



Security Council

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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND TENTH MEETING

Held at Headquarters, New York,
on Thursday, 15 March 1990, at 10.30 a.m.

President: Mr. AL-ASHTAL

(Democratic Yemen)

Members:

Canada
China
Colombia
Côte d'Ivoire
Cuba
Ethiopia
Finland
France
Malaysia
Romania
Union of Soviet Socialist Republics
United Kingdom of Great Britain and
Northern Ireland
United States of America
Zaire

Mr. FORTIER
Mr. LI LUYE
Mr. PEÑALOSA
Mr. ESSY
Mr. MALMIERCA PEOLI
Mr. GOSHU
Ms. RASI
Mr. BLANC
Mr. ABU HASSAN
Mr. MICU
Mr. BELONOVOV

Mr. HUM
Mr. WATSON
Mr. BAGBENI ADEITO NZENGEYA

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The meeting was called to order at 11 a.m.

STATEMENT BY THE PRESIDENT

The PRESIDENT (interpretation from Arabic): I should like at the very outset to acknowledge the presence at the Council table of the Minister for External Relations of Cuba, His Excellency Mr. Isidoro Malmierca Peoli, and the Minister for Foreign Affairs of Malaysia, His Excellency Dato Abu Hassan Haji Omar. On behalf of the Council I extend a warm welcome to Their Excellencies. We look forward to co-operating with them in our work.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

LETTER DATED 12 FEBRUARY 1990 FROM THE PERMANENT REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21139)

The PRESIDENT (interpretation from Arabic): I should like to inform the Council that I have received letters from the representatives of Israel, Jordan and Senegal in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives 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.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bein (Israel), Mr. Salah (Jordan) and Mrs. Diallo (Senegal) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT (interpretation from Arabic): I should like to inform the Council that I have received a letter dated 13 March 1990 from the Permanent Observer of Palestine to the United Nations, which has been issued as document S/21191 and reads as follows:

"I have the honour to request that, in accordance with its previous practice, the Security Council invite His Excellency Mr. Farouq Qaddoumi, Head of the Political Department of the Palestine Liberation Organization, to participate in the debate on the item entitled 'The situation in the occupied Arab territories'."

The request is not made pursuant to rule 37 or rule 39 of the provisional rules of procedure of the Security Council but if approved by the Council would invite the Head of the Political Department of the Palestine Liberation Organization to participate, not under rule 37 or rule 39, but with the same rights of participation of rule 37.

Does any member of the Security Council wish to speak on this request?

Mr. WATSON (United States of America): As this is the first time I have spoken during your presidency, Sir, I should like to congratulate you warmly on your assumption of that post. I should also like to thank your predecessor, the representative of Cuba, for his exemplary performance as President last month.

The United States will request a vote on the proposal before the Security Council, and the United States will vote against it on two grounds.

First, we believe that the Council does not have before it a valid request to speak. Secondly, the United States maintains that the Observer of the Palestine Liberation Organization should be granted permission to speak only if the request complies with rule 39 of the rules of procedure.

(Mr. Watson, United States)

In our view it is unwarranted and unwise for the Council to break with its own practice and rules. As members of the Council we should ask ourselves this question: does a decision to break with our rules and procedures enlarge or diminish the Council's ability to play a constructive role in the Middle East peace process? My delegation firmly believes it diminishes the Council's ability to play such a role.

As all members of the Council are aware, it is a long established practice that Observers do not have the right to speak in the Security Council at their own request. Rather a request must be made on the Observer's behalf by a Member State. My Government sees no justification for any departure from that practice.

It is clear that General Assembly resolutions are not binding on the Security Council. In any event, there is nothing in resolutions recently adopted by the Assembly that would warrant a change in Security Council practice.

General Assembly resolution 43/177, which purported to change the designation of the PLO Mission did so

"without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system, in conformity with relevant United Nations resolutions and practice".

(Mr. Watson, United States)

That resolution does not constitute recognition of any State of Palestine. Like many other Members of the United Nations, the United States does not recognize such a State.

The United States has consistently taken the position that under the provisional rules of procedure of the Security Council, the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39. For four decades the United States has supported a generous interpretation of rule 39, and it would not have objected had this matter been appropriately raised under that rule. We are, however, opposed to special, ad hoc departures from orderly procedure.

The United States consequently opposes granting to the PLO the same rights to participate in the proceedings of the Security Council as those that would be granted if that organization represented a State Member of the United Nations.

We believe in listening to all points of view, but not in a manner that requires violating the rules. In particular, the United States does not agree with the recent practice of the Security Council that appears selectively to try, through a departure from the rules of procedure, to enhance the prestige of those who wish to speak in the Security Council.

The PRESIDENT (interpretation from Arabic): I thank the representative of the United States for the kind words he addressed to me.

If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the request by Palestine.

It is so decided.

I therefore now put to the vote the request by Palestine.

A vote was taken by show of hands.

In favour: China, Colombia, Côte d'Ivoire, Cuba, Democratic Yemen, Ethiopia, Finland, Malaysia, Romania, Union of Soviet Socialist Republics, Zaire

Against: United States of America

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

The PRESIDENT (interpretation from Arabic): The result of the voting is as follows: 11 votes in favour, 1 against and 3 abstentions. The request has been approved.

At the invitation of the President, the representative of Palestine took a place at the Council table.

The PRESIDENT (interpretation from Arabic): I should like to inform the Council that I have received a letter dated 14 March 1990 from the Permanent Representative of Jordan to the United Nations, which reads as follows:

"I have the honour to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Ambassador Clovis Maksoud, Permanent Observer of the League of Arab States to the United Nations, during the Council's discussion of the item presently on its agenda."

That letter will be published as a document of the Security Council under the symbol S/21193.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Maksoud.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda.

(The President)

The Security Council is meeting in response to the request contained in a letter (S/21139) dated 12 February 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the Security Council.

I should like to draw the attention of members of the Council to the following documents: S/21118, letter dated 31 January 1990 from the Chargé d'affaires ad interim of the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; S/21133, letter dated 7 February 1990 from the Chargé d'affaires ad interim of the Permanent Mission of Kuwait to the United Nations addressed to the Secretary-General; S/21134, letter dated 7 February 1990 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General; S/21137, letter dated 9 February 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; S/21143, letter dated 13 February 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; S/21144, letter dated 12 February 1990 from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General; S/21182, letter dated 8 March 1990 from the Chargé d'affaires ad interim of the Permanent Mission of Oman to the United Nations addressed to the Secretary-General; S/21186, letter dated 12 March 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General; and S/21192, letter dated 13 March 1990 from the Permanent Representative of Yugoslavia to the United Nations addressed to the Secretary-General.

(The President)

The first speaker is the representative of the Union of Soviet Socialist Republics, on whom I now call.

Mt. BELONOGOV (Union of Soviet Socialist Republics) (interpretation from Russian): I should like to take this opportunity to congratulate you, Sir, the representative of the People's Democratic Republic of Yemen - a country for which the Soviet people have feelings of friendship and sympathy - on your assumption of the important post of President of the Security Council. Allow me to express my conviction that your rich political experience and high level of professionalism ensure the effective and fruitful work of the Security Council in March.

It is with a feeling of great satisfaction that I express also my gratitude to your predecessor, the Permanent Representative of Cuba to the United Nations, for his skilful conduct of the proceedings of the Council in February.

I wish to welcome the Foreign Ministers of Cuba and Malaysia and the Head of the Political Department of the Palestine Liberation Organization. Their participation in the work of the Council will lend a much more weighty character to the discussion of the item on the agenda today.

This meeting of the Security Council has been convened at the request of the Soviet Union. Following a number of statements by us - particularly the statement by the Minister for Foreign Affairs of the USSR on 9 February - and also contacts with Israel, the United States and Arab countries, we have come to the conclusion that the question of Israel's actions in settling the occupied territories with persons who have never lived in those territories is extremely serious and affects matters of security in the Middle East.

(Mr. Belonogov, USSR)

In that regard, the Soviet Government has decided to bring before the Security Council the question of the consideration of Israel's unlawful actions in settling the occupied territories.

Statements by Prime Minister Yitzhak Shamir and other prominent Israelis about the settlement in the occupied Arab territories of immigrants arriving in Israel from the Union of Soviet Socialist Republics and elsewhere are causing deep concern in the Soviet Union. The international reaction has also been uniformly critical.

Practical moves in furtherance of such schemes are a violation of generally recognized standards of international law, leading to heightened tensions and growing confrontation and extremism in the Middle East - especially the occupied territories - further increasing the danger to human rights, human safety and even human life.

Members of the Security Council are of course aware that the United Nations has repeatedly condemned illegal moves by Israel to establish settlements in the occupied territories, holding them to be in violation of the Fourth Geneva Convention of 1949, of which Israel is a signatory. Pursuant to article 49 of the Convention, "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies". The situation arising by virtue of Israel's flouting of international legal standards in the occupied territories requires the Security Council's immediate attention.

It is relevant in that regard to draw the Council's attention to the statement of Israel's Minister of Housing on 8 March 1990, to the effect that his Ministry is working on plans for building 4,000 homes and apartments on the West Bank for the settlement of immigrants.

By these means, the Government of Israel is heading towards deliberate violation the provisions of the Geneva Convention. Its position is also in violation of the decisions of the Security Council on that subject, in particular

(Mr. Belonogov, USSR)

its resolution 465 (1980), which was unanimously adopted, whereby the Security Council stipulated that:

"Israel's policy and practices of settling parts of its population and new immigrants in those territories constitute a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and also constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East". (resolution 465 (1980), para. 5).

I would recall that the Security Council called upon Israel to cease the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem.

The Soviet Union vigorously condemns Israel's illegal acts of settlement in the occupied territories. The Soviet Union has never recognized and does not recognize the Israeli occupation of Arab, including Palestinian, territories since 1967; we regard it as illegal and demand that it should end, as called for in United Nations resolutions. We are also adamantly opposed to any measures to alter the physical character, demographic composition, organizational structure or status of the occupied territories.

In the Soviet Union, Tel Aviv's frank statements about its interest that there should be the greatest possible number of Jews in East Jerusalem - including immigrants from the Union of Soviet Socialist Republics - have not gone unnoticed. The Soviet position on the question of Arab Jerusalem is well known: we consider East Jerusalem an integral part of the West Bank of the Jordan occupied by Israel, and that it falls within the purview of the provisions of the relevant United Nations resolutions and the Fourth Geneva Convention of 1949.

(Mr. Belonogov, USSR)

The evolution of the situation in the Middle East has, in recent times, been rightly viewed in the world and, indeed, within the Organization with a certain amount of hope that a real beginning will soon be made towards a real settlement. That prospect was opened up first and foremost by the constructive position of the Palestine Liberation Organization (PLO) and the Arab States. They have convincingly demonstrated their desire to put an end to the many years of confrontation and to enter into agreements that would ensure a peaceful and secure future for all parties to the conflict, including Israel. Unfortunately, the settlement of immigrants in the occupied territories and the statements of political leaders in Tel Aviv about the creation thereby of a "Greater Israel" are a new and serious obstacle to peace in that region.

Those steps can only be viewed as further evidence that certain circles in Israel are deliberately creating obstacles to a peaceful settlement in the Middle East and are undermining efforts, which have recently become more active, to bring about a settlement of the Arab-Israeli conflict and a just solution to the Palestinian problem.

It is also clear that, behind all this, there lies the intent - through the clash of interests between the Palestinian population and the settlers - to open yet another front in the struggle against the intifadah, a heroic and non-violent uprising - the basic form of expression of the Palestinian people's will - to which the long-suffering people of the occupied territories have been compelled to resort.

Of course, the situation that has arisen is a matter of serious concern to Palestinians and other Arab countries. There are good grounds for that concern, since Israel's actions in settling the West Bank and Gaza with immigrants affects not only the vital national interests of the Arab people of Palestine, but also questions of security in the Middle East as a whole.

(Mr. Belonogov, USSR)

Appeals are sometimes made to the Soviet Union to prevent Soviet Jews from emigrating to Israel. That is impossible, because it would be contrary to the overall policy of ensuring all citizens of the Soviet Union equal rights and freedoms, regardless of their nationality or ethnic origins. At present, we are undertaking a major democratization of Soviet legislation, including exit from the Soviet Union. Indeed, the Supreme Soviet of the USSR is considering a bill on exit and entry which is in line with existing international practice. Its provisions correspond to those in force in other countries of the world, including Arab countries.

(Mr. Belongov, USSR)

Exit restrictions can be applied only in connection with proper legal norms recognized in international law and international practice.

The point is not that the Soviet Union should impose prohibitions; the point is that Israel should prohibit its citizens and others from settling in the occupied territories. The responsibility lies with Israel, which is violating current provisions of international law.

There is another side to this problem, to which I should like to draw attention. Very few of those of Jewish nationality leaving the Soviet Union desire to live in Israel. Everyone knows the countries to which most emigrants have thus far been going and why. We have consulted with the Government of the United States in connection with reports that since last August the United States has cut the number of entry permits for individuals of Jewish nationality from the Soviet Union. We have received assurances from the United States that its practice in this regard has no connection whatsoever with Israel's decision, and in particular with Prime Minister Shamir's statement on the "great aliya" to Israel, and that the United States is continuing to admit individuals of Jewish nationality emigrating from the Soviet Union, although for various reasons the United States side claims that it cannot do this quickly. The United States denies that there is any co-ordination with Israel and asserts that the reasons for the delay in considering applications from those wishing to enter the United States from the Soviet Union are of a purely technical nature. Of course, a broader range of opportunities for those of Jewish nationality leaving the USSR to settle freely in Western countries would do much to allay the concerns of the Palestinians and other Arabs.

At the same time, this in no way alters the responsibility of the Government of Israel to ensure that individuals coming to live in Israel do not settle where they should not: in the occupied territories. We would hope that the Israeli

(Mr. Belonogov, USSR)

Government will make a sober assessment of the situation and will not permit actions liable to alter the demographic structure of the occupied territories. Apart from anything else, that would be in the interests of the State of Israel itself. It is high time that State began a serious, sincere search for peace and friendship with its neighbours. Nor would it do any harm for Israel to heed the views of the international community, including Israel's allies, which, like others, have expressed concern over Israel's intention to settle immigrants in the occupied territories.

In our view, the Security Council's attention should be focused on the following three elements: first, confirmation of the applicability of the fourth Geneva Convention on the Protection of Civilian Persons in Time of War, of 12 August 1949, to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; secondly, disagreement by the Security Council with the intention of the Government of Israel to settle immigrants in the occupied territories in contravention of the provisions of the fourth Geneva Convention, and in particular article 49, which prohibits the settlement of non-native inhabitants in occupied lands; and thirdly, an appeal by the Security Council to the Government of Israel not to permit actions liable to alter the demographic structure of the occupied territories.

We hope the Government of Israel will comply with such a decision addressed to it by the Security Council.

We are convinced that none of the many problems afflicting the Middle East can be considered outside the context of the Arab-Israeli conflict and the ongoing tension in the region. The Soviet Union bases its position on the Middle East on the belief that there is a possibility of solving the problems of the region on the basis of compliance with the principle of balancing the interests of all parties concerned in the framework of an international conference.

(Mr. Belonogov, USSR)

In that connection, it would be useful to recall once more how we view the fundamental elements of such a settlement.

First, the territorial basis of such a settlement has been determined by Security Council resolutions 242 (1967) and 338 (1973), which call for the withdrawal of Israeli troops from territories occupied during and after the 1967 armed conflict.

Secondly, the Palestinian people should be enabled to exercise the right of self-determination to precisely the same extent as this is ensured for the people of Israel. I must note in that connection that the Soviet Union has recognized the proclamation of the Palestinian State, with which we maintain relations at the ambassadorial level.

Thirdly, all parties to the conflict have the right to a peaceful and secure existence within internationally recognized boundaries.

That is the foundation for a comprehensive political settlement.

We should like to see a multi-option approach to development of the peace process on the basis of the potential of the United Nations. As part of the practical preparations for an international conference, there could be purposeful bilateral and multilateral contacts to find compromise decisions, including interim decisions, and to work on the basis of these towards guidelines acceptable to all sides for a comprehensive peace process. We continue to support also the commencement of preparatory work for the international conference on peace in the Middle East in the framework of the Security Council.

The Soviet Union has always supported, and continues to support, the just cause of the Palestinian people, and we support its uprising - which has already lasted more than two years - against Israeli occupation. That support is well known to our friends in the Arab world and has never been confined only to words.

(Mr. Belonogov, USSR)

That is the overall context of the situation in the Middle East, one of the aspects of which is the question of Israel's unlawful actions in settling the occupied territories. In bringing this matter to the Security Council, we trust, in the light of the positions of members, that the Council will agree on and adopt a decision on the serious situation caused by Tel Aviv's actions, and that this meeting will serve as a serious warning to Israel and will encourage it to review its obstructionist position.

The PRESIDENT (interpretation from Arabic): I thank the representative of the Union of Soviet Socialist Republics for his kind words addressed to me.

The next speaker is the representative of Palestine, upon whom I now call.

Mr. QADDOUMI (Palestine) (interpretation from Arabic): I take pleasure in thanking you, Mr. President, and the other members of the Security Council for inviting Palestine to participate in this debate. I should also like to thank you personally for your constant efforts in behalf of the cause of peace. We are pleased that the President of the Council for this month is a brother Arab with whom we have close fraternal ties. We commend your wisdom and long experience, which will, we are confident, have a positive effect on the Council's deliberations.

I should also like to take this opportunity to express thanks and gratitude to our friends the Minister for Foreign Affairs of Malaysia, His Excellency Haji Abu Hassan Bin Haji Omar, and the Minister for External Relations of Cuba, His Excellency Isidoro Malmierca Peoli, for having journeyed to New York to participate in the Security Council's debate.

Yesterday I arrived in New York City from Tunisia, where the State of Palestine presided over meetings of the Council of the League of Arab States. In those meetings the Arab Foreign Ministers discussed the situation created by the immigration of Soviet Jews to occupied Palestine. I came to New York to participate in the Security Council's debate and to convey to it an accurate picture of the true aspirations and sentiments of the Arab nation, in the hope that the Council would fulfil its responsibilities and establish peace on the land of peace - Palestine.

The Security Council is meeting in extremely complex international circumstances, at a time when the world is experiencing significant changes in international relations. Most of the world's leaders are moving, in good faith, towards reconciliation, dialogue and the settlement of regional problems through

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peaceful means. We, the more than 5 million Palestinian people, welcome the new, constructive orientation in international relations. Unfortunately, however, we note that a very few leaders are not moving with the mainstream of peace but are trying to seize opportunities to rebuild their military machines in preparation for war, expansion and aggression. The immigration of Soviet Jews and their settlement in the occupied Palestinian territories is an act of aggression against national Palestinian rights and a usurpation of our Palestinian land in preparation for expelling our people, as happened in 1948.

In 1948 approximately 1 million Palestinians were expelled from their homeland in the wake of massacres carried out by Israel against the Palestinians similar to Nazi deeds in Europe. Out of 595 Palestinian villages, 478 were destroyed. Horrendous massacres took place at Deir Yassin, Kfar Kassem, Kabbia and Nakhalin. Next came the ominous June 1967 war, which resulted in the displacement of some 450,000 Palestinians in the West Bank and the Gaza Strip. Since then, Palestinians have been subjected to expulsion from their homeland through unabated terrorism and violence.

Settlement and land expropriation remain the bases of the dominant policy of Israel's rulers. Since the June 1967 war Israel has built more than 200 settlements in the West Bank and the Gaza Strip. We are thus witnessing the perpetuation of a contemporary crime that consists first in terrorizing and evicting Palestinians and then in settling Jews from all parts of the world to take the place of Palestinians in their own homeland.

The world has in fact condemned that aggressive and expansionist policy. The Security Council has adopted a series of resolutions, in particular resolution 465 (1980), which determined that Israel's occupation of the Palestinian

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territories was illegal and called for the dismantling of those settlements.

Notwithstanding that resolution, however, the settlements remain.

Resolution 465 (1980) also reaffirmed the illegality of the annexation of Jerusalem and determined that it - and the annexation of the Golan Heights - had no legal validity. It also determined that all these Israeli measures were a serious obstruction to achieving peace in the Middle East. Yet, in spite of all those resolutions, the racist Israeli régime has continued to consolidate its occupation of Palestinian and other Arab territories.

(Mr. Qaddoumi, Palestine)

In 1982 Israel invaded Lebanon, an act that was blessed by Alexander Haig and President Reagan. Israel perpetrated the massacres at the Sabra and Shatila refugee camps, which were under the protection of the British and French multinational forces at the time, following a cease-fire arrangement worked out between Lebanon and the United States, involving the departure of the Palestinian forces from Beirut. That is how Israel continues its crimes in building settlements in defiance of resolutions of the United Nations, including the Security Council, the will of the international community and international agreements.

What is really strange is that Israel finds support from those who give it generous financial aid and enable it to continue its expansionist and aggressive policies.

Every human being has the right to emigrate from his own country for one reason or another and to return to his homeland whenever he chooses. That is an indisputable universal human right. By the same token, no human being has the right to act against the rights of others or to expropriate and exploit the property of others or to live in the homelands of others after expelling them, which is exactly what is happening through the massive Jewish immigration organized by world Zionism and Israel.

Everything that I have described is detrimental to the rights of the Palestinian people, for the name "Palestine" is associated with that people. What an injustice it is that millions of our Palestinian people have remained homeless for dozens of years, living outside their homeland, experiencing the tragedy of diaspora as refugees at a time when there is an influx of waves of Jewish immigrants of various nationalities from all over the world, occupying our homes

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and farmland and enjoying the resources of our country, Palestine! That is happening while the Palestinians are surviving on aid given by the United Nations Relief and Works Agency for Palestine Refugees in Near East (UNRWA) and sister countries which host the Palestinian refugees. Is not that preposterous, the height of human tragedy, at a time when we hear that the principles of freedom are being promoted, that democracy is expanding and that peace and equality will prevail, and when the United Nations has made successful efforts to bring colonialism to an end and we see racism and racial discrimination declining, thanks to the struggle of the peoples.

History has taught us that societies built on oppression, aggression and racial discrimination cannot be sustained in the long term, as has been proved by the events that we continue to witness, including the collapse of similar régimes and systems in Angola, Mozambique, Zimbabwe and Namibia, which stands on the threshold of its glorious independence, which we are about to celebrate. Soon the racist Pretoria régime, too, will collapse, and the people of South Africa will take its natural place among all the independent peoples of the world.

Since the turn of the century, when the Zionist invasion of Palestine began, our Palestinian people has stood heroically against the tide of settlement, because the Palestinians recognized from the very beginning the purposes of this colonialist settlement onslaught, aimed at uprooting the Palestinian people, destroying Palestinian society and erasing the name "Palestine" from the map of the world. All that was done in order to create the State of Israel, at the expense of national Palestinian rights. The massive organized Jewish emigration from the Soviet Union to Palestine is in fact a continuation of the Zionist invasion of the Palestinian and Arab lands.

(Mr. Qaddoumi, Palestine)

Therefore, it is only natural that our Palestinian people and our Arab nation will continue to oppose the invasion in defence of the homeland and its existence and in order to safeguard our national rights. Despite all the untold suffering of the Palestinian people since the tragedy of 1948, the Palestinian people has offered, and continues to offer, humanitarian solutions and constructive initiatives on the basis of international law.

Our aim is peaceful coexistence. Alas, Israel's response has been an escalation of violence, terrorism, killing and evictions, a strengthening of the occupation and persistence in the practice of evicting the Palestinians from their homeland.

The Palestine National Council has adopted the peace initiative put forward by President Yasser Arafat in his address in Geneva to the General Assembly at its forty-third session.

(Mr. Qaddoumi, Palestine)

The Arab Summit Conference held at Casablanca endorsed the Palestinian initiative, which also gained world-wide support. But Israel has rejected that initiative. Indeed, Israel has intensified its oppressive and terrorist practices against the Palestinian people. Tens of thousands have been gaoled; hundreds of children, women and the elderly were killed; dozens of homes have been demolished; schools, universities and institutions have been closed; towns, villages and refugees camps were encircled by Israeli forces. Israel has also plundered the personal properties of Palestinians, as happened in the valiant city of Beit Sahur. Crime after crime was committed in Gaza, Nablus, Al-Khalil - Hebron - and many other towns and villages, and hundreds of Palestinian citizens were expelled from their homeland.

All those crimes have been committed in broad daylight, despite the relevant resolutions adopted by this Council one after the other and despite the international community's condemnation of these practices. The uprising and revolution of our people against the Israeli occupation is an act of self-defence and a manifestation of the determination of the Palestinian people to live free in dignity in its homeland in order to exercise its sovereignty in its independent State on the land of Palestine.

There has been a dialogue between the United States of America and the Palestine Liberation Organization which started in the wake of the Palestinian peace initiative. Through this dialogue with the United States, we for our part have been anxious to reach a common understanding for a political settlement. We hoped that we could agree on a declaration of principles with regard to such a settlement, as was the case in Namibia. Unfortunately, the United States shied away from discussing the substance and content of any just solution and has supported the Shamir plan for nominal elections in the occupied Palestinian territories.

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Nevertheless we informed the United States of America that our people demanded the holding of free democratic elections without interference by the occupation forces and under international supervision. This should be considered as a prelude to an even-handed comprehensive peace. Later, sister Egypt moved on its own initiative to revive the peace process and submitted 10 questions to which Israel refused to respond. The United States Secretary of State Mr. James Baker then put forward his well-known five points dealing with procedures only, aimed at holding a dialogue between the Palestinian and the Israeli delegations. The Israeli Government procrastinated - indeed rejected - that proposal, and Moshe Arens submitted his well-known letter to the United Nations rejecting everything.

This intransigent Israeli position is definitive proof that Israel does not want peace and that it insists on expansion. Shamir expressed in no uncertain terms this expansionist aggressive policy when he reaffirmed the plan for the establishment of Greater Israel by means of settling hundreds of thousands of Soviet Jews in the occupied Palestinian territories.

In his report to the Security Council at the end of last year the Secretary-General indicated that he shared the Council's concern that the looming opportunities for peace might indeed be lost. He urged members of the Council to make good use of these opportunities to seek peace and achieve a just solution. We for our part have emphasized that we seek a just and permanent peace in our region. Such a peace cannot be established unless the Palestinian people is allowed to exercise its right to self-determination and to the establishment of its independent Palestinian State on its national soil.

The United Nations General Assembly endorsed the convening of the International Peace Conference on the Middle East, with the participation of the five permanent members of the Security Council and the parties to the conflict,

(Mr. Qaddoumi, Palestine)

including the Palestine Liberation Organization, the sole, legitimate representative of the Palestinian people. This conference would be convened on the basis of the Security Council's relevant resolutions and the right of the Palestinian people to self-determination. Such an international conference is the proper framework for attaining a comprehensive settlement and reaching a just solution with the required international guarantees. That is opposed and rejected by Israel.

(Mr. Qaddoumi, Palestine)

The Middle East remains a hotbed of tension and continues to drift towards the brink of yet another war that would pose serious threats to international peace and security - all because of Israel's intransigent stand and its aggressive policies. Moreover the United States of America remains hesitant to agree to the convening of an international peace conference, which has won the support of the international community. The United States does not want to see other Powers participating in the making of peace within the peace process. The United States insists on pursuing unilateral efforts. All evidence proves that that unilateral approach is inadequate, indeed futile.

The age of colonialism, Zionism and racism has gone once and for all. The world has begun to enter a new age, the age of human beings, as I said earlier. Therefore it is unreasonable that hundreds of thousands of Soviet Jews settle on Palestinian land, at a time when there is talk about human rights. It is a seemingly felicitous tenet used to disguise malicious intentions.

It is inadequate for the Security Council to adopt a resolution or to issue a statement. Concrete action-oriented measures are essential, measures similar to the actions taken against the racist Pretoria régime. Equally important, we expect a firm stand by the States immediately concerned - the United States of America and our friend the Soviet Union - against this organized massive immigration. They are the two super-Powers that have led the world into the era of international reconciliation and harmonization.

Here I would recall what my brother Abu Ammar Yassir Arafat said in his address before the General Assembly back in 1974: "Do not let the green olive branch fall from the hands of my people."

The PRESIDENT (interpretation from Arabic): I thank the Foreign Minister of Palestine for the kind words he addressed to me.

Mr. ABU HASSAN (Malaysia): I should like to take this opportunity to express our warmest congratulations and felicitations to you, Sir, on your assumption of the high office of the presidency of the Council for this month. We are assured that, given your acknowledged diplomatic skills and your vast experience in multilateral diplomacy, you will be able to discharge your stewardship of the Council in a most effective fashion.

I should also like to commend His Excellency Ambassador Alarcon de Quesada, the Permanent Representative of Cuba, for his skilful management of the Council's work during the month of February.

My Government continues to be seriously concerned about the situation in the occupied territories of Palestine. It is concerned at the violence being perpetrated by the Israeli authorities on the people of Palestine, who are in the third year of their intifadah against foreign occupation of their homeland. The repressive policies and practices of the Israeli Government have been universally condemned. They should continue to be condemned in this Council and elsewhere. It is scandalous that even as they are trying to put down the intifadah the Israeli authorities are embarking on a massive exercise of bringing thousands of Soviet Jews into Israel. This is an outright insult and provocation to the Palestinian people. It has added a new dimension to their uprising, and it is likely to exacerbate the situation in the occupied territories.

Malaysia takes strong issue with the mass immigration of foreign Jews into Israel. My presence here, as the Foreign Minister of my country, in response to the fraternal request of the Palestinian leadership, is testimony to the

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importance Malaysia attaches to this meeting of the Security Council. My Government condemns Israel's policy of importing large numbers of Jews from a foreign country to serve its sinister political and strategic objectives. Such a policy is not only immoral but one that is fraught with grave dangers to the peace process as well as to international peace and security. In a world of nation States characterized by the multi-ethnicity of their populations, such a policy would set a dangerous precedent and inject a new and destabilizing element into international relations.

As is well known, some of those immigrants are being resettled in the occupied territories of Palestine, with the prospect that more will follow suit. That is a blatant breach of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. The provisions of the Convention are very clear and precise, and beyond any other interpretation that could be given by Israel. It prohibits the occupying Power from deporting the inhabitants of the occupied territories or transferring parts of its own civilian population into the territory it occupies. In other words, it prohibits the effecting of demographic changes to the occupied territories. As a High Contracting Party to the Geneva Convention, Israel is duty-bound to fulfil its international obligations under the Convention and to respect, as well as to ensure respect for, the Convention, as enjoined by article 1 of that Convention. Israel, which has treated the Convention's provisions in a cavalier, even contemptuous, fashion, must therefore be pressured by the collective weight of international opinion, if not by sanctions, to respect its international obligations under that Convention and the relevant resolutions of this Council.

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The mass migration of foreign Jews to Israel is a matter of the gravest concern to the people of Palestine. The influx of Jewish immigrants, who may run into hundreds of thousands, into a small country of Israel's size would create enormous and complex political, social and economic problems. There would be a tremendous pressure for land and new settlements both in Israel and, eventually, in the occupied territories, not to mention the increased demand on scarce and depleting resources such as water. Given the Israeli leadership's well-known policy on the opening-up of new settlements in the occupied territories, this influx would lead to the dispossession of the Palestinians of their lands. That would be a gross injustice to the Palestinian people, many of whom have been expelled from the territories and many more of whom suffer in the Diaspora.

Israel's aim of populating the occupied territories with Jews in pursuance of a Greater Israel is transparent to all and cannot be denied. It exists not just in the mind of the Israeli Prime Minister, who has been particularly vocal about it, but also in the minds of most Israelis. Clearly, the mass emigration of Jews is no accident or coincidence. It is a deliberate plan and a crucial factor in the realization of the Zionist goal of a Greater Israel. In its single-minded pursuit of this Zionist dream the Israeli Government pays scant attention to the aspirations and rights of the Palestinians to a homeland of their own. It is deaf to the clamour for a Palestinian homeland and is ever ready to condemn the Palestinians to a life of permanent Diaspora.

The mass immigration of foreign Jews into Israel, and ultimately the occupied territories, is likely to lead to an exodus of Palestinians out of the territories. This would precipitate another tragic Diaspora for the Palestinians, in less than 50 years, with attendant political, social and economic ramifications on the region. Clearly, therefore, Israeli policy on the mass immigration of Jews

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has ramifications that extend beyond the borders of Israel. Such a policy cannot be justified either on political or on moral grounds such as human rights. It is a distortion of the principle of human rights and a clear application of double standards to champion the right of Jews to emigrate to Israel at the expense of the rights of the Palestinians to stay and to work in, or to return to, their ancestral homeland. Indeed, the right of emigration for foreign Jews cannot be equated with the rights of stay and of return for the Palestinians. It would be a travesty of natural justice if thousands of foreign Jews were allowed to settle in Israel, and eventually the occupied territories, on the so-called principle of right of return when Palestinians are being kept out - or driven out - of their ancestral land. Clearly, the Israeli policy of encouraging mass Jewish immigration and its policy of territorial occupation of Palestinian lands, leading to their eventual annexation, cannot be condoned and ought to be condemned by the Security Council.

The Council can best communicate its rejection of Israel's plan to dispossess and disenfranchise the Palestinian people of their homeland and inalienable rights through the adoption of a unanimous resolution. At the same time, Governments should refrain from providing financial assistance to Israel for the purpose of developing settlements in the occupied territories. As a complementary measure, there should be a moratorium on the mass emigration of foreign Jews to Israel until an internationally supervised programme of departure is put in place that would ensure that the new settlers are not sent to the occupied territories. Further, Jews intending to immigrate should be given a choice of settling in the country of their preference. At the same time, for those intending to settle in Israel there should be an expressed and internationally verifiable undertaking by the Israeli Government that they will not be resettled in the occupied territories and that

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they will be helped to return to their country of origin should they choose to do so. Only in those circumstances would the immigration of Jews to Israel in large numbers be perceived by the Palestinians and the international community as normal immigration rather than immigration that is impelled by some grand strategic design. Clearly, there is a special responsibility on the part of the sender country or countries to ensure that they do not open the flood-gates of Jewish emigration to Israel, which would have far-reaching implications for the region. There is also the responsibility of the traditional recipient countries not to erect artificial barriers against those intending to immigrate.

My Government feels very strongly that pending the settlement of the Palestinian problem it is incumbent on the international community, and the Security Council in particular, to ensure the protection of the hapless inhabitants of the occupied territories. In this regard the proposals contained in the Secretary-General's report of 21 January 1988 (S/19443) provides a fair basis for international protection of these unfortunate people. We would urge the Council, once again, to reconsider this report and put into effect some of the proposed measures outlined therein. The Council cannot continue to take a callous attitude towards the plight of the Palestinians living under the yoke of Israeli occupation.

For too long Israel has been allowed to get away with its intransigence on account of the inability of the Council to pronounce itself on the issue of Israeli policy and practices in the occupied territories. This has engendered a feeling of Israeli invincibility, infallibility and unaccountability. The time has come - in the interest of promoting the peace process, if not of upholding the credibility of the Council - to tell Israel that it is neither invincible nor infallible and that it must, like all States in the international system, be accountable to the international community.

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It is imperative that the Council send a clear and unequivocal message to the Israeli Government that it deplores its policies and practices, including the illegal opening-up of settlements in the occupied territories, and that Israel desist forthwith from those practices. It is equally imperative that the Council declare the illegality of those settlements and reaffirm the inalienable rights of the Palestinian people to its land, including the right of return. The Council must pronounce itself unambiguously on that issue. Not to do so would only reflect its lack of unity and resolve on this issue and would only encourage Israel's continued intransigence.

In the wake of the positive developments in the international political climate and the breaking-out of peace in many parts of the world, the opportunity should not be lost to find a breakthrough to the stalemate in the Middle East. Israel should be urged to give up its territorial ambitions over the occupied territories and the logic of ensuring its security through the permanent control of the territories. It should be encouraged to pursue a permanent peace with the Palestinian people through negotiation based on the "land for peace" formula. We believe that this is the only viable framework for a comprehensive, lasting and just settlement of the Palestinian problem based on the full realization of Palestinian statehood.

Israel cannot be oblivious to the overwhelming international recognition of the State of Palestine and of the Palestine Liberation Organization (PLO) as the repository of Palestinian sovereignty. It must, in its own self-interest, realize the folly of clinging to a strategic doctrine that at most only provides short-term, precarious security and does not guarantee its long-term security and stability.

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Malaysia remains convinced of the special responsibility and role of the Security Council, particularly of its permanent members, in promoting the peace process and facilitating a political settlement of the Palestinian problem. We believe a comprehensive settlement can only be attained through negotiation, and would urge once again the convening of an international peace conference on the Middle East under the auspices of the United Nations on the basis of Security Council resolutions 242 (1967) and 338 (1973), with the participation of all the parties directly concerned, including the PLO. We believe that the time has come for the Security Council to play a constructive role in the peace process by establishing, as soon as possible, a preparatory committee that will lay the groundwork for the international conference.

The PRESIDENT (interpretation from Arabic): I thank the Minister of Foreign Affairs of Malaysia for his kind words addressed to me.

Mr. MALMIERCA PEOLI (Cuba) (interpretation from Spanish): I should like at the outset to congratulate you, Mr. President, on your election to the presidency of the Council for the month of March. We are aware of your diplomatic skills and of how much you have done through the years in defense of the noble causes of oppressed peoples, especially in promoting the recognition of the inalienable right of the Palestinian people to return to its native land and to establish its independent State.

Once again, the Security Council meets to consider the situation in the Palestinian territories occupied by Israel and the new dangers looming over that long-suffering people. Once again, we are sure, we will again hear condemnations of one of the greatest injustices committed against any people in this century.

In his opening address to the International Conference on Palestine, in Geneva in 1983, the Secretary-General of the United Nations, Mr. Javier Pérez de Cuéllar, said that, after 36 years and six wars, we were in an extraordinarily dangerous

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state of stagnation. Today, we can say "after 43 years and seven wars", because the intifadah is a war that the Palestinian people has been waging for more than two years for its independence and to bring about the withdrawal of the occupying Israelis.

Today, the situation is even more dangerous, because the illegal settlement in the occupied territories in Palestine by Jewish citizens resident in Israel or immigrants from the Soviet Union and elsewhere is evidence of the determination of the Zionist occupiers to protract and give a permanent character to their occupation of the Palestinian and Arab territories.

In Security Council resolution 446 (1979), adopted on 22 March 1979 by 12 votes in favor with three abstentions - amongst which, naturally, was that of the United States - it was declared that:

"The policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East". (resolution 446 (1979), para. 1) It was requested that a commission be established consisting of three members of the Security Council, whose task would be to examine the situation relating to those settlements.

At a later stage, on 1 May 1980, through its resolution 465 (1980) - this time adopted unanimously - the Security Council deplored the refusal by Israel to co-operate with the Commission; affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem; called upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements in the occupied territories; and requested the

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Commission to continue to examine the situation relating to settlements in the Arab territories occupied since 1967, including Jerusalem.

Thus, Security Council resolutions 446 (1979) and 465 (1980) remain fully in force and must be fully and completely implemented.

In discussing the question of the illegal settlement by Jews in the occupied territories, we cannot disregard the fact that by that means Israel is seeking to alter the present composition of the population in those territories and attempting, among other objectives, to check the momentum of the revolt of the Palestinian people - to put down the intifadah - which it has not managed to do despite fierce repression that has already taken hundreds of lives and thousands of victims.

There is talk of the right of Jews to immigrate to Israel, but it cannot be forgotten that, of the 5.5 million Palestinians, more than 3 million are today outside of their lands.

In discussing a solution to the problem of the Middle East, we cannot fail to recognize that our main objective and clear obligation is to resolve the central issue of recognition of the legitimate rights and future of the Palestinian people.

For that reason, in calling for an end to the establishment of illegal settlements by Jewish citizens in the occupied Palestinian and Arab territories, we must also point out that those settlements constitute an obstacle to progress towards convening the international peace conference on the Middle East and solving the core question of Palestine.

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Therefore, recent statements by Prime Minister Shamir that Israel needs a larger, stronger country to accommodate enormous Jewish immigration constitute a reiteration of Israel's expansionist ambitions and a direct negation of what would be the first step towards a solution of the Middle East problem: Israel's withdrawal from the occupied territories.

Through illegal Jewish settlements in the occupied territories, Israel is attempting also to stop the growth of the Palestinian population, permanently appropriate the territories of Gaza and the West Bank, and lay the foundation for requesting additional credits from the United States.

It is not for us to judge the immigration policies of any sovereign country, much less to dictate the rules that each country may see fit to apply in this area. But it is unquestionable that the provisions adopted by the United States Administration to limit the number of Jewish immigrants from Eastern European countries entitled to enter its territory, together with Israel's practice of settling those citizens in the occupied Arab territories, contribute to prolonging the suffering of the Palestinian people and to making a solution to the Middle East conflict all the more remote.

Dozens of resolutions have been adopted by the General Assembly and the Security Council unambiguously stating Israel's guilt, condemning Israel and demanding that it return the occupied territories, and proclaiming the right of the Palestinian people to establish an independent State of its own. We must remind members that the United States and Israel voted against those General Assembly resolutions. The United States and Israel have ignored the will of the international community as expressed in those resolutions, which have been relegated to the archives because of Israel's obstinate refusal to comply with them, which is a mockery of the opinion of the vast majority of the international community.

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How long will this state of affairs continue? Can the international community stand idly by and allow this crime to continue without taking steps to stop it? It is clear to everyone that Israel is able to act with such impunity because it is protected and encouraged in its actions by the military, political and economic support of the Government of the United States. Only that can explain such arrogance and such contempt for this institution. Only that can explain the obstinacy and impunity with which the Zionist régime acts.

The principles on which a just lasting peace in the Middle East must be based have been defined for years. Such a peace can be reached only with the withdrawal of Israeli forces from all territories occupied since 1967, including Jerusalem; with a guarantee of the security and legitimate rights of all parties; and with the full exercise by the Palestinian people of its inalienable rights, including the right to return to its land and establish a sovereign, independent State in its homeland.

But the Government of Israel persists in its policy, a policy no longer merely of denying the most basic rights of the Palestinian people, but even of trying to dictate who will speak on behalf of that people and choose its representatives in a negotiating process. The Israeli occupier wants to speak with those of its choosing about the issues of its choosing.

The issue must be the withdrawal of Israel from the occupied territories, and the interlocutors must be the representative of the Palestinian people, the Palestine Liberation Organization (PLO). They must talk of withdrawal, not of elections in the occupied territories.

On 11 March 1990, a ministerial meeting of the Committee of Nine on Palestine of the Movement of Non-Aligned Countries was held at Tunis. In their communiqué

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the Ministers invited the Security Council to proceed, as a matter of urgency, to preparations for convening the International Peace Conference on the Middle East under the auspices of the United Nations, on the basis of Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination, with the participation, on an equal footing, of all the parties directly concerned, including the PLO.

The meeting condemned the illegal Jewish settlements in Palestine, called upon the Security Council to adopt measures for the protection of the Palestinian civilian population under Israeli occupation, and called upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories. The Ministers of the member countries of the Committee agreed to express that view in the Security Council and to endeavour to have it endorsed in the Council's decisions.

The United Nations has an obligation and a debt to the Palestinian people. So long as that people cannot exercise its legitimate rights, that debt will be repaid only with the convening of the International Peace Conference on the Middle East as a framework in which all the parties, including the Palestine Liberation Organization, can participate on an equal footing, and with the beginning of a true negotiating process leading to a peaceful solution. Such a solution will be genuine and permanent only if it means the withdrawal of Israel from all the occupied territories, including Jerusalem, and the recognition of the right of the Palestinian people to return to its homeland, its native soil, and to establish an independent State.

The PRESIDENT (interpretation from Arabic): I thank the Minister for External Relations of Cuba for the kind words he addressed to me.

In view of the lateness of the hour, I intend to adjourn the meeting now. The next meeting of the Security Council to continue consideration of the item on its agenda will take place at 3.30 p.m. today.

The meeting rose at 12.45 p.m.

