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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 15th meeting

Held at Headquarters, New York, on Wednesday, 7 November 2001, at 10 a.m.

*Chairman:* Mr. Hasmy ..... (Malaysia)

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Organization of work

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*The meeting was called to order at 10.10 a.m.*

**Agenda item 87: United Nations Relief and Works Agency for Palestine Refugees in the Near East**

(continued) (A/55/1021; A/56/13 and Add.1, A/56/290, A/56/375, A/56/382, A/56/420, A/56/421 and A/56/430; A/C.4/56/L.8)

*Statements in exercise of the right of reply*

1. **The Chairman** recalled that, at the previous meeting, owing to lack of time, not all delegations had been able to speak in exercise of the right of reply. He therefore wished to give those delegations that opportunity.

2. **Mr. Assaf** (Lebanon) said that he wished to comment briefly on the statement made by the representative of Israel, at the previous meeting. First, the representative of Israel, in his statement, had routinely referred to Palestine refugees as Arab refugees, which was at variance with all the relevant Security Council and General Assembly resolutions. The aim was clear, and it consisted in distorting the nature of the problem. He wished to remind the representative of Israel that, in accordance with the provisions of General Assembly resolution 302 (IV) of 8 December 1949 concerning the establishment of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Agency had been created exclusively to provide assistance to Palestine refugees. Assistance to other refugees was provided by other organizations.

3. Israel had called for the issue of refugees to be addressed through negotiations. The Arab countries also demanded that all Middle East issues should be dealt with through the peace talks and were constantly urging their resumption. He wished to recall, however, that any negotiations must be conducted on the basis of resolutions reflecting the principles of international legality. For that reason, the Palestinians participating in the negotiations could not agree to the restriction of those rights that had been envisaged for them in the resolutions of the international community.

4. The representative of Israel accused the Arab countries of driving out Jews. That was nothing other than a distortion of the historical and contemporary reality, aimed at justifying Israel's actions against the Palestinians and presenting them as a retaliatory measure. That argument did not bear any criticism. His

delegation wished to assure the representative of Israel that the Lebanese population sympathized with Jews and respected their religion. The problem lay in the actions of Israel itself and in the occupation. The rights of the Jewish community were officially recognized by the Lebanese Government. That community had taken part in the 2000 legislative elections and was currently represented in the Government and in Parliament.

5. The representative of Israel had stated that the historical and moral responsibility for the problem under discussion lay with the Arabs themselves. In so doing, he was ignoring a basic norm of international law, namely, the international responsibility of States. In accordance with that norm, every country was required to take concrete steps to correct situations that arose as a result of some or other of its actions and to bear responsibility for those actions. Israel's attempts to shift its responsibility to other countries had already become routine; that happened every year, for example, in the Fifth Committee, where that country refused to pay compensation for the damage incurred as a result of the bombing of the headquarters of the United Nations Interim Force in Lebanon (UNIFIL). Moreover, Israel called on all the countries in the world to make those payments, despite the fact that it was Israel itself that was responsible for the damage.

6. Israel attributed its actions against UNRWA and its personnel to security considerations. In that connection, the question arose as to whether such considerations really guided the Israeli forces which shelled UNRWA schools and attacked its employees and whether they had really given cause for the restrictions placed on the Commissioner-General himself. The representative of Israel had also stated that the political issues in the region were presented in a one-sided and subjective manner in the UNRWA report. In that connection, he wished to remind the representative of Israel of the statement made by the Commissioner-General on that subject at the previous meeting.

7. **Mr. Fallouh** (Syrian Arab Republic) said that the statement made at the previous meeting by the representative of Israel contained a number of inaccurate assertions. He had, for example, declared that the people who had carried out the actions referred to were in fact victims. His delegation was not surprised that Israel accused the Arabs of being at the origin of the problem of the Palestine refugees; that was typical of the approach of those who illegally

appropriated the rights of others and flouted the rules of international law. It confirmed once again the extremist position of the Government of Israel, which in fact bore the responsibility for the fact that the peace process was deadlocked. It was Israel which failed to recognize the rules of international law and United Nations resolutions.

8. In his statement, the representative of Israel had referred to aggression committed by the Arab States 53 years earlier. That assertion was senseless. The Arab countries had become involved in the conflict in order to put an end to the exodus of the Palestinians, prevent a bloody war and save the Palestinian population. The representative of Israel had tried to delude the Committee, asserting that the Arabs had expelled the Jews from their territory. Jews and Arabs had coexisted peacefully for many hundreds of years, but the terrorist practices adopted by the Israeli Government had forced the Palestinians to leave. It was in fact Israel which had carried out an organized campaign for the purpose of putting pressure on the Arab countries and a number of other States and bringing about migration to Israel by Jewish people.

9. Although the representative of Israel mistakenly believed that the Arabs were always prepared to welcome Palestinians to their countries with open arms, the Arabs in fact opposed the idea of turning the Palestinians into refugees, which would allow Israeli settlers to occupy their homes and lands. Israel refused to pay compensation to the refugees and to those who had been forced to abandon their homes.

10. The representative of Israel constructed his propagandistic declarations on the basis of his own inferences. His delegation, for its part, wished once again to draw the attention of the Committee to the need to study the consequences of such declarations and of the threats to international peace and security which resulted from such inferences. In particular, such inferences had caused the deadlock in the peace process and prevented the situation from being resolved. The international community, represented by the United Nations, must put an end to the policy of lies and disinformation pursued by the representatives of Israel.

11. **Mr. Benzioni** (Israel) said that, in light of the statements made by several delegations, he felt compelled to re-emphasize a number of points. As his delegation had already pointed out earlier, Israel

supported the humanitarian efforts of UNRWA. His Government was sensitive to the situation of the Palestine refugees and supported efforts to improve it. The plight of the Palestine refugees was of concern to his Government, not only as a humanitarian issue but because, as Israel's neighbours, their well-being necessarily affected that of Israelis. At the same time, Israel and UNRWA had differences of opinion, particularly with regard to the security issues which needed to be resolved as a matter of urgency. In his delegation's view, UNRWA personnel had been insufficiently sensitive to the urgency of those concerns. His Government would continue to take measures to address those issues as they arose, in order to strengthen the ability of UNRWA to fulfil its mandate.

12. Israel was committed to pursuing a more lasting and comprehensive solution to the refugee problem. Such a solution could, however, be achieved only within the context of direct bilateral negotiations between the parties. Israel rejected initiatives put forward in the Committee and in other United Nations organs, which sought to prejudge the outcome of those negotiations. Such initiatives would not facilitate a speedier resolution of the problem. A genuine solution to the refugee issue would result only from a political process conducted in an atmosphere free from violence and intimidation. Israel sincerely hoped that it would soon be possible to engage in such a process that would address the legitimate needs of all the peoples of the region, Israelis and Palestinians alike.

13. **Mr. Al-Hadidi** (Jordan) said that he wished to make a remark concerning the assertion by the Government of Israel that Jordan was seeking to integrate Palestine refugees into its society. Like other Arab countries, Jordan had in fact taken in Palestinians who had been registered with UNRWA as refugees and who had not lost the right to return and to compensation pursuant to General Assembly resolution 194 (III) of 11 December 1948, which set out the relevant obligations of States, including those of Israel, in accordance with international humanitarian law. To take in the Palestine refugees and to grant them the same rights as Jordanian citizens was for Jordan a moral duty. However, that by no means resulted in the Palestinians losing their rights as refugees.

**Agenda item 88: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories** (*continued*) (A/56/214-216, 218, 219, 428 and Add.1 and 491; A/C.4/56/L.14-18)

14. **Mr. de Saram** (Sri Lanka), speaking as Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the report of the Special Committee to the General Assembly (A/56/491). In the course of preparing the report, and in order to obtain information from persons knowledgeable as to conditions in the occupied territories, the members of the Special Committee had undertaken a mission to Cairo, Amman and Damascus, but, as before, they had been unable to gain access to the occupied territories themselves. While the members of the Special Committee had been in the region, between 26 July and 4 August, there had been a number of incidents accompanied by cruel acts of violence in the occupied Palestinian territories. It was the understanding of the members of the Special Committee that, because of the conditions in those territories, a number of persons who had wished to meet and make statements to the members of the Special Committee had been unable to do so. The materials used in the preparation of the report were listed in an annex.

15. The Special Committee had in previous years reported on the existence in the occupied territories of systems of military and civilian control which were elaborate, extensive, discriminatory and, during periods of tension, very oppressive. In the period since September 2000 the tension and violence in the occupied Palestinian territories had grown worse, and the Israeli authorities had used extraordinarily intense and severe measures to enforce their systems of civilian and military control. The current very troubling situation in the occupied Palestinian territories was marked by the following: the imposition of strict limitations on the movement of persons, vehicles and goods between the occupied territories and the outside world, and also within the territories, including the creation of checkpoints, the closure of some areas and the imposition of curfews; difficulties caused by settlements and armed settlers, and the creation of an extensive system of bypass roads, intended primarily for use by the settlers; the confiscation or destruction of agricultural land and housing, and the introduction

of strict controls over the construction of Palestinian homes and the destruction of Palestinian homes, considered to be unauthorized; the disproportionate use of force by the occupying authorities, including the use of heavy weaponry and bulldozers, military incursions into areas under Palestinian control, together with an absence of normal methods of crowd control and the use of deadly force by the Israeli military; the practice of arresting children for throwing stones and interrogating them using intimidating methods and in harsh conditions of detention; and the very special problems of East Jerusalem, namely, the laws and regulations determining entitlement to reside in East Jerusalem and the demographic consequences of Israel's policy of establishing or expanding settlements in close proximity to East Jerusalem and isolating it from the West Bank through a system of roads.

16. An especially difficult situation had arisen in the camps for the Palestine refugees. With the imposition of a "state of siege" and the impossibility of obtaining employment outside the camps, their families were without the means of subsistence. The overall consequences of the occupation in Gaza, the West Bank and East Jerusalem were catastrophic for all aspects of the life of the Palestinians in the occupied territories, and taken together they created a feeling of desperation and hopelessness. To apprise the General Assembly, at least to some degree, in the words of witnesses, to what was taking place in the occupied territories, the report included extracts from or summaries of their statements.

17. Following their visit to the region at the end of May 2000, the members of the Special Committee had been of the view that, notwithstanding the serious difficulties in the occupied Palestinian territories, there was still hope that in the not too distant future there would be tangible improvements in the unfortunate daily lives of the Palestinians in the occupied territories. However, the closing days of September 2000 in East Jerusalem had been marked by tragic occurrences, which had brought in their train a continuing wave of violence, and now the only possible conclusion for the Special Committee was that the situation in the West Bank, East Jerusalem and Gaza — an endless cycle of violence and counter-violence — was not conducive to the observance, or indeed the recognition, of human rights.

18. Turning to the sections of the report dealing with the situation in the occupied Syrian Golan, which had

been occupied by Israel in 1967 and “annexed” in 1981, he pointed out that the General Assembly and the Security Council regarded the annexation as unlawful and null and void. Although the Syrian Golan had not experienced such extreme violence over the past year as the other occupied territories, the problems described in previous reports continued undiminished. Special attention was drawn to aspects such as the increase in the numbers of settlers and the expansion of existing settlements, with undesirable consequences for the land and the environment; the serious situation with regard to water resources, over which the Israeli authorities exercised control; the lack of adequate employment opportunities; inadequate health care; arbitrary arrests and detentions; tense relations between armed settlers and the Syrian population; the deliberate distortion of Syrian culture and history, and the marginalization of the Syrian Arab heritage and language; the attempt to bring about a change in the demographic pattern of the territory; the excavation of archaeological sites and the removal of antiquities; the danger presented by landmines; and the restrictions on freedom of movement.

19. The previous year, the point had been made that the reports of the Special Committee were of a limited nature and did not reflect the concerns of the Israelis, who were themselves subjected to violence, death and injury. However, it must be pointed out that the Special Committee had again not had access to the occupied territories, despite repeated requests. The Special Committee believed that if it were granted access, it could receive the views of representatives of the Israeli authorities as to why they acted as they did, and not otherwise. Nevertheless, notwithstanding the limited nature of its reports, the Special Committee sought to convey to the General Assembly as fully as possible the impression it had formed of conditions in the occupied territories. In conclusion, on behalf of the members of the Special Committee, he expressed the hope that there would soon be a return to the processes of dialogue and peace. The direct and indirect consequences of a general occupation of territory for such a long period of time had a traumatic impact on the entire spectrum of human relationships, affecting both the occupied population and the occupiers.

20. **Ms. Abdelhady Nasser** (Observer for Palestine) said that, in resolution 55/130 of 8 December 2000, the General Assembly had requested the Special Committee, pending complete termination of the Israeli

occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israel’s lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. The ongoing Israeli occupation of the Palestinian Territory, including Jerusalem, as well as of the Syrian Golan reaffirmed the importance and relevance of the mandate and work of the Special Committee, which must continue until the Israeli occupation was brought to a definitive end.

21. Israel was continuing to wage a military campaign against the Palestinian people under its occupation, in complete violation of international law and international humanitarian law. For more than three decades Israel, the occupying Power, had been violating the human rights of the Palestinian people and other Arabs living under Israeli occupation since 1967, despite the repeated calls by the international community for the cessation of such practices and an end to the occupation. As a result of the widespread Israeli military assault against the Palestinian people, which had begun on 28 September 2000, the human losses and physical destruction continued to mount throughout the Occupied Territory, including Jerusalem, where the situation had gravely deteriorated, exacerbating an already volatile situation. The current bloody military campaign had been characterized by the excessive and indiscriminate use of force by Israel, including the use of live ammunition and all kinds of heavy weaponry. As a result of those brutal and wilful actions, over 700 Palestinians, many of them children, had died and over 25,000 Palestinians had also suffered injuries of varying severity. The destruction of homes and razing of agricultural fields had been widespread, worsening the already miserable social and economic living conditions of the Palestinian people under Israeli occupation.

22. In addition to the reports submitted by the Special Committee, mention should also be made of the important reports of the Human Rights Inquiry Commission established by the Commission on Human Rights and the reports of the Special Rapporteur, which clearly corroborated evidence regarding the escalation of human rights violations by the occupying Power. In addition to the killings, Israel continued to commit many other violations of international law and

international humanitarian law in the Occupied Palestinian Territory, including confiscation of land and demolition of homes, restrictions on the freedom of movement of Palestinian persons and goods, frequent frontier closures, isolation of the Palestinian people and even restrictions on the movement of medical personnel who were attempting to treat the victims of assaults by the Israeli army and who sometimes even became the targets of Israeli force. Palestinians also continued to experience daily difficulties with regard to identity cards and travel permits, and there were administrative detentions, harassments, harsh treatment and torture of Palestinians detained in Israeli prisons. At the same time, Israel was continuing its illegal settlement activities, accompanied by confiscation of land and property, exploitation and theft of natural resources and transfer of more Israeli settlers into the Occupied Territory.

23. Those Israeli practices were a grave violation of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which was applicable to the entire Occupied Palestinian Territory, including Jerusalem. The applicability of that Convention had been reaffirmed in 26 Security Council resolutions and a multitude of resolutions of the General Assembly and other United Nations bodies. It should be recalled that the fourth Geneva Convention essentially concerned the individual and collective protection of civilians, who at any moment and in any manner might find themselves, in case of a conflict or occupation, in the hands of a party to the conflict or occupying Power of which they were not nationals, and was applicable in all cases of partial or total occupation. In that connection, the international community must make serious efforts to ensure universal respect for international law and international humanitarian law in all circumstances and in all cases. She emphasized that the Israeli Government must accept *de jure* applicability of the fourth Geneva Convention and fully respect and comply with its provisions.

24. Despite the ongoing difficulties, there was still hope that the current tragic situation in the Occupied Palestinian Territory would soon change. For that to happen, Israel, the occupying Power, must cease its violations of international law and of the resolutions of the United Nations, cease the excessive and indiscriminate use of force against the Palestinian civilian population and withdraw its occupying forces

from the Palestinian towns, villages and camps. The Israeli military campaign against the Palestinian people must end immediately in order for both parties to resume stalled negotiations towards the achievement of a final settlement. The immediate and full implementation of the recommendations of the Sharm El Sheikh Fact-finding Committee was a starting point in that regard. In conclusion, she expressed deep regret at the refusal of the Israeli authorities to cooperate with the Special Committee, whose work remained crucial, especially during the current volatile period, and was a vital part of the efforts of the United Nations connected with its permanent responsibility to achieve a final settlement of the Palestine question.

25. **Mr. Al-Hadidi** (Jordan) thanked the Special Committee and its Chairman for the work that had made it possible to establish that the obstacles to the peace so long desired by the people of his country were indeed created by Israel. On the road to peace there should be some give and take, whereas Israel's actions against the Arabs — the illegal building of settlements, the Judaization of Jerusalem, the confiscation and destruction of Palestinian homes, the expulsion of Palestinians from Jerusalem and the confiscation of essential documents — escalated tensions still further and could not serve the cause of peace. The problem of Jerusalem was of key significance, in that context. Settlement of the issue must include the recognition of Palestinian sovereignty over East Jerusalem and the possibility that the capital of a Palestinian State could be established there. At the same time, provision must be made for access to, and the protection of, the holy places of Jerusalem for believers of all faiths. The proposal that Israeli sovereignty should be established in East Jerusalem was totally unacceptable; Jerusalem must become a city open to the representatives of all religions and civilizations.

26. The most urgent priority was the immediate withdrawal of Israeli forces from all occupied Palestinian areas. Security considerations could not be a justification for the occupation and the disproportionate use of force against the civilian Palestinian population. Israeli security measures should be taken by agreement, not on a unilateral basis. The suppression of Palestinian resistance could lead only to the further rise of tension in the occupied territories.

27. His country had long shown its commitment to the cause of peace. His Government's efforts, together with those of friendly Arab peoples — the Lebanese,

the Palestinians and the Syrians — had culminated in 1994 in the signing in Madrid of the Jordan-Israel Treaty of Peace, which had been intended to be the most significant step on the path to the attainment of a comprehensive peace. His Government continued to observe the spirit of the Treaty but believed that the peace could be lasting only if it was comprehensive. That meant that the package of agreements should include the Syrian Golan, the occupied Palestinian territories and all the other areas involved in the Arab-Israeli conflict. It was therefore essential to resolve the basic problems and not to restrict the process to superficial, palliative measures. His Government continued to support the full and unconditional implementation of the relevant General Assembly and Security Council resolutions and the strict observance of human rights in the territories occupied by Israel. The Israeli practices described in the Special Committee's report had negative social and economic consequences for the occupied territories and contributed to the creation of an atmosphere of despair and hopelessness, which undermined any faith in the possibility of a peaceful solution to the problems. The foundation of a just and lasting settlement must be the principle that all existing agreements must be observed and that the Palestinians' inalienable right to self-determination must be realized.

28. **Mr. Zaki** (Egypt) said that his delegation supported the continuation of the Special Committee's work and mandate until a final and just settlement of the Arab-Israeli conflict and the Palestinian question had been achieved. The Special Committee's report to the General Assembly once again illustrated the practices of the Israeli occupying force, which aimed not only at complete control of the territories but at a change in their demographic nature. Meanwhile, the human rights of the population of the occupied territories were completely ignored. Over the past year, not a single day had passed without the media bringing news of the bloody events in the occupied Palestinian territories. In his delegation's view, such events confirmed the undeniable reality that the Palestinian people were endeavouring to achieve by their own means their right to self-determination, freedom and dignity, which belonged to them as much as to the other peoples of the world. Modern history was replete with examples of the struggle of peoples against foreign occupation. Many had sacrificed their lives so that succeeding generations might enjoy freedom, independence and dignity. The struggle of the

Palestinian people against occupation was equally legitimate and its only acceptable outcome would be the end of the Israeli occupation. To understand that fact as soon as possible would be in the interests of Israel itself and the international community as a whole.

29. In addition to the report of the Special Committee, he drew the attention of members of the Committee to the important information contained in the report of the Special Rapporteur of the Commission on Human Rights on the same issue (A/56/440). The report described a number of extremely serious violations by Israel of the Palestinians' human rights, including the establishment of new settlements, the destruction of Palestinian homes, the "sweeping" of arable land, the uprooting of fruit and olive trees, and the occupation of Orient House, which was the symbol of the Palestinians' political presence in East Jerusalem, and the confiscation of all the documents contained therein, despite objections by the international community.

30. Israel's oppression of the Palestinian people fell into the category of grave violations of human rights and of the obligations imposed on the occupying Power by the fourth Geneva Convention of 1949. The existence of protected Israeli settlers in the occupied Palestinian territories amounted to provocation and created an explosive situation that could be avoided only by returning the settlers to their country and removing from them the lands currently under their control. Israeli practices in the occupied Syrian Golan were no less dangerous. The Israeli settlements in the Golan remained in place and Israel's constant desire to control the Arab population contravened its obligations as the occupying Power. His delegation expressed its full support for and solidarity with the Syrians living under the Israeli occupation in the Golan and would work towards a settlement that would guarantee the return to Syrian sovereignty of all Syrian territory occupied since 5 June 1967.

31. **Mr. Yahya** (Malaysia) said that he was grateful to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its report, which used the testimony of persons who had appeared before it to highlight the plight of Palestinians and other Arabs in the territories occupied by Israel. Valuable information had also been provided by the Governments of Jordan and the Syrian Arab

Republic. It was clear from all those sources that the violations of the human rights of the people living under Israeli occupation had become even more serious since September 2000, in the wake of the violence provoked by Mr. Sharon's visit to the Muslim holy site of Haram al-Sharif.

32. It was regrettable that the members of the Special Committee had once again been unable to visit the occupied territories and observe the situation at first hand. The continued refusal by Israel to allow them to visit the territories under its occupation only confirmed the suspicion that Israel did not wish the international community to know of the actual situation there. Yet the Israeli delegation hypocritically continued to accuse the Special Committee of biased reporting of the situation, even though the latter had taken great care to ensure that its report was objective and accurate, having based it on the sworn testimonies of witnesses. Its findings were corroborated by those of the United Nations High Commissioner for Human Rights during her visit to the occupied Palestinian territory and by those of the Human Rights Inquiry Commission established by the Commission on Human Rights to investigate violations of human rights and humanitarian law in the occupied Palestinian territory after 28 September 2000. He urged Israel to allow the Special Committee access to the occupied Palestinian territory, including Jerusalem and the occupied Syrian Golan. In spite of the non-cooperation of the Israeli authorities, the Special Committee had been able to listen to the views of a number of Israeli citizens, both Arabs and Jews, who had expressed deep concern about the policies of their Government vis-à-vis the Palestinians and other Arabs living in the occupied territories.

33. As in the past, the report provided a dismal picture of the situation of the Palestinians and other Arabs living under Israeli occupation. Under the draconian measures imposed by the Israeli authorities in the wake of the violence that had erupted following Mr. Sharon's visit to Haram al-Sharif, life for the Palestinians living under occupation had become almost unbearable. The regulations governing the movement of people, housing, education, public health and sanitation, and the rules on economic and political activity, had become more rigid and repressive. In the name of security, the Israeli authorities made every effort to keep the Arab population under their firm control. The harsh laws and regulations were enforced

through various discriminatory measures, including curfews, house demolitions, the uprooting of olive trees and restriction of the water supply. Following the prohibition by the Israeli Supreme Court of the use of a specific form of torture on Palestinian prisoners and detainees, new forms of torture that were difficult to detect were reported to have been used. His delegation called on Israel to end such practices and observe the principles enshrined in international law, including the fourth Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War. It was regrettable that Israel continued to use excessive force to suppress the Palestinians in the occupied territories, with the deployment of tanks, artillery, helicopter gunships and F-16 jet fighter aircraft. The number of Palestinian dead stood at around 790, with more than 16,000 injured. The victims had been mostly civilians and included children. An alarming development was the increase in extrajudicial killings of Palestinian opponents of the occupation, which had inflamed the situation still further and exacerbated the spiral of violence.

34. The situation was particularly acute in respect of Palestinians living in East Jerusalem, owing to Israel's policy of discouraging the Arab inhabitants of Jerusalem from staying in the city. To that end, Arab property was systematically confiscated, Arab houses were demolished for so-called "administrative" reasons, residence permits were cancelled and so on. The intention was clearly to judaize Arab East Jerusalem by replacing Arabs with Jews, thereby changing the city's demographic character. The rapidly growing Jewish population in Jerusalem, which was now approximately 200,000, was the demographic weapon with which the Arab character of the city would be drastically transformed.

35. The human rights situation of the people living in the occupied Arab territories was unlikely to improve until Israel gave up its policy of using military force rather than dialogue and negotiations to resolve the problem of its security vis-à-vis its Arab neighbours. That policy could only aggravate the situation; the only way out of the impasse was for Israel to desist from its brutal suppression of the Palestinian people and accept the legitimate aspiration of the Arab population in the occupied territories, including the Syrian Golan. Until a comprehensive political settlement was achieved and Israel withdrew from the occupied Palestinian territories and the Syrian Golan, the work of the



Special Committee would remain relevant. The international community could not afford to turn a blind eye to the continuing repression of those living under foreign occupation. Members of the United Nations could not afford to be neutral when the human rights of individuals and peoples were systematically violated. They could not take a selective approach, criticizing human rights violations in some countries and not in others. All the relevant organs of the United Nations, including the Security Council, must take immediate and decisive steps to ensure the protection of civilians living under Israeli occupation. It was important that the Special Committee should continue its work and keep the Fourth Committee informed of the human rights situation of the Palestinian people and the other Arabs of the occupied territories.

36. **Mr. Yaha** (Libyan Arab Jamahiriya) said that his delegation would like the Special Committee to expand its work to include an investigation into the difficult conditions in which the Palestine refugees were living in the refugee camps in States bordering upon occupied Palestine. In its thirty-second report, the Special Committee listed all the violations committed by the occupying authorities, such as the construction of new settlements and the expansion of existing ones, the confiscation of land, the destruction of homes, the cutting off of water supplies, the restrictions on freedom of movement, administrative detentions, arrests and the torturing of detainees. However, because the occupying authorities refused to allow the Special Committee access to the occupied territories, it could not give a true picture of the situation on the ground.

37. Every day, the nations of the world saw on their television screens the victims of the occupying authorities. The Palestinian people had no choice but to exercise their lawful right to defend their land. The Palestinians had few means of defending themselves, and stones had become a symbol of their struggle against the occupation. The struggle of the Lebanese, Syrian and Palestinian peoples enjoyed the support and sympathy of all the nations of the world, as reflected in the resolutions of the General Assembly. Those resolutions were the general expression of the will of the international community. At the same time, the Palestinian people and all the peoples which supported it had a sense of injustice, disappointment and bitterness at the inability of the Security Council to fulfil its obligation to maintain international peace and

security in respect of Palestine. The Council was unable to act because of the threat of veto by one of its permanent members.

38. The lack of will of the international community to resolve the Palestinian question and put an end to the sufferings of the Palestinian people created an atmosphere leading to violence and instability, not only in the Middle East but throughout the world. To prevent such a course of events, the international community must compel the occupying authorities to withdraw their forces from the occupied Palestinian, Syrian and Lebanese territories. At the same time, the international community should offer the Palestinians the opportunity to create their own State and to live, like all other peoples, on their own land in their own independent State, making their own contribution to the achievement of stability and development in the Middle East region.

39. **Mr. Assaf** (Lebanon) said that Israel was continuing its refusal to cooperate with the Special Committee in the implementation of the mandate entrusted to it by the General Assembly. It was continuing to violate human rights in the Occupied Palestinian Territory and the territories of the Syrian Golan and Lebanon, contrary to the resolutions of the international community, the principles of the Universal Declaration of Human Rights, the fourth Geneva Convention and the rules of international law. As for Israeli practices in the occupied Palestinian territory, he noted violations of human rights, which could be summarized in the following manner: Israel was continuing to occupy the Palestinian territories in violation of the relevant resolutions of the Security Council. That deprived the Palestinian people of its elementary and inalienable rights, such as the right to self-determination and the creation of an independent State with its capital in Jerusalem, and the right of the refugees to return to their homes. Israel was using force indiscriminately; that resulted in the deaths of civilians, and above all children, which was a violation of the Convention on the Rights of the Child. Israel was not fulfilling its obligations towards the Palestinian Authority. It had occupied new territories and towns which had previously been under Palestinian control. The policy of building new settlements and expanding existing ones in order to bring about a new demographic situation was continuing; that was a violation of the relevant resolutions of the Security Council. That policy was bolstered by the division of

the Palestinian territories, the unlawful building of roads and the destruction of buildings and farms. Israel was closing crossing-points, blocking movement and refusing to issue residence permits, and was also hindering assistance by international organizations, including UNRWA. Procedural norms were not being followed during investigations and detentions, and obstacles were raised to meetings between accused persons and lawyers. Judicial proceedings were conducted without lawyers, and administrative detentions took place, along with beatings and the torture of detainees.

40. As for Israeli practices in the occupied Syrian Golan, Israel was persisting in its refusal to withdraw its forces from the Golan, in violation of the resolutions of the Security Council. It had annexed the Golan and was continuing to reject any change in its stance on the matter, in flat contradiction of the relevant resolutions, according to which the annexation had no legal effect. Israel was endeavouring to alter the physical character of the Golan by establishing and expanding settlements and altering the demographic composition of the area.

41. On the question of Israeli practices against Lebanon, he noted that Israel was continuing to commit violations. Israel had placed an enormous quantity of mines in the Lebanese territory which it occupied; United Nations experts had calculated that there were about 130,000 mines. Following the withdrawal of the Israeli forces, 100 people had fallen victim to mine explosions. Israel was refusing to provide maps of the minefields. It was continuing to violate the sovereignty of Lebanon on land, at sea and in the air. In the period between September 2000 and September 2001, Israeli aircraft had committed 2,400 violations of Lebanese airspace. That was a matter for grave concern among the population. Israel was continuing to detain 13 Lebanese prisoners, some of whom had been in detention for almost a quarter of a century. That was a grave violation of the provisions of the fourth Geneva Convention.

42. **Mr. Djacta** (Algeria) said that, until Mr. Sharon had used tanks against the Palestinians, there had been real prospects for peace in the Middle East. Because of the actions of the Israeli authorities who had violated the rights of the Palestinians and of other Arabs living under Israeli occupation, the prospect of achieving peace had now become even more uncertain. The actions of Israel were a violation of international

humanitarian law and required the international community to ensure the creation of a Palestinian State. In that connection it was essential to pay greater attention to the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories as an instrument through which the international community could condemn Israel's actions in the occupied territories.

43. Israel continued to disregard the norms of international law and the agreements to which it was a party. Despite the condemnation by the international community of the escalation of violence, the building of settlements, the expulsion of Arabs from their homes, and the alteration of the demographic character and the natural environment of the region were continuing in the territories occupied by Israel. Israel continued to impose sanctions and embargoes, to blockade territories, and to freeze the resources of the Palestinian Authority in order to deprive it of the means of countering Israel's actions. That applied equally to the Syrian Golan and the occupied Lebanese territory. In violation of the fourth Geneva Convention and with the knowledge of the Israel Government, the security services were using the full panoply of means to fight the Palestinians, including the deliberate physical removal of Palestinian leaders whom they did not like. The report stated that, since the beginning of the intifada, over 600 Palestinians had been killed and some 20,000 wounded. The UNICEF report pointed out that thousands of Palestinian children had psychological problems as a result of the actions of Israel which used barbaric methods for dealing with demonstrators, involving rubber bullets, missiles and other weapons.

44. The introduction of Israeli forces into the Arab territories had involved the destruction of public and private property. All such actions were planned in advance, particularly the seizure of Orient House and of a number of other Palestinian institutions. Nothing now prevented Israel from closing down all the institutions of the Palestinian Authority. The seizure by Israel of Orient House was a provocation and an attempt to Judaize Jerusalem. Israel's actions were entirely illogical — on the one hand, it announced its willingness to engage in negotiations and, on the other, it was trying to weaken the Palestinian Authority as a negotiating partner despite the condemnation by the international community. Israel was continuing its

policy of blockading Palestinian territories from Jenin to Tulkarm. Such terrorist acts by the occupying Power were intended to isolate the Palestinians in their territory and to paralyse the work of the Palestinian Authority. Israel was also continuing to arm the settlers, to use torture, to destroy homes, to conduct armed patrols and to take other measures against the Palestinians. It would appear that, judging by Israel's actions, the norms for the protection of human rights did not extend to Palestinians and other Arabs.

45. Despite the fact that Israel was a party to the Vienna Convention on Diplomatic Relations, it was preventing United Nations officials from carrying out their duties. The actions of Israel were a threat to security in the region and the position of the Israeli Government, which rejected any initiatives to renew the peace process, was an obstacle to peace. It was therefore essential to condemn Israel's policy, to ensure the safety of the Palestinian people and take measures to make sure that Israel was held responsible to the Palestinians for the loss of human life and for the material damage caused.

46. **Mr. Mekdad** (Syrian Arab Republic) said that the report submitted by the Chairman of the Special Committee was factually specific and objective. It was essential to strengthen the work of the Special Committee and to enable it to carry out its activities in the occupied territories. Since the creation of the Special Committee, Israel had persisted in refusing to cooperate with its members. That was hardly surprising as the Israeli Government was unlikely to cooperate with delegations whose business was to draw attention to terrorism and other actions in relation to the Palestinian people that were gross violations of human rights. The occupation of the Golan Heights had been accompanied by actions and legislation to expropriate land, to create Jewish settlements and to attract from abroad thousands of new settlers in order to colonize the territory. At the same time, the indigenous inhabitants of the Syrian Golan were denied freedom and basic human rights.

47. Since 1947, Israel had continued to disregard international instruments and resolutions and had persisted in its policy of colonizing the Golan Heights. The Israeli occupying forces had driven out the indigenous inhabitants from 244 villages which had then been destroyed. Israel was continuing to create new settlements in the Golan Heights and was expanding existing settlements in pursuit of its

colonization plan. About half a million Syrians who had been expelled from the Golan Heights during the occupation were waiting to return to their homes. The Israeli settlers in the Golan Heights were continuing to build and extend the settlements, the number of which had risen to 40. That was a serious obstacle to the peace process which was premised on the withdrawal of the Israeli forces from all the territories occupied since 1967. At the same time, the actions of Israel were degrading the environmental conditions in the Golan where, according to available information, Israel had buried three tons of radioactive waste.

48. Oppression and torture were features of Israeli policy in the occupied Golan. Prison inmates were not allowed visits by relatives, were kept in dreadful conditions and subjected to cruel treatment. It was therefore obvious that Israel had no desire for a genuine and lasting peace. The aim of Israel was a peace that would enable it to continue its occupation of the Syrian Golan Heights and of all Palestinian territories and to conduct a policy that infringed human rights and disregarded international law. There were plans to build further settlements and to house new settlers in the Golan Heights. Those plans were a matter of surprise since the Government of Israel knew very well that persecution, injustice and oppression could not continue and that the occupied Golan Heights were part of the Syrian Arab Republic and would have to be returned.

49. Peace and occupation were mutually exclusive concepts. His country had stated on more than one occasion that it was essential to work towards the attainment of a lasting and just peace on the basis of Security Council resolutions and the principle of land for peace. If Israel wanted peace it should put an end to its illegal actions and its occupation. The Security Council should not remain silent in the face of Israel's crimes but should condemn them and make it change its policy. That policy was the main obstacle to the establishment of peace and security in the region and throughout the world.

50. **Mr. Chowdhury** (Bangladesh) said that the report that had been submitted detailed systematic violations of the rights of Palestinians under foreign occupation which had already lasted three and half decades. The sufferings of the Palestinians were exacerbated by Israel's policy of suppressing any opposition by the civilian population and by its use of means such as detention, torture and expulsion.

However, all those actions, which were carried out under the pretext of security, could not crush the spirit of the Palestinian people.

51. Under the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, occupying Powers were obliged to safeguard the basic human rights of people under their occupation. Despite all appeals and the resolutions that had been adopted, Israel continued to trample on the rights of the Palestinians, including their right to land, and to establish its own settlements in the occupied territories, thereby defying the entire international community and violating the agreements reached in Oslo. Because of the excessive and widespread use of force by Israel, in the past year alone over 660 Palestinians had been killed, a significant portion of them women and children. His country demanded the full and immediate withdrawal of Israeli forces from the occupied Palestinian territories and an end to the policy of the deliberate elimination of Palestinian political leaders and activists.

52. His country fully endorsed the recommendations of the Mitchell Committee as a means of restoring dialogue between the Palestinian leadership and Israel. Unfortunately, Israel continued to oppose the implementation of those recommendations by imposing unjustified demands and preconditions. The international community should exert pressure upon Israel so as to persuade it to abandon its practices in the occupied territories, which were a matter of grave concern to the people and Government of his country, and to demonstrate its solidarity with the Palestinian people and its support for the legitimate and inalienable right of the Palestinian people to a sovereign and independent homeland.

### **Organization of work**

53. **The Chairman** said that the last speaker on the list had spoken and that he proposed to close the list of speakers to take the floor in the general debate on agenda item 88 at 6 p.m. that day.

54. *It was so decided.*

55. **The Chairman** said that, in connection with the discussion of the UNRWA report under agenda item 87, a number of draft resolutions had been introduced which were scheduled for adoption on Friday, 9 November, at the close of the discussion of item 88. A number of delegations had told him that on Friday and

subsequent days, they would be very busy in connection with the arrival of representatives from their capitals for the general debate of the General Assembly. In view of that, he proposed to hold the meeting on Friday, 9 November, in the morning rather than in the afternoon. In that connection, he drew attention to draft resolution A/C.4/56/L.8, which had been submitted under agenda item 87, and reminded those wishing to take the floor on agenda items 87 and 88 to have their names added to the list of speakers. The next meeting of the Committee would be held on Thursday, 8 November, at 10 a.m.

*The meeting rose at 1.35 p.m.*