



Security Council

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PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND NINE HUNDRED AND FIFTY-THIRD MEETING

Held at Headquarters, New York,
on Wednesday, 7 November 1990, at 4 p.m.

President: Mr. PICKERING

(United States of America)

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
Yemen
Zaire

Mr. FORTIER
Mr. LI Daoyu
Mrs. CASTAÑO
Mr. ANET
Mr. ALARCON de QUESADA
Mr. TADESSE
Mr. TÖRNUDD
Mr. BLANC
Mr. RAZALI
Mr. MUNTEANU
Mr. VORONTSOV

Sir David HANNAY
Mr. AL-ASHTAL
Mr. BAGBENI ADEITO NZENGEYA

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The meeting was called to order at 4.10 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

LETTER DATED 26 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21830)

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL IN ACCORDANCE WITH RESOLUTION 672 (1990) (S/21919 and Add.1, 2 and 3)

The PRESIDENT: In accordance with the decisions taken at the previous meetings on this item, I invite the representatives of Algeria, Bangladesh, Egypt, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Mauritania, Morocco, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yugoslavia to take the places reserved for them at the side of the Council Chamber. I invite the Observer of Palestine to take a place at the Council table.

At the invitation of the President, Mr. Bendjama (Algeria), Mr. Mohiuddin (Bangladesh), Mr. Moussa (Egypt), Mr. Menon (India), Mr. Kharrazi (Islamic Republic of Iran), Mr. Al-Anbari (Iraq), Mr. Aridor (Israel), Mr. Salah (Jordan), Mr. Al-Sabah (Kuwait), Mr. Treiki (Libyan Arab Jamahiriya), Mr. Ould Mohamed Mahmoud (Mauritania), Mr. Hasbi (Morocco), Mr. Umer (Pakistan), Mr. Al-Ni'mah (Qatar), Mr. Shihabi (Saudi Arabia), Mr. Ali (Sudan), Mr. El-Fattal (Syrian Arab Republic), Mr. Ghezal (Tunisia), Mr. Aksin (Turkey), Mr. Al-Shaali (United Arab Emirates) and Mr. Silovic (Yugoslavia) took the places reserved for them at the side of the Council table; Mr. Al-Kidwa (Palestine) took a place at the Council table.

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Lebanon in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In accordance

(The President)

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.

There being no objection, it is so decided.

At the invitation of the President, Mr. Makkawi (Lebanon) took the place reserved for him at the side of the Council table.

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

Members of the Council have before them the report submitted to the Security Council by the Secretary-General in accordance with resolution 672 (1990), contained in documents S/21919 and Corr.1 and Add.1-3. I should like to draw the attention of the members to documents S/21926 and S/21928, letters dated 2 and 5 November 1990, respectively, from the Chargé d'affaires ad interim of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General, and document S/21920, a letter dated 30 October 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General.

The first speaker on my list is the Observer of Palestine, on whom I now call.

Mr. Al-KIDWA (Palestine) (interpretation from Arabic): Allow me, Sir, to extend to you my congratulations on your assumption of the presidency of this august Council for the month of November. I wish you every success in your endeavours and in the great task entrusted to you. I should also like to extend our thanks to your predecessor, His Excellency the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, for the manner in which he conducted the Council's business during the past month.

At the Permanent Observer Mission of Palestine to the United Nations we have received the report of the Secretary-General submitted in accordance with Security Council resolution 672 (1990) which contained the Secretary-General's conclusions with regard to the ways and means of providing protection to Palestinian civilians under Israeli occupation. It was with great eagerness that we received that report because of the constant suffering of our people under the abhorrent Israeli occupation.

(Mr. Al-Kidwa, Palestine)

The latest manifestation of that suffering was the unbearable repression by the occupation authorities of our people in the Gaza Strip, particularly in the heroic town of Beit Hanoun. That maniacal repression resulted in 700 casualties from among our people throughout the Gaza Strip.

That eagerness also stemmed from the hope of the entire Palestinian people that international legitimacy, as represented by the Secretary-General and the Security Council, would take all the necessary measures to protect the lives of our people and ensure their safety in their daily life. It stemmed too from the hope that international legitimacy would adopt all the necessary measures to move the situation in the direction of right and justice - the right of our people to self-determination and the exercise of its sovereignty - and in the direction of peace and the achievement of a just settlement of the Middle East crisis, whose core is the question of Palestine.

All those hopes hinge on yet another hope - the hope that the world would give credence to the integrity and unity of the principles of the Charter and the norms of international law. Perhaps the United Nations and its Security Council - particularly its permanent members - will be able to employ the same yardstick to solve the various problems of our common world. It really would be a great world if it were based on the triumph of right, justice, human values and the principles of the United Nations Charter.

We now know that we were not wrong in placing our hope in the world Organization, and, specifically, in the Secretary-General. We are also hopeful that we shall not be proved wrong in placing a similar hope in another organ of the Organization - the Security Council.

The Secretary-General has done a magnificent job in producing the report contained in document S/21919, which is his second report in less than three years on the ways and means of providing protection to Palestinian civilians under

(Mr. Al-Kidwa, Palestine)

Israeli occupation. He has thus completed the first part of his work contained in document S/19443.

We have previously stated before this august Council that it would not be right for the Council to shift the burden of its own responsibilities onto the shoulders of others, even if they were the shoulders of the Secretary-General of the United Nations. Although the Secretary-General competently shouldered those responsibilities, it was inevitable that he return that responsibility, albeit partially, to the body where it belongs, in other words, to the Security Council. He did so by giving an accurate description of the situation and by making a responsible and true presentation of the various possible options, yet without making any direct recommendations, for it is up to the Council to choose from the options available and to make a full decision in line with its responsibilities.

A careful reading of the Secretary-General's valuable report can lead us to conclusions regarding four major points. The first point is Israel's handling of Security Council resolutions 672 (1990) and 673 (1990). The report clearly shows the official position of the Government of Israel as given to the Secretary-General, which indicated that the Government of Israel considers Security Council resolution 672 (1990) and the statement of the President of the Council made in that connection to be totally unacceptable. It also contains, and I quote:

"Jerusalem is not, in any part, 'occupied territory'; it is the sovereign capital of the State of Israel. Therefore, there is no room for any involvement on the part of the United Nations in any matter relating to Jerusalem ..."

It also contains the statement that:

"Israel will not receive the mission of the Secretary-General of the United Nations."

(Mr. Al-Kidwa, Palestine)

Then the report shows clearly that Israel refused to provide the clarifications requested of it by the Secretary-General, who was still prepared to dispatch his mission to the region if he received word from the Israeli authorities that the mission would not be barred from entry, as mentioned in his report.

As we know, the Council later adopted resolution 673 (1990), in operative paragraph 2 of which the Council

"urges the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672 (1990) and to permit the mission of the Secretary-General to proceed in keeping with its purposes."

(Mr. Al-Kidwa, Palestine)

The Secretary-General's report states that on 31 October 1990 the Government of Israel, in a letter conveyed to the Secretary-General by its Permanent Representative to the United Nations, reiterated its decision to reject Security Council resolution 672 (1990), which rejection, of course, entailed its rejection of resolution 673 (1990) and of the Council's insistence therein that Israel comply fully with resolution 672 (1990). We also recall that in that same letter, Israel boasted of its longstanding and repeated rejection of relevant Security Council resolutions on the status of the City of Jerusalem.

The issue, therefore, is clear in this respect. Israel is in blatant violation of the Charter of the United Nations, in particular Article 25, and of the requirements for membership in the international Organization. It has officially rejected Security Council resolutions 672 (1990) and 673 (1990), and it has expressed its rejection of other Security Council resolutions - indeed, we might say it has doubly rejected them through its total rejection of all Security Council resolutions relating to the territories occupied since 1967, including Al-Quds.

What then will the Council do? We know that the General Assembly, at our initiative and with the support of the fraternal members of the Group of Arab States and of other friendly States, will examine this behaviour specifically when it considers the credentials of delegations to the forty-fifth session of the General Assembly in order to uphold the Charter and ensure adherence to the obligations of membership in the Organization. We believe, however, that real action and concrete measures, inevitably, must come from the Council, and that it is the Council which should oblige this rebellious Member to implement its resolutions by using the enforcement measures available to it under the Charter. That is the only way to uphold the Charter, discharge the responsibilities of the Council and uphold international law and international legitimacy.

(Mr. Al-Kidwa, Palestine)

Before leaving this point, I must refer to the so-called report of the Israeli independent Commission of Investigation into the events of 8 October 1990. To begin with, that so-called report is totally irrelevant, in principle, since it constitutes part of Israel's rejection of the Council's resolutions and sets up an alternative to the mission of the Secretary-General. It is also irrelevant because it comes from the same authorities which perpetrated the premeditated massacre of our people at Al-Haram Al-Sharif. The contents of the report of the so-called Israeli Commission of Investigation validate our position of principle stated earlier. The contents are shameful and are contrary to all other reports: the report of the Al-Haq and B'Tselem organizations and the report of the Commission of the Higher Islamic Council, as well as all other accounts from every other source. The contents of Israel's report are yet another blow to claims of democracy by the Israeli régime. Without going into the quintessence of that régime and its contradiction even to the essence of democracy, a fact partly manifested through the absence of a constitution and the existence of racist laws and measures against Israeli Arabs, it is quite sufficient to note that, by its very nature, occupation cannot coexist with democracy.

The second point concerns the situation in the Palestinian territories occupied since 1967, including Al-Quds, and the suffering of the Palestinian people under Israeli occupation. The account of that situation contained in the Secretary-General's report gives a clear, intensive, concise and accurate picture of the situation in all its realities. It shows Israel's persistent policies and horrendous practices against Palestinian civilians. Those policies and practices include confiscation of land and stealing of water resources, both in the interests of the illegal settlements; they include the undermining of Palestinian economic potential, the destruction of the educational, cultural and social structures of

(Mr. Al-Kidwa, Palestine)

Palestinian society, with a view to inflicting deliberate and continuous harm and suffering on our people, individually and collectively, through killings, deportations, injuries, beatings, administrative detentions, imprisonment, the imposition of curfews, closing off of areas, the starving out of people, the sealing and demolition of houses, the confiscation of property and the uprooting of trees and crops.

All those practices are conclusive proofs of the fascist nature of the Israeli occupation and its persistent policies aimed principally at repressing our people to ensure that they cannot achieve any practical legal and political independence and to prepare for a wide-scale deportation and expulsion at a later time in order to vacate the occupied territories as a step towards their absorption and annexation. Against all this, our people resist, as would any people, and they are continuing their glorious intifadah, which is the collective expression by the Palestinian people of their goal of resisting and expelling occupation in order to exercise sovereignty and independence.

The Israeli practices underline the fact that the international community does not have much time left and that the Security Council must act immediately to provide protection for the Palestinian people.

Let me state here that the Council has for three years failed to do just that, notwithstanding the gravity of the situation, the thousands of martyrs wounded and taken prisoner and the perpetration of massacres against our people, notably the massacres of Ein Qara and Al-Haram Al-Sharif. The Council failed to adopt a resolution when it considered the Secretary-General's report (S/19443) because of the veto by a permanent member. The Council failed, yet once again, to adopt a resolution when it considered the same issue following the massacre at Ein Qara and its consequences. Its failure to do so was caused by the veto of a permanent

(Mr. Al-Kidwa, Palestine)

member - I refer, of course, to the United States of America. We seriously hope that the Council will this time be allowed to deal with the question of protection and to adopt the necessary resolutions to that end.

The third point concerns the Fourth Geneva Convention of 1949, which we of course consider to be one of the instruments of international humanitarian law. We formally accept and abide by its provisions. The Executive Committee of the Palestine Liberation Organization, which has the powers and responsibilities of the Provisional Government of Palestine, has already expressed its willingness to accede to that Convention, in addition to its practical compliance with its provisions.

(Mr. Al-Kidwa, Palestine)

We have always stressed the fact that that Convention applies to the Palestinian territory occupied since 1967, including Al-Quds, as well as the other occupied Arab territories. This is, of course, the same position taken by the entire international community. We have always pointed out the inevitability of Israel's acceptance in the long run of the de jure applicability of the Convention to the occupied territories and that it will have to comply with the Convention's provisions. For its part, however, Israel continues to take a completely unacceptable position. As stated in the Secretary-General's report:

"Israel, itself a high contracting party, has consistently taken the position that it does not accept formally the de jure applicability of the Fourth Geneva Convention, but states that it has since 1967 decided to act in de facto accordance with the Convention's 'humanitarian provisions'."

(S/21919, para. 15)

In addition to its being a rejection of numerous Security Council resolutions, this position has not been accepted by any of the high contracting parties to the Fourth Geneva Convention. Moreover, it is, in itself, a false position even at its most minimal dimension, since Israel practically has not ceased to commit serious and gross violations of the provisions of the Convention. In addition to the aforementioned Israeli position, whenever the subject of protection for the Palestinian people is raised, Israel is quick to claim that, under the Fourth Geneva Convention, it is the only Power responsible for maintaining law and order in the occupied territories. This then is the Israeli cleverness in dealing with such a serious issue which affects the life and future of our people. For Israel rejects the de jure applicability of the Convention and does not abide by its provisions in practice, while, at the same time, it takes the position that it is the Power responsible for the maintenance of law and order under the same

(Mr. Al-Kidwa, Palestine)

Convention. This is a real travesty that should move the Council to address the situation with decisiveness and determination. We call here for the Council to instruct Israel to accept the de jure applicability of the Convention to all the territories occupied since 1967, including Al-Quds, and to call clearly on the high contracting parties to assume their responsibilities in accordance with article 1 of the Convention, which relates to ensuring respect for the provisions of the Convention under all circumstances.

With regard to the prospects raised in the Secretary-General's report in this respect, on the possibility of designating an alternative protecting Power by the high contracting parties and the possibility that the Council may invite the high contracting parties to a meeting in order to discuss the measures that can be adopted under the Convention, we deem that these possibilities reflect, from the point of view of method, the need to find fundamental solutions in this respect in view of Israeli rejectionism. In our view, these are possibilities that should be pursued and studied. For our part, we will deal positively with any new ideas and developments in this direction, provided that Palestinian representation is ensured in any move and that the Palestinian nature of the West Bank, the Gaza Strip and Arab East Al-Quds is respected.

The fourth point concerns the concrete and practical measures that the Council can adopt to secure protection for the Palestinian civilians under Israeli occupation. Here we should like to express once again our appreciation to the Secretary-General for clearly placing this topic before the Council. The Council, therefore, is called upon to shoulder its responsibilities regarding the impartial presence of United Nations personnel, civilian or military, in the occupied Palestinian territory. In this regard, we should like to express our deep appreciation to the Commissioner-General of the United Nations Relief and Works

(Mr. Al-Kidwa, Palestine)

Agency for Palestine Refugees in the Near East (UNRWA) and to its personnel for the efforts they continue to exert in order to improve general assistance. We also appreciate the efforts made by the personnel of the International Committee of the Red Cross in terms of respecting the Fourth Geneva Convention. Yet, we underline the sad fact, indicated in the report, that these two organizations were unable to provide the minimum required protection for the Palestinians under occupation in view of the nature of this occupation and its persistence in its policies and practices. The Palestinians may justifiably wonder, as pointed out in the report, what was the reason for not assigning protection tasks to the military observers stationed in Al-Quds throughout the past period, especially since those observers were previously assigned noble tasks outside the scope of their original mandate.

As we stated on previous occasions before this Council, we firmly believe that the Security Council should establish a United Nations observer force to be deployed in the Palestinian territory occupied since 1967, including Al-Quds. This should be done if the Council is to address seriously the provision of protection to the Palestinian people. Such a position does not reflect what we want, but rather our understanding of the necessary minimum and, it is hoped, the possible minimum. What we really want, in view of the dismal record of Israel, is for the Council to form an armed international emergency force and deploy it in the occupied territories in order to replace the Israeli occupation forces. This is not a utopian request. It could have been immediately implemented were it not for the posture of one of the Council's permanent members. This request would have provided a transitional period in which the United Nations could have supervised the situation in the occupied Palestinian territory as a preliminary step towards the final settlement, thus enabling the Palestinian people to exercise its right to self-determination and sovereignty in its State. This is what we want. This is

(Mr. Al-Kidwa, Palestine)

what we believe to be needed and to be just under the Charter, the United Nations resolutions and international law. However, we realize that, unfortunately, we face different political realities in the Security Council. Therefore, we only call once again for the establishment of an international observer force as the minimum required to provide an effective means to monitor Israel's compliance with the provisions of the Fourth Geneva Convention and the provisions of the Security Council resolutions. Such an observer force would provide an effective means of informing the Council and the Secretary-General about the real conditions in the occupied Palestinian territory and of closely observing those conditions. This would change the general climate, and it will lead to improved protection of our people under occupation and improve their life in general.

(Mr. Al-Kidwa, Palestine)

The adoption of such measures by the Council would, of course, be a true expression of its seriousness in addressing the situation and then moving, at later stages, to deal with the underlying cause of that situation, namely, the occupation per se.

I must refer here to the fifth point in the Secretary-General's report: the absent yet ever-present issue, namely, the political dispute that is at the heart of the whole situation. Paragraphs 25 and 26 of the report point out that fact quite clearly. We believe that the fundamental task before the Council is to achieve a political settlement to the Middle East conflict, the core of which is the question of Palestine, in such a way as to achieve a comprehensive and durable peace in the region, ensuring a secure existence for the States in the region, including the Palestinian State.

We believe that the right way to achieve such a negotiated settlement is by convening an international peace conference under the auspices of the United Nations, with the participation of the five permanent members of the Security Council as well as of the parties to the conflict, including, of course, the Palestine Liberation Organization, the sole legitimate representative of the Palestinian people.

In this connection, we would refer to General Assembly resolution 44/42 on the International Peace Conference on the Middle East, which received the votes of almost all the Members of the United Nations, except for the United States and Israel. We reaffirm our readiness to implement that resolution immediately, should those two States change their posture. In any case, we believe that if the immediate implementation of the resolution is not possible at this stage, the Security Council, particularly its permanent members, should undertake the necessary preparations for convening the Conference, on a basis which is unambiguously political. Such action might lead to a change in the climate of the region generally.

(Mr. Al-Kidwa, Palestine)

As you can see, we have called on the Council, in the name of our people, to adopt specific positions and measures which we believe would constitute a beginning, however modest. This reflects our resolute desire to achieve something specific for our steadfast people. We assure you of our readiness to co-operate fully with all the members of the Security Council with the aim of reaching an agreement; that readiness includes co-operation with you, Mr. President. This Council has a great responsibility as it approaches what could be called the moment of truth. We wish the Council success in assuming its responsibilities and in taking the necessary action.

We reiterate our thanks to the Secretary-General and his Working Group, and wish him all success in his endeavours. Allow me also to express my congratulations to the friendly delegation of the Soviet Union on the anniversary of the Great October Revolution.

The PRESIDENT: I thank the Observer of Palestine for his kind words addressed to me.

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

Mr. MAKKAWI (Lebanon): As this is the first time I have addressed you in your capacity as President of the Security Council, I would like, on my own behalf and that of the Arab Group, which I have the honour to represent this month, to congratulate you on your assumption of the post. I wish you success in your efforts in leading the Council at this most critical time for our Organization. It is our hope, and, indeed, the hope of the great majority of this Organization's Members, that under your strong and wise leadership, the Council will attain its objectives.

(Mr. Makkawi, Lebanon)

I would like also to convey our congratulations to Sir David Hannay on the exemplary manner in which he conducted the work of the Council last month.

We must also express our appreciation to the Secretary-General and pay a tribute to him for his relentless efforts to achieve peace in the Middle East, and for his well-documented report shedding light on the tragic situation in the Israeli-occupied territories.

Today we have gathered to discuss the Secretary-General's report, and his reaffirmation that Israel's practices in the West Bank, Gaza Strip and East Jerusalem are in contravention of the Fourth Geneva Convention, of 1949. The Security Council is assembled now, as it has been on numerous occasions, to discuss the fate of Palestinian land occupied by Israel since 1967. Indeed, Israel's continued occupation of the territories is the root cause of violence there. We can only hope that, one day, Israel's transgressions will no longer be tolerated, and United Nations deliberations will result in specific actions against that State. For 23 years, the Organization has devoted time and energy to the subject of Palestine, and, so far, nothing effective has been done to force Israel to comply with internationally recognized rules and codes of conduct.

While the world at large adheres to international laws and norms, it is becoming increasingly frustrated with Israel's behaviour. In the case of Iraq's invasion and annexation of Kuwait, sanctions were immediately levied under Chapter VII of the United Nations Charter. Meanwhile, Israel has piled up well over 100 resolutions and condemnations against it, and continues to do so with impunity. Twice last month, the Security Council voted to condemn Israel for violence perpetrated in the occupied territories. On the first occasion, the Council reaffirmed its resolutions 242 (1967) and 338 (1973), and adopted resolution 672 (1990), on 12 October, calling for a United Nations mission to be

(Mr. Makkawi, Lebanon)

dispatched to Jerusalem to investigate the indiscriminate bloodletting on holy soil; resolution 672 requested that the Secretary-General submit a report of the mission's findings to the Security Council. It was no surprise, then, that this resolution against Israel, like all other such resolutions before it, was rejected in its entirety.

A second resolution urging reconsideration, combined with a written appeal by President George Bush to accept even a modified United Nations mission, was also denied. Considering itself above and beyond the confines of international law, Israel refused to receive the Secretary-General's mission. Lebanon and many other States ask in wonder how one Member State can succeed in preventing the Secretary-General from fulfilling a mandate unanimously adopted by the Security Council. How is it that one fateful Cabinet meeting had the effect of making a mockery of the adjudication of international law? Israel's refusal to comply is merely one more milestone in its continuous violation of internationally recognized standards of legal and moral conduct.

(Mr. Makkawi, Lebanon)

In spite of Israel's obduracy, the Security Council requested the Secretary-General to carry on with his plans to submit a detailed report to the Council. Prevented by Israel from securing first-hand information, the Secretary-General had to rely on Israelis, Palestinians, the International Committee of the Red Cross (ICRC), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the United Nations Truce Supervision Organization in Palestine (UNTSO) and a plethora of other sources.

In his report submitted to the Council on 31 October 1990 the Secretary-General found the State of Israel in flagrant violation of the Fourth Geneva Convention of 1949. The Secretary-General urged that

"far more is required on the part of the international community to ensure the safety and protection of the Palestinian civilian population in the occupied territories". (S/21919, para. 18)

We thank the Secretary-General again for his sincere and untiring efforts in this matter.

It is tragic events such as last month's massacre that remind the international community that the Palestinians of the West Bank, the Gaza Strip and East Jerusalem are suffering in silence daily. The list of their pains and afflictions is as long and varied as there are individuals to tell of their plight under occupation. All cases defy the Fourth Geneva Convention, which, in article 27, entitles civilians, in times of war,

"to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs".

It is common knowledge that the Israeli Government seeks to obliterate all forms and vestiges of Palestinian nationality, culture, history and the custodianship of Muslim and Christian holy places. Mass deportations, the demolition of homes and

(Mr. Makkawi, Lebanon)

businesses, and the closing of schools and universities are examples of Israel's obdurate will. Added to this list of violations of the Geneva Convention are collective punishments, administrative detentions, curfews, midnight raids, the beating of women and children, and the illegal appropriation of land through a system of heavy and arbitrary taxation. It is ironic - and the logic is warped - that the Israeli Foreign Minister and the Permanent Representative of Israel have informed the Secretary-General that such punitive measures are meant to "restore order to the territories".

It is interesting that, although Israel refuses to accept that the Palestinian occupied territories are not part of Israel, it does regard the warming of super-Power relations and the new show of strength of the United Nations as a grave threat to its designs for expanded statehood. Last week's international edition of the Jerusalem Post formulated this fear in an article which stated that among Israelis "there is concern that the United Nations may emerge as a real power" and that the Organization may no longer be "just a forum for ... anti-Israel hectoring" but could, in fact, bring an effective end to the Israeli occupation of Arab land.

Indeed, the international Organization should seize the opportunity to settle the Middle East conflict in the context of an international conference under the auspices of the United Nations.

It must be noted that Israel is consistent in its ruthless policy of settler colonialism. It applies principles of expansionism to Lebanese and Syrian, as well as Palestinian, territory.

Syria, for example, has sustained Israeli occupation of part of its land. In 1981 the Golan was formally annexed and incorporated into the Israeli infrastructure via the establishment and development of extensive communication, transportation, trade, banking, housing and military institutions.

(Mr. Makkawi, Lebanon)

Since 1978 southern Lebanon too has suffered under the wrath of Israeli occupation. Despite efforts by the United Nations to secure the immediate withdrawal of the Israeli forces through Security Council resolution 425 (1978), which created the United Nations Interim Force in Lebanon (UNIFIL), Israel has held fast. It has even gone so far as to transgress UNIFIL demarcation lines and submit the Organization's peace-keeping forces to shelling, which on many occasions resulted in the death of valiant soldiers serving the cause of peace. Today, 12 years after its inception, resolution 425 (1978) remains unimplemented.

I do not have to remind the Council of what Israel did in Lebanon in 1982, when the Israeli forces ravaged and plundered this small nation and pounded the civilian population of Beirut, its capital, with mortar, missile and tank fire. More than 30,000 innocent civilians lost their lives - many of them to horrific cluster and phosphorous bombs, the debris of which leaves human flesh smouldering for hours. Meanwhile, with the world's attention focused on Lebanon, Israel surreptitiously settled thousands in the West Bank, thereby causing further upset to its demographic balance.

This year alone, Israel has received 121,000 Soviet Jews, and it expects a record high of 400,000 arrivals in 1991. Meanwhile, thousands of its own citizens and many of these immigrants have no choice but to live in tents. Given the tight housing and job market, it is well known that, so far as Israeli policy-makers are concerned, the ultimate destination of these Soviet Jews is Arab land. Last month Prime Minister Yitzhak Shamir openly reneged on his promise to the United States that a \$400 million housing grant would not be used to settle immigrants in the West Bank, the Gaza Strip or East Jerusalem. With last week's opening of the gates to immigration for Ethiopian Jews, the scenario is sure to worsen in the already volatile occupied territories.

(Mr. Makkawi, Lebanon)

In his much-heralded report to the Security Council, the Secretary-General suggested that the Council invoke the Fourth Geneva Convention against a State Member of the United Nations by calling a meeting of the Convention's signatories for the first time since the Convention came into force in 1949. Lebanon applauds this move as a step in the right direction.

The Secretary-General recommended that a 164-nation conference be held to discuss possible measures for the prevention of further violations of human rights in the occupied territories. The proposed meeting would assemble all of the countries that signed the Geneva Conventions, including Israel, and the Secretary-General has rightly emphasized that it is the responsibility of the signatories to the Convention to ensure that its principles are upheld in all circumstances. The Secretary-General made it clear that the Council has the authority to establish a protecting Power for the Palestinians, who are a vulnerable people with no agency to which to turn for redress, except the very security forces that victimize them. The Secretary-General's assessment was that only an impartial presence properly mandated by the United Nations could provide a credible sense of protection.

(Mr. Makkawi, Lebanon)

The Council was urged to consider the possibility of expanding the mandate of UNTSO, which is at present stationed in Jerusalem. Otherwise, the report stated, the Council might consider dispatching a new United Nations observer force to the occupied territories to monitor the situation, given a deep and growing frustration with Israel's impediments to the effectiveness of the International Committee of the Red Cross, UNRWA and other organs which are prevented from either protecting the Palestinians or intervening on their behalf.

Thus far, Israel has pro forma refused to co-operate with the Secretary-General and has spurned the United Nations report calling for a meeting of the Geneva Convention signatories. According to The New York Times of 5 November 1990, it has called the international Organization's plan to protect Palestinians in the occupied territories a "dangerous politicization" of the international pact. Israel's Health Minister went so far as to tell the newspaper:

"A parley of the Geneva Convention signatories is a parley of states which actively maintain murderous and despotic dictatorships." (The New York Times, 5 November 1990, p. A11)

According to Israel, the Fourth Geneva Convention does not apply to the occupied territories, and a United Nations investigation would be an unjust challenge to Israel's sovereignty.

Much has been said in praise of the new order the world is witnessing and of the new spirit of the United Nations and in particular of the Security Council. Tremendous hope has been placed in the rule of international law and the aspiration that one day peace will reign over the entire globe. This dream is not far from reality, although dismal, war-torn areas, such as the Middle East, exist. We, the smaller nations of that and other regions of the earth, rejoice in the hopes for a supreme global order and the fulfilment of the Charter of the United Nations in all

(Mr. Makkawi, Lebanon)

its dimensions. The international Organization is our guarantee that justice is upheld and that human rights are protected the world over.

It is from this perspective that we look upon this body, the supreme organ of world peace and security, with the belief that the time has come to grab by the roots the problems and complexities of international aggression and belligerence, which threaten the demise of the new world order.

Realistically, there can be no just and lasting peace in the Middle East until there is a just and equitable solution to the Palestinian problem guaranteeing the Palestinians' legitimate political rights, including their right to self-determination. Once and for all, Israel must withdraw from the Palestinian occupied territories and all other Arab land it has occupied, including the Syrian Golan and the southern region of my country, Lebanon.

The PRESIDENT: I thank the representative of Lebanon for his kind words addressed to me.

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

Mr. SALAH (Jordan) (interpretation from Arabic): I should like to begin my statement, Sir, by congratulating you on your assumption of the presidency of the Security Council for the current month. Your wisdom and your long diplomatic experience will facilitate the Council's work. I wish also to thank your predecessor, Sir David Hannay, Permanent Representative of the United Kingdom, for his effective guidance of the Council's deliberations last month.

The Council has before it as it meets today the report (S/21919 and Add.1, 2 and 3) which, in resolution 672 (1990) it requested the Secretary-General to submit. I wish to thank the Secretary-General, Mr. Javier Perez de Cuellar, for the valuable report that he has prepared under difficult circumstances. We have all been looking forward to receiving it.

(Mr. Salah, Jordan)

In its resolution 673 (1990), the Council reiterated its determination to study the report comprehensively and urgently.

Of course, the first matter that attracts attention in the report - and this is something that we have expected - is the fact that Israel has not co-operated with the Secretary-General and has refused to receive the mission that he decided to send to the region to investigate the circumstances of the tragic events in Al-Quds on 8 October 1990 and other similar developments in the occupied territories. The reason given by the Israeli Government to the Secretary-General in justification of its rejection of the mission is known to the Council and has been known to the international community for a long time.

Israel annexed the city of Al-Quds in 1967 and, since then, has adopted measures which aim at Judaizing the city. Its plan of aggression reached its height in 1980 when it announced that Al-Quds was its unified and eternal capital. Since then, Israel has rejected every resolution adopted by the Organization concerning the city of Al-Quds and has done so under the pretext that Al-Quds is Israel's sovereign capital. Israel, therefore, considers any intervention by the Organization with regard to Al-Quds as interference in its internal affairs. That was underlined in the Israeli Government's recent response to the decision by the Secretary-General to send his mission. Its response, which is to be found in paragraph 3 of the Secretary-General's report, includes the following statement:

"Jerusalem is not, in any part, 'occupied territory'; it is the sovereign capital of the State of Israel. Therefore, there is no room for any involvement on the part of the United Nations in any matter relating to Jerusalem ..." (S/21919, para. 3)

(Mr. Salah, Jordan)

Needless to say, by insisting on that position, Israel is violating the Fourth Geneva Convention and defying resolutions of the General Assembly and the Security Council which recognize that Arab Al-Quds is occupied territory to which the provisions of the Fourth Geneva Convention apply.

Here I would refer to the relevant Council resolutions, such as resolutions 252 (1968) and 267 (1969), in which the Security Council repeatedly stressed that all legislative and administrative measures and actions taken by Israel which purport to alter the status of Jerusalem are invalid and cannot change that status.

(Mr. Salah, Jordan)

That was also reaffirmed in resolutions 476 (1980) and 478 (1980), in which the Security Council reiterated that the so-called "basic law" - the legislation through which Israel declared Al-Quds to be its "unified and eternal capital" - is a violation of international law and does not affect the continued applicability of the Fourth Geneva Convention to the Palestinian and other Arab occupied territories, including the city of Al-Quds.

I should also like to refer to other resolutions that were adopted year after year by the General Assembly with an overwhelming majority concerning the city of Al-Quds. The latest of those was resolution 44/40 A, which states in paragraph 7 that the General Assembly:

"determines that Israel's decision to annex Jerusalem and to declare it as its 'capital' as well as the measures to alter its physical character, demographic composition, institutional structure and status are null and void and demands that they be rescinded immediately".

I hope that my introduction on the city of Al-Quds has not been too lengthy. I realize that the subject under discussion by the Council today is not the legal status of Al-Quds, despite the fact that the recent events that precipitated this discussion took place in that holy city. I also realize that the status of Al-Quds in international law and from the point of view of the Security Council and the international community as a whole is not in question. But I felt the need to concentrate on that issue for two reasons:

First, I wished to recall the specific importance of the city of Al-Quds and its central role in any peaceful settlement to the Arab-Israeli dispute, and that any unilaterally imposed solution concerning the holy city of Al-Quds, because of that city's international status and prestige, will not provide either Al-Quds itself or the Middle East region as a whole with the just, comprehensive and durable peace that we all seek.

(Mr. Salah, Jordan)

Secondly, I wished to reaffirm the fact that Israel, in adopting a position that contravenes international law, is denying the Palestinian Arab inhabitants of Al-Quds the status of protected persons under the Fourth Geneva Convention. That clearly deprives those inhabitants of the protection provided by international law.

I should hasten to point out that Israel further refuses to recognize the applicability of the Fourth Geneva Convention to the rest of the occupied Palestinian territories. That effectively deprives all the Palestinian inhabitants of the occupied territories of the protection provided to them as a people under occupation by international law and by the provisions of the Fourth Geneva Convention, despite the fact that Israel claims to be acting in accordance with the "humanitarian provisions" of that Convention.

As the Secretary-General states in paragraph 15 of his report, the Israeli position is not accepted by the International Committee of the Red Cross (ICRC), which is the guardian of the Geneva Conventions of 1949, nor has it been endorsed by the other high contracting parties to the Fourth Geneva Convention. The position of the Security Council has, in that connection, repeatedly been made clear.

We realize that Israel's non-cooperation with the Secretary-General is the reason for the brevity of the Secretary-General's report and of the investigation of the tragic events that took place in the courtyard of the Holy Shrine at Al-Quds and led to the martyrdom of 19 Palestinians and the wounding of over 100 others by the Israeli occupying authorities. Nevertheless, the report gave ample information by focusing on the harsh living conditions of the Palestinian people in the occupied territories and by highlighting the urgent necessity of adopting the necessary provisions to secure protection for that people.

(Mr. Salah, Jordan)

The current report once again emphasizes the elements of the Secretary-General's report contained in document S/19443, focuses on the most important recommendations contained in that report, and crystallizes some of those recommendations in a more concrete manner. Because of the veto of one of its permanent members, the Security Council has not yet been able to adopt that report nor to take any measures on the basis of its recommendations. The new report can therefore be considered as a complement to the comprehensive report preceding it, which would encourage us to consider the two reports as a single unit.

The current report reinforced that concept by including a conclusion and a summary of the findings of the mission mandated by the Secretary-General at the end of June 1990 to visit the occupied territories and to investigate and evaluate the situation of the civilians under occupation.

The Secretary-General submitted his report contained in document S/19443 in January 1988, during the second month of the intifadah. Without doubt, had the Council then been able to act on the information contained in the report, it would have been possible to spare the Palestinians under occupation much of the suffering they have had to endure and to save many of the victims, including those who lost their lives in the Holy Shrine last October 8.

The Secretary-General's report contains a number of instances that demonstrate urgent need to provide protection for the inhabitants of the occupied Palestinian territories. The Secretary-General states:

"Palestinians have expressed a profound feeling of vulnerability at all times, whether in the workplace, at school, in places of worship or simply walking down the street ... They have stated that they felt unsafe even inside their homes, which were frequently subjected to midnight searches, and during which entire households, including children, were beaten". (S/21919 and Corr.1, para. 19)

(Mr. Salah, Jordan)

The Secretary-General states that

"Palestinians emphasized that their distrust of the Israeli occupation authorities ... had grown so deep that they felt that only an impartial presence, properly mandated by the United Nations, would be able to provide them with a credible sense of protection." (ibid., para. 20)

The Secretary-General states, further:

"It will be recalled that the principal recommendation of my 21 January 1988 report (S/19443) with respect to ensuring the safety and protection of the Palestinian civilian population was that the international community should make a concerted effort to persuade Israel to accept the de jure applicability of the Fourth Geneva Convention to the occupied territories and to correct its practices in order to comply fully with that Convention." (ibid., para. 17)

Later in the report, the Secretary-General makes the following specific proposal in this regard:

"given the special responsibility of the high contracting parties for ensuring respect for the Convention, the Security Council might wish to call for a meeting of the high contracting parties to discuss possible measures that might be taken by them under the Convention." (ibid., para. 24)

in order to guarantee protection for Palestinian civilians under occupation. In our view, that is an important proposal, and the steps required to implement it ought to be taken.

In paragraph 28 of his earlier report (S/19443), the Secretary-General enumerated four different concepts that can be meant by "protection": physical protection, that is the provision of armed forces to deter, and if necessary fight, any threats to the safety of the protected persons; legal protection, that is intervention with the security and judicial authorities of the occupying Power by

(Mr. Salah, Jordan)

an outside agency in order to ensure just treatment of the civilian inhabitants; what the Secretary-General called "general assistance"; and what the report refers to as "protection by publicity".

While we appreciate the efforts of international humanitarian agencies and organizations - including those with a presence in the occupied territories such as the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the International Committee of the Red Cross (ICRC) - we believe that no protection other than the physical protection defined in the Secretary-General's earlier report can be effective. Since that kind of protection falls within the competence of the Security Council, the Council should provide it as soon as possible in order to guarantee the safety and security of Palestinian civilians in the occupied territories.

Towards the end of his current report, the Secretary-General states:

"It would be misleading to conclude this report ... without underlining that it is a political conflict that lies at the heart of the tragic events that led to the adoption of Security Council resolutions 672 (1990) and 673 (1990). The determination of the Palestinians to persevere with the intifadah is evidence of their rejection of the occupation and their commitment to exercise their legitimate political rights, including self-determination". (S/21919 and Corr.1, para. 25)

Despite the importance - indeed, the necessity - of protecting the Palestinian inhabitants of the Palestinian territories occupied since 1967, including Jerusalem, we consider that a peaceful solution to the Palestinian question, which is at the core of the Arab-Israeli dispute, is even more important and more necessary. Unless a peaceful, just and lasting settlement is found, all measures, including protection for civilians under occupation, will be only temporary in nature: they only defer a solution and cannot be an alternative to it.

(Mr. Salah, Jordan)

We therefore call upon the Council to play the effective role that is required of it in reaching that objective. The Security Council has the ability to render a great service to peace in the Middle East and throughout the world by convening an international peace conference under United Nations auspices with the participation of all parties to the dispute, including the Palestine Liberation Organization (PLO) and the five permanent members of the Security Council. The work of that conference should proceed on the basis of Security Council resolutions 242 (1967) and 338 (1973) and on the basis of the legitimate national rights of the Palestinian people. We continue to believe that the conference would be the appropriate forum for the achievement of the required settlement.

Today, the Security Council has the opportunity to act decisively in that direction. The climate of international détente now prevailing in the world and the resultant tendency towards dialogue and the solving of disputes in different parts of the world, along with the revival of the effectiveness of the Security Council, give us hope that a peaceful settlement can be achieved in the near future.

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

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

Mr. ARIDOR (Israel): Sir, it is a personal pleasure for me to be able to congratulate you on your assumption of the presidency of the Security Council for the month of November. I have no doubt that your rich diplomatic experience will be of invaluable importance during the coming month. I should like also to congratulate Ambassador David Hannay for the way in which he conducted the affairs of the Security Council during the preceding month.

For the third time in five weeks the Security Council is being summoned in order to pillory Israel. The uncontrollable urge on the part of the initiators of these debates to rake Israel over the coals ad nauseam has created, once again, a topsy-turvy world of political fantasy and Orwellian inversions.

But we come to this Council not as the accused but as the accuser, not as the culprit but as the plaintiff. For far too long the truth has been inverted. For more than 42 years Arab States have flagrantly and continuously breached the Charter of the United Nations and the basic principles of international law vis-à-vis Israel. Article 2, paragraph 4, of the Charter prohibits the use or even the threat of force against the territorial integrity and political independence of any State. We accuse Syria, Lebanon, Jordan, Iraq and Saudi Arabia, among others, of breaching this Article since 1948.

Article 2, paragraph 3, enjoins all Members of the United Nations to settle their international disputes by peaceful means. We accuse the same countries, among others, of breaching this Article as well. They stand accused. They will have to answer.

Their disregard of international civilized conduct is far from being a matter of history. Saddam Hussein has to answer not only about Kuwait. On 2 November 1990 Saddam Hussein threatened to wage a comprehensive war in the Middle East, in which Israel would be his "easy prey". On 5 November, Iraq threatened

(Mr. Aridor, Israel)

that the first missile it would fire would crash in Israel. His closest ally, Yasser Arafat, warned on 5 November that "the Iraqi military will resort to its chemical and biological weapons and the first missile will be directed at Israel". This is how the Iraqi-PLO axis works. They stand accused. They will have to answer. But they are not the only ones.

For over four decades Arab States have done everything in their power, including using force, to annihilate Israel and wipe it off the face of the earth. Having failed, they have been fulminating against Israel in this Organization ever since, seeking to undermine Israel's legitimacy. But inverting the truth, proclaiming themselves the victims while branding Israel as the aggressor, will be of no avail. They stand accused.

It is characteristic of this Orwellian atmosphere that the Arab representative on this Council is the representative of Yemen, who speaks for a Government which slaughtered over 13,000 of its own people in two weeks of violence in January 1986. One can only wonder how the killers of 13,000 people are seen fit to sit in judgement at all, even around this table.

The proceedings they initiated were no less obscene. In the aftermath of the provoked incident on the Temple Mount, the Council determined Israeli guilt and then asked for the facts. Evidence contradicting the sentence was shunted aside arbitrarily. The fact that innocent Jewish worshippers at the Western Wall, the holiest site of Judaism, were attacked as if in a battlefield did not evoke even the slightest interest. Lewis Carroll would have had a field day. After all, precisely such a sentence first, verdict later was described by Lewis Carroll 119 years ago in Alice's Adventures in Wonderland, as follows:

"'It's a pun!' the King added in an angry tone, and everybody laughed.

'Let the jury consider their verdict', the King said, for about the twentieth time that day.

(Mr. Aridor, Israel)

'No, no!' said the Queen. 'Sentence first - verdict afterwards.'

'Stuff and nonsense!' said Alice loudly. 'The idea of having the sentence first!'

'Hold your tongue!' said the Queen, turning purple.

'I won't!' said Alice.

'Off with her head!' the Queen shouted at the top of her voice. Nobody moved."

Concerning these kinds of proceedings here, the initiators cannot have any claim to originality.

We will not acquiesce in this perjury. The days in which our heads were for the taking have gone from the world for ever.

It is in this context that we have to view with deep regret the suggestions made in the report of the Secretary-General. The provisions of the Fourth Geneva Convention regarding its application vis-à-vis a high contracting party deal with the seizure by one Power of territory under the sovereignty of another Power. This cannot be said to apply to the territories of Judea, Samaria and the Gaza district.

The representative of Jordan forgot to mention in his speech today that in May 1948 the armies of seven Arab States, including Jordan - I emphasize "including Jordan" - crossed the international boundaries, in clear violation of international law and the United Nations Charter, in a war of aggression aimed at crushing the State of Israel. This constituted an act of armed aggression, and the consequent illegal occupation by them of territories under the British Mandate could not give rise to any legitimate claim of sovereignty.

When Israel lawfully exercised its right of self-defence and entered Judea and Samaria in June 1967 in the course of repelling the renewed Jordanian aggression, it ousted from those territories an illegal invader. The Fourth Geneva Convention does not apply to territories which were illegally occupied by Jordan.

(Mr. Aridor, Israel)

Nevertheless, Israel decided to act de facto in accordance with the humanitarian provisions of the Fourth Geneva Convention, preferring to set aside the question of their legal applicability. Israel not only applies the humanitarian provisions but goes significantly beyond them. The Convention allows for the application of capital punishment; Israel has never applied the death penalty in the territories in question. The Convention does not provide for free access to courts; Israel allows the local population access to Israel's Supreme Court. Israel facilitates the movement of hundreds of thousands of people in and out of the area; Israel facilitates trade, including trade with the Arab States; Israel has enabled the holding of elections twice and proposes future elections; all these measures are over and beyond the requirements of the Convention.

Since Israel fulfils the humanitarian provisions of the Convention, the attempt to impose the de jure application of the Fourth Geneva Convention is not motivated by humanitarian concerns. Rather, it is aimed at prejudicing unilaterally the political status of the territories in question. Such a move, however, would politicize this humanitarian instrument, mingling political and humanitarian aims and severely damaging both.

(Mr. Aridor, Israel)

Likewise, the unprecedented idea of calling for a meeting of the high contracting parties to the Fourth Geneva Convention is unwarranted. The proposal is an astonishing act of singling out Israel. In the course of the 40 years during which the Convention has been in effect, many of its signatories have killed millions of innocent civilians in hundreds of wholesale slaughters, in the incessant suppression of minorities and in dozens of armed conflicts. The international community never once saw fit to convene the signatories to the Convention in response to genuine and deliberate violations of the Convention.

But there is one law for all - and a different treatment for Israel. Massive human rights violations of a magnitude that only statistics can comprehend have never brought about the convening of such a forum. Now the same massive human rights violators would have the opportunity to put Israel on trial. Syria, the slaughterer of up to 30,000 of its own citizens in Hama would sit in judgement on Israel. So would Iraq, the holder of 300,000 foreign hostages, the butcher of Kuwait, the killer of 5,000 Kurds with poisonous gas. So would Jordan, the killer of 3,400 Palestinians in Black September.

So would Algeria, the killer of 500 in a single day of bread riots; Yemen, the killer of 13,000 in two weeks; the Sudan, the killer of hundreds of thousands, the enslaver of black Africans; Mauritania, which holds 10 per cent of its population as slaves; Libya, the paymaster of Semtex terrorism, and so on and so forth.

Such an amalgamation of the 164 signatories, many of which refuse to recognize Israel's right to exist, will do nothing to further the cause of peace and everything to increase tensions and hostility in the region. More than anything else, it would deal a severe blow to the humanitarian and non-political nature of the Fourth Geneva Convention.

(Mr. Aridor, Israel)

Under established rules of international law Israel has the sole responsibility for the administration of Judea, Samaria and the Gaza district, including the duty to maintain law and order. This responsibility is not subject to review or intervention by other authorities. This is the international law. Israel will not allow for its own exclusion. Nor will Israel accommodate demands for a United Nations observer force, expanding the mandates of United Nations personnel, and all other attempts to infringe on Israel's sovereignty and authority.

These demands stretch credulity. It is as if Israel were some remote periphery, a backwater region of some outlying empire of which the world lacks all access to information. Far from it. Israel is a democratic nation, an open and vivacious society with a free press.

Ours is a society, predicated upon the rule of law, which has maintained democracy and freedom under the most trying conditions. Moreover, Israel is, in all probability, the most examined, the most reported, the most analysed and the most observed country on the face of the earth. The large assemblages of foreign correspondents, journalists, television crewmen, photographers and bureau chiefs based in Israel surely have no need of international missions in order to get their job done; nor do the hundreds of foreign officials, parliamentarians, diplomats, politicians, fact-finding missions and human-rights activists who traverse the territories on a daily basis; nor do the multitude of United Nations and other international agencies which provide comprehensive services to the local inhabitants with full co-operation from Israel.

Let there be no misunderstanding. Israel will reject any encroachment on its sovereignty and authority even in the guise of changing the mandate of United Nations personnel and other demands.

(Mr. Aridor, Israel)

Israel has always been the focus of obsessive international scrutiny. Given this irresistible fixation, it is no wonder that events of far greater magnitude and ominousness go completely unnoticed by this forum. While the Security Council was busy condemning Israel this month, 700 Lebanese Christians were slaughtered by the Syrians and their proxies. While empty speeches were aired in this Council, over 300 Hindus died in demonstrations in India.

The conclusion is inescapable. Hypocrisy in relation to Israel has enshrined the double standard. The double-talk against Israel has brought about a triple standard. The farcical outcome is that in the treatment of Israel there is no standard at all.

This is the result of cynical politics, not an examination of the facts on their merits. Facts have no role in this, but facts do exist and the facts are that a rampageous mob numbering between 2,000 and 3,000 rioters attacked, with heavy stones, rocks and metal debris, tens of thousands of Jewish pilgrims who were congregated in prayer in front of the Western Wall 50 feet below the Temple Mount in the midst of a holy Jewish festival. Exploiting the heightened tensions in the region, and taking advantage of the intense concentration of Jewish worshippers at the site, they grossly abused Muslim and Jewish holy places and their leaders profaned their religious authority. The muezzins, whose holy task is to call the faithful to prayer, inflamed the mob through loudspeakers to attack Jewish worshippers at the Western Wall. The inciters called for "jihad" - holy war - and "Itbach El Yahood" - slaughter the Jews. All this caused a terrible mêlée that led, tragically, to deaths and injuries.

The facts are that since 1967 the Government of Israel has bent over backwards to avoid offending Islamic sensibilities on the Temple Mount. This traditional leniency has been trampled upon.

(Mr. Aridor, Israel)

While Israel guarantees the freedom of worship to all its inhabitants, this most emphatically will not exclude its Jewish citizens. We will continue to ensure that the universal religious interests in Jerusalem are meticulously respected. However, Khomenism, which rules Iran, will not be permitted to run wild in Jerusalem. Israel will respect the Dome of the Rock. Israel will not allow it to be turned into the dome of the rocks.

The Security Council rushed to judgement without taking into account any of these facts. But facts still exist.

Israeli society, on the other hand, expressing its deep regret and distress in the face of the violence, demanded to know the facts. Israel appointed an independent Commission of Inquiry, comprised of three unimpeachable individuals to do just that. The Commission completed its investigation on 25 October. The report and its conclusions were made public, adopted by the Government and conveyed to the Secretary-General. This process demonstrated once again Israel's distinction as a strong, vibrant democracy.

(Mr. Aridor, Israel)

The obsessive focus on the tragedy in Jerusalem is a non-starter that is not intended to ascertain facts. It is, rather, a transparent attempt to encroach upon Israel's sovereignty in its own capital, Jerusalem. Israel does not intend to accommodate these efforts.

We are all aware of the fact that Israel's case cannot receive a fair hearing in this Organization or be judged here on its merits. Israel, however, cannot and will not forego its rights and sovereignty simply because the Security Council, the General Assembly or other organs are weighed against it.

Whatever the odds, Israel will not be sidetracked in its pursuit of peace.

If we wish to deal with the political aspects of the situation, the solution is not threats, but peace.

If we wish to deal with the humanitarian aspects of the situation, the solution is not inspectors, but peace.

If we wish to deal with the international aspects of the situation, the solution is not intervention, but peace.

Those who stand accused, those who are responsible for the absence of peace, they will have to answer.

The PRESIDENT: I thank the representative of Israel for his kind words addressed to me.

The Observer of Palestine wishes to speak. I call upon him.

Mr. AL-KIDWA (Palestine) (interpretation from Arabic): We have just heard from a representative of our enemies, the Israeli representative, a great intervention. We do not want to reply to it because we can feel satisfaction on hearing such interventions from the representative of Israel before the Security Council.

(Mr. Al-Kidwa, Palestine)

I just want to draw attention to the absurdity and the outright lies in his statement in speaking of the appeals made through megaphones on the top of Al-Aqsa Mosque. He spoke of instigation. He spoke of a cry, even using Arabic: "Kill the Jews!"

We have a videotape made by a neutral source. Seeing that videotape, one learns the real nature of the appeals made through the loudspeakers. We therefore call upon you, Mr. President, to arrange for the showing of that videotape to the members of the Council so that they may hear how the loudspeakers were used to call for calm and to appeal to the Israeli police and army to cease firing and negotiate.

We feel political frustration on hearing such interventions, because what this Council must do is attempt to find new language, a language that could lead to the establishment of peace among enemies, not a language whose only aim is the entrenchment of hatred and erroneous positions.

Mr. AL-ASHTAL (Yemen) (interpretation from Arabic): At the outset, Sir, I should like to extend to you our congratulations on your assumption of the presidency of the Council for this month. We are confident you will guide our deliberations with great success.

I should also like to thank His Excellency Sir David Hannay for his outstanding work in guiding our work last month.

I had not intended to speak at this stage or to delay the Council's work at this time, while we are trying to prepare a draft resolution on the report that has been submitted to us. I was preparing to address the Council on the draft resolution we hope to submit very soon, which we hope will be put to the vote before the end of this week. When the time comes, my delegation will make its statement on the report and the draft resolution.

(Mr. Al-Ashtal, Yemen)

I should now like simply to make a few comments on the intervention we have heard from His Excellency the Ambassador of Israel.

It was not strange for the first statement of the new permanent representative of Israel to be of the kind we have just heard. It springs from the tradition of the school of Israeli policy and politics whose main endeavour is to try to obfuscate issues by making allegations against other States. Instead of focusing on the report now before us, and instead of answering to a number of observations contained in the report, the Israeli representative went on levelling accusations left and right, heaping them on the Arab States and not even sparing India and Iran.

We are discussing a report that contains very important conclusions relating to the protection of Palestinians in the occupied territories. The report did not arise from a vacuum; it resulted from Israel's refusal to receive a visit from a mission mandated by the Secretary-General to visit Al-Quds. In this, we see rejection and defiance of the Security Council. That rejection is what caused the Secretary-General, whom we thank for his efforts, to present this report on the basis of the information available to him and in the light of resolutions 672 (1990) and 673 (1990).

The crux of the matter in this report is protecting the Palestinians. When speaking of the protection of Palestinians we must raise two important points. The first is recourse to the Fourth Geneva Convention, under which Israel bears the responsibility of maintaining security and protecting the inhabitants of the occupied territories, including Al-Quds.

(Mr. Al-Ashtal, Yemen)

There are two parts to Israel's response. First, it rejects the legal applicability of the Geneva Convention to the occupied territories. It claims that Israel observes the "humanitarian provisions" of the Convention - and the Israeli representative describes this as an act of generosity and compassion.

The second part of Israel's response relates to East Al-Quds - or Arab Al-Quds. Israel categorically refuses even to say the words "East Jerusalem". Hence, it refused to grant permission for the visit of a mission of the Secretary-General. Israel rejects any Security Council action relating to Al-Quds.

Therefore, with regard to the first point in the Secretary-General's report, we hear nothing from Israel except defiance and rejection. Israel rejects the legal applicability of the Fourth Geneva Convention, and it rejects the Convention's applicability to Al-Quds, under the pretext that it is an Israeli city.

It is not only the delegation of Yemen that insists that the Geneva Convention applies to the occupied territories, including Al-Quds. All the States Members of the United Nations insist on that - except Israel. Does the Israeli delegation find it surprising that the United Nations takes this stand?

The second point in the report relates to the need to dispatch a peace force to observe the situation in the occupied territories and protect the Palestinians there. In this regard, too, we of course hear nothing from the delegation of Israel but defiance and rejection. Israel does not accept the dispatching of such a force. How could it do so when it has refused to accept a three-member mission of the Secretary-General?

(Mr. Al-Ashtal, Yemen)

The Security Council is dealing here with a State that not only flatly rejects Security Council resolutions, but even defies and challenges them.

My delegation will not engage in a diatribe about what is taking place in various parts of the world. No matter what is said here, we shall continue to focus attention on the rights of the Palestinian people and on the Israeli practices in the occupied Palestinian territories, in East Al-Quds and the Golan Heights, which Israel has annexed. We shall continue to focus attention on southern Lebanon, with which Israel is making free at the moment. We shall continue to focus on Israel's challenges to the Security Council and its violations of international law.

With that focus in mind, it is not surprising that the Israeli Ambassador comes here to argue that some kind of double standard is being applied. The Israeli criteria have nothing to do with the ideals and values enshrined in the Charter of the United Nations, or with international norms and principles.

The Israeli response to the Secretary-General's report should alert us to the necessity of adopting a resolution worthy of the Security Council's reputation; a resolution that would reflect some cohesion in the positions taken by the Security Council with regard to violations of its resolutions and of international law; a resolution that would make Israel understand - if only this one time - that the Council can adopt resolutions and measures of deterrence, including those provided for in Chapter VII of the Charter. Israel must be made to understand that the Security Council of today is not the Security Council of yesterday, when Israel used to exploit international differences. Now that the Council works in unison, as we have demonstrated over the past three months, Israel cannot expect special treatment. Rather, it must expect treatment that demonstrates that the Council is logical and serious, that it applies the same criteria in addressing all the issues with which it deals.

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

The representative of Iraq wishes to speak. I invite him to take a place at the Council table and to make his statement.

Mr. AL-ANBARI (Iraq) (interpretation from Arabic): I wish at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I am sure that you will conduct the Council's proceedings with your well-known skill. I take this opportunity also to express my appreciation of the valuable efforts made by your predecessor, Ambassador Hannay.

I had intended to speak in some detail at a future meeting, when the Council will be considering a draft resolution. However, I am obliged to reply now to what the representative of the Zionist entity said a few moments ago.

The representative of the Zionist entity did not confine himself to levelling accusations left and right at each and every member of the Security Council: he went on to mouth some of the classical Israeli lies. I should like to make some clarifications in that respect, which will perhaps persuade him not to repeat these lies in the future.

The Israeli entity is perhaps the only entity in the entire world presided over by a career terrorist who is still wanted in some European countries that wish to put him on trial. I am speaking of Shamir. The Israeli entity is the only entity in the world ruled by a secret organization - the Mossad - rather than by a Cabinet or some similar body. The Israeli entity is the only entity in the world where seats in the Parliament are bought and sold publicly, by bribes.

(Mr. Al-Anbari, Iraq)

The Israeli representative boasted that his country enjoys peace and democracy. He fails to mention that it is his country that provides weapons to illicit drug traffickers, and that it trains them and gives them military assistance.

(Mr. Al-Anbari, Iraq)

He claims that his country enjoys freedom of the press and media, and wants to know why the Security Council should send a mission to investigate or ensure the protection of the Palestinian citizens. We all know and have read in the newspapers of the scandal of Israel's Foreign Ministry, which appoints officials to write press reports and ask questions that only serve the interests of the Israeli entity.

The representative of the Israeli entity boasts that his country has not sentenced to death one single Arab up till now. But he forgets that Israeli gangs and Israeli police daily kill men and children on the streets under the very eyes of the whole world with impunity. Even on the recent occasion when Israeli police killed scores of Arabs, Israel was not embarrassed to appoint a commission headed by the previous head of the Mossad to investigate the possibility of the protection of the Palestinian Arabs in the occupied territories.

In conclusion, the representative of the Israeli entity has allowed himself to utter some words about the President of Iraq. I would like to say again that he has once again falsified the facts and told lies, because what he quoted the President of Iraq as saying was his fabrication and does not reflect the facts.

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

There are no further speakers. The next meeting of the Security Council to continue consideration of the item on the agenda will be fixed in consultation with members of the Council.

The meeting rose at 6.10 p.m.