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SPECIAL POLITICAL COMMITTEE

30th meeting

held on

Monday, 21 November 1977

at 3 p.m.

New York

SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. NEUGEBAUER (German Democratic Republic)

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AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 57: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES (continued) (A/32/284, A/32/308; A/SPC/32/L.12, L.13 and L.14)

1. The CHAIRMAN said that some draft resolutions might entail financial implications, which would have to be brought to the Committee's attention before the drafts could be put to the vote. It would therefore be appreciated if special efforts could be made to submit as soon as possible any draft resolutions which would require the preparation of estimates of financial implications.
2. Mrs. SCHADE (German Democratic Republic) said that the information contained in the report of the Special Committee (A/32/284) clearly showed the continuing deterioration of the situation of the population in the occupied territories and the persistent flagrant disregard of the most elementary human rights. The report showed beyond all doubt that the Israeli authorities were intensifying their policy of oppression against the population of the occupied territories and, ignoring their obligations under the Fourth Geneva Convention of 1949, were violating the elementary human rights of the Arab population; that the natural resources in the occupied territories were being plundered, in defiance of internationally recognized norms and numerous resolutions of the General Assembly; that the religious beliefs and feelings of the Islamic population were being disregarded, and that the demographic structure of the territories was being changed by a systematic policy of establishing settlements.
3. As could be seen from paragraph 248 of the report, those practices caused resistance among the population. That growing resistance was a process that could not be stopped, as was proved by the report of the Special Committee.
4. The German Democratic Republic had always held the view that it was essential to eliminate the causes of the practices applied in the occupied territories, which were contrary to human rights, by forcing Israel to withdraw from those territories. Only in that way could the vicious circle of oppression, resistance of the population and escalation of oppression be overcome.
5. She recalled the statement made by the Minister for Foreign Affairs of the German Democratic Republic, at the current session of the General Assembly, to the effect that the rights of the Arab peoples must not be disregarded and that a settlement of the Middle East conflict necessitated Israel's withdrawal from all territories occupied in 1967. The Minister had gone on to say that the inalienable rights of the Arab people of Palestine, including their right to self-determination and their right to establish a State of their own, must be guaranteed, and that the rights of all States in the region to an independent existence, security and development had to be recognized. Proceeding from that fundamental position, the German Democratic Republic supported the Arab people of Palestine and its only legitimate representative, the Palestine Liberation Organization. The Minister for Foreign Affairs had further stated that the implementation of the relevant Security Council resolutions was a prerequisite for a comprehensive political settlement of

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(Mrs. Schade, German  
Democratic Republic)

the problems of the region, that the Geneva Peace Conference on the Middle East was the proper forum for that purpose and that the participation of the Palestine Liberation Organization on an equal footing was essential.

6. Her delegation also wished to draw attention to the joint Soviet-American statement on the Middle East of 1 October 1977, which it regarded as a decisive contribution towards the achievement of a just and lasting peace in the Middle East and towards the strengthening of international détente.

7. Her delegation condemned the practices of the occupation authorities in the occupied territories as a violation of the human rights of the Arab population. It called upon the ruling circles of Israel to end those practices, to withdraw from the occupied Arab territories and to accept a political solution to the Middle East conflict that would make it possible for the States and peoples in the region to live together in peace and guarantee the inalienable rights of the Palestinian people under the leadership of the PLO in the same way as those of the other peoples.

8. Mr. GURAKAN (Turkey) said that it was disappointing to note from the report of the Special Committee that there had been no improvement in the humanitarian situation in the occupied territories. On the contrary, the report contained a long list of violations of human rights, including maltreatment of the civilian population, mass arrests, arbitrary detentions, physical abuse of detainees, and an increasing number of settlements; it also referred to riots, demonstrations, strikes and the imposition of curfews, as indications of tension and unrest in the occupied areas.

9. It was only through the termination of the occupation that the complete restoration of the civil and human rights of the Palestinian and Arab populations of the area could be achieved. Furthermore, the security, prosperity, freedom and dignity of the Palestinians could not be ensured unless they were given the possibility of enjoying their legitimate and inalienable rights. At a time when intensive efforts were being made to bring about the resumption of the Geneva Conference, and some significant steps had already been taken in that direction, his delegation would have expected a better picture of the over-all situation in the area.

10. The practices described in the report undoubtedly constituted a violation of the provisions of the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. In that connexion, it was his Government's view that the Israeli interpretation concerning the applicability of the provisions of the Convention to the occupied Arab and Palestinian territories was unacceptable and devoid of any legal basis.

11. In conclusion, he said that it was his Government's ardent desire to see the achievement of a just and durable peace in the Middle East.

12. Mr. HALASZ (Hungary) said that in his delegation's opinion, the report of the Special Committee faithfully reflected the situation prevailing in the occupied Arab territories and revealed an unfortunate state of affairs, namely the flagrant

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(Mr. Halasz, Hungary)

violation by Israel of the human rights of the population of those territories. His delegation had no doubt that the report, which had been prepared on the basis of evidence gathered from official documents, statements and decisions of the Israeli authorities and on the basis of testimony from witnesses, was an objective one, and it endorsed its findings.

13. The report showed that the root cause of the situation was the occupation itself, and that its termination was therefore a pre-condition for the restoration of the human rights of the population of the territories.

14. The essential ingredients of the Israeli practices included the establishment of settlements in the occupied territories, the further development of existing settlements, the continued acquisition of land in the occupied territories, the process of annexation of the occupied part of Jerusalem, and the flat refusal to recognize the right to return of those who had fled or left their homes in 1967. The attempts to change the geographical and demographic character of the occupied territories had been further pursued by the Israeli Government, which had adopted measures designed to change the legal status of the territories. He was referring to the official approval by the Israeli authorities of existing settlements and to the application of Israeli laws and regulations in the occupied territories.

15. The policy of annexation was a serious violation of the principles of the United Nations Charter and of the rules of international law, and specifically of the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of which Israel was a signatory. It was also a grave violation of the Universal Declaration of Human Rights.

16. His delegation noted with concern that the situation in the occupied territories was steadily deteriorating, and it deplored the unilateral measures taken by Israel, because they constituted an obstacle to peace in the Middle East.

17. The prestige of the United Nations depended largely on how effectively it could prevent the continual perpetration of crimes against any people anywhere in the world. It was in that context that his delegation supported the proposal of the representatives who, in their statements, had advised the Committee to adopt a resolution condemning the expansionist policy of Israel and its violation of human rights.

18. In the view of his Government, no real progress had been made thus far towards finding a comprehensive solution to the Middle East conflict. Israel continued to occupy Arab territories and maintained tension in the region. His Government was convinced that a comprehensive settlement could be envisaged only within the framework of an international conference in which all the parties involved, including representatives of the PLO, participated. Such a settlement should be based on Israel's withdrawal from all territories occupied in 1967 and on the recognition of the right of the Palestinian people to self-determination, as well as on guarantees to ensure that all States in the area could live in peace within recognized, secure and guaranteed borders.

19. Israel's policy and practices in the occupied territories constituted a major obstacle to the attainment of peace in the Middle East because, through that policy, Israel hoped to incorporate substantial parts of the occupied territories into ,

(Mr. Halasz, Hungary)

Israel and to destroy the aspirations and identity of the Palestinian people living in those territories. There was an international consensus that there could be no peace in the Middle East without a solution of the Palestinian problem. On the basis of that consensus, the international community should help to create objective conditions which would make possible a just solution of the Palestinian problem. His delegation hoped that the Committee would make it clear to Israel that, unless it complied with its obligations towards the Palestinian people and the Arab countries, there could be no recognition of Israeli rights.

20. Mr. YEDRA (Cuba) said that the ninth report of the Special Committee like its earlier reports, provided ample evidence that the situation in the occupied territories was constantly becoming more unbearable for the inhabitants. All the evidence provided over the years showed that Israeli practices in the occupied territories were an integral part of a deliberate policy on the part of the Zionist Government to perpetuate the occupation and annexation of Arab territories which had been seized by force against the will of the civilian population. A fundamental element of that policy was the establishment of an increasing number of settlements in the occupied areas until, according to statements made by the Prime Minister and other members of the Israeli Government (A/32/284, paras. 32-35 and 45), they covered the whole of the occupied zone, in open violation of articles 47 and 49 of the Geneva Convention.

21. Chapter IV, sections B and C, of the Special Committee's report clearly described the situation of civilians in the occupied territories and the treatment of civilians in detention. A matter of great concern was the overcrowding in the prisons; and the growing tendency of Israeli troops to use force against the increasing number of civilian protests led to even greater overcrowding. All those details in the report gave an idea of the sufferings of the Arab inhabitants of the occupied territories, who were enduring the longest foreign occupation of the century - an occupation that had lasted more than 11 years.

22. The practices described in the report not only constituted a clear violation of the Fourth Geneva Convention of 1949 but also belied the Zionist representative's suggestion that his country had turned the occupied territories into a paradise and that the Arabs were eager to enjoy it, even under Israel's domination. Israel's violations of the Charter, of the Universal Declaration of Human Rights and of the Fourth Geneva Convention were more than sufficient cause for the Committee strongly to condemn zionism and its racist policy, which was comparable only to the apartheid policy of the racist Government of South Africa. But that was not all; the Zionist Government continued to deny the right of return to the hundreds of thousands of civilians who had fled their homes in the territories occupied during and after the 1967 hostilities. Israel refused to recognize the inalienable national rights of the Palestinian people, including their right to existence in an independent Palestinian State. It refused to agree to the participation of the PLO, the legitimate representative of the Palestinian people, in the Geneva peace talks. Flouting world public opinion, the Israeli Government, supported by the Western Powers, and especially the United States, was proceeding with its expansionist plans, despite the appeals made to it to change its attitude so that peace could return to the region. The most recent manifestation of the war of aggression and extermination waged by Israel against the Palestinian people was the aggression in southern Lebanon, in which dozens of defenceless civilians had lost their lives.

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(Mr. Yedra, Cuba)

23. His country's position concerning all those violations was well known, and similar to that of all progressive countries, namely that the only solution to the crisis lay in full respect of the inalienable national rights of the people of Palestine and the withdrawal of Israeli troops from all the Arab territories occupied since June 1967. It was a matter of the utmost urgency to convene the Geneva Peace Conference, with the participation of all parties concerned, including the Palestine Liberation Organization, on an equal footing.

24. Mr. BOYADJIEV (Bulgaria) said that the stance of the Israeli Government with regard to such generally recognized moral and legal principles as the principle that there could be no legitimate recognition of territorial gains obtained as a result of the use or threat of force, was particularly alarming. The Israeli claim that the territories in question were not occupied territories, and that the Fourth Geneva Convention was therefore not applicable to their population, was in flagrant contradiction to the historical facts, the principles of the Charter and the universally recognized principles of international law.

25. Israel not only paid no heed to the decisions of the United Nations but, through its illegal actions, was further aggravating the explosive situation in the Middle East. It was applying the tactics of *fait accompli* in order to pave the way for its consolidation of the annexation of the Arab territories. Each settlement established since 1967, and each Israeli citizen settled in the occupied territories, was there in direct violation of articles 47 and 49 of the Fourth Geneva Convention.

26. Despite the Israeli Government's continuing refusal to allow representatives of the Special Committee to visit the occupied territories, the Special Committee's report clearly showed that the oppression of the civilian population and the violation of its basic human rights were escalating at the same rate as Israel's action to perpetuate the occupation.

27. The Special Committee's report showed the determination of the Arab population to fight for its rights. The rising tension in the occupied territories exposed the absurdity of Israeli attempts to assimilate the occupied Arab lands, to disregard the rights of the Palestinian people and to avoid a final settlement of the Middle East conflict.

28. The unlawful Israeli practices in those territories were condemned by democratic public opinion and many international organizations. The participants in the 64th Conference of the Inter-Parliamentary Union, held in Bulgaria in September 1977, had agreed that the increased tension caused by the Israeli occupation of Arab territories jeopardized the possibilities for negotiation, progress and peace. The Bulgarian delegation had consequently requested the Secretariat to circulate the resolution adopted on that question by that Conference as an official document (NV/77/50).

29. His country was keenly interested in the establishment of a just and lasting peace in the Middle East, because of its proximity to that area and its sympathy for any people living under foreign occupation. The only way to guarantee the human

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(Mr. Boyadjiev, Bulgaria)

rights of the civilian population of the occupied territories was for Israel to terminate the occupation itself. The establishment of a just and lasting peace in the Middle East necessitated, first, the withdrawal of the Israeli troops from all the Arab territories occupied since June 1967; secondly, the safeguarding of the inalienable rights of the Arab people of Palestine, including their right to self-determination and to the establishment of their own sovereign State; thirdly, the safeguarding of the right of all States directly involved in the conflict to develop independently, and the provision of the necessary international guarantees to those States; and, fourthly, the cessation of the state of war between the Arab states concerned and Israel. The Geneva Conference, with the participation of all the parties involved, including the PLO, the only legitimate representative of the Palestinian people, was the only effective way of achieving an over-all solution of all aspects of the Middle East problem, including the underlying Palestinian question.

30. Mr. DROZDOV (Union of Soviet Socialist Republics) said that the objective and comprehensive report of the Special Committee clearly showed that the situation in the Arab territories occupied by Israel continued to deteriorate. That serious deterioration was reflected, in particular, in Israel's policy of annexation and establishment of Israeli settlements in the occupied Arab lands, in the worsening living conditions of the Arab population in those territories and in the repressive actions taken by the Israeli authorities against the Arab population.

31. The report contained many facts which showed that the Israeli authorities stubbornly pursued a policy aimed at colonizing the occupied Arab territories and at incorporating them into Israel. Israel's intention of annexing the Arab lands had also been confirmed by public statements made by Israeli officials, which were reproduced in the report.

32. The stubborn refusal of Israel to leave the occupied territories and to terminate its annexationist policy had been the subject of frequent condemnation by the United Nations. In November 1976, the Security Council had expressed deep concern at the serious situation in the occupied Arab territories as a result of the continuing Israeli occupation. It had called on Israel to put an end to its arbitrary and unilateral actions in the occupied territories both with regard to the Arab population and to the creation of Israeli settlements. The Council had stressed that the actions of Israel had no legal validity and constituted an obstacle to peace in the Middle East. Thus, the Security Council had plainly and unambiguously confirmed the illegality of the Israeli occupation.

33. In its resolution 32/5 the General Assembly had determined that Israel's actions in the occupied Arab territories had no legal validity and constituted a serious obstruction of efforts aimed at achieving a just and lasting peace in the Middle East. However, Israel, defying the United Nations, stubbornly continued its activities with a view to maintaining the occupation of the Arab territories and bringing about their de facto annexation.

34. The facts contained in the report showed that human rights were being flagrantly violated in the occupied territories. The Israeli occupation forces

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(Mr. Drozdov, USSR)

subjected the Arabs living in those territories to constant persecution, arbitrary arrests and cruel punishment. Those actions by Israel constituted a flagrant violation of the provisions of the Fourth Geneva Convention of 1949.

35. His delegation resolutely condemned Israel's flagrant violations of human rights in the occupied Arab territories and considered that the human rights situation in the territories constituted further proof of the need for greater efforts to achieve a political settlement, within the framework of the Geneva Peace Conference, of the dangerous situation in the region.

36. The report of the Special Committee showed that the Arab population in the occupied territories was waging a resolute struggle for its rights and for the termination of the Israeli occupation. That struggle for freedom enjoyed the sympathy and support of all peace-loving forces. The Israeli occupation forces were trying to suppress the resistance of the Arabs by mass terror, but it was clear that those attempts were doomed to failure.

37. His delegation considered that the question of guaranteeing human rights in the occupied Arab lands could only be definitively resolved by the termination of the illegal Israeli occupation of those lands.

38. His Government was in favour of the total elimination of the consequences of the Israeli aggression and of Israel's withdrawal from all the Arab territories occupied in 1967. As the Minister for Foreign Affairs of the USSR had stated in the General Assembly, the Soviet Union believed that those lands, which had been illegally seized and maintained by force of arms, should be unconditionally returned to the Arab people.

39. In conclusion, his delegation reaffirmed that the Soviet Union would continue to do its utmost to help to bring about a comprehensive and peaceful settlement in the Middle East, based on respect for the legitimate rights and interests of all States and peoples in the region, and also to help bring about the convening of the Geneva Peace Conference for that purpose.

40. Mr. EHSASSI (Iran) said that the discouraging picture of the situation in the occupied territories presented in the report of the Special Committee was a source of great concern to his delegation. It showed that the occupying Power had in no way changed its policy towards those territories and their indigenous population. The report brought into focus the prevailing atmosphere of revolt and unrest, which was a direct consequence of that policy and which provoked repressive measures by the occupying authorities, which in turn merely led to further unrest. The report described the measures taken by the occupying Power to punish all those who protested against the state of occupation, and confirmed the persistence of the same pattern of harsh reprisals, described in previous reports by the Special Committee, which were an obvious violation of the universally acknowledged norms of international humanitarian law and the principles of the Charter.

(Mr. Ehsassi, Iran)

41. The Iranian Government continued to view any action by the occupying Power aimed at changing the demographic composition or geographical nature of the occupied territories with deep concern. The establishment of settlements in those territories was deplorable, and prejudiced all efforts to establish a just and lasting peace in the region. Any action designed to consolidate and perpetuate the state of occupation was completely unacceptable and, as long as the state of occupation persisted, the people of the occupied territories would not be able to enjoy their legitimate rights, and prospects for peace and stability in the region would remain dim.

The meeting rose at 4.15 p.m.