

0063979
UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-FIRST YEAR

1924th MEETING: 9 JUNE 1976

NEW YORK

UN LIBRARY
JUN 21 1976
UN/SA C/12090/1

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1924)	1
Expression of thanks to the retiring President	1
Adoption of the agenda	1
The question of the exercise by the Palestinian people of its inalienable rights: Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

1924th MEETING

Held in New York, on Wednesday, 9 June 1976, at 10.30 a.m.

President: Mr. Rashleigh E. JACKSON (Guyana).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America.

Provisional agenda (S/Agenda/1924)

1. Adoption of the agenda
2. The question of the exercise by the Palestinian people of its inalienable rights:
Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)

The meeting was called to order at 11.15 a.m.

Expression of thanks to the retiring President

1. The PRESIDENT: Before the Council proceeds to the subject of our meeting today I should like to discharge a most pleasant duty. It is that of conveying, on behalf of the Council and on my own behalf, our gratitude to the representative of France, who presided with such equanimity over the Council's deliberations in May. Ambassador de Guiringaud, as we expected, conducted the business of the Council with a display of the skill and maturity to which we have all become accustomed. Under his presidency we dealt successfully with several items of major importance to the international community and sought to maintain the dignity and to fulfil the responsibilities of the Council. We all owe him a deep debt of gratitude.

Adoption of the agenda

The agenda was adopted.

The question of the exercise by the Palestinian people of its inalienable rights:

Report of the Committee established under General Assembly resolution 3376 (XXX) (S/12090)¹

2. The PRESIDENT: I should like to inform the members of the Council that I have received a letter dated 9 June from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People which reads as follows:

"I have the honour to refer to the forthcoming meeting of the Security Council on the question of the exercise by the Palestinian people of the inalienable rights recognized in paragraphs 1 and 2 of General Assembly resolution 3236 (XXIX) and to request you to make the necessary arrangements to enable me to address the Council in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, together with the representative of Malta, as Rapporteur of that Committee, and to allow us to participate in the deliberations of the Council."

3. It may be recalled that on previous occasions the Council has extended invitations to representatives of other United Nations bodies, such as the United Nations Council for Namibia, the Special Committee against *Apartheid* and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. I would therefore suggest that the Council follow the same practice on this occasion. Accordingly, I propose, if I hear no objection, that the Council extend an invitation, pursuant to rule 39 of its provisional rules of procedure, to the Chairman, the Rapporteur and other members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

4. For today's meeting, as it is expected that they will address the Council, I invite the Chairman, the Rapporteur and other members of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to take places at the Council table.

At the invitation of the President, Mr. Fall (Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People), Mr. Gauci (Rapporteur of the Committee) and other members of the Committee took places at the Council table.

5. The PRESIDENT: I have also received a letter, dated 9 June, from the representatives of the Libyan Arab Republic and Pakistan, which reads as follows:

"Upon instructions of our Governments, we request that, as on previous occasions, representatives of the Palestine Liberation Organization be invited to participate in the debate on the question of the exercise by the Palestinian people of its inalienable rights."

6. As this letter requests that representatives of the Palestine Liberation Organization be invited to participate in the debate as on previous occasions, I shall put that proposal before the Council. It should be noted that the proposal is not being put forward under rule 37 or rule 39 of the provisional rules of procedure but, if it is adopted, the invitation to the Palestine Liberation Organization participate in the debate will confer upon it the same rights of participation as those conferred on a Member State when it is invited to participate under rule 37.

7. Does any member of the Council wish to speak on that proposal?

8. Mr. SHERER (United States of America): Mr. President, we are pleased to welcome you to your new office. We look forward to working under your leadership, and we shall seek to co-operate with you.

9. I should also like to take this opportunity to thank Ambassador de Guiringaud for the statesmanlike manner in which he guided us through a very busy and important month.

10. I first wish to note that in acquiescing in the inscription of the item on the agenda we are not agreeing to the manner of its formulation or altering our position towards either the Committee or the resolution. Our acquiescence is a function of our general policy towards inscription questions.

11. So far as the question of hearing the views of members of the Palestine Liberation Organization is concerned, the views of my Government are well known. Briefly put, we have no objection whatsoever to hearing Palestinian views. The provisional rules of procedure of the Council wisely provide an appropriate means for the Council to avail itself of those views or, in fact, of the views of anyone else the Council considers competent to supply us with information or otherwise assist us in our task. I refer, of course, to rule 39. What we continue to oppose is a gratuitous departure from the Council's rules.

12. Since the proposed method for hearing the representatives of the Palestine Liberation Organization is not in accordance with the rules of procedure, we request that the proposal be put to the vote.

13. The PRESIDENT: In view of the comments just made concerning the proposal that the Palestine Liberation Organization be invited to participate in the debate on the same basis as on previous occasions, I now put that proposal to the vote.

A vote was taken by show of hands.

In favour: Benin, China, Guyana, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden,

Union of Soviet Socialist Republics, United Republic of Tanzania

Against: United States of America

Abstaining: France, Italy, United Kingdom of Great Britain and Northern Ireland.

The proposal was adopted by 11 votes to 1, with 3 abstentions.

At the invitation of the President, Mr. Terzi (Palestine Liberation Organization) took a place at the Council table.

14. The PRESIDENT: In addition, I should like to inform the members of the Council that letters have been received from the representatives of Egypt, Jordan, the Syrian Arab Republic, Turkey and the United Arab Emirates in which they request to be invited to participate in the discussion. Accordingly, I propose, if the Council agrees, in accordance with the usual practice, to invite these representatives to participate in the discussion without the right to vote.

15. In view of the limited number of seats available at the Council table, I invite those representatives, to take the seats reserved for them at the side of the Council chamber, on the understanding that they will be invited to take a seat at the Council table when it is their turn to speak.

At the invitation of the President, Mr. Abdel Meguid (Egypt), Mr. Sharaf (Jordan), Mr. Allaf (Syrian Arab Republic), Mr. Türkmen (Turkey) and Mr. Humaidan (United Arab Emirates) took the places reserved for them at the side of the Council chamber.

16. The PRESIDENT: On 29 May the Secretary-General transmitted to the Council, in accordance with the provisions of paragraph 7 of General Assembly resolution 3376 (XXX), the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People [S/12090].

17. In the course of informal consultations preceding this meeting, the members of the Council agreed that this first meeting to consider the question should be devoted to the presentation of the report of the Committee. Accordingly, the first speaker will be Mr. Médoune Fall of Senegal, Chairman of the Committee. I now call upon him.

18. Mr. FALL (Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People) (*interpretation from French*): As Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and in my personal capacity, I should like to discharge the pleasant duty of expressing to you, Mr. President, warmest congratulations on your accession to the presidency of this eminent body of the United Nations, the Security

Council. This is a tribute paid to your country, Guyana—a country firmly devoted to the ideals of our Organization and the non-aligned movement. With regard to you personally, we are convinced that your qualities of heart and mind, of tact and courage—qualities with which we are all familiar—will undoubtedly enable you to carry out successfully your heavy and sensitive task during this month of June.

19. The Council has before it the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. That Committee was established under General Assembly resolution 3376 (XXX) of 10 November 1975. I shall not delay matters by analysing the report before the Council. Its contents, including the conclusions, are sufficiently clear and precise. Nevertheless, the particular circumstances that give this debate its historic importance do deserve some comment. The Palestine question came before the United Nations for the first time on 2 April 1947 and since then it has been a constant subject of major concern to the international community as a whole.

20. The first crisis resulting from the question of Palestine arose in connexion with the adoption by the General Assembly of resolution 181 (II) on 29 November 1947, providing for the partition of the former territory of Palestine under British mandate into two different entities, one Arab and the other Jewish. Adopted despite the clear opposition of the peoples concerned, that resolution also met with the fierce hostility of all the Arab States and their friends. That situation was to lead to a series of tragic events which resulted in four wars, as well as the displacement of an entire people—the Arab people of Palestine—deprived of its most fundamental and inalienable civic and national rights.

21. The violent events surrounding the series of conflicts between the State of Israel and the various Arab countries resulted in the tragedy of the Palestinian people being relegated to the background, despite the fact that that problem was at the origin of what had become the "Israel-Arab crisis". Thus, for almost a quarter of a century, the international community dealt with the Palestinian problem only from the humanitarian aspect of aid to the refugees, despite the fact that this was without doubt a political problem, a problem concerning a people's right to justice and self-determination, a people's right to the attainment of its legitimate national aspirations.

22. That erroneous approach to the problem of the Middle East was the basic cause of the aggravation of the Israel-Arab conflict and of the impossibility of finding a just and lasting solution to it. All the efforts made in that connexion were vain because more importance was attached to the consequences of the conflict than to its real cause—that is, the violation of the inalienable rights of the Palestinian people. But the stubborn determination of the Palestinians, resolved to defend their rights even if that involved

the supreme sacrifice, was to overcome the collective indifference of which they had been the victims for almost 25 years.

23. Beginning with the end of the 1960s, the United Nations, because of a combination of factors, started to change its views on the question and to take a more constructive and effective direction. On 10 December 1969 the General Assembly, recalling resolutions 1947 and 1948, reaffirmed in its resolution 2535 B (XXIV) "the inalienable rights of the people of Palestine". But it was only in the following year, on 8 December 1970, that the Assembly decided, in its resolution 2672 (XXV) formally to recognize the inalienable right of the Arab people of Palestine to self-determination. Resolution 2672 C (XXV) stated:

"The General Assembly,

"Recognizing that the problem of the Palestinian Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights,

"...

"1. Recognizes that the people of Palestine are entitled to equal rights and self-determination, in accordance with the Charter of the United Nations;"

The resolution concluded that:

"full respect for the inalienable rights of the people of Palestine is an indispensable element in the establishment of a just and lasting peace in the Middle East."

24. The same concern was at the basis of resolutions 2792 D (XXVI) and 2963 E (XXVII) of 6 December 1971 and 13 December 1972, respectively. In those resolutions the General Assembly expressed its grave concern that the people of Palestine had not been permitted "to enjoy their inalienable rights and to exercise their right to self-determination". However, it was not until the twenty-ninth session that the General Assembly, in pursuance of its efforts to restore the inalienable rights of the Palestinian people, gave a precise definition of those rights, in its resolution 3236 (XXIX) of 22 November 1974. The essential paragraphs of that resolution read as follows:

"The General Assembly,

"...

"Guided by the purposes and principles of the Charter,

"Recalling its relevant resolutions which affirm the right of the Palestinian people to self-determination,

"1. *Reaffirms* the inalienable rights of the Palestinian people in Palestine, including:

"(a) The right to self-determination without external interference;

"(b) The right to national independence and sovereignty;

"2. *Reaffirms also* the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return."

25. Thus, throughout the period from 1969 to 1975 the United Nations progressively recognized and defined, in increasingly firm and clear terms, the inalienable rights of the Palestinian people in Palestine. It was in line with this that the General Assembly decided, in its resolution 3376 (XXX), to establish a committee called the "Committee on the Exercise of the Inalienable Rights of the Palestinian People", composed of 20 Member States to be appointed by the Assembly. That Committee's first report and its recommendations are before the Council today. The Committee's mandate is defined as follows:

"to consider and recommend to the General Assembly a programme of implementation, designed to enable the Palestinian people to exercise the rights recognized in paragraphs 1 and 2 of General Assembly resolution 3236 (XXIX), and to take into account, in the formulation of its recommendations for the implementation of that programme, all the powers conferred by the Charter upon the principal organs of the United Nations."

26. Thus the task of the Committee, which is in accordance with the new spirit that has emerged over the past six years within the United Nations with regard to the question of Palestine, consists essentially of developing a programme to implement the rights of the Palestinian people, it being clearly understood that those rights have already been defined in the relevant resolutions of the United Nations, particularly in resolution 3236 (XXIX). This task is both important and difficult. Important, because, for the first time, the United Nations is giving practical consideration to the question which lies at the very core of the Middle East conflict. Difficult, because the exercise of the rights of the Palestinian people is the subject of different and frequently contradictory interpretations.

27. Thus to overcome the obstacles and do a useful job by submitting something susceptible of approval by the broad majority—if not by all—of the Member States, the Committee, in accordance with paragraph 5 of resolution 3376 (XXX), invited all Member States and intergovernmental regional organizations to participate in its work as observers. The Committee also informed them that it was ready to study any

oral and written suggestions and proposals submitted to it.

28. The Palestine Liberation Organization was therefore invited to participate as an observer in the Committee's work and to submit suggestions and proposals. Other States, particularly those of the Middle East, also participated in the Committee's work. None the less, the Committee regretted the Israeli authorities' refusal to co-operate, since Israel is one of the parties most deeply interested in the solution of the Middle East crisis.

29. The report which has been submitted to the Council contains, in part two, the Committee's recommendations with regard to the implementation of the inalienable rights of the Palestinian people. Those recommendations which are of particular interest to the Security Council are centred on the rights defined in resolution 3236 (XXIX), that is, on the one hand, the right of return and, on the other, the right to self-determination, national independence and sovereignty. I should like to add that all the recommendations put forward by the Committee have their basis in resolutions and decisions adopted by the General Assembly or the Security Council.

30. In the course of its work, the Committee paid particular attention to the right of return of the Palestinians. This right was recognized by the General Assembly in its resolution 194 (III) of 11 December 1948, by the Universal Declaration of Human Rights, by Security Council resolution 237 (1967) and, finally, by Israel itself in General Assembly resolution 273 (III) of 11 May 1949, when that country was admitted as a Member of the United Nations.

31. In resolution 194 (III), adopted as a result of the progress report of Count Bernadotte, the United Nations Mediator in the Middle East, the General Assembly had laid down the principles for a solution of the refugee problem as follows:

"the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and... compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible."

32. The right of Palestinian refugees to return or to receive compensation was also reaffirmed in 24 other resolutions. We should like to draw special attention to resolution 273 (III) admitting Israel to the United Nations in which the General Assembly took note of the declaration of the State of Israel that it: "unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day when it becomes a Member of the United Nations". That resolution explicitly recalls the provisions of

resolution 181 (II) which established in Palestine two territorial entities, one Arab and the other Jewish.

33. On the occasion of the admission of Israel to the United Nations, the representative of Israel took the place reserved for him and said:

“Israel’s organic connexion with the United Nations had combined with its own compelling interest in dictating its course of action in international affairs—a course of undivided loyalty to the Charter of the United Nations and of consecration to the cause of peace.”²

It was in conformity with that profession of faith that the State of Israel was to accept resolution 194 (III) concerning the right of Arab refugees to return to Palestine.

34. By thus paying particular attention to this important question, the Committee wished to stress an aspect of the problem which has been accepted in one way or another by each of the parties concerned.

35. With regard to the ways and means to implement the right of return, our Committee recommends that there should be two phases.

36. The first phase would involve refugees from the six-day war of 1967, who should be returned to their homes immediately and unconditionally in accordance with resolution 237 (1967). That resolution is binding under Article 25 of the Charter. During the implementation of this first phase the United Nations, in co-operation with the States directly concerned and with the Palestine Liberation Organization, was to take measures to ensure the return in the second phase of the Palestinian refugees expelled from their lands between 1948 and 1967.

37. In this connexion we wish to emphasize that the division into two phases is motivated only by a desire to be realistic, and should not be interpreted as implying any restriction on the right of return which all exiled Palestinians should enjoy. As far as the Palestinians who do not wish to return to their homes are concerned, the Committee, in accordance with resolution 194 (III), suggests that they be given just and equitable compensation.

38. The implementation of the right of return is a condition which is fundamental to any just peace in the Middle East. Whatever problems of security may be evoked to oppose its implementation, it is none the less true that that security can be established only within the framework of peaceful coexistence among all the peoples and all the nations of the region.

39. The second part of the inalienable rights of the Palestinian people comprises the right to self-determination, national independence and sovereignty. While implementation of the right of return is intended

to promote the return of Palestinians to their homeland, that is in no way sufficient to ensure the exercise of their right to self-determination. For this, the Palestinians must be able to express themselves freely as a sovereign people, which is why the Committee demands the evacuation of the Arab territories illegally occupied by Israel: so that the Arab territorial entity provided for in resolution 181 (II) may be established there in order to allow the Palestinian people to assume control over its own fate. Such a decision is in line with the responsibilities already assumed by the Council when it solemnly proclaimed “the inadmissibility of the acquisition of territory by war” [*resolution 242 (1967)*].

40. It goes without saying that to clear the way for such action certain decisions must be taken immediately. That is why the Committee welcomed the statement made on 26 May 1976 on behalf of the Council by its President, in which he solemnly proclaimed:

“The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³ is applicable to the Arab territories occupied by Israel since 1967. The occupying Power was therefore called upon to comply strictly with the provisions of that Convention and to refrain from and rescind any measure which would violate them. In this regard, the measures taken by Israel in the occupied Arab territories which alter their demographic composition or geographical character, and particularly the establishment of settlements, were deplored. Such measures, which cannot prejudge the outcome of the efforts to achieve peace, constitute an obstacle to peace.” [*1922nd meeting, para. 2.*]

41. The members of the Council surely still remember the grave disturbances that have occurred in occupied Palestine in recent months, and the debates in this Council to which they gave rise. In the course of those debates, most if not all of the speakers recognized that the occupation of Arab territories had lasted all too long, and that the unilateral measures taken by Israel not only were unacceptable but helped to aggravate the situation and to compromise any progress towards a peaceful settlement. However, it was not possible to conclude those debates with the adoption of resolutions—not so much because of disagreement over the facts, but rather because of considerations in no way related to the substance of the matter.

42. The Committee, for its part, noting that both the principle and the methods of the Israeli occupation of Arab territories are disapproved of by the international community, and that moreover that occupation constitutes an obstacle to the exercise of the right to self-determination and national sovereignty of the Palestinian Arab people, advocates the Council’s adoption of the following measures designed to put

an end to this state of affairs: first, the establishment of a time-table for the complete withdrawal of Israeli occupation forces, with a deadline of 1 June 1977; secondly, the provision of temporary peace-keeping forces; thirdly, the establishment of a temporary United Nations administration which would hand over the evacuated territories to the Palestine Liberation Organization.

43. Pending completion of the evacuation of those territories, Israel should refrain from any violation of human rights in the occupied territories and from its policy of establishing Jewish settlements.

44. The Committee, as you will have noted, has based its work strictly upon the relevant resolutions and decisions of the General Assembly and the Security Council, whether with regard to the refugee question, the evacuation of the occupied Arab territories, or the implementation of the Palestinian people's right to self-determination. And all the measures it advocates are in accordance with the spirit and the letter of the Charter. The Committee has particularly taken into account the United Nations recognition of the Palestinian people as a principal party to the Israeli-Arab conflict; it has given similar attention to the resolution adopted at the twenty-ninth session of the General Assembly which recognized the Palestine Liberation Organization as the sole legitimate representative of the interests of the Palestinian people. Indeed, the representatives of that organization have made an especially positive contribution to the work of the Committee.

45. The implementation of the recommendations we have submitted to the Council will require an expansion of the role of the United Nations in all efforts at settling the Palestinian question and establishing a just and lasting peace in the Middle East. That is why the Committee is extremely interested in the Council's reaction to our proposals. We have also decided to take the fullest account of the Council's decisions, proposals and suggestions in formulating the report that we shall be submitting to the General Assembly at its thirty-first session, as prescribed in General Assembly resolution 3376 (XXX) which established the Committee.

46. The present world situation requires that the Council carefully study the recommendations we have submitted to it so that a settlement of the question may be found, since, as everyone knows, such a settlement is essential for the establishment of peace in the Middle East. We believe that such action is all the more appropriate in that the United Nations must bear a great part of the responsibility for the tragedy through which the Arab people of Palestine are now passing.

47. It is in the interests of the State of Israel as well that a real and lasting peace be established in the Middle East. Nothing can be built by blind and unjust

brute force that cannot be destroyed by an even greater force based on justice, ethics and law. The Israeli leaders have too much imagination and too great a sense of political responsibility not to understand that time is working against them. Unfortunately, we must recognize the fact that they are now beginning to count far too many lost opportunities.

48. Here is a last thought, which will serve as the conclusion of my statement, but which is not my own:

"When a people wishes to free itself of an occupier, even though the occupier may be militarily more powerful, it will always be successful. This was the case in Viet-Nam, in Algeria, in Madagascar, in Angola. The same will hold for Palestine."

This was said by an outstanding statesman who assumed the highest office in his Government, a man with a world-wide reputation, whom political actions and his origins place far beyond any suspicion of anti-Israeli feelings, Pierre Mendes France.

49. The PRESIDENT: I should like to inform the members of the Council that a letter has been received from the representative of Cuba in which he asks to be invited to participate in the discussion. Accordingly, I propose, with the consent of the Council, in accordance with the usual practice, to invite the representative of Cuba to participate in the debate without the right to vote.

50. In view of the limited number of seats available at the Council table, I invite the representative of Cuba to take the seat reserved for him at the side of the Council chamber on the understanding that he will be invited to take a seat at the Council table when it is his turn to speak.

At the invitation of the President, Mr. Alarcón (Cuba), took the place reserved for him at the side of the Council chamber.

51. The PRESIDENT: The next speaker is the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Mr. Victor Gauci of Malta. I invite him to take a seat at the Council table and to make his statement.

52. Mr. GAUCI (Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People): Since my country's admission to the United Nations in 1964 no member of our delegation has so far appeared before the Security Council. I do so today with the abiding faith in this supreme body of our Organization which befits a small, peace-loving country, one which for many years has lost no opportunity to state its disinterested but concerned views on the uneasy situation in the Middle East in an even-handed attempt to put in motion, despite all apparent obstacles, concrete steps for progress towards the achievement of a just and lasting solution. It was with

this objective constantly in mind that, despite the small size of my delegation, I felt an equal obligation to participate in the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to assume the heavy responsibility of the rapporteurship of that Committee.

53. It is therefore fitting that Malta's first appearance before the Council should be on a matter of fundamental importance, both to the cause of peace and justice and to the credibility of this international organization in which we play a modest part.

54. I propose, with the Council's permission, to elucidate some of the highlights and perspectives of the recommendations contained in paragraphs 59 to 72 of the Committee's report, although I must say that this has already been done in an exceptionally able manner by our Chairman, the representative of Senegal. I derive some encouragement in my delicate task from the knowledge that you, Mr. President, a representative of another small, developing, Commonwealth country, are presiding over this meeting with a sympathetic understanding of the problems facing a new-comer making his maiden speech before the Council, as well as of the crucial importance to world peace of the problem we are facing today.

55. The Committee did not underestimate the complexity of the situation and the divergent views that have so far constituted unyielding obstacles to progress. The Committee consequently went out of its way to provide an open forum for discussion and to ascertain and to study all relevant shades of opinion. Although naturally conscious of current events, it did not meet in direct response to some sudden emergency, as is often the case in the Security Council. Its discussions were characterized by a sober and unacrimonious appraisal of the situation and of the need for progress in the interests of all concerned. It was able to study the complex matter since the early unfolding of events and to benefit from the evolution in its discussion up to the present day. The Committee was consequently able to bring out conspicuously the vital element that had somehow escaped until recently the concentrated attention it merited in the past. This missing element is the indisputable fact that, from the perspective of both political and human rights, the Palestinian people have had more than their fair share of the slings and arrows of outrageous fortune. As stated in paragraph 13 of the report:

"For 30 years, hundreds of thousands had been forced to live in destitution, many being cast in the role of refugee not once, but twice or even three times in their lifetime. This tragedy had been recognized by the international community as one that should no longer be tolerated."

56. This key element, as I said, came into sharp focus. The Committee recognized that the question of Palestine is at the heart of the Middle East problem

and believes that no solution is possible which fails to take this fundamental aspect into account. This recognition, in turn, evidently calls for the full participation of the Palestine Liberation Organization, as representative of the Palestinian people, in any discussions in which their own destiny is at stake. No objective observer, no champion of human rights, no advocate of peace can deny that the present predicament of the Palestinian people calls for redress. They have come to seek, through their representatives, the guidance and support of the United Nations. The peaceful significance of this approach deserves emphasis and recognition. But they want responsive and responsible action; they want tangible progress, not continued frustration, in their search to achieve their rights as individuals, as a people and as a nation.

57. A programme of action to attain these ends was the mandate entrusted to the Committee, after many years of only token regard by the United Nations, which had limited itself to reaffirming the rights of the Palestinian people. But enunciation and reaffirmation of rights was not enough; it kept legitimate aspirations alive without providing the means to acquire them. Not for a long time has a comprehensive attempt been made to rectify this omission. A suggested approach is contained in the recommendations of the Committee. If opportunities were missed in the past, that is all the more reason for urgent action to be taken without undue delay. There is undoubtedly a pressing need for the Security Council, in particular, to exercise its influential role in the search for and in the implementation of an over-all settlement. That is essentially what the Committee proposes.

58. I do not believe it is necessary for me to explain the recommendations of the Committee in individual detail, since to a large extent they are self-explanatory and a deliberate attempt was made to keep them brief and to the point, without any rhetorical padding. The task the Committee set itself, very briefly stated, was that of putting forward constructive and realistic suggestions which would help the cause of progress towards peace, redress injustice, satisfy legitimate aspirations and allay genuine preoccupations. An approach has been proposed which would involve the United Nations and its organs in promoting, facilitating and overseeing, in all its stages, a peaceful and comprehensive solution reflective of international opinion. The Committee believes this is a responsibility which is shared by all Member States, while recognizing the special role of the parties directly involved as well as of the permanent members of the Council.

59. The Committee was guided in its approach by the innumerable resolutions on Palestine and related questions adopted by the United Nations—many not yet implemented—and the clearly discernible international consensus on the constituent elements of a just solution to the over-all problem. The Committee

recommends a phased approach which gives concrete form to several steps which could lead progressively to those final objectives. It suggests utilization of the latent capability of the United Nations in each step envisaged so as, if necessary, to facilitate recommended processes. It proceeds from the legally indisputable issues and proposes modalities which would, at a later stage, after a positive process has been initiated, help to resolve those issues that would require more detailed procedures for negotiation.

60. Accordingly, the Committee stresses that the rights of the Palestinian people, as defined by the General Assembly in resolution 194 (III), have been repeatedly reaffirmed by the Assembly and are also derived from international covenants on human rights. Moreover, the Committee points out that resolution 237 (1967), unanimously adopted by the Security Council, still awaits implementation. Surely a decade is more than enough time for a start to be made in the implementation of that particular resolution. The Committee therefore suggests that, in a first phase, Palestinians displaced during the hostilities of June 1967 should be allowed immediately and unconditionally to return to their homes. During the implementation of that first phase appropriate arrangements should also be initiated to deal with the question of the right of return of Palestinians displaced during the period from 1948 to 1967. This chronological procedure is envisaged for practical purposes. It does not imply, nor can it be interpreted to imply, that the return of persons displaced in 1967 is more urgent than the return of persons displaced between 1948 and 1967, or that the rights of one group of displaced persons are better founded than those of another. The principle of compensation, provided for in resolution 194 (III), in the case of persons not wishing to return, was also recalled by the Committee.

61. The Committee recalls the fundamental principle of the inadmissibility of the acquisition of territory by force and stresses the consequent obligation for the complete and speedy evacuation of any territory so occupied, with all property intact. The Committee recommends that the evacuation of the territories occupied in June 1967 should take place as a matter of urgency and in any case no later than 1 June 1977. The Committee also recommends several ways to facilitate this process and assigns specific roles to competent United Nations bodies for implementation.

62. At a time of their own choice, after the displaced Palestinians have been allowed to return to their homes, their fundamental right to self-determination, free of external interference, would be exercised. The political benefits of the responsibility of statehood have been recognized in the past. They remain valid today. In the interests of peace, the exercise by the Palestinians of their right to sovereignty and independence should be facilitated by the United Nations.

63. Without minimizing their urgency, the Committee leaves for an undetermined stage, depending

on progress, the full implementation of the rights of the Palestinian people and the resolution of outstanding problems, with a view to the establishment of a just and lasting peace in the region, in accordance with all the relevant resolutions of the United Nations.

64. I am aware that attempts have been made, mostly in journalistic circles, to suggest that the recommendations of the Committee were, predictably, bound to be biased or one-sided. There is a bias in the objectives of the Committee. The bias is towards a peaceful solution, towards justice and the principles of the Charter. In essence, the Committee was instructed by the General Assembly to render justice to the legitimate rights of the Palestinian people. It is my view that the recommendations proposed satisfy the requirements of the situation and the genuine preoccupations of all States and peoples in the region, in accordance with the decisions of the United Nations. But I do not believe that the Committee claims a monopoly of wisdom. Just as I recognize that peaceful progress can best be advanced if the Security Council, particularly its permanent members, and the States directly involved show genuine willingness to negotiate in the search for progress, so my delegation, as a member of the Committee, welcomes any additional constructive suggestions for broadening and strengthening the recommendations which may be forthcoming from members of the Security Council after examination of the ones already proposed. This would then constitute a truly co-operative international approach to a problem for which the United Nations has a particular responsibility. What I would stress is that the theme constantly recurring in the recommendations is a call for overdue action—effective and urgent action—by the Council. As was rightly pointed out in this chamber a few days ago, fine words butter no parsnips.

65. In conclusion, Mr. President, I express my sincere hope that under your guidance the present debate will signal a significant departure from the sterile and unrewarding practices of the past. I hope it will be possible to have a constructive and objective debate, free from passion and controversy. We need to close the book on the bitterness and recrimination which characterized debates in the past, and to start writing together a new chapter of progress to replace stagnation. I am convinced that the recommendations of the Committee provide the basic elements necessary for such an overdue approach.

66. Endorsing and initiating the implementation of the recommendations would signal an important step tending to change the present critical mood of frustration into the exciting momentum of peaceful change, economic rehabilitation and national dignity. It is trite to observe that such a change would offer the best prospects of security and would be beneficial not only to the region, but to the world at large. The Security Council could seize the opportunity this time to direct progress in decisive steps towards a final and

just over-all solution, in a way calculated to give satisfaction to the legitimate aspirations of all peoples and States in the Middle East.

67. The PRESIDENT: The last speaker for this meeting is the representative of Cuba, one of the Vice-Chairmen of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. I invite him to take a place at the Council table and to make his statement.

68. Mr. ALARCÓN (Cuba) (*interpretation from Spanish*): Mr. President, at the outset, I should like to thank you and the members of the Council for allowing me to participate in the important debate that is beginning today.

69. First of all, I should like to say that, as Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I do not have a great deal to add to the brilliant statements made by the Chairman of the Committee, Ambassador Fall, the representative of Senegal. Perhaps all that should be added is something which, for obvious reasons, he omitted from his statement—that is, a tribute to him for the competence, talent and skill he demonstrated in guiding the work of the Committee. That was undoubtedly an important factor in enabling our group successfully to discharge the task entrusted to it by the General Assembly.

70. I should like to express here some opinions held by the Revolutionary Government of Cuba with regard to the problem before the Council. Before doing so, Mr. President, I would state for the record that my delegation is gratified to participate in this Council debate under your presidency. All of us are well aware of your competence and your devotion to the ideals of the United Nations. That qualifies you particularly for carrying out with skill and effectiveness the lofty responsibilities of President of the Security Council. It is a particular pleasure for me to see you worthily representing the Co-operative Republic of Guyana, a brother country of the Caribbean, linked to Cuba by constant fraternal ties which grow stronger each day. Your accession to the presidency of the Council is, in our view, a tribute to all the peoples of the Caribbean which are today involved in a decisive struggle to achieve their national sovereignty and gain full independence based on social justice. I would take this opportunity to express again, through you, to the Government and people of Guyana the firm solidarity of Cuba in the face of the threats and plots to which they are being subjected today by those who still refuse to understand that in the Caribbean, the hour of final emancipation has struck.

71. On 10 November last year the General Assembly, in adopting resolution 3376 (XXX), indicated the determination of the international community to give a new and stronger thrust to the efforts under way to solve the Palestine question. It was that resolution

which established the Committee on the Exercise of the Inalienable Rights of the Palestinian People, whose work led to the report now before the Security Council for its consideration. In addition, that resolution requested the Security Council to meet during this period this year to consider measures that it, as a principal body of the United Nations, could take to establish the appropriate conditions to enable the Palestinian people to exercise their inalienable national rights. As everyone here knows, those rights have been repeatedly recognized and reaffirmed by the General Assembly, and today it is for the Council to consider what appropriate measures it could adopt now to contribute to the establishment in the region of the Middle East of a more favourable situation that would make it possible for the Palestinian people to exercise, for the first time, the rights which the international community has recognized as theirs. In the consideration of this question the Council has the benefit of the work done by the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

72. I should tell that the work accomplished by the Committee was the result of very serious efforts on the part of 20 States Members with the active participation of representatives of the Palestine Liberation Organization and the assistance of several other States which submitted their views and suggestions. This effort, this committed dedication to the Committee's task, was aimed at submitting to the international community concrete and realistic proposals that would bring us nearer to a definitive solution of the problem now before us. These proposals, as can be fully appreciated by from an examination of the document we submitted to the Council, do not in any way diverge from the guidelines and criteria established by the General Assembly on the question of Palestine. In fact, what we have here is a concrete presentation of the Assembly's guidelines and criteria in a practical programme of action.

73. The formula put forward by the Committee, which would involve a search for a two-phase solution, takes into account the actual situation existing today in Palestine and proposes measures for the implementation of two principles stressed by the Committee as being the most important. On the one hand, the right of the Palestinian people to return to their homes and land and, on the other, the inalienable right of that people to exercise self-determination. Only by accepting both principles and taking effective measures to make them a reality will it be possible for us to find a solution to this burning question.

74. In the document which is before the Council, some matters are indicated which should be the subject of particular interest to the Council. If the programme of action submitted by the Committee, it is imperative for the Council to adopt some effective measures to ensure the right of return and the right of self-determination should really be exercised in Pales-

tine. As is obvious, these measures must be such as to compel Israel to recognize and respect both principles and must create conditions that will ensure the restoration of peace in that area of the world. The Council must therefore decide how far it is ready to accept its share of responsibility in the search for a solution.

75. Of course, in accordance with the mandate given it by the General Assembly last year, the Committee is to meet once again after the Council has concluded its present debate—successfully, we hope—to draw the appropriate conclusions and to complete the report it is to submit to the Assembly at its next session. We are convinced that the Assembly will then have to give the highest priority to its consideration of the question of Palestine.

76. The General Assembly and the Security Council, in their consideration of the situation in Palestine and in seeking the indispensable solutions, must obviously take into account, on the one hand, the fact that we are coming to the end of an historic 30-year period during which the Arab people of Palestine have been in a tragic situation and been denied its most fundamental rights, and, on the other, that that tragic situation of the Arab people of Palestine has been and continues to be the core and the root of the tense state of affairs prevailing in the Middle East since the beginning of this period. As we approach this anniversary of ruthless injustice committed against the people of Palestine, history demands that we make a really serious effort to ensure that it should mark the beginning of the necessary redress of an injustice which the world cannot suffer for ever, and the beginning of a change in so far as Palestine is concerned and should also mark the beginning of true peace in the region.

77. Those Western Powers which have upheld the policy of Zionism in the region and have been supporting those who have failed to recognize the inalienable rights of the Palestinian people must be unmasked before international public opinion and shown in the role they have really played. It must be said that in the Western world today systematic hostility against the Palestinian people is being fostered and a constant campaign is being carried on which provides the ideological and proclaimed basis for the subjugation of that people and that this hostility to the people of Palestine is today the main reason for contemporary anti-Semitism.

78. Those in the Western world who are always attacking that ancient and damnable manifestation of racial discrimination which traditionally has appeared as anti-Semitism, should remember that for three decades a people of the Middle East, a people which by right belongs to the same ethnic stock has been denied its most fundamental rights; that that people has been subjected to oppressive and humiliating

treatment, despoiled of its lands and compelled to live as exiles in poverty and surrounded with constant hostility; and that some of the Governments of the capitalist countries have made this anti-Palestinian policy one of the basic elements and motivations of their international conduct.

79. But above all, we should not ignore the fact that the Palestinian people is not waiting passively for the international community to restore its national rights. In recent months, that people has demonstrated, in the most difficult of circumstances, in the face of the most ruthless repression, and in situations where it really has had to overcome enormous obstacles, that it is willing to fight for its national rights, at whatever cost. The demonstrations by students, workers and women in occupied Palestine are the best illustration of the fact that people is not going to allow its rights to be denied for ever. This struggle at the Palestinian people will—like the struggles of all oppressed peoples known to history—end in triumph.

80. Consequently, it is not so much the late of the people of Palestine as the prestige, credit and reputation of the Council that will depend upon the decisions that members take here, because the future will show how far the United Nations organs have been able to discharge their responsibilities, to act appropriately and realistically and to fulfil the obligations categorically laid upon them by the Charter.

81. May I conclude, Mr. President, by voicing our hope that the Council, under your wise guidance, will be in a position to make a contribution to this new international effort to end the tragedy of Palestine. In any event, should the Council not be so disposed, or should it find itself prevented from discharging its duties, we should like the fact to be noted that outside this chamber the people of Palestine will always be able to count upon the solidarity and support of the peoples of the world, including the Cuban people, in its irreversible struggle to secure its national rights, and that that struggle, with international solidarity, must sooner or later end in triumph.

82. The PRESIDENT: I thank the representative of Cuba for his kind and generous remarks about me personally and about the people and Government of Guyana and their aspirations for a fully free and independent existence. May I assure him that we, for our part, value our friendship with the Cuban people and the expression of their solidarity with us.

The meeting rose at 12 45 p.m.

Notes

¹ For the report, see *Official Records of the General Assembly, Thirty-first Session, Supplement No. 35.*

² *Official Records of the General Assembly, Third Session, Part II, Plenary Meetings: 207th meeting.*

³ United Nations, *Treaty Series*, vol. 75, p. 287.