinian people. The Non-Aligned Summit Conference had also reaffirmed that the PLO was the sole legitimate representative of the Palestinian people and must be represented on an independent and equal basis in any effort to deal with the Palestinian question. The Conference had expressed its full solidarity with the Palestinian people and the PLO and had demanded that the United Nations Security Council should invoke the power vested in it with a view to imposing on Israel the relevant sanctions prescribed in the Charter of the United Nations until that country withdrew from all occupied Arab territories and complied fully with its relevant decisions.

33. It was unfortunate that extraneous economic, political and strategic considerations stood in the way of a solution to the problem which the entire world considered to be of prime importance. India, together with other non-aligned countries, would continue to provide moral and material support to the Palestinian people under the leadership of the PLO in their quest to achieve their inalienable rights.

34. The people of the occupied territories looked to the Commission to reaffirm their right to an independent and sovereign State, to denounce the illegal Israeli practice of settling Israeli citizens in the occupied territories and to put pressure on Israel and Israel's supporters to move towards a lasting solution of the problem. Such a solution was essential if the Arab refugees were to return to their homeland and enjoy their basic rights and if families were to be reunited. Two immediate measures would be to stop the establishment of further Israeli settlements in the occupied territories, pending a decision on existing settlements as part of the long-term solution, and to convene the International Peace Conference on the Middle East called for in General Assembly resolution 39/49 of 11 December 1984.

35. The occupation of the land of other States and the suppression of legitimate rights would not guarantee Israel's security. The conscience of mankind that condemned the inhuman persecution of the Jews in the first half of the twentieth century appealed to the people of Israel today to cease their inhuman conduct towards the inhabitants of the occupied territories. The actions of the Government of Israel were an affront to the Charter of the United Nations, the Universal Declaration of Human Rights and the principles of international law. The authority of the Commission must be brought to bear in order to avoid yet more pain and bloodshed for the inhabitants of the occupied territories.

36. Mr. DICHEV (Bulgaria) said that, despite the number of Commission resolutions according high priority to the issue under consideration, certain delegations viewed it purely as a matter of routine and one delegation, in particular, made routine

attempts to play down the magnitude of the problem. It blamed the continuing violations of human rights in the occupied Arab territories including Palestine, on the alleged failure of the United Nations to tackle the vital problems of mankind, whereas, in fact, the real reason was the failure of a few delegations to co-operate with the majority. Such a policy did not lend itself to a constructive vote in the Commission or elsewhere in the United Nations system. The issue under consideration which had been on the Commission's agenda since its twenty-fourth session, continued to be accorded high priority in the Commission, the General Assembly, the Security Council and many United Nations committees. Numerous resolutions condemning the policies and practices of Israel and demanding unconditional withdrawal from the occupied territories had been adopted by an overwhelming majority. The continuing concern of the majority of member States proved their vigilance and determination to support a just cause and not to be misled by deceptive speeches.

37. The illegal occupation of Arab territories by Israel had brought nothing but death, misery and destruction to the population of those lands. The aggressive and expansionist course of the Israeli Government had likewise led to the invasion of Lebanon and the occupation of a considerable part of its territory. Sabra and Chatila had been a logical by-product of that course. Despite Israel's declarations of commitment to the cause of peace and human rights in various international forums, it had followed a policy of violence and destruction in the Middle East. Many human lives had been lost in an absurd attempt to convince the world that escalating war could serve as a means for the promotion of peace and human rights. However, the practical follow-up of that strategy had been yet more tension, more instability, more victims and more suffering.

38. The Government of Israel was taking further action in the occupied Arab territories to change their legal status, geographical nature and demographic composition. The population was subjected to evacuation, deportation, collective punishment, arbitrary arrest, ill-treatment and torture. Other violations of human rights included confiscation and expropriation of property, destruction of houses and illegal exploitation of natural resources. The Committee on the Exercise of the Inalienable Rights of the Palestinian People had described in report No. A/39/35 the further legislative measures introduced by the occupying authorities to impose Israeli civil and criminal legislation in the occupied territories. The Committee considered that such measures were in flagrant violation of the principles of international law and of numerous Security Council resolutions.

39. The expansionist and aggressive Israeli course in the Middle East, the concomitant deterioration in the human rights situation and the contemptuous attitude of the Government of Israel towards the international community would not have been possible without the external political, diplomatic, economic and military assistance Israel received. In order to contribute to a just and lasting solution to the problems of human rights in the occupied territories, the Commission should call once again for the full restoration of the inalienable rights of the Palestinian people to self-determination, independence and the establishment of their own sovereign State as well as for Israel's total and unconditional withdrawal from the occupied Arab territories, including Jerusalem. It would be useful to convene an international conference with the participation of all parties concerned, including the PLO as the sole and legitimate representative of the Palestinian people.

40. His delegation had sponsored a number of Commission resolutions on the violations of human rights in the occupied Arab territories, including Palestine. It therefore attached great importance to their full and strict implementation and reaffirmed its readiness to continue its co-operation with the Commission to that end.

41. Mr. DHANAPALA (Sri Lanka) said that the root cause of the tragic situation in the Middle East was foreign intervention and occupation in contravention of the Charter of the United Nations. The denial of the inalienable right of the Palestinian people to self-determination contravened all norms of international behaviour. The principles enshrined in the Charter of the United Nations were the ultimate defence of smaller countries and the guarantee that superior force would not be the arbiter of international relations. The use of force against the political independence, territorial integrity and unity of another State could not be justified under any circumstances.

42. On 29 November 1984, the International Day of Solidarity with the Palestinian People, the President of Sri Lanka, J.R. Jayewardene, had reiterated Sri Lanka's support for the Palestinian cause and the inalienable rights of the Palestinian people and had stressed that the return of the Palestinians to their homeland was a prerequisite for the establishment of a just and lasting peace in the Middle East.

43. Sri Lanka considered that the PLO should participate in solving the problem on an equal footing with other parties. The PLO had a resident mission in Colombo, Sri Lanka, with the full diplomatic status of an embassy.

44. Sri Lanka had taken an active part in many international meetings held under the auspices of the United Nations and the Movement of Non-Aligned Countries and was one of three Member States appointed to serve on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, established by General Assembly resolution 2443 (XXIII) of 19 December 1968. The Special Committee's report to the thirty-ninth session of the General Assembly described the continuing deterioration of the human rights situation in the occupied territories. The people of Palestine, like those of Namibia, were still denied the right to determine their internal and external political status and the right to economic, social and cultural development. The freedom of movement of trade unionists, lawyers, teachers and journalists was restricted. The military authorities controlled academic staff tenure on the West Bank and ordered mass transfers of teachers and students from one region of the occupied territories to another. The right to education and to freedom of expression were also not observed. Israel's treatment of the civilian population of the occupied territories and the harsh conditions prevailing in the Fara'a interrogation centre contravened Israel's obligations under the Fourth Geneva Convention.

45. The occupation forces violated the right to self-determination and other human rights of the indigenous population and were attempting to consolidate their position in the face of resistance. Strident denials could not be credible while the occupation forces prevented the Special Committee from visiting the occupied territories. The only solution was the withdrawal of the Israeli occupying forces.

46. Mr. BIGGAR (Ireland) said that the denial of the Palestinian people's basic right to self-determination had led to the denial of many other human rights. His delegation had been disturbed at the serious allegations of maltreatment, restrictions on freedom of movement, the removal of democratically-elected representatives, banishment, curfew, censorship and the closure of academic institutions. The policy of creating and expanding settlements in the occupied territories gave particular cause for concern. Its aim was the alteration of the

physical and demographic character of the territories, and it had been accurately described as creeping annexation. Israel must abandon its illegal attempts to change the status of the occupied territories. His delegation called upon the Government of Israel to desist from its stated objective of establishing a further six settlements in 1985.

47. The issue under discussion was a facet of the wider and more complex problem rooted in the conflict between opposing rights of the Palestinians and those of Israel. While both sets of rights could not be fully and simultaneously accommodated, his delegation believed that an equitable and practical equilibrium could be achieved if two central principles were acknowledged and implemented: the right of all peoples in the area, including Palestinians, to justice and self-determination and the right of all States in the area, including Israel, to exist in peace and security within recognized and guaranteed borders. Unfortunately, while the legitimate rights of Israel had, in practice, been secured, those of the Palestinians had been actively denied. A solution could only be achieved through a negotiated settlement between the parties directly concerned, including the PLO. Outside parties, through their influence over the parties involved, could contribute to the achievement of an over-all settlement and thus to securing and implementing the rights of the Palestinian people. In accordance with Security Council resolutions 242 and 338, Israel must end its occupation of the Arab territories. Meanwhile, it must implement the relevant Geneva Conventions in their entirety. His delegation called upon all parties concerned to do their utmost to bring about a reconciliation of the rights of the Palestinians and those of Israel through negotiation and compromise. Until that happened, the only prospect was that of continued oppression and further violations of fundamental human rights and freedoms.

48. Mr. DABBAGH (Observer for Kuwait) said that the situation of the oppressed Palestinian people, for which no just solution had yet been achieved, remained a blot on the world's conscience and a major cause of tension in the Middle East, where the situation was in danger of further deterioration. The oppression against the Palestinian people had for many years gone unchecked; Palestinians had been expelled from their ancestral lands for the benefit of foreign settlers, and had been made second-class citizens in their own territory ever since the State of Israel had been established. Israel, by the policy of expansion it had pursued since 1967, continued to thwart the wishes of the United Nations and was forcibly denying the Palestinian and other Arab peoples their rights, including the right to self-determination, defying world public opinion and flouting all tenets of international law and human rights.

49. The wealth of evidence continually reaching the Commission from unimpeachable sources showed that Israel faced not mere allegations and slanders but serious charges of real crimes. The disturbing catalogue of events reported during 1984 painted a picture all too similar to that of previous years and likely to remain unchanged unless firm action was taken. The report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/39/591), and the accompanying note verbale, provided a detailed and careful study prepared by a representative, unbiased body; the details showed clearly how Israel was continuing the expansionist policy which it had begun in 1967 and intended to pursue well into the next century, and what suffering that policy had created for the Palestinian people, whose basic human rights, including freedom of movement and expression, were being constantly violated. Fifteen earlier reports had reflected the same bleak picture. It seemed incredible that a people which had borne the sufferings inflicted by nazism could inflict similar suffering on others.

50. The note prepared by the PLO and transmitted by the Permanent Mission of Jordan (E/CN.4/1985/35) described some of the Israeli practices which had affected citizens' human rights in the occupied Palestinian territories during 1984. Palestinians had been attacked by Israeli forces and by terrorist bands protected by the Israeli authorities. Many had been arrested and imprisoned simply for expressing objection and resistance to armed occupation of their homeland; numerous eminent persons were among those summarily detained. The occupying authorities' arbitrary acts had extended to interference with education, including the closure of schools and higher education institutions. In addition, the evidence provided by the International Commission of Jurists of torture and ill-treatment was a shameful indictment of Israel's policies and practices.

51. One reason why Israel persisted in its policies was that the latter were an extension of the colonial principle on which that State had been founded, a native population having been dispersed and subordinated, on pretexts which the world community had never accepted. The description by a Prime Minister of Israel of Palestinians as "animals" typified Israel's attitude.

52. Needless to say, Israel could not have carried out its policies without the support of United States imperialism, including the use of the United States veto in the Security Council. The world community must seek to end the continued flouting of its wishes, which included United Nations resolutions, and strive to achieve a speedy peace in the Middle East. The ironic assertion that the Palestinians' situation had been debated long enough was unacceptable; the Organization's task was not simply to adopt resolutions but to do its utmost to ensure compliance.

53. The Permanent Mission of Israel, in its note verbale to the Secretary-General (E/CN.4/1985/34), had accused the Commission of serving the military, diplomatic and propaganda warfare allegedly waged against Israel since its inception, and had categorically rejected the relevant resolutions adopted by the Commission at its fortieth session. It was hard to see how Israel could agree to participate in the Commission's deliberations whilst rejecting its findings; such an attitude did not help to solve the Palestinian problem, which would be resolved only when the General Assembly's resolutions on the subject were fully implemented.

54. A similar tragic situation existed in southern Africa, where the vast majority of the population was oppressed by a white minority, which seemed to think that the world could be hoodwinked by the display of a few token concessions. Kuwait resolutely condemned that situation and called on the international community to seek a speedy end to the human rights violations being perpetrated there.

55. Mr. KHERAD (Observer for Afghanistan) said that the question of the violation of human rights in the occupied Arab territories, including Palestine, had for years been a priority item on the Commission's agenda, but little progress had been made. Israel's arrogance and aggressiveness was growing, and the violence with which it continued to oppress the Palestinians had become a feature of its expansionist policy. Its gross and flagrant violations of human rights in the occupied territories exceeded all legal and moral bounds, constituting a crime against mankind and a threat to international peace and security.

56. The report of the Special Committee, and other documentation, bore testimony to Israel's hardening attitude and the resultant human rights violations, including harassment and bloodshed, inflicted on Arab and Palestinian civilians by Israeli military forces and settlers. Israel, not content with defying the world community,

continued obstinately to pursue its policy of annexation, settlement, expropriation, confiscation and destruction of goods and property, expulsion of Palestinians and the denial of their rights to return and to self-determination and independence. It continued its policy of terror, genocide, repression and harassment, mass arrests and collective punishment, administrative detention, torture and ill-treatment against the peoples of the occupied territories. It deliberately sought, in defiance of the 1949 Geneva Conventions and the rules of international law, to alter the legal, geographic, demographic and cultural composition of the occupied territories to suit Israel's economy, and to encroach insatiably on the territory of neighbouring Arab States. The Palestinian people had been subjected to violent displacement by force of arms, to the denial of their national rights and to a life of tragedy which had lasted almost 40 years.

57. At the root of the Palestinian problem was the question of a people's homeland and destiny. The world community's unequivocal recognition of the Palestinians' rights to self-determination, independence and sovereignty was reflected, inter alia, in General Assembly resolution 3236 (XXIX) and in the reaffirmation of those inalienable rights at subsequent sessions of the General Assembly, including the seventh emergency special session, as well as relevant resolutions adopted by the Security Council, the Economic and Social Council and the Commission. Nevertheless, the Palestinian Arab population was still being denied its homeland and rights. The Tel Aviv regime, relying on the support of the United States, disdained United Nations resolutions on the question of Palestine and a global political solution to the Middle East problem. Israel, in pursuit of an implacable, chauvinistic policy, was ignoring not only the national rights of the Palestinian Arabs but even their existence and identity as a people, whilst deliberately hampering any steps towards a political solution aimed at restoring peace to the region.

58. Israel, by brute force and terror, was consolidating its occupation of the Left Bank, the Gaza Strip, the Golan Heights and southern Lebanon, intimidating the local population, destroying institutions and driving inhabitants from their ancestral homelands. The growing list of human rights violations committed against the Palestinian people posed a grave problem for the world community, which could never forget the massacre at Sabra and Chatila; such flagrant violations in the occupied territories went hand in hand with the denial of the Palestinians' right to self-determination.

59. Israel's policies and resultant expansionist acts in the occupied Arab territories had many times been unequivocally deemed illegal and condemned by the international community, including United Nations forums; world consensus recognized the Palestinians' inalienable rights and the need for Israel to withdraw from all occupied Arab territories, including Jerusalem.

60. Israel would never have dared to act as shamefully and cynically as it had, or to continue for so many years its obstinate policy of aggression and expansion and disdain for the international community, in defiance of relevant United Nations resolutions and all norms of international law, but for the unconditional military and economic support provided by United States imperialism to the Zionist war machine. United States policy in the Middle East was unilateral and pro-Israel, aimed at preventing the Palestinian people from exercising its inalienable national rights. Israel was an instrument of United States aggression and expansion; that was why the United States provided it with the most up-to-date weaponry, sank billions of dollars into Israel's military structure and sought to thwart the world community's wishes whenever the subject of Israel's deeds against Arab peoples was raised in the United Nations. The strategic alliance of the United States and Israel was a constant threat to the Palestinian and Arab peoples' existence and to regional and world peace

and security. However, the world was becoming increasingly aware of that situation and of the reasons why, despite the efforts of the United Nations and the majority of States, Israel was able to pursue its bellicose policy, violate the Palestinians' inalienable rights and threaten peace. It was more essential than ever, therefore, for all those who seriously upheld international peace and security to redouble their efforts to unmask the aims of the imperialist-Zionist alliance, force Israel to renounce its aggressive policy and withdraw from all the occupied Arab territories, including Jerusalem, and implement United Nations resolutions on Palestine.

61. The people of Afghanistan had resolutely and unceasingly declared its solidarity with the just struggle waged by the Palestinian people under the leadership of the PLO. Afghanistan advocated the speediest possible implementation of the Geneva Declaration on Palestine and the associated Programme of Action. It believed that a just and lasting solution to the Middle East problem could be achieved only if the Palestinian people could truly exercise its inalienable right to self-determination and an independent State; it fully supported the realistic proposal made by the Soviet Union on 29 July 1984 aimed at such a solution. Steps should be speedily taken to hold an International Conference on Peace in the Middle East, attended by all interested parties, including the PLO, the Palestinian people's sole representative. Israel and the United States could no longer be permitted to defy world public opinion. The delegation of Afghanistan reaffirmed its sympathy with the Palestinian people in its courageous struggle and was confident that the peoples of Palestine, Syria and Lebanon would at last thwart the designs of imperialism and Zionism.

The meeting rose at 1.10 p.m.