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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
SEVEN HUNDRED AND EIGHTY-SIXTH MEETING

Held at Headquarters, New York,
on Wednesday, 27 January 1988, at 3.30 p.m.

President: Sir Crispin TICKELL

(United Kingdom of Great Britain and
Northern Ireland)

Members: Algeria
Argentina
Brazil
China
France
Germany, Federal Republic of
Italy
Japan
Nepal
Senegal
Union of Soviet Socialist
Republics
United States of America
Yugoslavia
Zambia

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Mr. BEAUGE
Mr. NOGUEIRA-BATISTA
Mr. LI Luye
Mr. BLANC
Count YORK von WARTENBURG
Mr. BUCCI
Mr. ABE
Mr. JOSSE
Mr. SARRE

Mr. SMIRNOV
Mr. WALTERS
Mr. PEJIC
Mr. MFULA

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The meeting was called to order at 3.45 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL IN ACCORDANCE WITH RESOLUTION 605 (1987) (S/19443)

The PRESIDENT: In accordance with the decisions taken at the 2785th meeting, I invite the representative of the Palestine Liberation Organization to take a place at the Council table; I invite the representatives of Czechoslovakia, Egypt, Jordan, Kuwait and the Syrian Arab Republic to take the places reserved for them at the side of the Council Chamber.

At the invitation of the President, Mr. Terzi (Palestine Liberation Organization) took the place reserved for him at the Council table; Mr. Zapotocky (Czechoslovakia), Mr. Badawi (Egypt), Mr. Salah (Jordan), Mr. Abulhasan (Kuwait) and Mr. Al-Masri (Syrian Arab Republic) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Morocco in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

(The President)

There being no objection, it is so decided.

At the invitation of the President, Mr. Slaoui (Morocco) took the place reserved for him at the side of the Council Chamber.

The PRESIDENT: The Security Council will now resume its consideration of the item on its agenda.

The first speaker is the representative of the Palestine Liberation Organization. I now call on him.

Mr. TERZI (Palestine Liberation Organization): This morning the Council heard statements made on behalf of the Arab States and the States members of the Organization of the Islamic Conference, and the representative of the Federal Republic of Germany reflected to a great extent the collective position of the European Community. The fact that those statements made this morning reflected the position of such a number of States is in itself very significant.

At the outset let me express our sincere appreciation for the great effort undertaken by the Secretary-General in preparing the report submitted on 21 January 1988 in accordance with resolution 605 (1987). In the opinion of the Palestine Liberation Organization that report is in fact a historic document.

Before going through the report in detail, permit me to express our sympathy to Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs, and the accompanying team. We watched his movements and shared in his ordeal.

We also wish to express our thanks to the personnel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in the occupied Palestinian territories for the services and facilities offered to Mr. Goulding in order to enable him to succeed in his mission.

At first glance we observe Israel's contempt for the decisions of the Security Council. Israeli Ministers, we are informed, and in particular the butcher Yitzhak Rabin, made it clear that

"they had agreed to meet Mr. Goulding as a representative of the Secretary-General whom they regularly received and not in connection with the report requested from the Secretary-General in resolution 605 (1987)."

We are told that they

"recommended that the Gaza Strip and the West Bank, and especially the refugee camps, be avoided and that contacts with Palestinians take place in Jerusalem." (S/19443, para. 4)

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Somewhere in the United Nations Charter it is written that Members agree to accept and carry out the decisions of the Security Council. But I am sure that by this time the members of the Council know that Israel will not carry out the resolutions of the Council. I would make a comment here: maybe the Council, by its paternal patience and tolerance, has encouraged Israel to maintain that contempt and arrogance.

Mr. Goulding knew that confining his contacts with Palestinians to Jerusalem would abort his mission. There was a general strike throughout the occupied Palestinian territory, and there were scores of Israeli army checkpoints; thus it was more or less impossible for any Palestinian to drive to Jerusalem and meet with the representative of the Secretary-General. But he did gather his courage and decide to meet with Palestinians wherever it was possible. We do congratulate him.

The iron-fist policy - that is a term the Israelis themselves are applying - and practices of Israel against our people have failed to subdue the will to be liberated. The Palestinians have proved to be a hard nut to crack. In concrete ways the Palestinians have manifested their determination to struggle by all means to liberate their Palestine from Israeli occupation and redeem the country and themselves. Freedom is their immediate goal.

The Secretary-General's report informs us that

"It is apparent, however, that measures taken by the Israeli security forces to restore law and order in the occupied territories have not as yet succeeded." (S/19443, para. 11)

In our opinion that is an understatement. Israel has deployed its army, its paratroopers, its helicopters, lethal weapons and all kinds of gases. The issue is not the restoration of law and order. What is going on is a confrontation by the occupying Power with the heroic Palestinians and their rising up to demand a

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right: the the right to life in peace, free in their own country; life untarnished by the presence of Israeli occupation in any form, military or otherwise. All the iron-first measures will not make us bend. Israel's option to impose subjugation is doomed. The military option against our people has proved a failure. Israel realizes that fact. The Palestinians reject, oppose and resist Israeli occupation.

The representative of the Secretary-General refers to the brutalities, but not the latest of them. The recent policy - "beat them, and do not shoot them" - is only one form of brutality; resorting to all kinds of gas is another. The Secretary-General has learned by now that the long-range effect of that gas is currently being felt. It is reported that pregnant women have given birth to still-born babies as a result of inhaling the gas. We shall present to the Council the names of at least 25 unhappy mothers who have lost the fruit they were carrying for months. Other women have miscarried as a result of brutal beatings by the so-called security forces, which, the report admits, include the infamous Shin Beth, as well as the army and border police.

I am sure that the monitoring section in the Secretary-General's office will report what Ha'aretz published on 25 January 1988. A correspondent reports that in the heart of the city of Ramallah Israeli forces chose a wall in the rear of a shop in Al-Manara Square, where he saw Israeli soldiers drag a 40-year-old Arab, tie his hands behind his back, seat him and start beating him. What saved the man, it is reported, was the appearance of foreign cameramen. Hospitals in the Palestinian occupied territories are tending cases of fractured limbs and skulls and injuries to other parts of the body.

The brutality has extended to mosques and churches. The President of the Supreme Islamic Commission, Sheik Saad eddin El Alami, has addressed a letter to

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the Secretary-General (S/19439). On 22 January 1988 the heads of churches in Jerusalem issued the following statement:

"To all our sons and daughters and sisters and brothers in the Holy Land:

'Thus saith the Lord: Let not the wise man glory in his wisdom, let not the mighty man glory in his might, let not the rich man glory in his riches; but let him who glories glory in this, that he understands and knows me, that I am the Lord who practices kindness, justice, and righteousness in the earth; for in these things I delight, saith the Lord.'

That is a quotation from Jeremiah. The statement of the Christian churches reads as follows:

"The recent painful events in our land which have resulted in so many victims, both killed and wounded, are a clear indication of the grievous suffering of our people on the West Bank and in the Gaza Strip. They are also a visible expression of our people's aspirations to achieve their legal rights and the realization of their hopes.

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"We, the Heads of the Christian Communities in Jerusalem, would like to express in all honesty and clarity that we take our stand with truth and justice against all forms of injustice and oppression. We stand with the suffering and the oppressed, we stand with the refugees and the deported, with the distressed and the victims of injustice, we stand with those who mourn and are bereaved, with the hungry and the poor.

"In accordance with the word of God through the Prophet Isaiah,

'Learn to go seek justice; correct oppression; defend the fatherless; plead for the widow.'

"We call upon the faithful to pray and to labor for justice and peace for all the peoples of our area.

"And in response to the same word of God, prompted by our faith in God and our Christian duty, we have decided to call upon all our sons and daughters who are, with us, an integral part of the people of this Holy Land who are laboring and witnessing for justice and peace, to give expression to what we feel we ought to do in these ways:

"First: We call upon all our sons and daughters to pray for justice and peace for our land and for its peoples throughout this week of prayer, Sunday, 24 January to Sunday 31 January 1988.

"Second: We call upon faithful Christians to dedicate Friday, 29 January 1988, as a day of fasting and self-denial, identifying ourselves with our brothers and sisters in the camps on the West Bank and in the Gaza Strip. We request you to give what you save towards the support of our needy brothers and sisters, remembering that Friday speaks to us of the Passion of

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our Lord Jesus Christ, of his crucifixion and of his death to redeem all humanity.

"Third: We resolve to set apart Sunday, 31 January 1988, in all churches of our various communities as a day of prayer and preaching when fervent prayer will be offered in the regular worship services that justice and peace may be realized in our land, so that all may live there in safety, security and peace. At the end of these services, donations to the support of our needy brothers and sisters will be collected.

"We solemnly charge the Christian faithful to fill the churches by their presence and actively to contribute to the success of what we intend to do, praying that God may inspire and direct all leaders and people in authority to bring to reality what all of us hope and work for so that the foundation of truth, justice and peace may be firmly laid in our part of the world.

"Therefore, we again state unequivocally that all our Christian churches in this country, standing together, seek real peace based on justice and which will never be established unless every person's rights are fully respected; only when this happens will crises cease, peace permeate our country and the song of the angels on the birthday of Jesus Christ, 'The King of Peace', be a reality:

"Glory to God in the highest and on earth peace and goodwill to men."

That statement was signed by the Heads of the following Churches: the Greek Orthodox; the Roman Catholic; the Greek Catholic (Melkite); the Armenian; the Syrian Orthodox; the Anglican; and the Franciscan Order. We, Palestinians, all

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of us, have one stand in matters relating to the well-being of our people and our land - and there is no discrimination there.

The report of the Secretary-General speaks of the continuing occupation by Israel of the territories captured in the 1967 war as the underlying problem. The Secretary-General continues to say that measures to ensure the safety and protection of the civilian population "can only be palliatives", but he affirms that "It is certainly necessary that more should be done ...". We fully agree with him that "In the long run, the only certain way of ensuring the safety and protection of the Palestinian people in the occupied territories, and of the people of Israel, is the negotiation of a comprehensive, just and lasting settlement of the Arab-Israeli conflict acceptable to all concerned". (S/19443, para. 20)

We sincerely wish to see the peoples live in peace. We cannot permit the further prolongation of occupation resulting in misery, bloodshed and the denial of rights and, on the other hand, we pity those Israelis who have been indoctrinated to hate, to commit brutality against civilians and to don military uniforms. They are paying for the crimes of their leadership. But occupation is only one of the underlying problems. Ending Israeli occupation of Palestinian and other Arab territories, including Jerusalem, will definitely contribute to the endeavours for a comprehensive settlement and for the establishment of peace. This is exactly what the international community is calling for, and the General Assembly, in resolution 38/58 C, has determined the need to convene an international peace conference on the Middle East under the auspices of the United Nations. It has determined the guidelines, the mechanisms, the participants and, more precisely, the role of the Security Council. We therefore appeal here to the members of the

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Council to address the comprehensive approach. But, in the meantime, we are confronted with the immediate situation that calls for measures, albeit palliative. Derivatives too must be addressed.

The applicability of the Fourth Geneva Convention to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, has been constantly reaffirmed by the Council. Israel, I understand, is one of the High Contracting Parties to the Convention. The Council is asked to consider making a solemn appeal to all the High Contracting Parties to ensure respect and to use all the means at their disposal to persuade the Government of Israel to accept the de jure applicability of the Convention. Unfortunately, the Convention, like the Charter, does not prescribe remedies against those who renege; but, after all, the founding fathers of the United Nations, and the International Committee of the Red Cross, assumed good faith and commitment by those who put their signature on the Convention and merit the title "High Contracting Parties". We feel that the Council and all the other High Contracting Parties are called upon to ensure respect for that Convention.

In addressing the immediate ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation, the Secretary-General offers proposals about different types of protection. Unfortunately, he leaves it entirely up to the occupying Power to agree and co-operate, and hastens to tell us Israel will not co-operate. It is in this context that the Security Council will find itself duty-bound to ensure the operational feasibility of some of those proposals. The mere presence of the United Nations as a symbol of protection and admission of responsibility is important. The physical role of supervision and ensuring compliance with and preventing violations of the obligations of the occupying Power, Israel, is a

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must. We firmly believe in the need to undertake immediate measures. Israel cannot and should not be permitted to deny the Council and the Secretary-General the right and duty to discharge their responsibilities. Some proposals are already being realized and we thank the Secretary-General for having taken such measures, but a great deal more is still needed.

The Secretary-General informs us that "the Palestinians consulted by Mr. Goulding, especially in the refugee camps, asked that the United Nations forces should be deployed in the occupied territories, either to protect the inhabitants against the Israeli security forces or to replace the latter completely in the populated areas." (S/19443, para. 29)

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This request expresses the need and reflects the fears of the Palestinian people, and we wish that the Council would respond to that request in order to relieve them of their fears of the future.

The Council is of the unanimous opinion that the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are under occupation and protected by the Fourth Geneva Convention. In 1988, we feel that the Council is in a position to ensure respect for the Convention and to provide protection, regardless of the position of the occupying Power. The Council is not addressing a domestic issue. Maintenance of law and order, while it is one of the responsibilities of the occupying Power, is not the sole responsibility. Neither is it the exclusive responsibility of the occupying Power alone, because protecting the civilian population under occupation is the responsibility of the international community where "the High Contracting Parties are requested to ensure respect for the Convention", particularly when and where the occupying Power violates its obligations. It is the responsibility of the Security Council, in that context, to maintain international peace and security.

We appreciate the proposals of the Secretary-General, even those of a palliative nature, like "legal protection" and "general assistance", and join in the appeal for further contributions so that the various agencies and organs of the United Nations system may be able to cope with their immediate and regular responsibilities.

The Council should not permit the prolongation or perpetuation of the suffering of the Palestinian people, which the status quo entails. It is our firm belief that the Council should respond to the tragic situation and address the root cause in keeping with the remedy prescribed in the relevant General Assembly resolutions.

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The Palestine Liberation Organization noted with great relief the position taken by the Foreign Minister of the Soviet Union in his letter to the Secretary-General. I think he has added his voice to the appeal that an international peace conference, with the participation of all the parties to the conflict, be held under the auspices of the United Nations. The Palestine Liberation Organization wishes to affirm here that we are committed to co-operating fully in the efforts to achieve peace and the convening of that international peace conference, which is the best, if not the only, course to follow. The Council and in particular its permanent members should assume their responsibilities accordingly.

The PRESIDENT: The next speaker is Mr. Clovis Maksoud, Permanent Observer of the League of Arab States to the United Nations, to whom the Council extended an invitation under rule 39 of its provisional rules of procedure at its 2785th meeting. I invite him to take a place at the Council table and to make his statement.

Mr. MAKSOD: I should like to take this opportunity to extend to you, Sir, and through you to the other members of the Security Council, my gratitude for the invitation to address the Council on an issue of such great importance to the Arab nation, the Arab people and the League of Arab States. I should also like to join with the various members and speakers who preceded me in congratulating you, Sir, on your assumption of the presidency of the Security Council for the month of January to observe that in the short period of your tenure you have made a definitive and positive impact on the deliberations of the Council and in the channels of international diplomacy.

(Mr. Maksoud)

What is the chemistry of the uprising of the Palestinians in the occupied Arab territories that began 9 December 1987 and caused the Council to meet more than three times in order to discuss the issues, thus sharpening the focus and drawing the attention of the international community to the situation? What the uprising has done has been to reopen the question of Palestine in its basic essence, and not only to deal with what the representative of the Palestine Liberation Organization (PLO) called the derivative issues. Perhaps this became necessary when people thought that Israeli practices would in time enable the Palestinians to adapt to the permanency of their dispossession, disfranchisement and their institutionalized humiliation. The uprising has shown the futility of Israel's expectation in depending on the amnesia of the international community to bring about its objectives of annexation and expansion in the occupied territories.

Israel's policy has been pursued through two measures, one of which is called the "iron-fist" and the other the "scorched-earth" policy. It is because of this that the uprising, which was expected to be a temporary outburst, is becoming a sustained resistance. It is altering many equations. It is restoring the question of Palestine as the core issue in the Middle East. It is showing that the will of the people can overcome tanks; that the new generation of Palestinians, inheriting the dignity of their parents, is also trying to articulate the will of previous and subsequent generations.

Therefore the Palestinian uprising over recent weeks has in reopening the question of Palestine, also shown a large measure of maturity so that nobody can any longer dismiss the Palestinian people nor overbid them. They have taken the initiative to determine the course of unravelling events.

(Mr. Maksoud)

The uprising might not be sustained at the same level of intensity, but the intensity of their commitment to their freedom and their right to exercise self-determination will be further manifested in different ways. It is because of this glorious chapter in Palestinian and Arab history that a corrective has been set in motion. It has corrected the international community's marginalizing the Palestinian question and has therefore rendered it central again.

(Mr. Maksoud)

It has corrected the Israeli claim to be the repository of Jewish consciousness when Jewish humanist conscience has been outraged by Israeli behaviour patterns. It has corrected our own Arab body politic by making us more and more united and in need of more and more cohesion in order to prove our credibility, and therefore our effectiveness. It has removed much of the fog that redundant diplomacy has interposed into our pursuit of our rights. This is the historic significance of this uprising, a significance that has enabled this new generation of Palestinians to make history instead of being on the sidelines of history.

Perhaps at this moment, under the pretext of realism and pragmatism, many issues would be dealt with in a repetitious manner. But the uprising and what it has meant will enable us to be more creative, more imaginative, more visionary in bringing about a resolution of this conflict which has lasted for more than 40 years. Its impact on the international community has yet to be realized.

I mention this because I feel that we are on the threshold of new thinking, which was manifested in the Secretary-General's report; and on behalf of the League of Arab States we should like to express our deep appreciation for the sensitivity, courage and objectivity that have characterized the elements of that report. It has emboldened the international community to be more comprehensive in its reporting method. We are hopeful that the Security Council resolution resulting from this debate will reflect boldness in monitoring how the Security Council resolutions are implemented.

However, let us not underestimate the emboldening of the Israeli's reaction and their intention and plan to foreclose this new development in the question of Palestine. It has in many instances further humanized a large sector of the Jewish community within and outside Israel. On the other hand, it has also brutalized the infrastructure of the Israeli establishment in the pursuit of its annexationist and

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expansionist objectives. And it is in this respect that I feel that certain observations by leaders of Israel in the last two days should be responded to and commented upon because what is being manifested in the Israeli political literature - if I may use the term - is an effort to pre-empt any serious pursuit of United Nations resolutions or a peaceful option.

Listen to what the Head of State of Israel, Mr. Herzog, stated in response to the concerned Jewish leaders in the United States:

"What is a stake at the moment in my view is whether or not the wave of Khomeinism which threatens our area will spread or not."

Now, that is a distortion. When Israel occupied the occupied territories there was no Khomeinism. When Israel usurped areas beyond the partition there was no Khomeinism. There is always an attempt on the part of even the so-called liberal Israelis to find pretexts in order not to comply with the imperatives of the international will and international consensus.

At one time it was Nasserism; at another time it was Arabism; a third time it was terrorism; a fourth time it was PLO-inspired; and now the most recent is Khomeinism. For a country - a State, a Government - that claims to be fearful of the spread of so-called Khomeinism, its record during the "Irangate" episode is replete with double-talk on this issue. Let me quote further what Mr. Shamir said yesterday. In a complaining, mendicant - and yet, at the same time, arrogant - way - and this is a position to pre-empt any effort by the Security Council to undertake any measure - he said,

"We are not allowed to kill. We are not allowed to expel. We are not allowed to beat. You ask yourself, 'What are we allowed to do?'. Only to be killed, only to be wounded, only to be defeated" -

as if there were only two alternatives: that either Israel be allowed to kill or that it be killed. That is the pre-emptive strike against the peaceful option.

(Mr. Maksoud)

That is the pre-emptive strike against Security Council deliberations and resolutions. That is the pre-emptive strike against any comprehensive and seriously pursued peace option.

He then goes on to state, as if trying to put the Security Council in a crisis of conscience, that "The United Nations Security Council has never been concerned when it was the murder of Jews". What a lie. What a tautological distortion. What an attempt at blackmailing the international community and the Security Council. What consummate contempt. What ultimate arrogance. It is an attempt to inflict a crisis of conscience in order to relieve his own conscience when he says, "We are not allowed to kill or to expel".

And then we are asked not to indulge in bashing in public forums, and told that nobody should indulge in an orgy of speech-making. Yet, are we asked to stifle our outrage at this ideology, at this conceptualization of arrogance to be perpetuated unchecked, at least without the moral cost that should be imposed?

The Israeli establishment's brutalization process has led the Israeli army to say that it needs to send psychologists to treat the traumas brought on in the Israeli soldiers by the brutalization process. Perhaps psychologists are needed to examine what makes the leaders of Israel make the utterances to which I have referred.

(Mr. Maksoud)

Furthermore, Mr. Shamir says:

"Our task is to recreate the shattered barrier of fear and once again put the fear of death into the Arabs of the area so as to deter them from attacking us any more" - as though what they have done were not enough.

What does "attacking us" mean? Does it mean the right to demonstrate for their human rights, human concerns, their food, their right to hospitalization, their right to human dignity and freedom? Does it mean the right to use non-violent means, which have been used systematically and consciously during the uprising in the West Bank and Gaza? And there is "the fear of death" - at least of 40 Palestinian martyrs, in addition to those whose bones have been broken, as though they were not worthy of life. What is this psychology, this brutalization process, which has led to the uprising of the Palestinians, the solidarity of the Israeli Arabs, the outrage of the Jewish consciousness and the alertness of the international media? What is the policy that lies behind this psychological thrust?

This is the nub, the central point of the Secretary-General's report: the Geneva Convention is not being applied or respected. Why, since Israel is one of the contracting parties? Because Israel does not consider itself an occupying Power. Everybody, inside and outside the Council, considers Israel to be an occupying Power. Israel considers itself to be a claimant Power in the occupied territories - a claim that is being ascertained by the continuous systematic oppression and inhuman measures undertaken in the occupied territories. It is this fundamental discrepancy between claims to territory and being an occupying Power that is the basic stumbling-block in the way of the Security Council's taking the necessary measures and bringing about a comprehensive and just peace in the region.

Previous speakers have spelled out in detail, as does the Secretary-General's report, the various inhuman practices that have been taking place. What is

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essential is that the Security Council must at a point in time come to grips with the central issue: if Israel is an occupying Power it should comply with the Geneva Convention and then we can bring about a comprehensive peace; but, if it continues to realize its claims of annexation and illegal settlements, no negotiations will be conducted because negotiations would be a form of dictation, a form of ratification of Israel's conquest - and that is the principal obstacle to peace in the region.

That is why we feel that at this moment when the Security Council, through the report of the Secretary-General, is seized of a situation whereby measures should be taken to protect the rights and lives of the people under occupation, we should also simultaneously, maturely and systematically address the central issues of peace and war in that region. In that connection the palliatives must be addressed immediately, but we must also begin to come to grips with the new equations that the uprising in its historical significance has introduced.

The PRESIDENT: I thank Mr. Maksoud for his kind words about me.

Mr. NOGUEIRA-BATISTA (Brazil): I should like first of all to thank the Secretary-General for presenting us with a perceptive and balanced account of the current situation in the Arab territories occupied by Israel. In this connection, we cannot fail to take note with concern of the difficulties that the Secretary-General's envoy had to face in performing his task.

The recent events in the occupied Arab territories have been followed with apprehension by the international community. The widespread, intense unrest has been recognized by all, including the occupying Power, as a spontaneous outburst. Indeed, it represents the Palestinian people's reaction to 20 years of occupation and reflects growing despair and a lack of hope that a solution to their plight will be found in the near future. To the extent that they stem from the

(Mr. Nogueira-Batista, Brazil)

frustration of legitimate aspirations, such forms of unrest will not be easily suppressed, as the situation in the occupied territories amply demonstrates.

As pointed out by the Secretary-General, we in the Council are faced with a double responsibility: we must ensure the co-operation of the Israeli authorities in applying immediately measures to alleviate the suffering of the Palestinian people in the occupied territories and, further, it is our responsibility to address in an earnest manner the broader question of achieving a negotiated political settlement of the Arab-Israeli conflict.

With regard to immediate measures, the chief concern is to assure the protection of the civilian population. As the occupying Power, Israel must act in accordance with the obligations prescribed in the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, to which that country is a party. It is our expectation that the Israeli authorities will be convinced of the need to accept the de jure applicability of the Geneva Convention to the occupied territories and to comply with all its provisions.

While stressing the urgent need to adopt immediate measures, we must of course place the situation in the occupied territories in its proper perspective. It is but a consequence of a broader underlying problem - the continued reluctance of some to recognize the Palestinian people's right to self-determination, independence and sovereignty in its own territory and the reluctance of others to acknowledge the right of all the States in the region, including Israel, to live in peace within secure and internationally recognized boundaries. These questions must be adequately addressed, so that a just, comprehensive and lasting political solution can be attained in the Middle East.

(Mr. Nogueira-Batista, Brazil)

We believe that the Security Council should at this stage take such action as will contribute to redressing the situation in the occupied territories while at the same time clearly demonstrating its readiness to act as a focal point for the discussion of possible ways of setting in motion the peace process in the Middle East.

Let us hope that in our deliberations we will be able to proceed with determination, and in a manner that will make possible the attainment of those short-term and long-term objectives.

Mr. SARRE (Senegal) (interpretation from French): The promptness and diligence with which the Council has begun its debate on the situation in the occupied Palestinian territories - and particularly on the ways and means most likely to ensure the adequate protection of the Palestinian population under Israeli occupation - is yet another reflection of the Council's keen awareness of its responsibilities towards the Palestinian people.

In our view, the report submitted by the Secretary-General to aid us in our deliberations is complete, balanced and responsible; we are pleased that it stresses this special duty of the international community.

Therefore, Mr. President, I wish through you to pay a well-deserved tribute to the Secretary-General, His Excellency Mr. Javier Perez de Cuellar, for this excellent tool to assist us in our thoughts and our work; its lofty vision confirms the high priority that, since he took office at the head of our Organization, he has always attached to the Middle East problem in general and to the Palestinian question in particular.

My delegation wishes also to thank and congratulate Under-Secretary-General Marrack Goulding; he carried out the high responsibilities entrusted to him by the Secretary-General with devotion and objectivity.

(Mr. Sarré, Senegal)

In various statements before the General Assembly and in this Chamber, both as representative of Senegal and as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have never failed to stress the need to reach a negotiated, just and lasting settlement of the Middle East problem. One of the merits of the Secretary-General's report, contained in document S/19443 of 21 January 1988, is that it reminds us of that need.

It will have been noted that the method we have adopted and suggested in the examination of the Middle East problem and in the search for a solution has always been a comprehensive one, rather than a case-by-case approach. We have seen bloody clashes and brutality in Gaza and the West Bank, often leading to loss of life and grave injury, pictures of which we have seen in the media over the past seven weeks; the desecration of holy places such as that carried out on 15 January 1988 against the Al-Aqsa Mosque; intolerable practices such as collective punishment, humiliation, arbitrary arrest, inhuman and degrading acts, crimes to avenge an unpremeditated killing, such as incursions and other encroachments by the Israeli army into Lebanese territory: and in all those cases we have affirmed that these seemingly isolated acts will never stop so long as blind passion and an appetite for vengeance and domination do not yield to reason and tolerance.

In that connection we must stress once again the primary responsibility of the Security Council, guarantor of international peace and security; without further delay, the Council must take measures to make Israel comply with its obligations and duties as occupying Power, under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

Only scrupulous respect by Israel for the provisions - all the provisions - of that international legal instrument can restore order and calm to the Palestinian people, which for more than a generation has been wearily surviving, stripped of its national identity and under the yoke of domination.

(Mr. Sarré, Senegal)

In our view, order, calm and, above all, security are the objectives that immediate United Nations action must have in view, in order to safeguard the interests not only of the Palestinian population of the occupied territories but also those of the Israelis. Achievement of those objectives could open the way to a climate favouring negotiations, an inevitable stage in the quest for an overall political settlement of the Middle East crisis and the Palestinian tragedy.

On the basis of those facts and those requirements, it seems to us that the Council has two priorities before it, as noted in the report of the Secretary-General. First of all, the Council should work diligently to restore calm and peace in the occupied Palestinian territories and other Arab territories, with strict respect for human rights and, above all, for human dignity.

I take this opportunity to call once more for determined joint action by all States, particularly those with a special responsibility, to make Israel understand that efforts undertaken here at the United Nations, particularly those emanating from this Chamber, are aimed solely at protecting the interests of all the peoples and States of the region.

Similarly, the roles of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the International Committee of the Red Cross, should be increased and strengthened; other intergovernmental bodies should participate actively in improving the living conditions of the civilian populations of the occupied territories. All the other humanitarian organizations in the United Nations system should also play a role, in keeping with their areas of competence, in the universal effort to rehabilitate the Palestinian population. That requires an atmosphere of co-operation between the authorities of the occupying Power and those with the job of providing assistance to the population of the occupied Palestinian territories.

(Mr. Sarré, Senegal)

With all that machinery functioning harmoniously, the international community, through the Security Council, should strive to dispel the lack of understanding among the parties concerned and should take part, in a resolute and concrete way, in a negotiating process leading to a just and lasting settlement of the Middle East question, including, of course, the question of Palestine.

A number of positive elements are already available to us to attain that desired goal. At the appropriate time, we shall need only to bring those elements to fruition - with joint action and co-operation commensurate with the stakes and the delicacy of the task - in the interest of all the States and peoples of the region.

Mr. JOSSE (Nepal): Over the past seven weeks, the attention of the international community - as, indeed, of the Security Council - has been focused on the tragic rash of violence and the popular upsurge in the Israeli-occupied territories of the West Bank and the Gaza Strip. When Security Council resolution 605 (1987) was adopted on 22 December 1987, following two weeks of unrest in the occupied territories, 18 Palestinians had already been killed and scores injured at the hands of Israeli security forces using tactics more suitable to the battlefield than for law-and-order-restoration purposes. Since then Palestinian casualties have mounted while the protests of Palestinians over the occupation continue unabated. That has led my delegation to believe that it may be difficult to go back to the situation obtaining in the Israeli-occupied territories prior to 9 December 1987. In any case, a new urgency to discuss and settle the entire range of issues connected with the Arab-Israeli conflict is clearly suggested.

Such an assessment has - if anything - been further reinforced by the Secretary-General's report to the Council, contained in document S/19443, submitted in accordance with paragraph 6 of resolution 605 (1987). Before proceeding any further, we wish to express our deep appreciation to the Secretary-General, Mr. Javier Perez de Cuellar, and the Under-Secretary-General for Special Political Affairs, Mr. Marrack Goulding, for producing such a clear, balanced and thoughtful report.

In deference to the appeal of the Secretary-General, my delegation has endeavoured to avoid heated rhetoric in this debate. Furthermore, to save the precious time of the Council, my delegation will be as brief as possible. Our desire for brevity has been greatly facilitated by the extensive coincidence between the views and assessments expressed in the report and those of my Government.

(Mr. Josse, Nepal)

As far as the depiction of the situation in the occupied territories is concerned, my delegation cannot but voice its deep regret and indignation at the brazen brutality of the Israeli security forces in dealing with the disturbances there. Thus, although the report does note "a conflict of evidence" between the Palestinian and Israeli versions of events, what is most notable is the clearly stated view that

"the international community's concern about the situation in the occupied territories is fully justified". (S/19443, para. 19)

My delegation supports fully the Secretary-General's view that while

"It is certainly necessary that more should be done to ensure the safety and protection of the civilian population", (S/19443, para. 20)

such measures can only be palliatives, for

"They cannot cure the underlying problem, which is the continuing occupation by Israel of territories captured in the 1967 war". (ibid.)

Similarly, we whole-heartedly concur about the need for a political settlement which, as the report also stresses, is the only certain way of ensuring the safety and protection of the Palestinian people in the occupied territories.

Before I take up the vital question of how to begin negotiations leading to a comprehensive, just and lasting settlement of the Arab-Israeli conflict, a settlement acceptable to all concerned, allow me to place on record Nepal's position with respect to the applicability to the occupied territories of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. My delegation has noted with dismay repeated violations by Israel of the provisions of that Convention - violations which, as the Secretary-General's report reminds us, have all too frequently been alluded to in

(Mr. Josse, Nepal)

the annual reports of the International Committee of the Red Cross, which is the guardian of the Geneva Conventions of 1949. For the weighty reasons that are so well enumerated in the report before us, my delegation cannot agree with the Israeli position that it does not accept formally the de jure applicability of the Fourth Geneva Convention. We concur with the Secretary-General's observation that

"While that Convention makes the occupying Power responsible for maintaining law and order, its raison d'être is the safety and protection of the civilian population, for which the occupying Power is no less responsible". (S/19443, para. 50)

We solemnly appeal to the Government of Israel to change its position on the applicability of the Convention to the occupied territories and to correct its practices in order to comply fully with that Convention.

Nepal welcomes the many thoughtful recommendations and steps that the Secretary-General has described taking - within existing arrangements - to improve the safety and protection accorded to the population of the territories by the international community. Helpful as such measures could be, there is no doubt that they will not, per se, lead to a lasting peace. That, His Majesty's Government of Nepal believes, can come about only through a political settlement that is responsive both to the refusal of the Palestinians to live for all time under Israeli occupation and to Israel's will to guarantee the security and welfare of its people.

On this occasion, my delegation firmly reiterates its well-known position that a comprehensive, just and lasting political settlement of the Arab-Israeli conflict must be based on recognition of the inalienable right of the Palestinian people - whose sole, legitimate representative is the Palestine Liberation Organization - to

(Mr. Josse, Nepal)

a homeland of their own in the region. Such a peace must also be premised on the right of all States in the region, including Israel, to an independent, sovereign existence within secure and internationally recognized borders, as well as on Israel's withdrawal from all territories captured in the 1967 war.

Coming back to the important question of how to initiate negotiations leading to a political settlement, we fully endorse the Secretary-General's call for an international conference on the Middle East under United Nations auspices, with the participation of all the parties concerned. We share the Secretary-General's belief that an urgent effort is necessary by the international community, led by the Security Council, to promote an effective negotiating process. We wish to recall that it was precisely for the maintenance of international peace and security that the Security Council was created. We believe its unique mandate, political structure and international prestige, combined with all the resources of the United Nations Secretariat, could render it a most effective instrument for such purposes.

(Mr. Josse, Nepal)

But wherever, whenever or however such negotiations take place, take place they must if the grim, gory cycle of riots and retaliation, fear and suspicion, death and destruction that has plagued the region for over 40 years is to be broken once and for all. This, we believe, is the essential lesson of the turmoil of the past seven weeks.

Mr. BLANC (France) (interpretation from French): Since this is the first time I have spoken here in the month of January, I should like first to convey to you, Sir, my congratulations on your accession to the presidency of our Council for this month.

I should like also to thank the Permanent Representative of the Soviet Union, who presided over the Council for the month of December.

Next I should like to welcome the Permanent Representatives of the five new members of the Security Council - Algeria, Brazil, Nepal, Senegal and Yugoslavia. I am particularly gratified that they have joined the membership of the Council since my Mission and I have and maintain with them and their Missions ties of friendship and trust.

Our Council is considering the report of the Secretary-General of the United Nations on the situation in the occupied territories pursuant to resolution 605 (1978), adopted on 22 December last. Its accuracy, depth and objectiveness of analysis and the constructive and judicious nature of its recommendations render the report entirely commensurate with our expectations. It is only fair that the Secretary-General be told that. I should also like to pay a tribute to Mr. Goulding, his assistant, who in such exemplary fashion, under difficult circumstances, performed the mission entrusted to him by Mr. Perez de Cuellar.

The seriousness of the events of recent weeks in the occupied territories fully warrants the disquiet of the international community. Those events reflect

(Mr. Blanc, France)

the profound frustration of the Palestinian people, particularly the young generation, at the absence of any prospect for their future. As the Prime Minister of my country, Mr. Jacques Chirac, stressed a few days ago, it is to be hoped that 1988 will, inter alia, make it possible for Israel once again to become aware of the urgent need to find a solution to the Palestinian problem by peaceful, negotiated means.

I would once again express France's deep concern. We have felt utmost dismay at the state of extreme tension that has been prevailing in the occupied territories of the West Bank and Gaza. From the very beginning of the confrontations, France has intervened frequently, both with the Israeli authorities and in various other quarters, to put an end to a situation that is in keeping with neither law nor justice. France has denounced the cycle of violence and has frequently called upon the Israeli Government to act in accordance with the obligations imposed on it by international law. Finally, France has condemned the measures of expulsion taken against Palestinians who were born and grew up in that land.

My delegation can only repeat, as the Secretary-General has in his report, that Israel, the occupying Power, must shoulder its international responsibilities and apply without restriction the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

Israel is a Contracting Party to that Convention, as indeed are most States. The fact that the Convention applies to the occupied Territories, which has been recognized frequently by our Council, is undeniable. While the responsibility to respect the Convention lies squarely with the occupying Power, the other Contracting Parties are likewise bound under article 1 of the Convention to ensure respect for that instrument under all circumstances.

(Mr. Blanc, France)

Full implementation of the provisions of the Fourth Geneva Convention would initially make it possible to put an end to the cycle of violence and to usher in a calm atmosphere conducive to the finding of a just and lasting overall settlement in the Middle East.

We can only subscribe to these conditions and the tribute the Secretary-General pays to the International Committee of the Red Cross (ICRC) for its activities in the territories, and we are quite prepared to support that organization's efforts by responding to any appeals it may make in the performance of its lofty functions. Furthermore, we request Israel to facilitate its task.

As for the intensification of UNRWA's activities, that is a channel that should be tapped, and, in the light of the first-aid needs now being felt, the initiatives proposed in the Secretary-General's report appear to us to demonstrate that organization's ability to adapt and strengthen an activity we all know to be absolutely essential. It is the duty of each and every one of us to give the necessary support for those activities.

That is why my delegation feels it would be judicious, out of a unanimous desire for realism and conciliation, for the Council today to elect to go ahead and adopt a resolution aimed, in the first place, at ensuring the safety and protection of the civilian population. However, the paramount question is the future of the peoples of the occupied territories and relations between Israel and the Arab States. Progress has already been achieved in the international community on the holding of an international conference. It is quite obvious that the status quo cannot continue. Current events have demonstrated the urgent need resolutely to embark on a process of negotiation aimed at producing an overall political settlement.

My country's position is well known. France is convinced that the time has come for the parties concerned to move towards mutual recognition and dialogue and

(Mr. Blanc, France)

that the most realistic way for progress to be made along those lines is to hold an international peace conference.

I have no doubt that our Council will in the near future have occasion to take up this important matter again.

The PRESIDENT: I thank the representative of France for the kind words he addressed to me.

The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

Mr. SLAOUI (Morocco) (interpretation from French): Mr. President, the Moroccan delegation already had an opportunity a few days ago to tell you how pleased it was to see you presiding over the work of the Security Council for the month of January. The leadership which you have given to the debates of the Council to date in such an authoritative and effective way is simply further evidence of your human qualities and your vast diplomatic experience. We should like to express the hope that during your term of office the Council will take decisions that will contribute to giving relief to the peoples in the Arab territories occupied by Israel and to nurture the hope that they continue to place in the United Nations to help them achieve their legitimate rights.

The Security Council is meeting today to consider the report of the Secretary-General of the United Nations which was drawn up pursuant to resolution 605 (1987) on the situation in the occupied Arab territories. In operative paragraph 6 of that resolution, the Council requested the Secretary-General, inter alia, to formulate his recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. By presenting us with this report the Secretary-General has made available to the Council members and the international community first-hand information so that they can have a better idea of the reality of Israeli occupation and the scope of the suffering of the Palestinian people.

The report, which was drawn up with the utmost impartiality and objectivity, is illustrative of certain aspects of Israeli policy, to which the popular uprising of recent weeks has given particular prominence. Thus, it has confirmed the preoccupations of the international community at the explosive situation which continues to prevail in the occupied territories. It was indeed obvious to any alert observer that the continuance of Israeli practices and Israel's continued denial of the legitimate aspirations of the Palestinian people sooner or later had

(Mr. Slaoui, Morocco)

to provoke massive reactions on the part of those who were victims of that policy. The Palestinians thus are standing up for themselves and expressing their right to resistance as a people whose dignity has been flouted and whose land has been confiscated, as was recently stated by His Majesty King Hassan II when opening the meeting of the Al-Quds Committee at Ifrane, on 5 January 1988.

And it was entirely foreseeable that, given the absence of any prospect of a solution, the generation which has been born and which grew up entirely under occupation since 1967 should react, despairing of its cause, in a spontaneous manner against the policy of occupation. As stated in the report:

"The disturbances were a reaction, supported by Palestinians of all age groups and all walks of life, to 20 years of occupation and to the lack of hope that it could be brought to an early end." (S/19443, para. 12)

The unanimous mood which the Special Representative of the Secretary-General gathered from a representative sample of the Palestinian population was that they:

"All rejected the Israeli occupation of the West Bank and the Gaza Strip and insisted that the Palestinian problem was not a problem of refugees but a political problem requiring a political solution." (S/19443, para. 8)

The urgent need for a just and lasting solution to the tragedy of the Palestinian people has therefore become even more urgent in order to spare the peoples of the occupied territories further suffering and to put an end to the vicious cycle of violence in the Middle East. Now, of course, we must tackle what is most urgent and bring to bear the full juridical, political and financial arsenal which is available internationally in order to provide adequate protection for the Palestinian people so that an end can be put to the inhuman treatment that is meted out to the defenceless people and in order to meet their vital needs as human beings.

(Mr. Slaoui, Morocco)

But, as I stated before the Council on 17 December last year, this is only an initial stage which, however necessary and urgent it may be, should not make us lose sight of the imperative need to re-launch the process of peace by holding an international conference with the participation of all the interested parties, including the Palestine Liberation Organization and the permanent members of the Security Council. Furthermore, the Secretary-General, in his most recent report, underlined in particular that the protective measures which must be reinforced, "can only be palliatives. They cannot cure the underlying problem, which is the continuing occupation by Israel of the territories captured in the 1967 war." (S/19443, para. 20)

In fact, the United Nations and the Arab and Islamic community have always emphasized the liberation of all occupied territories, including Al-Quds Al-Sharif, as a fundamental prerequisite for peace in the Middle East. Furthermore, the Al-Quds Committee, at its last meeting in Ifrane under the chairmanship of His Majesty King Hassan II, and the Arab League, meeting in Tunis on 23 January, have further reiterated this in a timely fashion.

That being so, we should like to pay a warm tribute to the perseverance and the far-sightedness evinced by the Secretary-General on all occasions in advocating in such a pragmatic and realistic manner the ways and means to bring about peace and harmony, while respecting the legitimate aspirations of all peoples in that region.

The Kingdom of Morocco will continue to give full support to those efforts in a clear and responsible manner and to work so that reason and legality can prevail.

Pending the start of consultations within this Council, as recommended by the Secretary-General, to create the conditions for success in a negotiating process,

(Mr. Slaoui, Morocco)

we attach capital importance to those steps designed to provide maximum protection to the oppressed Palestinian people. The Moroccan people, which has already expressed its solidarity and its positive involvement in this connection, is still resolved to pursue this fraternal effort to ensure that an entire generation of Palestinians may survive and flourish.

It is the duty of the Council firmly to remind Israel of the clear-cut and unambiguous juridical obligations incumbent upon it under the Fourth Geneva Convention of 12 August 1949, in connection with the protection of civilians in time of war. The report which is before us demonstrates unequivocally the de jure applicability of that Convention to the Israeli occupied territories. The parties to that Convention are likewise enjoined to support the efforts of the international community to force Israel to implement all the provisions of that Convention and thus to assume its responsibilities as an occupying Power.

The seriousness of the situation in the occupied territories calls for maximum vigilance on the part of the Council in order to focus all the machinery existing in the United Nations on safeguarding the populations, whether it be action through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Development Programme or, indeed, the Department of Public Information.

(Mr. Slaoui, Morocco)

It is our hope, furthermore, that the effective and discreet humanitarian work of the International Committee of the Red Cross (ICRC) will continue and be further strengthened so as to give succour to the victims of repression.

Furthermore, the Kingdom of Morocco can only support the Secretary-General's recommendation that the international community take immediate measures to improve the safety and protection of the Palestinian people.

In the light of the tragedy that is the daily lot of the Palestinian people, which is deprived of all resources and the most fundamental attributes of human dignity, it is high time for the Security Council to exercise its authority in a lucid and realistic way, jettisoning, as the Secretary-General has suggested, all residue of anger and resentment accumulated over several decades.

The indignation of international public opinion at the inhuman treatment which has been inflicted on an innocent and unarmed population is a matter of public record, which means that all eyes are now turned on the Council. What is at stake in this debate is, to no small extent, the credibility of our entire Organization.

The PRESIDENT: I thank the representative of Morocco for the kind words at the beginning of his statement.

The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. BADAWI (Egypt) (interpretation from Arabic): It gives me pleasure, Sir, to see you presiding over the Security Council today. We are confident that you will employ all your well-known abilities to achieve the success of its work. I cannot fail in this regard to refer to the friendly relations between Egypt and your country, the United Kingdom. Only yesterday President Mubarak paid a visit to London, where he held constructive talks with the British Prime Minister.

(Mr. Badawi, Egypt)

I also wish to take this occasion to express our profound thanks to Ambassador Belongov of the Soviet Union for his able and successful presidency of the Council last December.

Frankly, I take part in this debate with mixed feelings: on the one hand, with a sense of regret at opportunities we missed in the past, for, had they been seized, we would not have needed to convene the Council today; on the other hand, with a sense of sadness at the increased violence we witness today; this, in turn, is tempored by a sense of hope that these events will impel us to grasp the opportunity at hand to work for a future of peace and stability in our region.

On television screens and through other mass media, the international community has witnessed the vilest acts and practices of which man is capable - acts that cannot be accepted or condoned by civilized people of conscience. We have all followed the early stages of this glorious national revolution and the struggle of the valiant Palestinian people. We have all seen the soliders of occupation wreaking havoc in the towns and villages of the occupied Palestinian territories. We were all shocked as we watched one martyr after another being felled by bullets of the forces of coercion.

We were certain all along - as was the rest of the civilized international community - that all the violence visited by Israel upon the Palestinian people would lead to increased resistance to the occupying authority and that it would only deepen the Palestinian's determination to struggle for freedom and their sacred right to self-determination.

Israel should have realized that this uprising must constitute an incentive to it to move towards the establishment of just, lasting and comprehensive peace in the Middle East. Israel has not done so.

(Mr. Badawi, Egypt)

Israel should have taken the first step of responding to the Arab peace plans by declaring its intention, within the framework of a comprehensive settlement, to abandon its ambitions in the occupied Arab territories and to terminate its occupation of all the Palestinian Arab territories occupied since 1967. Israel has not done so.

Israel should have declared its acceptance of confidence-building measures with a view to restoring security and safety to the Palestinians. But Israel has not done so.

Instead, we have witnessed an escalation of Israeli intransigence and violence - attempts to break the will to resist by breaking Palestinian bones. We have heard Israeli officials boasting of their decision to beat the Palestinians and to continue doing so to the bitter end. We have also witnessed Israel's acts of mass punishment.

By virtue of the violence unleashed by its acts, Israel must bear complete responsibility for the deterioration of the situation which threatens all efforts aimed at the achievement of a just settlement for which my country has continued to make great contributions for more than two decades.

For many years Egypt has been warning against the dangers that could result from a failure to widen the basis for peace or to implement efforts at achieving a peaceful solution to the Arab-Israeli conflict.

Egypt has also striven for many years to persuade Israel to desist from its oppressive practices, which reveal its intention to continue to encroach upon the territory of another people and to subject it to colonial domination - a policy unequivocally condemned by the civilized international community.

(Mr. Badawi, Egypt)

The profound lesson which must be understood by all - in Israel, in particular - is that all attempts at coercion for two whole decades have not broken the will to struggle or the desire for freedom in the hearts of these young people who are only half as old as the occupation of their land. This generation of valiant people has brought the situation to a head, even though, as some might argue, we might not soon see the realization of its aspiration to exercise the right of self-determination. Nevertheless, it has become clear from this uprising that Palestinian objectives are not unattainable.

(Mr. Badawi, Egypt)

Having tried all forms of violence and coercion, Israel will have to heed the call of reason and logic.

Nowadays the Middle East is witnessing grave events which will have profound effects on developments in that region. There is an element of particular importance that necessitates wise handling of the situation, which is that the current uprising is being carried out by a generation of Palestinians born under occupation; that is also to say that it is being carried out by that generation which will have to shoulder the burden of the establishment of a just peace in that sacred piece of land. Therefore, in all sincerity and frankness we urge Israel not to miss the opportunity to start serious talks aimed at the achievement of a just, lasting and comprehensive settlement of the conflict that will achieve its hope for security, stability and good-neighbourly relations and enable the Palestinians to exercise their right to self-determination free from attempts to dominate them or to force them to live under occupation.

The loss of such an opportunity would undoubtedly portend grave danger and consequences: should the Palestinian people within and outside the occupied territories lose hope of achieving a just settlement, they would logically conclude that Israel refuses to have peace with them and seeks to dominate their land and create opportunities for additional Israeli settlers to live there. That would undoubtedly engender the feared escalation of the situation and the loss of another opportunity to achieve a just solution, thus leading to yet another explosion in the situation.

We in Egypt are confident that all people of conscience both within and outside Israel reject these policies and would face them with a view to changing them. We in Egypt are confident that all peace- and justice-loving forces cannot accept division of the sacred rights of man or the application of a double-standard

(Mr. Badawi, Egypt)

thereto. Therefore we expect all to apply one yardstick to human rights without discrimination as to race, creed or belief.

The current grave events have underlined the urgency immediately to resume the peace process for the benefit of all parties concerned. President Hosni Mubarek, in the last few days, has put forward an important new peace initiative aimed at creating a meaningful negotiating process. The initiative calls upon the parties concerned to cease all forms of violence and repression in the occupied territories for six months. Such a step would be accompanied by the following: first, cessation of all settlement activities; secondly, respect for the political rights and freedoms of the Palestinian people under Israeli occupation; thirdly, ensuring the safety and protection of the people under occupation through proper international machinery; fourthly, movement towards the convening of an International Peace Conference with the aim of reaching a comprehensive peace settlement that provides for recognition of the right of all States in the region to live in peace and enables the Palestinian people to exercise its right to self-determination.

In a letter addressed today to the Secretary-General, my Foreign Minister requested circulation of this initiative as a Security Council document making it available to all members of the Council and of the United Nations. The initiative, however, must be implemented as an integrated whole within a time-frame to which the Israeli and Palestinian parties would be committed. It imposes additional requirements: first, acceptance by Israel of the convening of an International Peace Conference as a means of achieving a negotiated settlement with the participation of all parties concerned on an equal footing; secondly, cessation of all acts of oppression and the establishment of settlements, as well as the commencement of confidence-building measures foremost among which would be recognition of the legal applicability of the Fourth Geneva Convention Relative to

(Mr. Badawi, Egypt)

the Protection of Civilian Persons in Time of War to the occupied territories and their populations; thirdly, commitment of the Palestinian people to cease acts of violence for a specified period of time during which an evaluation of Israeli reaction policies and practices would be carried out - without prejudice, of course, to the absolute right of the Palestinians to resume acts of resistance to occupation, should it become clear that Israel lacks seriousness in this regard by the end of that specified period. In putting forward this initiative, Egypt seeks to rescue the future from today's acts, to arrest the deterioration of the situation and to move forward to seize opportunities for the establishment and expansion of peace. Pending the achievement of that objective my country will continue to stand by the Palestinian people in its struggle for the restoration of its usurped rights under the leadership of its legitimate representative, the Palestine Liberation Organization (PLO).

Before concluding my statement I should like to express to the Secretary-General and to Mr. Marrack Goulding, Under-Secretary-General for Special Political Affairs, our appreciation for the great efforts made in preparing the report pertaining to the situation in the occupied Palestinian territories. My country expects the Security Council to give the report and the recommendations contained therein due and positive consideration.

The PRESIDENT: I thank the representative of Egypt for the kind words he addressed to me.

Mr. BUCCI (Italy): We are almost at the end of the month, Mr. President, and I have not yet had the pleasure of conveying to you our satisfaction at seeing the representative of the United Kingdom presiding over the Security Council. January has been a month of intense work, a month that has given the measure of your prowess, your spirit of initiative and your authoritativeness for which we are grateful. We are also grateful to your predecessor, Ambassador Belonogov, who as

(Mr. Bucci, Italy)

chance would have it was also allotted a month of intense work, a month of duties which he carried out with determination, commitment and tact.

I take this opportunity also to extend a cordial welcome to the delegations of Algeria, Brazil, Nepal, Senegal and Yugoslavia, which have recently joined us. I am certain that the Security Council will receive a great contribution by their presence.

(Mr. Bucci, Italy)

We are meeting to examine the most urgent operative aspects of the report submitted by the Secretary-General to the Security Council in accordance with paragraph 6 of resolution 605 (1987). The document (S/19443) is exhaustive, and my delegation wishes to thank the Secretary-General for it.

We also wish to address a particular note of appreciation to Under-Secretary-General Goulding, who had to overcome great difficulties during his recent mission to the Middle East.

Since the object of this debate is the consideration of the most pressing aspects of the situation of the Palestinians who live in the occupied territories, the first point which must be considered is whether or not the Fourth Geneva Convention of 1949 can be applied in their case. This problem is dealt with in paragraphs 21 to 27 of the Secretary-General's report.

Israel's position on the Fourth Convention is very important, because it directly affects what can be done to ensure the safety and protection of the civilians who live in the occupied territories. It is therefore essential that each member of the Council assume its responsibilities and express its opinion on this point.

My delegation believes that Israel is bound de jure to respect the rules of behaviour laid down in the Fourth Convention; de jure, and not de facto, means not on the basis of a free choice made by Israel. It follows from this premise that the behaviour of the occupying Power, which does not comply with the Fourth Convention, constitutes a violation of international law. The Convention is binding on all contracting States, including Israel. The Security Council and the General Assembly have repeatedly stated that point.

It is a fact that Israel took possession of the territories in question through the use of force. The principle which prohibits the use of force is

(Mr. Bucci, Italy)

contained in Article 2 (4) of the United Nations Charter and has repeatedly been reaffirmed, even recently, by the General Assembly. Whether or not the previous Power had legitimate sovereignty over the territory is a factor which, in our opinion, is irrelevant. Israel has ratified the Fourth Geneva Convention of 1949 and is therefore under obligation to comply with it. Article 1 of the Convention is unequivocal in this sense.

The aim of the Fourth Geneva Convention is to provide the maximum humanitarian protection to the people who fall under its provisions; therefore, it is the duty of all States parties to it to act fully and without mental reservations to help ensure the humanitarian goals of the Convention "in all circumstances". This may not be Israel's opinion, but it is none the less the opinion of the entire international community as expressed in the relevant resolutions of the Council and of the General Assembly, and it has become the opinio juris of the world community, as rightly noted in the Secretary-General's report. This position is also fully shared by the International Committee of the Red Cross.

I have taken up these points in a detailed manner because the dispute over the applicability of the Fourth Geneva Convention is not a minor issue. In fact it conceals the controversy over sovereignty - a controversy which cannot be settled through a formalistic discussion that evades the substance of the political problem.

As a matter of fact, Israel contests the Security Council's authority to consider the problems that result from Israeli occupation of the West Bank, East Jerusalem and the Gaza Strip, and does not permit those interventions which would be possible. I refer here to those interventions which the report of the Secretary-General defines as "physical protection".

It goes without saying that my country considers Israel's position to have no basis in law.

(Mr. Bucci, Italy)

The Palestinian people who live in the territories under Israeli occupation, whether inside or outside the camps, must receive protection while they await the settlement of their future. However, without the co-operation of the occupying Power this problem cannot be resolved satisfactorily.

I should like to point out that in not following the humanitarian standards of behaviour generally shared by the community of States, Israel has certainly harmed its cause, thereby tarnishing the image of a great people which has not been spared severe trials by history.

The events which have taken place in the past few days have generated greater understanding of and sympathy for the Palestinian cause and cast a shadow over that of Israel. It should be added that that was unnecessary, since the treatment of civilians in the occupied territories seemed to be rooted in the civil tradition of the Jewish people even more than in points of law. The recent grave events have made it necessary to consider the "protection by publicity" referred to in paragraph 43 of the Secretary-General's report.

Looking to the future and to what can realistically be done in the short term, my delegation believes that the Security Council should conclude this debate by signalling its particular concern for the protection of civilians in the occupied territories.

We are confident that the Security Council will succeed in agreeing to a concrete follow-up to this meeting. This would contribute to lessening the tension. By co-operating, Israel would make its position towards the occupied territories less ambiguous and give evidence of its willingness to begin a new relationship with the Palestinian community.

As for the other measures, namely those of an economic and social character, my delegation agrees with the observations and proposals made by the Secretary-General.

(Mr. Bucci, Italy)

On its own initiative, Italy has contributed to increasing substantially the means at the disposal of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in accordance with the will of the Italian Parliament. If faced with specific needs and proposals, we would not fail to contribute to what could realistically be done to alleviate the precarious conditions of the Palestinians.

In conclusion, I should like to reiterate that the debate on the most urgent aspects raised by the Secretary-General's report is only a part of what the Council must do. The solution to the Palestinian problem is a political one. Unless we deal with that aspect the incidents which have been taking place in the past weeks will inevitably recur, as the history of the past 40 years has taught us.

The PRESIDENT: I thank the representative of Italy for his kind words about me.

The next speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

Mr. AL-MASRI (Syrian Arab Republic) (interpretation from Arabic): The Security Council has convened today for the fourth time in a period of less than one and a half months to consider the situation in the occupied Palestinian and other Arab territories. This meeting has special significance because the Security Council's examination of the situation is based on a report by the Secretary-General submitted to the Council, in accordance with operative paragraph 6 of resolution 605 (1987), and contains the findings and conclusions of the mission undertaken by Under-Secretary-General Murrack Goulding in Palestine and in the occupied Palestinian territories.

(Mr. Al-Masri, Syrian Arab Republic)

At the behest of the Council, his mission focused on two subjects. The first was to examine on the spot the situation in the occupied territories, and the second was to explore ways and means for the Secretary-General to formulate a recommendation to the Security Council aimed at assuring the safety and protection of the Palestinian population of those territories.

We have devoted careful attention to the report and its conclusions. We have also taken note of reports in the international media on the uprising by Palestinians in the occupied territories against the Israeli occupation, and on the daily suffering of that population as a result of the Fascist, oppressive, brutal measures carried out by the Israeli occupation authorities. All this has led us to certain conclusions, on which there is agreement by all - with the single exception of the Fascist Tel Aviv régime. First of all, the highest priority should be given to assuring that the civilian population of the occupied Arab territories is protected from the brutality of the Israeli occupation authorities. Secondly, but no less important and urgent, the Security Council should take immediate effective steps to secure the early withdrawal of the Israeli occupation forces from all Palestinian and other Arab territories occupied by Israel.

With respect to protecting the civilian population, there is an international consensus on the need to apply the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949. In his report the Secretary-General examined the legal basis for the applicability of that Convention and noted the international consensus on this - a consensus, of course, with one dissenting voice: that of the Tel Aviv régime.

Against that background, the Security Council, as the highest international organ responsible for the maintenance of international peace and security, should

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see to it that the Convention is applied and that the Parties to it meet their obligations under article I of the Convention, which reads as follows:

"The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances".

As the Secretary-General notes in his report, the phrase "in all circumstances" is intended to include declared or undeclared war, partial or total occupation with or without armed resistance, or even under certain circumstances when the opponent is not a contracting party to the Convention.

The occupying Power has refused to apply the Convention to the occupied territories; it is therefore necessary for the Security Council and the other contracting States to take effective steps to bring about its application, including the imposition of sanctions against the occupying Power, Israel. There can be no justification under any circumstances for not taking such justified measures. In addition to the terms of the Convention, humanitarian considerations compel us to protect defenceless civilians from the brutality of the occupying forces.

At their recent meeting in Tunis, Foreign Ministers of the members of the League of Arab States adopted a resolution calling on the Security Council to carry out in full its responsibilities as regards the Zionist entity's violations of the provisions of the Fourth Geneva Convention in the Palestinian and other Arab occupied territories, and that entity's stubborn persistence in committing crimes of war as defined in articles 49 and 147 of the Convention, such as killings, torture, inhuman treatment, deportations, arrests, detentions, the expulsion of Arab civilians from their homes and the establishment of settlements. The Council should compel the Zionist entity immediately to halt these measures and practices and to return the deportees to their homeland in accordance with Security Council resolutions.

(Mr. Al-Masri, Syrian Arab Republic)

As to bringing about the speedy and complete withdrawal from all Palestinian and other Arab territories occupied by Israel, including southern Lebanon and the Syrian Arab Republic's Golan Heights, the report of the Secretary-General states clearly that all the Palestinians whom Mr. Goulding consulted during his visit to the occupied territories reject the Israeli occupation of the West Bank and the Gaza Strip. That is true also of our people in the Golan Heights and southern Lebanon, who, by their resistance to Israeli occupation, have demonstrated their rejection of the occupation and their determination to continue the struggle to liberate their lands.

That makes it imperative that the Security Council accept certain concrete responsibilities, in order to respond in a serious manner and bring about an early withdrawal from all the occupied territories.

The popular uprising by the Palestinian people in the occupied territories and uprisings in southern Lebanon and in the Syrian Arab Golan Heights, which have enjoyed universal support, have painted a true picture of the obnoxious, racist, Fascist nature of the Zionist entity. Those uprisings have once again brought home to the world the cause of a people that has suffered for more than 40 years, whether in Palestine, occupied since 1948, or in other Palestinian and Arab territories under occupation since 1967.

(Mr. Al-Masri, Syrian Arab Republic)

That people is suffering the scourge of aggression, homelessness and racism daily on the basis of a State-sponsored, declared, official policy of the Tel Aviv régime, a policy that can be described in a nutshell as an iron-fist policy. In pursuit of that policy, children, youths and women have been deliberately killed. Houses have been broken into and children have been beaten indiscriminately; their bones have been broken. Even school teachers have been beaten up before the eyes of their pupils. Many detainees have been tortured, as is stated in the Secretary-General's report. Some of the persons who have been tortured have been quite young - 16 years old, or even 11 and 12. Even in the darkest days of similar fascist régimes, we did not see practices like this. The only other place they are engaged in is South Africa.

Despite the universal condemnation of the Tel Aviv régime and the voices being raised throughout the world calling for an immediate end to this fascist hysteria, the protection and safety of the civilian population and the complete withdrawal of the Israeli occupation forces from all the Palestinian and other Arab territories, there are some who, here and there, are asking that the killer and the killed, the criminal and the victim be put on an equal footing. They try to divert attention from the true dimensions of the tragedy, as demonstrated by the uprising of the people against the Israeli occupation.

One fact that cannot be denied by anyone is that there is a settler military occupation of Arab territories. This occupation continues unabated. The population of these territories is subjected daily to a fierce, barbaric campaign designed to crush them and push them out of their land by depriving them of their basic human rights.

Hence, it is incumbent upon the Security Council to focus on the true nature of this absolutely intolerable situation. No pretexts or motives can be used to

(Mr. Al-Masri, Syrian Arab
Republic)

justify procrastination. Occupation is illegal; it is the antithesis of international law and all kinds of international instruments, including the United Nations Charter. It is the responsibility of the international community to put an end to this occupation, without any conditions.

The international community, as represented by the Security Council, must support the uprising of the Palestinian Arabs, confronted by Zionist violence against their lives, their dignity and their holy shrines. That uprising deserves all support. It requires the Security Council to take appropriate, effective and immediate action to make it possible for the Arab people of Palestine to exercise its inalienable national rights, including - and I emphasize this - its right to return to its homeland, and its right to self-determination and the establishment of its independent, sovereign State in its national territory. That question is non-negotiable, in all circumstances.

While we appreciate the positive points made in the Secretary-General's report, as well as the physical difficulties faced by Under-Secretary-General Goulding during his mission to gather information, we expect that the Security Council will urgently take appropriate action to secure the safety and protection of the civilian population in the occupied Arab territories and to ensure that Israeli forces are totally and immediately withdrawn from all the occupied Arab territories, including Jerusalem. I wish to make it clear that so long as these territories continue to be under Israeli occupation, so long as settlements continue to be built in the territories, there will be no peace in that part of the world.

In the resolution they adopted recently in Tunis, the Foreign Ministers of the League of Arab States called on the Security Council to shoulder its responsibilities by taking effective measures to end the Israeli occupation of all

(Mr. Al-Masri, Syrian Arab
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Palestinian and other Arab territories. Furthermore, they called on the United Nations to supervise the withdrawal of the Israeli occupation forces and to make it possible for the Palestinian people to exercise its right to self-determination, pursuant to the relevant United Nations resolutions. The Foreign Ministers also decided to make it clear that the struggle of our people in Palestine, in Golan and in southern Lebanon is one unified struggle against Israeli occupation.

The PRESIDENT: I should like to say a brief word to the Security Council in my presidential capacity.

There are no further speakers for tonight. As I understand it, it is the general wish of the Council to try to arrive at agreement on some outcome to this debate when we resume, as we must, tomorrow. At the moment, there are some 10 speakers for tomorrow's debate.

I suggest that the best way we could proceed would be for us to conduct during the morning tomorrow individual discussions about the possible text of a resolution to emerge from this series of meetings. In those discussions - which, I emphasize, would of course be individual - the presidency would be at the disposal of all members of the Council to do what it could to help.

If we used tomorrow morning in that kind of discussion, we could meet tomorrow afternoon to resume our debate. I think it would be as well if we met at 3 p.m. sharp tomorrow - and, in this connection, I congratulate members for their promptness in coming to the meeting this afternoon, and indeed earlier meetings. We would resume tomorrow afternoon with the hope, but without the certainty, that we would have a piece of paper in front of us on which we could focus our discussion.

(The President)

I would remind the Council that in any case we shall be meeting again on Friday morning to discuss the renewal of the mandate of the United Nations Interim Force in Lebanon (UNIFIL). Hence, if we do not finish tomorrow night - although it is my understanding that that is the general wish - we shall have the opportunity of continuing this item on Friday.

As there appears to be no objection, we shall continue our consideration of this item at 3 o'clock tomorrow afternoon.

The meeting rose at 6.10 p.m.