



UNITED NATIONS

**SECURITY COUNCIL
OFFICIAL RECORDS**

TWENTY-THIRD YEAR

1453rd MEETING: 20 SEPTEMBER 1968

NEW YORK

CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1453)	1
Adoption of the agenda	1
The situation in the Middle East: Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/. . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

FOURTEEN HUNDRED AND FIFTY-THIRD MEETING

Held in New York on Friday, 20 September 1968, at 11 a.m.

President: Mr. G. IGNATIEFF (Canada).

Present: The representatives of the following States: Algeria, Brazil, Canada, China, Denmark, Ethiopia, France, Hungary, India, Pakistan, Paraguay, Senegal, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1453)

1. Adoption of the agenda.

2. The situation in the Middle East:

Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819).

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 17 September 1968 addressed to the President of the Security Council by the representatives of Pakistan and Senegal (S/8819)

1. The PRESIDENT: The representatives of Jordan and Israel, in letters dated 18 September 1968 which have been circulated in documents S/8822 and S/8823, respectively, have requested to be invited to participate without vote in the discussion of the question now placed on the agenda. In accordance with the usual practice of the Council and if I hear no objection, I propose to invite the representatives of Jordan and Israel to take places at the Council table in order to participate in the discussion without the right to vote.

At the invitation of the President, Mr. M. H. El-Farra (Jordan), and Mr. Y. Tekoah (Israel) took places at the Council table.

2. The PRESIDENT: This morning, before the meeting, I received a request to participate from the representative of the United Arab Republic. The letter will be circulated in due course. If I hear no objection, I propose to invite the representative of the United Arab Republic, on the usual conditions, to take a place at the Council table in order to participate in the discussion without the right to vote.

At the invitation of the President, Mr. M. A. El Kony (United Arab Republic) took a place at the Council table.

3. The PRESIDENT: The Security Council will now begin its consideration of the question placed on its agenda at the request of the representatives of Pakistan and Senegal in their letter of 17 September 1968 [S/8819], which refers to the note of the Secretary-General circulated in document S/8699, of 31 July 1968. I should also like to draw the attention of members of the Council to the draft resolution submitted yesterday by the delegations of Pakistan and Senegal, which has been circulated in document S/8825.

4. Mr. BOYE (Senegal) (*translated from French*): The delegations of Pakistan and Senegal have the honour to submit to the Security Council a draft resolution of a humanitarian character which I should now like to introduce.

5. First, I wish to make a correction to the English version of the draft. The words "Calls upon" in paragraph 2 should be replaced by the word "Request". The French text, being the original, is correct.

6. The Council will recall document S/8699, dated 31 July 1968, containing a note by the Secretary-General. In that document, the Secretary-General analysed the background of the humanitarian question with which we are dealing today and expressed regret "that these considerations involving the well-being of a great many people, cannot be given sufficient priority and be regarded as having sufficient urgency to override obstacles such as those that have been encountered thus far" [S/8699, para. 22].

7. By introducing into the discussion matters which are entirely foreign, in law and in fact, to the humanitarian procedure which the Secretary-General wished to pursue, the Israeli Government has actually prevented the implementation of resolution 237 (1967) of 14 June 1967. Consequently, the Secretary-General has been unable to report positively to the Council on the security, welfare and safety of the inhabitants of the areas occupied by the Israeli forces following the hostilities of 5 June 1967.

8. What is the real issue? At its 1361st meeting on 14 June 1967, the Security Council adopted its resolution 237 (1967). After considering first that there was "urgent need to spare the civil populations and the prisoners of war in the area of conflict in the Middle East additional sufferings", secondly that "essential and inalienable human rights should be respected even during the vicissitudes of war" and thirdly, that "all the obligations of the Geneva Convention relative to the Treatment of Prisoners of War... should be complied with by the parties involved in the conflict", the Council called upon "the Government of Israel to ensure the safety, welfare and security of the

inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities”.

9. The Council further recommended “to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions of 12 August 1949”.

10. What is the significance of this resolution? In the first place, the resolution was adopted on 14 June 1967, that is, immediately following the hostilities of 5 June; that is why it repeatedly refers to the Geneva Conventions of 1949 relating in particular to the treatment of prisoners of war and the protection of civilian persons in time of war. That is the first point, to which our draft resolution does not refer for the moment.

11. Secondly, and this is the most important point, not only for emotional reasons but primarily because it involves respect for the principle of self-determination of peoples and the effective implementation of human rights, which can never be negotiable; these peoples, these Palestinians whose lands have been occupied, whose possessions have been confiscated, are entitled to the respect and protection of the international community. The international community must be informed of their fate as a result of foreign occupation. Here I should like to recall that the Security Council emphasized the urgent need to spare the civilian population in the area—I stress the word “area”—of conflict in the Middle East additional sufferings. I do not know the precise meaning of the word “area” in English, but I can assure you that in French the word “zone”, by which it is translated, is a geographical entity far more limited than a “territory”, unless—and I stress this, as does our draft—the term “territory” is restrictively defined.

12. Resolution 237 (1967) then concerns only those portions of land on which fighting took place and which were then forcibly occupied by Israel. I do not think that there is a single representative of a member of the Security Council at this table who would go so far as to say that that resolution also covers the protection of ethnic minorities in other countries of the world. As Chairman of the Commission on Human Rights for the year 1968 and having studied the lot of minorities in various foreign countries, I should like—and I apologize for these words—to sound a warning to anyone who might seek to raise the question of the situation and conditions of minorities living in foreign countries in connexion with that resolution. May I cite one example? In South Africa and Rhodesia, millions of blacks, although constituting a majority, live under the repressive and degrading yoke of white racist rulers. All African nations are aroused against this situation, and the African peoples feel the affront to their human dignity. They are doing everything in their power to free their brothers from these bonds of slavery. Those African peoples also know that in some countries there is racial discrimination against blacks. Nevertheless, their Governments have never asked for an investigation of the conditions under which those blacks live, for the simple reason that those blacks are nationals of the countries in which they live and suffer or, if they are not nationals, then residents subject to regulations applicable to all aliens living in those countries.

13. That is why I said earlier that Israel was trying to introduce into the discussion matters which were alien to the real problem of Palestine. Personally, I can only deplore the fact that the Government of Israel should have employed procedural manoeuvres to prevent the dispatch of a Special Representative of the Secretary-General. I sincerely hope that on this occasion the Government of Israel will co-operate fully with the representative whom the Secretary-General will send to the occupied areas if, as I hope, the draft resolution which Pakistan and Senegal have the honour to submit to the Council is adopted unanimously, as soon as possible.

14. The report that will be submitted to us upon the conclusion of that mission will enable us to form an accurate opinion on the fate of those Palestinians.

15. I shall not use fine words or grandiloquent phrases. I shall not even appeal to the conscience and morality of the international community. I shall merely ask you at this time when we are celebrating the twentieth anniversary of the Universal Declaration of Human Rights, to help to ensure respect for the inalienable rights of a people condemned to abandon their most sacred possessions, to take leave of their families and friends and to wander in poverty, in loneliness and in fear, exposed to the inclemencies of a climate whose rigours we all know.

16. Mr. YUNUS (Pakistan): The Security Council has been considering the situation in the Middle East continuously for several weeks. We have been concerned with grave issues having a direct bearing on the fabric of peace in that region. Today we are again seized of a question concerning the Middle East, but the issues involved in our deliberations are not of a political nature—they bear essentially a moral and humanitarian character.

17. One thing stands out clearly in the Secretary-General's note in document S/8699, and it is this: Israel has raised certain issues entirely irrelevant to Security Council resolution 237 (1967) in order to becloud the fact that the Council addressed a clear call to Israel to ensure the welfare and the fundamental rights of the inhabitants of territories under its military occupation since June 1967.

18. The Secretary-General has firmly and rightly refused to be deviated from the path of his duty as laid down by this Council in resolution 237 (1967). His report is as lucid in its expression as it is comprehensive in its content. I need refer only to a few significant points made in it, as the Ambassador of Senegal has already so ably dealt with it.

19. First, the Secretary-General's note categorically states that the records of the debates in the Security Council and the General Assembly on the two relevant resolutions disclosed no reference to the possible inclusion of the Jewish communities in the Arab States as a concern of the resolutions. The records of the discussion preceding the adoption of the Security Council resolution demonstrate that it was concern for the inhabitants of the occupied areas, of areas where military operations had taken place, that motivated that resolution.

20. Second, the first preambular paragraph of Security Council resolution 237 (1967) does not say “in the

territory of States parties to the conflict", but "in the area of conflict", which is a more limited geographic concept.

21. Third, the reference to "areas where military operations have taken place" in operative paragraph 1 of the Security Council resolution is even more explicit and, in the absence of anything in the resolution to the contrary, this phrase must be considered relevant to an interpretation of the term "Governments concerned" in the succeeding operative paragraph 2.

22. We are entirely in agreement with this interpretation. No amount of juggling with the term "Governments concerned" will make resolution 237 (1967) applicable to any territories other than those under the military occupation of Israel. To try to construct another interpretation on that basis is to try to build a castle of sand.

23. In fact, the import of resolution 237 (1967) is crystal clear. It is simply a call addressed by this Council to Israel; and the Council had good reason to address this call to Israel. The cease-fire resolution of June 1967 had failed to include a call for withdrawal of Israeli armed forces to positions held by them before the hostilities of June 1967. The merits of this decision of the Council are not here at issue; but what must be said and said again is that, having suffered Israel to remain in military occupation of territories which everyone agreed did not belong to it, the Council did not turn a blind eye to the inhabitants of those territories. On the contrary, it called upon the Government of Israel to: "ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities".

24. In dealing with the Secretary-General's note and with the draft resolution which has been so ably presented to the Council by the Ambassador of Senegal and which the delegation of Pakistan has the honour of co-sponsoring, the Council is seized of a matter for which it has a moral responsibility. It is the clear duty of the Council to ensure that, pending final settlement of the political issues, the people who have been left under Israeli military occupation are not denied their fundamental rights.

25. To attempt to defeat the Secretary-General's mission in the implementation of the Council's resolution 237 (1967) is, in fact, an attempt to deny this Council the opportunity of discharging its moral duty. It is simply an attempt to bury a humanitarian question under the debris of political issues. This attempt must be resisted. The full moral weight of this Council should be brought to bear upon this situation.

26. The PRESIDENT: I call on the representative of Jordan.

27. Mr. EL-FARRA (Jordan): Mr. President, my delegation is grateful to you for convening this meeting, and to the Permanent Representative of Senegal, Ambassador Boye, and the acting Permanent Representative of Pakistan, Mr. Mohammad Yunus, for bringing this important report of the Secretary-General before the Security Council. What is before us today involves the authority and indeed the

effectiveness of the Security Council. The issue to be determined by the Security Council is a very simple one—should Israel be permitted to defy the injunction of this Council calling for the security, welfare and safety of the inhabitants in the occupied Arab territories, or not? The facts are clear. On 14 June 1967 the Security Council adopted resolution 237 (1967). It was quoted fully this morning in the able statement of the representative of Senegal, Ambassador Boye, and I therefore need not read it out again. That resolution was later welcomed with great satisfaction by the General Assembly in its resolution 2252 (ES-V) of 4 July 1967.

28. On 18 August 1967 the Secretary-General reported [*S/8124*] that he had sent Mr. Gussing to the Middle East early in July to obtain on-the-spot information required for the effective discharge of his responsibilities under paragraph 3 of Security Council resolution 237 (1967). Mr. Gussing visited the area and submitted his report, which was incorporated in the Secretary-General's report of 2 October 1967 [*S/8158*].

29. At a later stage Ambassador Thalmann, the personal representative of the Secretary-General, visited Jerusalem on another fact-finding mission and his findings were also included in a report of the Secretary-General, that of 12 September 1967 [*S/8146*].

30. The information in both reports explains why the Israelis refused to co-operate with the Secretary-General when he indicated the usefulness of and the need for sending a representative to the area. The Israelis resorted to devious means to frustrate the work of the Secretary-General. They claimed that the new mission should also look into the conditions of the Jewish minorities in the United Arab Republic, Syria, Iraq and Lebanon. By this, they attempted to rewrite Security Council resolution 237 (1967), an attempt which obviously was not and could not be acceptable to the Secretary-General nor, I am sure, to the Security Council.

31. On 27 June 1968 the Secretary-General, replying to the Israeli attempt, said the following:

"Permit me to observe in passing that the projected mission, which would operate under the resolutions cited above, would not, broadly speaking, be concerned with minority groups in the area. Indeed, the Arab people in the area constitute not a minority but virtually the total population of the territories under military occupation. The Jewish communities in the Arab States are, of course, minority groups on a religious basis but it is a factor of importance that the members of these communities for the most part are, in fact, citizens of the Arab States in which they reside." [*S/8699, para. 8.*]

32. Again on 15 July 1968 the Secretary-General, in a letter to the Israeli representative, expressed his regrets concerning the conditions put forward by Israel. He also enclosed a brief legal analysis which repudiated Israel's interpretation of resolution 237 (1967). He said:

"Under a strictly legal interpretation of Security Council resolution 237 (1967) of 14 June 1967 and General

Assembly resolution 2252 (ES-V) of 4 July 1967 it is clear that they do not apply to minorities in the territories of even those States most directly concerned. Operative paragraph 1 of Security Council resolution 237 (1967) calls upon Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place. This paragraph applies without question to the area occupied by Israel since June 1967. Strictly interpreted it would not, however, apply to Arabs in, for example, Nazareth or Haifa, and of course could not apply to Jewish persons in Arab States since paragraph 1 is addressed solely to Israel." [Ibid., para. 10.]

33. The Secretary-General concluded:

"I strongly feel that the inability to dispatch the mission is not only regrettable but also that the obstacles to its dispatch could be easily surmounted, given the will to do so. That is why I have urged that the scope and terms of the new mission afford a good enough basis for acceptance of the mission by both parties.

"The first humanitarian (Gussing) mission went out without anything approaching the sort of difficulty about its scope and terms of reference which has been encountered in the effort to establish the second mission. I have emphasized time and again, orally and in writing, that the projected second mission is to have the same scope and terms of reference as the first. I find it hard to believe that there can be any doubt or confusion in anyone's mind about this. Thus, if the Gussing mission was acceptable and accepted, and given the necessary access and co-operation, it is not apparent to me why the second mission should not enjoy the same treatment." [Ibid., paras. 15 and 16.]

34. Finally, the Secretary-General said:

"The projected second mission, which has been the subject of this report, would be concerned exclusively with humanitarian matters. It is most unfortunate, in my view, that these considerations involving the well-being of a great many people, cannot be given sufficient priority and be regarded as having sufficient urgency to override obstacles such as those that have been encountered this far." [Ibid., para. 22.]

35. The question arises: why are the Israelis objecting now to sending the fact-finding mission to the occupied territories? For an objective observer in the Middle East it is not difficult to see why the Israelis are resisting an impartial investigation. They have already been exposed, in the two previous reports, to world public opinion, and further investigation would uncover further evidence of criminal acts and lawless Israeli behaviour. The Israelis may succeed for a time in concealing, wholly or partially, their policies in the Gaza Strip and the west bank and their treatment of the inhabitants of the occupied areas, but the truth will eventually emerge despite Israeli tactics.

36. The world should know that:

First, the Israelis have denied protection to the inhabitants; they have denied the safety, welfare and security which resolution 237 (1967) stressed;

Second, the Israelis have unlawfully interfered in the religious rights of the inhabitants;

Third, the Israelis have forced prisoners of war to take part in services of military production, which would be used in war operations against their country;

Fourth, the Israelis have arbitrarily arrested many innocent individuals without trial and tortured many others;

Fifth, the Israelis have expelled thousands of Palestinians and many of their leaders from Sinai, and the Gaza Strip and from the west bank of Jordan to the east bank;

Sixth, the Israelis have ignored the laws of the occupied territories, changed the status of officials and judges, and promulgated Israeli laws in direct violation of international law and practice;

Seventh, the Israelis have destroyed Arab houses and confiscated Arab property;

Eighth, the Israelis have settled Jewish groups on Arab lands in occupied territories;

Ninth, the Israelis have imposed harsh and discriminatory and economic measures on the inhabitants of the occupied territories;

Ten, the Israelis have committed acts leading to the systematic destruction of the essential foundations of the life of the Palestine people.

37. If the Israelis follow their usual pattern of behaviour in this Council, we can expect them to deny each and every one of these charges. The Council, which is acquainted with Mr. Tekoah's performance here, certainly will not be surprised to witness the same performance today. This denial, however, would not suppress the truth. It would reinforce the fact that there is only one way to find out, and that is by on-the-spot investigation. We are not surprised that the Israelis are afraid of the projected investigation, because they are afraid of the truth.

38. Let us turn to the charges which I have just cited. In the first place, we have charged the Israeli authorities with denying the right of the inhabitants to protection, safety, welfare and security—a right emphasized in resolution 237 (1967) unanimously adopted last year and sponsored by the delegations of Argentina, Brazil and Ethiopia. The Special Representative would be in a position to verify this charge for himself.

39. The Israeli practices and means of intimidation aimed at terrifying the people and subjecting them to all manner of coercion and pressure were lately manifested before the whole world in the Holy City of Jerusalem itself. This was communicated to the Council in my letter of 19 August 1968 [S/8750]. Israeli mobs savagely attacked Arab residents in Jerusalem, stoned Arab taxis and buses, smashed windows, and seriously wounded scores of civilians. Looting took place and Arab stores were attacked and property

destroyed. Two weeks later, Israeli mobs savagely attacked Arabs in Tel Aviv and Jaffa. Not a single Israeli was detained or tried for these acts. Such outrages upon individuals and their personal dignity, such humiliating and degrading treatment, such torture and cruelty, continued grave Israeli violations of the Security Council injunction—all this can be verified by the Secretary-General's representative.

40. Secondly, we have charged the Israelis with unwarranted and unlawful interference in the religious rights of the inhabitants. Respect for the religious convictions and practices of the inhabitants of occupied territories is a well-known principle of international law. The Israelis should cease interfering in the daily religious practices and worship of the people. They should not interfere in the administration of religious institutions. As it is, the Israelis have confiscated the income of Waqf, an Islamic endowment institution, properties and thus deprived Holy Places and Islamic orphanage institutions of their only source of maintenance and upkeep.

41. Ambassador Thalmann reported to the Council through the Secretary-General's report of 12 September 1967 [S/8146] the shock of Christian and Moslem populations by Israeli acts which violated the sanctity of their religious shrines.

42. On previous occasions we have brought to the attention of the Council the case of the deportation of the highest Moslem leader, Sheikh Abdul Hamid Assayeh. What is more, places of worship are allowed to be used for acts of indecency and immorality by Israeli teenagers. The use of the Moslem Holy Mosque Al-Aqsa as a background for an Israeli fashion show, displaying Jewish girls in miniskirts, is a glaring example of the contempt of the Israeli authorities for the second holiest place of the Moslems.

43. Jerusalem, the centre of worship and reverence, has become a place for sin and immorality. For the first time in 2,000 years, the Holy City has become a centre for prostitution. According to *The New York Times* of 31 August 1968, Israeli prostitutes have come to Jerusalem from Haifa. No effective Israeli action has been taken against such desecration of the Holy City.

44. Perhaps this is exactly what the Israeli officials were aiming at. One cannot but wonder whether, according to their plans, Jerusalem is to become, not a city surrounded by an aura of reverence and divine love, but a second Sodom or Gomorrah. Christians, no less than Moslems, would feel a deep pang of pain if this were indeed to come to pass, and the highest and holiest thing demeaned and made over by anti-religious alchemy into so many tourist attractions to bring in more revenue to the Zionist movement.

45. On 11 August 1968, sixty-four prominent Arab women of Jerusalem protested to the Prime Minister of Israel against the opening of night clubs and other indecent and immoral entertainment places. That protest and other documentation were circulated this morning in document S/8820.¹ The Arab women referred to the spread of

gambling and addiction to morphine and other drugs. However, neither the letter of the Arab women nor other protests helped to put an end to such immoral Israeli behaviour.

46. The situation deteriorated further. The spread of night clubs and places of immoral entertainment in the Holy City very near to such shrines as the Holy Sepulchre increased. This time the Archbishops of various religious Christian communities had to intervene and make their voices heard. They appealed to U Thant for intervention. In a cable dated 27 August 1968 Bishop N. Simaan, Roman Catholic Church; Archbishop Assaf, Greek Catholic Church; Archbishop Deodores, Greek Orthodox Church; Father A. Zehtelawie and Father Haroutian Diuleghian of the Armenian Orthodox Church; Reverend Sh. Farah, Anglican Church and Reverend B. Touma, Syrian Orthodox Church, asked the Secretary-General to protect the Holy City from Israeli immoral acts and violations.

47. I shall read out their cable in full so that it can be embodied in the verbatim record of today's meeting. It reads:

"The spread of night-clubs and places of immoral entertainment in Arab Jerusalem at the hands of the Israeli occupation authorities conflicts with the sanctity and spiritual traditions which this city enjoyed throughout the ages.

"The profanation of this Holy City is the inevitable result of Israel's continuous attempt to Judaize Jerusalem and to annex it in utter disregard to the successive United Nations resolutions.

"We condemn these immoral actions and appeal to Your Excellency to send a representative to inform you of the realities of the situation in order to protect the Holy City from such immoral acts and violations."²

48. Certainly that message from Palestine religious leaders is a reminder to this Council that what the Israelis are doing does not reflect the great message that Jerusalem, the great centre of religion, has to deliver.

49. Thirdly, we have charged the Israelis with forcing prisoners of war to take part in services, be they engineering or technical, of military production which would be used in war operations against their own people and country. Many cases of this kind were reported to us by reliable sources.

50. Fourthly, we have charged the Israelis with torturing prisoners and arbitrarily arresting individuals and detaining them without trial. The Special Representative, if given freedom of action to meet people unaccompanied by Israelis, would have much to hear about Israeli torture and inhuman crimes. I say, unaccompanied by Israelis, because their presence by itself amounts to undue pressure and coercion. Mr. Gussing, in his report, reminded us that:

"... it would have been of great psychological importance and would have provided for franker exchanges for

¹ Official Records of the Security Council, Twenty-third Year, Supplement for July, August and September 1968, document S/8820.

² Ibid., annex I.

the Special Representative and for the people to whom he spoke if he had had the opportunity to meet and talk without witnesses to whomever he wished." [S/8158, para. 9.]

That view was conveyed to the Israeli Government, but without result.

51. On the question of torture, my Government received the following information about methods used against Arab inhabitants of the west bank and the Gaza Strip who had been arrested by the Israelis and who are still detained without trial. Those methods include: burning of eyelashes by cigarettes, throwing hot cigarette ashes in the eyes, amputation of nails, electric shocks, hitting brutally and clubbing, starving the prisoners and having them sleep without blankets on cold nights, and putting a person's head deep into water until he becomes unconscious. We have seen some of that on television with respect to other areas. More severe and shameless methods are also used by the Israelis.

52. One hundred and seventy-eight ladies from the west bank sent a letter on 24 July 1968 to the Israeli Military Governor emphasizing the savage attacks of Jewish prostitutes on certain prominent Arab ladies, arbitrarily detained in the same prison. This occurred to such a degree that the Arab ladies were beaten into unconsciousness. The letter cited the names of these women victims who come from respectable families. Marks of this savage treatment were still obvious on the faces and bodies of these victims. That letter is incorporated in document S/8820,³ which was circulated this morning.

53. Representatives of all women's organizations and institutions in Jerusalem warned about the effects of such ugly behaviour, which is in direct violation of basic ethics, civilized norms, human integrity and conscience. They requested the immediate release of the imprisoned ladies but those appeals, petitions and continued requests did not bring any result. The crimes are continuing and the Security Council can draw its own conclusions about why the Special Representative is not permitted to enter and see for himself and look into those unfortunate cases.

54. Moreover, the leaders of the west bank, from all walks of life, including religious figures, petitioned the Israeli Military Governor of the west bank and referred to the fact that the people arrested were subjected to all kinds of torture and intimidation. In their torture the Israelis did not differentiate, they said, between the elderly and the young, or between men and women. They emphasized that the tortures were carried out with the cognizance of the Israeli authorities. In their petition of 24 July 1968, they said that many of those tortured were later proven innocent. However, it was too late, for many of them had become handicapped for the rest of their lives. A copy of the letter was sent to U Thant,⁴ to the International Red Cross and to foreign consuls in Arab Jerusalem.

55. Certainly when the Special Representative is able to visit those prisoners and to meet with any of those people,

he will be able to expose many facts to the Security Council, facts which could be proven beyond the shadow of a doubt.

56. Fifthly, we have charged the Israelis with undertaking continuous and forcible deportation and expulsion of Arab leaders and groups of inhabitants in violation of international human behaviour and United Nations resolutions. I will give only one example.

57. On 5 and 6 December 1967 Israeli occupation forces expelled 294 members of the Nuwaseirat tribe to the east bank of Jordan as is reported in document S/8290 of 8 December 1967.

58. On 20 December 1967 two prominent representatives from Jerusalem, namely, Ibrahim Bakir and Kamal Nassar, a former member of Parliament, were deported as stated in document S/8311 of 27 December 1967.

59. A few weeks later, Mr. Anton Attalah, former Minister of Foreign Affairs and one of the leaders of the Christian Arab community—he has been here and I am sure he is well known to many representatives around this table—was also deported.

60. In my letter of 7 March 1968 [S/8445], I reported that Mr. Rouhi El-Khatib, the Mayor of Jerusalem, who appeared before the Council this year, was arbitrarily deported by the Israeli occupying forces.

61. Hundreds of people from the Gaza Strip and the west bank were forced or encouraged to leave daily to the east bank of Jordan as reported in a letter dated 31 January 1968 from the representative of the United Arab Republic [S/8373].

62. The Israeli authorities have been trying to expel the 50,000 refugees of Jabalia camp in the Gaza Strip, commencing on 28 July 1968. These mass expulsions were the subject of my letters to the Secretary-General of 25 July 1968 [S/8691], 29 July 1968 [S/8698] and 5 August 1968 [S/8722]. Many of these people were forcibly carried in buses to King Hussein bridge and thus rendered refugees for the second time in twenty years. They are not allowed to go back to the Gaza Strip; they are forced by the Israeli forces to live in the Jericho area and wait for any opportunity for the Israelis to expel them to the east bank of Jordan.

63. Only two weeks ago, the Israeli occupying forces expelled three Arab leaders from Jerusalem and one from Al-Khalil-Hebron. These were: Mr. Kamal Dajani, a lawyer and former Minister of the Interior; Dr. Daoud El-Husseini, a former Member of Parliament; Miss Zleikha Shehabi, a leader of women's organizations; and Mr. Yasser Amre, a lawyer and prominent leader in Hebron. These arbitrary expulsions came only two weeks after the attacks of Israeli mobs on Arabs of Jerusalem as I said in my letter of 17 September 1968 [S/8817].

64. The stream of those expelled has not stopped since the cease-fire resolution. Thousands of people were forced to leave. The Israeli occupying forces are using all sorts of

³ *Ibid.*, annex II B.

⁴ *Ibid.*, annex II A.

arbitrary measures of intimidation and torture. Their aim is to change the demographic nature and Arab character of the occupied territories. After sixteen months of foreign occupation, there are fewer Arabs and more Jews in the occupied territories. More Israeli settlements are being built, and more Arab villages are being demolished.

65. The tragedy of Yalu, Beit Nuba and Imwas is a case in point. Here are three villages that were completely razed to the ground; the inhabitants either were expelled to the east bank or took refuge far away from their destroyed homes and lands in the Ramallah area. They were subjected to all kinds of pressure, to a state of misery. Today no help is reaching them, and they are forbidden to reach the sites of their villages and even to gather their own crops. They were asked to sell their lands to Israel, but neither hunger nor misery made them do so.

66. When the Israelis destroyed these villages long after the cease-fire resolution, they said this was done for security purposes, but security from what? The villages were on the Arab side of the armistice demarcation line. The area behind the demarcation line up to the Jordan River is now occupied by Israel. The Israeli military presence in the west bank by itself belies the Israeli contention and makes the claim that the villages were razed to the ground for security purposes utter nonsense. Moreover, if it is a question of security, why are the Israelis not permitting the farmers to cultivate their lands adjacent to the villages? And why were most of the villagers frightened and intimidated into crossing the river and leaving Israeli occupied territory? Was it not in order to make their lands absentee property ready for confiscation? Certainly, the leaders of Israel do not wish to receive the Special Representative. They have every reason for such an attitude. They do not want any individual or international body to uncover their crimes.

67. My sixth charge is as follows. We have charged the Israelis with ignoring the native laws of the occupied territories and with the promulgation of Israeli laws that aim at the requisitioning and annexation of more Arab lands and property. These Israeli measures are against the will of the people. They are in direct violation of international law and norms of behaviour.

68. Ambassador Thalmann, during his inquiry last year, was informed how the Israeli authorities applied Israeli civil laws to Jerusalem. They were rejected by the Arabs, not only because the laws of Israel superseded the existing Jordanian laws but because they were alien to their own traditions and religious beliefs.

69. The Israelis started with military decrees and orders. These limited freedom, especially political freedom, for the Arabs in occupied territories. Some of these orders prohibited innocent elderly people and children from returning to their homes. Other decrees of expropriation of Arab land and property followed. The so-called Absentees' Property Law was put into practice. By that law Israel thought it would give more legitimacy to its acts of expropriation and acquisition of Arab land and property. It is needless to mention that these measures and acts cannot be condoned or accepted by Jordan. Indeed, they are rejected by the

Security Council and the General Assembly. They were illegal acts. Such Israeli laws aiming at demographic change in the occupied territories culminated in the infamous Administrative Regulation Law, 1968, passed by the Knesset on 27 June 1968. Under the cloak of administrative regulations, the Israeli authorities are executing another stage of their long-range plans for turning what is Arab into something that is Jewish and Israeli. This law regulates in detail the economic and commercial, as well as the administrative, life in the occupied territories. It aims at a gradual and concealed change of what is Arab into Israeli. It is sufficient to comment on only a few of the articles in this infamous and unacceptable law.

70. In the "Abolition of absenteeism", which has been in effect since 1950 and which gave the Israeli Government a free hand to dispose of and confiscate Arab property under the new regulations, the Israeli authorities again discriminated against the Arabs. What applies to Israelis in retaining their property in Jerusalem does not at all arise or apply in the case of Arab property in the other part of Jerusalem or other parts of Israel. This is surely aimed at minimizing what is Arab and changing the demographic nature and character of Jerusalem and other parts of the occupied territories.

71. Paragraph (a) of Article 9 of the infamous Administrative Regulation Law, 1968, makes it impossible for Arab companies to exist. Indeed, it makes it imperative that these Arab companies be within a six-month limit affiliated or amalgamated with Israeli companies which will exercise authority over the merged Arab companies. Measures of this kind are intended to obliterate all traces of Arab economic independence and to leave Arabs in Jerusalem and elsewhere at the mercy of the foreign occupier.

72. All such decrees, laws and regulations are null and void and have no legal basis. The Security Council itself has called upon Israel to desist from such measures and to rescind all steps taken that may change the character or legal status of Jerusalem. That must also apply to other parts of the occupied territories.

73. My seventh charge is as follows. We have charged the Israelis with continued confiscation of property and looting of shops. International law requires that private property must be respected and cannot be confiscated. The Israelis have arbitrarily expropriated lands and offered them to Jewish settlers. They have annexed Jordan territory in violation of international law and Security Council and General Assembly resolutions.

74. International law considers a seizure of even public property as a punishable war crime under the provisions of article 6 B of the Charter of the Nuremberg War Crimes Tribunal; yet seizure of public and private properties continues.

75. During Mr. Gussing's visit to a refugee camp, a spokesman and a member of the Municipal Council drew his attention to continuing searches of the camps by Israeli forces, which frightened women and children at night, as well as continued looting of shops which created fear among shopkeepers. Long after the cease-fire resolution the

Israelis looted property in various places such as the Jericho District Co-operative Society. In that Co-operative Society, seventy-five houses, new houses, were left without anything but their walls standing. All furniture, electric equipment and even windows were looted.

76. We have also charged the Israelis with maliciously demolishing Arab houses. The mining of houses on the mere suspicion that arms have been found there or that they belong to a possible member of the national resistance has become a daily Israeli practice. In order to destroy one house, the Israelis use destructive explosive material in quantities sufficient to destroy not only the house selected for demolition but many of the adjacent houses as well.

77. The intention is to force more evacuation and more Arab immigration. It is a part of a policy aimed at mass deportation of civilians from occupied territories.

78. Eighth, we have charged the Israelis with the establishment of Israeli settlements on territories of sovereign States Members of the United Nations. Israeli settlements have been established in the west bank, the Golan heights, Gaza and Sinai. Arab lands and property were confiscated and some villages demolished to make room for Jewish settlement, and Arab inhabitants were expelled to vacate the territory for Jewish settlers. At the beginning of the occupation, this was most obvious in Jerusalem and its neighbouring villages. Documents S/8634 of 13 June 1968 and S/8666 and S/8667 of 3 and 5 July 1968 give only a few examples of these Israeli settlements erected on the territory of a sovereign country. Another Jewish settlement followed in the city of Al-Khalil-Hebron as is stated in my letter of 3 June 1968 [S/8609].

79. In my letter of 18 July 1968 [S/8685], I attached a map which was circulated among the participants in the twenty-seventh World Zionist Congress held in Jerusalem during the month of June 1968. The map depicted the creation of some thirty-five new Jewish settlements. The majority of these were even then to be established on the occupied territories of sovereign countries. Some have already been established in the Golan heights and in the west bank. This was confirmed in *The Times* of London of 20 June 1968.

80. These settlements carried out by Israeli official departments are part of the expansionist and annexationist plans to achieve "Greater Israel". This should not be accepted by the Council members or any other sovereign State. Many of these settlements are built at the expense of new Palestinians who have been expelled and rendered homeless even since the cease-fire resolution.

81. Ninthly, we have charged the Israelis with imposing economic control on the inhabitants of the occupied territories in order to promote Israel's own selfish interests. In the report of the Secretary-General of 2 October 1967, Mr. Gussing summarized the economic conditions in the occupied areas in these words:

"... if there should be a delay in the resumption of normal economic life both on the west bank and in the Gaza Strip, a considerable portion of the population in

these areas would suffer a decline in living standards and ... nutritional problems might develop" [S/8158, para. 92].

82. This situation was not remedied by the Israelis. Instead, they showed a systematic lack of interest in the elementary economic needs of the inhabitants of the occupied territories. Deliberate attempts were made to sack and disrupt the native economies.

83. Taxation and custom duties were arbitrarily imposed. The inhabitants of the occupied territories were compelled to buy only Israeli commodities, Israeli goods at Israeli prices. The policy adopted for the import of goods is a policy not of an occupied territory but of an annexed territory. Priority and consideration are given to the protection of Jewish interests in Israel, not to the interests of the indigenous inhabitants of these territories. On the other hand, products of the inhabitants are subjected to strict regulations aimed at creating conditions of poverty as a means of pressure for voluntary Arab immigration. These Israeli practices violate principles of basic human decency and justice.

84. The closing of all banks in Arab territory occupied by Israel and the confiscation of all funds and assets were intended to serve the goal of disrupting the economy of these territories. According to Ambassador Thalmann's report, he was informed that the measures already introduced by Israel with respect to taxes, customs duties, licences, absentee properties and other economic matters were considered oppressive and that there was a growing feeling of economic strangulation.

85. Tenthly and finally, we have charged the Israelis with committing acts leading to the systematic destruction of the essential foundation of the life of the Palestine people. The main objective of this obvious Israeli plan is the disintegration of the political and social institutions, of the culture, language, national feelings and religious and economic existence of the Palestine people, as well as the destruction of the personal security, liberty, health, dignity and even, as I have shown earlier, the lives of the Palestinians. Those are acts of genocide that come squarely within the definition of the Genocide Convention. The late professor Raphael Lemkin, himself a Jewish non-Zionist scholar, emphasized that even the hindrance and destruction of cultural activities are genocide. So also is the destruction of libraries, archives and museums.

86. This is the case of the people of the Arab occupied territories. Israel's crimes are obvious, as is also the treacherous spirit which motivates them. Israel's refusal to accept the Special Representative needs no explanation. The ten charges I have just brought forward against Israel are an additional reminder of how Israel is violating its Charter obligations, supposedly accepted when it became a United Nations Member.

87. The Security Council should not condone, by its inaction, the crimes of Israel. It is incumbent upon the Council to remedy the human conditions of the people of the Holy Land. Only by demanding that Israel co-operate with the Secretary-General and facilitate the mission of his

Special Representative can the Security Council justify the hopes placed in it by the peoples now being subjected to Israeli suppression, as well as the hopes of the peoples of the world that the United Nations can bring stability and justice to them.

88. When I speak of the people of the Holy Land, I should like to speak of the people of the world; the Christians in the Holy Land, the Moslems, all those in every continent, Asia and Africa, no less than Europe and America, who cherish their shrines. All religions and all communities have a stake in what happens in the Holy Land. Jordan expects all members of the Council to share in the responsibility. The responsibility, indeed, more than ever rests on you, the Security Council. The world will mark your action.

89. The PRESIDENT: The next speaker on my list is the representative of Israel, on whom I now call.

90. Mr. TEKOA (Israel): As the Security Council meets in urgent session on the eve of the twenty-third General Assembly, the world can but wonder what has brought about this event. Is it in order to hear that the Arab States are ready to terminate the Middle East conflict and conclude peace with Israel that we are being convened? Is it to announce that the Arab States wish to end their continued warfare against Israel that we are called into session? Is it because the Arab States intend to abandon the Khartoum policy of no peace, no negotiations, no recognition of Israel, that we meet today?

91. None of these reasons motivates the new Arab-initiated complaint. It is in order to argue that anti-Jewish discrimination and oppression, anti-Jewish laws, anti-Jewish incitement and physical attacks should be ignored by the United Nations, that the Arab Governments have decided on another debate in the Council.

92. The complaint before the Security Council is but a reflection of continued Arab hostility and intransigence, an expression of the Arab refusal to advance towards a just and lasting peace. Indeed, it should be evident to its initiators, its sponsors and those who support them that, far from contributing to the promotion of understanding, this step heightens tension, increases differences and imprisons us again in the straitjacket of sterile acrimony. It is an unhappy welcome to Ambassador Jarring, who is on his way to New York to pursue his efforts towards attainment of agreement between the parties. Surely it is obvious that through agreement and peace the present situation of cease-fire lines and military administration would be replaced by recognized boundaries and normal government. It is regrettable that the Arab Governments are delaying this process.

93. The complaint before us purports to be motivated by humanitarian considerations and concern for the plight of civilian populations.

94. Do the Arab States believe for a single moment that the world is not aware of their crimes against humanity, or that it is ready to forgive them for those crimes? Do the Arab States really believe that the world has forgotten Arab aggression against Israel since 1948, and the concerted

campaign launched in 1967 to stifle Israel altogether, to throw its people into the sea, to deny it not only the right to independence but also the right to life?

95. Here is Jordan, the invader of 1948, the aggressor of 1967, the country that destroyed all Jewish communities in the territories occupied by it in 1948, the country that did not leave a single Jew within its borders, the desecrator of Jewish Holy Places, shrines and cemeteries; it is Jordan whose armed forces were issued on the eve of the June war, official written instructions to massacre Jews indiscriminately, whether men, women or children, that claims now to be concerned about human rights.

96. The Arab complaint arises from a proposal made by the Secretary-General last February to Israel and to the Arab Governments, to dispatch to the Middle East a second representative on a fact-finding mission within the context of resolution 237 (1967), adopted by the Security Council on 14 June 1967, and General Assembly resolution 2252 (ES-V), adopted on 4 July 1967.

97. In a conversation with the Secretary-General on 15 March 1968 and in a note of 18 April 1968, the Government of Israel conveyed its willingness to co-operate with such a representative. This willingness remains unaltered.

98. On 29 July 1968 the Foreign Minister of Israel wrote to the Secretary-General:

"The position of my Government in this matter cannot accurately be taken as imposing 'conditions'. It is the Arab Governments who are imposing conditions. We have never objected to your Special Representative carrying out his mission in Israel-held territory. We co-operated with Mr. Gussing's mission. We ask only that the mission should have an equal opportunity to investigate the situation of Jewish communities cruelly persecuted in the Arab countries since the recent conflict. This is clearly within the scope of the relevant resolutions, as was confirmed by you in connexion with the Gussing mission. I am at a loss to understand why this should cause any difficulty. In the light of our generation's history the United Nations cannot in all conscience appear to embrace the doctrine that the problems and hardships of communities and individuals are of international concern unless the communities and individuals are Jewish.

"It is, therefore, the unwillingness of the Arab Governments to co-operate in this respect that is delaying the mission. They have sought to impose the unjustified restriction that the mission should confine itself entirely to Israel-held territories, and should turn a blind eye to the plight of the Jewish communities which have suffered and are suffering as a result of the conflict. Our position is not only that the Israel Government should not acquiesce in the discrimination, but that the Secretary-General of the United Nations should be obdurate, constant, austere and even indignant in his refusal to acquiesce in it.

"If there is no basis at this time on which you could instruct the mission to undertake its work then this is

solely because the Arab Governments insist that the mission be based on anti-Jewish discrimination.

"...

"I would again assure you that my Government is fully discharging its responsibility for the safety, welfare and security of the inhabitants of all Israel-held territories. Our record in administering these territories has been constructive. There is no basis for the sweeping propaganda allegations that have been made by the representatives of Arab States.

"My Government would be glad to furnish you with any information you may require in this regard. The scrutiny of the world is freely accepted in these areas. There is intensive movement in and out of the region and few parts of the world are under closer examination by the world press. Thousands of official and unofficial persons, from other countries, have free access to them; and inhabitants are at liberty to express and publish their own opinions. Whenever a distinguished guest comes to Israel we willingly help him to make contact with this situation. What we oppose is acquiescence in the negative condition that an official United Nations mission must abstain from addressing itself to the sufferings of the Jews. It is the curtain of darkness surrounding the inhuman treatment of Jews in certain Arab countries that needs to be drawn aside. Here no eye is allowed to penetrate, no scrutiny to take place. I am convinced that historic memory demands that the strongest moral influence be brought to bear on Arab Governments to persuade them to cease obstructing and delaying the proposed mission." [S/8699, para. 14.]

99. I am authorized to state that any person present at this Security Council table who wishes to come to Israel would be welcome and we would be happy to facilitate his visit to the territories under Israeli control so that he can form his own impressions. We would be glad to assist him in becoming personally acquainted with the situation. However, what we cannot accept is a deliberate disregard for the fate of Jews who are in distress. This consideration touches our innermost feelings. Respect is due to it, if not from the Arab Governments, at least from the United Nations and its organs.

100. Any reference to areas under Israeli control is meaningless without recalling why Israeli forces are stationed today on the Suez Canal, why Israeli troops guard the crossings on the Jordan River and patrol the cease-fire line in the Golan heights.

101. We stand where we stand today because the Arab States did not let us live in peace where we were before June 1967. We are where we are today because having spilt our blood and drained our strength for nineteen years, the Arab States mounted last year the onslaught that was to bring about Israel's final annihilation. Israel found itself in control of these territories because it survived and dislodged the Arab armies from their bases of aggression.

102. Thus, resulting from Arab aggression, Israeli presence in these areas is imposed by the vital exigencies of security.

However, the meeting for the first time since 1948 between Israelis and Arabs has demonstrated that peaceful coexistence between the two peoples is now possible and that both peoples want peace. It is Israel's hope that this coexistence will prove to be a bridge to final peace with the Arab States. It is regrettable that the Arab Governments appear to be guided so far by different aspirations, that they manifest unhappiness at the normalization of life and growing understanding between the Jews and the Arabs, that they continue warfare, incite to hatred and hostility, and encourage incidents of violence and terror. However, neither these incidents nor the security measures which they engender change the general picture in the Israeli-administered territories.

103. The well-known neutral organ of a neutral country, the *Neue Zürcher Zeitung*, wrote on 8 June 1968:

"Life in the occupied Arab areas has, for all practical purposes, returned to complete normalcy . . .

"...also the Israeli armed forces are distributed through the area in as unobtrusive a manner as possible. In the larger towns one hardly encounters Israeli soldiers . . .

"The system of occupation built up by the Israelis in the occupied areas is able to function thanks solely to the far-reaching co-operation that prevails between them and the local Arab administration. The Israelis have made it a cardinal principle to interfere as little as possible in the Arabs' internal affairs. At the head of the various communities, nearly everywhere, are still the same people as before 5 June 1967.

"Law and order are maintained locally by an Arab police force, which has hardly changed in composition since the war.

"Israel endeavours to maintain the occupation strictly according to international law. That is why local law has remained in force.

"The courts, too, have hardly been touched by the upheaval of June 1967.

"The school system was subjected to a minimum of interference as a result of the occupation. The schools are being run with the same teaching personnel and the same instructional material as before.

"The occupied territories have not produced an indigenous underground movement.

"The terrorists brought in from the outside hardly found support among the indigenous population."

104. The impressions of thousands of other visitors have been the same. Their reports have appeared in the press, radio and television all over the world. The isolated exceptions, simply repeating hackneyed Arab propaganda, merely emphasize by their rarity and anomaly to what extent the true picture varies from their accounts. This applies, of course, also to the Amman-inspired and fabri-

cated trash submitted this morning by the Jordanian representative. He seems to have forgotten one thing—the truth about the situation in the areas under Israeli control is freely accessible to all and does not depend on Arab propaganda stunts.

105. How different is the situation of Jews in Arab States since June 1967? It is there that the real humanitarian problem lies. It is there that human beings are still detained in concentration camps, that entire communities have been deprived of freedom of movement and expression and live under constant threat, that Hitlerite legislation has singled out groups of people for discriminatory treatment and oppression. Indeed, this is the humanitarian problem in the Middle East which has been deliberately concealed.

106. The PRESIDENT: I call on the representative of Algeria on a point of order.

107. Mr. AZZOUT (Algeria) (*translated from French*): A few minutes ago, the Security Council adopted its agenda. That agenda refers to the consideration of the note of the Secretary-General contained in document S/8699 of 31 July 1968.

108. The situation of nationals of the Jewish faith in Arab countries and elsewhere is not before the Council. I would therefore ask the President to require the speaker to observe the Council's rules to confine himself strictly to the agenda item and to refrain from interfering in the domestic affairs of sovereign States.

109. The PRESIDENT: May I ask the representative of Israel to proceed on the item on the agenda.

110. Mr. TEKOAH (Israel): This is the humanitarian problem in the Middle East which has been deliberately concealed. This is a problem which requires urgent attention by the international Organization.

111. The Islamic Congress held in Amman between 16 and 21 September 1967 adopted the following resolution:

"The Jews of the Arab countries have not responded with respect to the degree of protection granted to them by Islam over the generations, they have encouraged Zionism in the world and Israel, in all manners of aggression against the Arabs. The Congress announces that the Jews of the Moslem countries... will be regarded as enemies of Islam and will no longer be granted the protection normally given by Moslems to the protected (Zimmi) religions and declares that all Moslem Governments should regard them as enemy forces. All Moslem peoples, together and singly, must boycott the Jews and treat them as sworn enemies."

112. This resolution, which speaks for itself, sanctioned anti-Jewish steps in the Arab States immediately after 5 June 1967 and encouraged Arab Governments to take further measures in the same spirit. In Egypt hundreds of Jews were arrested and held under inhuman conditions in prisons without food or water.

113. The PRESIDENT: I call on the representative of Algeria on a point of order.

114. Mr. AZZOUT (Algeria) (*translated from French*): There is no doubt that in referring to anti-Semitism in the Moslem countries, the speaker is interfering directly in the domestic affairs of sovereign States, such as Egypt and the other Moslem States. I would ask the President to request the speaker to confine himself to the subject of our discussion and not to deal with other matters.

115. The PRESIDENT: I thank the representative of Algeria for attempting to help the President of the Council, who is, of course, quite capable of following what is said by various representatives. The question that is before the Council relates to the humanitarian issues raised by the report of Mr. Gussing and the relevant resolutions. I would ask the representative of Israel to adhere to those matters. He may proceed.

116. Mr. TEKOAH (Israel): It is not my intention to react to the interferences by the representative of Algeria, but surely he is aware that these matters are being referred to at great length in the two reports presented to the Security Council by the Secretary-General in the one on which the complaint is based, and in the report presented following upon Mr. Gussing's mission.

117. In Egypt, hundreds of Jews were arrested and held under inhuman conditions in prison, without food or water. Almost all the men in the community, apart from the very old and sick, were imprisoned. They were confined in the Abu Zaabal prison near Cairo and the Al-Burja prison near Alexandria. Their only crime was in being Jews. The conditions of their confinement were outrageous. Reports published by some of the inmates who in the meantime have been released and allowed to leave Egypt speak of shocking mistreatment and gross indignities.

118. The PRESIDENT: I call on the representative of Algeria to speak on a point of order.

119. Mr. AZZOUT (Algeria) (*translated from French*): The fact that we are discussing humanitarian questions does not mean that we can speak of plague in Asia or famine in Latin America, or even of the fate of prisoners throughout the world. Of course, one can speak of any subject. However, there is a specific item on our agenda, and it is not the problem of Egyptian nationals of Jewish faith that is at issue here. I would ask the President, therefore, to be good enough to call the speaker to order and to request him to confine himself to the matter before the Council.

120. The PRESIDENT: I would draw the attention of the representative of Algeria to the fact that the item on the Council's agenda is "The situation in the Middle East: letter dated 17 September 1968...", which letter relates to the report of the Secretary-General on the humanitarian question. I will ask the representatives who speak to confine themselves to this item. If anyone wishes to change the agenda or to impose a restriction—which is not common—on those who address this Council, I would ask him to submit a motion. If anybody wishes to challenge this ruling he may do so by the usual method of making a motion.

121. I ask the representative of Israel to proceed.

122. Mr. TEKOAH (Israel): Their only crime was in being Jews. The conditions of their confinement were outrageous.

Reports published by some of the inmates who in the meantime have been released and allowed to leave Egypt speak of shocking mistreatment and gross indignities. Some gave up hope and took their own lives; others were committed to prison cells set apart for the mentally ill.

123. Today, several hundreds heads of Jewish families are still imprisoned. They are held in the concentration camp Al-Turra near Cairo. Their families live in abject misery and subsist on a mere pittance granted to them by the impoverished Jewish community. They are close to starvation, having been deprived of all sources of income, employment, and property.

124. This is Egypt, which masquerades as the champion of human rights.

125. The Jews of Syria have been virtually confined, since June 1967, in ghettos. In Damascus and provincial towns such as Aleppo, they have been deprived of their means of livelihood. There are frequent threats, stonings and other attacks on Jews, who live in constant fear for their lives. The Syrian authorities have banned their departure from the country.

126. Shortly after the hostilities, on 17 June 1967, the Baghdad radio proclaimed: "The Jewish cancer in Iraq constitutes a grave danger to our existence and the future of our country".

127. The Iraqi radio, television and press continued to carry incitement against Jews and called for the denial of all rights and properties to the Jews. Religious sermons whipped up anti-Jewish feelings. The Arabs were told to stop all commerce and contact with Jews. The authorities, and principally the security services, subjected Jews to threats of murder and sequestration and other forms of molestation. Dozens of Jews were arrested in Baghdad and thrown into gaol without trial. Police officers and Government officials have used the opportunity for extorting money from Jews. A stop has been put to Jewish commercial activities. Jewish employees have been dismissed from their jobs. Jewish students have been expelled from schools and universities. The Iraqi Government, like other Arab Governments, has forbidden emigration of Jews.

128. Then in March 1968 came the climax of anti-Jewish measures. For the first time since the Nazi laws directed against the Jews of Germany, a State Member of the United Nations adopted legislation singling out Jews in its territory for discriminatory treatment.

129. The persecution of Jews in Arab States in the wake of the June 1967 hostilities is a shocking violation of human rights. It cannot be ignored by the United Nations; it cannot be ignored by Israel.

130. Discrimination and oppression of Jews, incarceration of Jews in concentration camps and prisons for no crime other than that they are Jews, the promulgation of anti-Jewish legislation, barring Jews from contact with the outside world, prohibiting them even to seek refuge in other lands, constitute a situation that in itself calls for United Nations action. Indeed, the Secretary-General himself has recognized this in his report.

131. The Charter of the United Nations, the precepts of international law and justice, the memory of Jewish persecution in Nazi Europe, now being re-enacted in the Arab States, are sufficient grounds for international action. However, the Security Council is armed with more than these. It has humanitarian resolutions which have already been applied to the situation of Jews in Arab lands after the June 1967 hostilities. It has before it the experience of the first mission dispatched by the Secretary-General on the basis of those resolutions.

132. It is clear from the text of the relevant Security Council and General Assembly resolutions that they relate to the conditions of the civilian population throughout the Middle East area of conflict, and not only in Israel-held territories. Thus the scope of the first humanitarian mission, carried out in July-August 1967 by Mr. Nils Gussing, included the condition of Jews in Arab States in the area. Mr. Gussing himself requested clarification on this point from the Secretary-General, and his report of 2 October 1967 stated:

"The Secretary-General informed him that the provisions of Security Council resolution 237 (1967) might properly be interpreted as having application to the treatment, at the time of the recent war and as a result of that war, of both Arab and Jewish persons in the States which are directly concerned because of their participation in that war." [S/8158, para. 212.]

133. How far Mr. Gussing was able to discharge this aspect of his mission is described in chapter V of that report. In proposing the second humanitarian mission, the Secretary-General informed the Israel and the Arab Governments that the new representative would have the same terms of reference as Mr. Gussing had last year. The Arab Governments concerned have, however, advised the Secretary-General that they would bar the representative from enquiring into the situation of the Jewish communities, as Mr. Gussing had tried to do. This is an attitude contrary to the relevant Security Council and General Assembly resolutions. It is contrary to the Secretary-General's interpretation of the scope of the Gussing mission. It is contrary to the obligations of the Arab States under the Charter of the United Nations.

134. The Arab Governments can demonstrate their sincerity by ceasing their opposition to the inclusion of this aspect in the new mission, and if they were to do this the problem would solve itself and the long-delayed mission would no longer be frustrated.

135. The situation is quite different from that to which the preceding speakers have asked the Security Council to give credence. Israel has no objection to a humanitarian mission in the Middle East. But the Arab States' insistence on a reinterpretation and distortion of last year's resolutions is frustrating that humanitarian mission.

136. The situation presents itself as a choice between the view that the persecution of Jews, which was within the scope of the first humanitarian mission, should be excluded from the scope of the second, and the view that there can be no discrimination and that the mission should, in

accordance with resolutions 237 (1967) of the Security Council and 2252 (ES-V) of the General Assembly, apply to the civilian populations in the area of conflict in the Middle East, Jews and Arabs alike.

137. For twenty centuries my people has been subjected to discrimination and persecution. We are tired of it. We are tired of seeing our brethren oppressed and the world standing by idly. We are tired of being told that human rights are an international problem but that, as the Nazis kept on repeating, the persecution of Jews is an internal matter. We are tired of being told that the human rights of Jews became tenuous because their numbers are small. We are tired of hearing that martyrdom of Jews evokes sympathy, but action must be taken only on the alleged suffering of Arabs who by fault of their own Governments are in areas under Israeli control. We are tired of coming to the Security Council year after year to find that the murder of Jews cannot be condemned and that Israel's rights cannot be vindicated because of the technicalities of vote. We are tired of aggressors preaching law, and of offenders against justice and human rights masquerading as protagonists of the rights of man.

138. Such distortion of international values will not weaken Israel's adherence to them. The Jewish people, steeled and hardened by 4,000 years of history, will not bend to evil hypocrisy, will not become a partner in the suppression of truth and will persevere in the struggle to ensure its rights in the family of nations.

139. The PRESIDENT: I call on the representative of Jordan in exercise of his right of reply.

140. Mr. EL-FARRA (Jordan): Of course an invited member has no right to intervene or to raise objections on the question of procedure. That is why I did not find it possible, although it would have been desirable, to refer to the procedural aspect raised earlier. But, of course, I am entitled to speak about a procedure that has been adopted.

141. I think that the question before the Council involves one single issue: the report of the Secretary-General explaining the refusal of Israel to accept the Special Representative. There was a letter from the Ambassador of Senegal and the Acting Permanent Representative of Pakistan requesting a meeting to consider this very issue, and I was hoping that the deliberations would be confined to that aspect of the Middle East situation. Of course the report of Mr. Gussing will come before the Council at a later stage when it has all the evidence before it and after it receives the report which will be coming from the projected mission requested by U Thant. I do not think that the Council is now considering the facts of the Gussing report. It is discussing the failure of Israel to enable the Council to obtain complete evidence about what is going on in the occupied areas. I say this in passing, as I said, it relates to procedure.

142. I now come to the many distortions we have just heard. The hour is late and I do not think that the members of the Council would welcome a rebuttal by me of every single issue raised by Mr. Tekoah. With the permission of the President I shall, at a time more convenient to the

Council, answer all the fabrications, distortions and misrepresentations—I would say the deceit—contained in Mr. Tekoah's statement.

143. But there are two points which I should like to discuss and answer.

144. Mr. Tekoah attempted to present a rosy picture of the people living in the occupied areas. He said that everything is all right; what the Security Council has heard is Arab propaganda and one should not pay attention to it. But did Mr. Tekoah answer one single charge of the ten charges I presented? I presented facts and figures. I presented statements of clergymen and archbishops of all communities in Jerusalem. He called that "the usual trash, Arab propaganda". I am not making these statements. I am only carrying a message from the clergymen, from the people in the area, from the victims of Mr. Tekoah's authorities. I do not think that saying that this is nothing but "trash" can convince anyone. When archbishops speak they are inspired by moral values, not by Zionist inclinations.

145. If there is a dispute, what is the way to solve it? Is it not to go and find out? All that we are saying is that we have presented ten charges. Either accept the evidence we introduce—and it is clear evidence—or emphasize that Israel should allow a man from the United Nations to undertake a fact-finding mission, to find out for himself, to come and tell the Council objectively what is going on. We want an impartial investigation. Either accept the evidence, and there is ample evidence, and work on it or send a man from the Security Council. Mr. Tekoah keeps saying "Let anyone go and find out". All right, let the objective representative of the Security Council, U Thant, send his man to the area.

146. Is that too much to ask? Is it not the Council's duty to protect the future and the lives of the people who are still in gaol or under detention or being tortured? I think that question is very clear.

147. Then Mr. Tekoah said: "Let us have equal opportunity to an investigation". Those were his words. Equal to what? The mandate stems from Security Council resolution 237 (1967) sponsored by the delegations of Brazil, Ethiopia, and Argentina. This is the mandate, and this is the resolution. What does it say? It is quite clear, and it was adopted unanimously. This is what the Secretary-General said to us: "This paragraph applies without question to the area occupied by Israel since June 1967. Strictly interpreted it would not, however, apply to Arabs in, for example, Nazareth or Haifa . . ." [S/8699, para. 10]. Even the Arab minority in Haifa, within the occupied territory, within what is called Israel, does not come under this mandate. The mandate applies only to the people who were expelled and to those who are living within the territories occupied since 5 June 1967. I hope that we shall adhere to the proper interpretation and to the one single issue.

148. My last point relates to the question of peace. Mr. Tekoah is gifted in singing the song of peace when he means aggression and pressure. He has again spoken about peace. The Council is dealing with a humanitarian question. I do not think that Mr. Tekoah's remark should be left

unanswered. Yes, we are for peace. Here and now, and I say this in the Security Council for all the world to hear, we reaffirm our adherence to the Armistice Agreement. We reaffirm our adherence to all Security Council and General Assembly resolutions. We accept all the resolutions of the United Nations. Let the Israelis here and now say the same. If the Israeli promises—and I want this to be clear—are to be accepted in the future, we ask that Israel honour its obligations of the past. The Israelis cannot seek new obligations—call it negotiations or treaties or whatever—before honouring their previous obligations and before announcing their adherence to every resolution that has been adopted. We hereby announce our adherence to every single resolution and every single agreement, be it the Protocol of Lausanne, the General Armistice Agreement, or the Council's resolution 242 (1967) of 22 November 1967. Let Mr. Tekoah say the same thing.

149. If the value of an Israeli promise is to be demonstrated, we must see Israel's promises of the past also honoured. This is the crux of the problem. I shall have more to say on this at a later stage.

150. The PRESIDENT: I thank the representative of Jordan, whose remarks on procedure I have noted. I should make clear my understanding of the procedural situation to which he was good enough to refer, and to which the representative of Algeria also referred. The item on our agenda is "The situation in the Middle East", under which we are considering the letter dated 17 September 1968 from the representatives of Pakistan and Senegal [S/8819]. That letter in turn refers to a note by the Secretary-General of 31 July 1968 [S/8699], which contains the views of the Secretary-General as well as the views of certain Governments and includes a letter from the Foreign Minister of Israel. The views expressed in this document range across the very issues which were referred to by the speakers in this debate today. It is therefore not appropriate, in my view, to rule those references out of order. It is on this basis that I would ask representatives, when we resume our proceedings, to adhere to the documentation before them.

151. I call on the representative of Senegal on a point of order.

152. Mr. BOYE (Senegal) (*translated from French*): For the record, I should like simply to recall the terms of our letter of 17 September 1968, which reads as follows:

"Upon instructions from our Governments, we have the honour to request you to call an urgent meeting of the Security Council as early as possible, to consider the report of the Secretary-General, contained in document S/8699 dated 31 July 1968, submitted by the Secretary-General under Security Council resolution 237 (1967) dated 15 June 1967". [S/8819.]

153. Mr. AZZOUT (Algeria) (*translated from French*): The Algerian delegation fully shares the interpretation which the representative of Senegal has just placed upon the item on the Council's agenda.

154. The PRESIDENT: I take note equally of the comment of the representative of Algeria, which, of course, is in accord with the remarks which I had just made.

155. Mr. YUNUS (Pakistan): When the representative of Senegal speaks about our letter, he speaks for my delegation as well as his.

156. The PRESIDENT: I call on the representative of Israel in exercise of his right of reply.

157. Mr. TEKOAH (Israel): The Jordanian representative's readiness to announce, on behalf of his Government, loyalty to and acceptance of United Nations resolutions is, I must say, most disarming. His Government has shown adherence to all United Nations resolutions since 1948 calling for peace between Israel and the Arab States by waging war against Israel for twenty years and refusing to make peace with Israel today. It has more recently shown its acceptance of Security Council resolutions calling for an end to violations of the cease-fire by continuing with grave acts of aggression in violation of the cease-fire, such as the one which occurred yesterday in the Jordan Valley.

158. We are, however, concerned here with a more specific question: humanitarian resolutions adopted a year ago interpreted for the purpose of the first humanitarian mission that was carried out by Mr. Gussing, and the Secretary-General's report. The representative of Jordan is apparently unable to accept even the simple facts and the obvious interpretations of these texts. He referred to the question of Arab minorities in Israel, and I should like to draw the Council's attention to the fact that this question was included, in fact, in the scope of Ambassador Gussing's mission. I shall quote briefly from the letter sent to the Secretary-General by the Minister for Foreign Affairs of Israel and included in the Secretary-General's report:

"It should, therefore, be recalled that both the Israel Government and Mr. Gussing regarded the Arab minority in Israel as coming within the scope of his mission. We shall not oppose the mission addressing itself to problems, if any, arising from that community as a result of the conflict. In paragraph 215 of the Secretary-General's report on the Gussing Mission [S/8158], a summary is given of the written information furnished to Mr. Gussing on security measures taken by the Israel authorities at the outbreak of the war, affecting Arab citizens. These measures were confined to the temporary detention of forty-five persons as security risks, and a temporary night curfew in one or two border areas. Except for these security measures, the Arab citizens of Israel had suffered no discrimination . . .

"At that time,"—that is at the time of Ambassador Gussing's mission—"there was no suggestion from any quarter that the Arab citizens of Israel lay outside the scope of the Secretary-General's fact-finding mission. On the contrary, it appears from paragraph 217 of the Secretary-General's report that Mr. Gussing was expected by the Arab Governments to concern himself with the Arab minority in Israel . . . In other words, the fact-finding mission is required to deal with any community in the Middle East region, Jewish or Arab, if it is alleged that they have suffered during or since the June 1967 war." [S/8699, para. 14.]

159. The PRESIDENT: The representative of Jordan has asked to speak in exercise of his right of reply.

160. Mr. EL-FARRA (Jordan): I am sorry, but I cannot leave that distortion unanswered. Mr. Tekoah referred to what happened yesterday. I wish he had continued and had said what really happened yesterday. Yesterday the Israelis tried to expel 400 inhabitants from the Gaza Strip to the east bank. That is what happened yesterday. I am not aware of anything else that happened, other than the Israeli allegation that certain resistance took place within the occupied territory, and that certain Israeli soldiers and certain national resistance members, freedom fighters, were also killed. If that is true, it is the legitimate right of the people within an occupied territory to resist. That is only legitimate. It is a God-given right for the people to resist the invaders and the occupiers. That has happened in many places. I think that the majority of the Members around this table resisted invasion in one form or another. The people in the occupied areas are not an exception to the rule.

161. I come now to another point. Mr. Tekoah keeps repeating that Israel, represented by Mr. Tekoah, is the champion of the Jewish cause everywhere. He seems to try to create the picture that Israel represents the Jewish minorities in the United States, Canada, the United Kingdom, France and other Member States. I do not think that is the case. I think the Jews in every Member State would like to be nationals of that State and would not like to be called citizens of Israel. That is something that breeds discrimination; it breeds crimes. In saying this, let me quote good official authority.

162. I am quoting the Government of the United States of America. This is its interpretation of what a citizen is and is not. The United States Assistant Secretary of State, on 20 April 1964, speaking before the American Council for Judaism in New York, and answering Rabbi Berger on this very issue, said the following:

"Dear Mr. Berger,

"We have carefully studied your letter of March 14, 1964, drawing the Department of State's attention to the

'*sui generis* character of "the Jewish people" concept,' and urging clarification of the Department's views with respect to 'the Jewish people claim'. You state: 'The central point is that the Zionist-Israel sovereignty uses "the Jewish people" concept as the basic juridical claim directed against the Jews in States other than Israel who insist upon maintaining their single nationality status. Its principal function,' you state, 'is to change the legal status of Jews from that of individual nationals of Jewish religious faith to members of a juridically recognized transnational nationality group with additional "rights" and obligations to the Zionist-Israel sovereignty. The core of "the Jewish people" concept is its nationality characteristics . . .'

"The Department of State recognizes the State of Israel as a sovereign State and citizenship of the State of Israel. It recognizes no other sovereignty or citizenship in connexion therewith. It does not recognize a legal-political relationship based upon the religious identification of American citizens. It does not in any way discriminate among American citizens upon the basis of their religion.

"Accordingly, it should be clear that the Department of State does not regard 'the Jewish people' concept as a concept of international law."

163. If Mr. Tekoah—and I am referring to the procedural aspect—is permitted to discuss the life of the Jewish citizens in every Member State, he will have very many problems because Mr. Tekoah's State has been living on this idea of persecution and discrimination for a long time—they repeat the same slogan time and again. I think he would be rendering a service to Jews all over the world if he would treat them as nationals wherever they are.

164. The PRESIDENT: I have no further speakers on my list. I therefore propose to adjourn the meeting.

The meeting rose at 1.35 p.m.

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre librairie ou adressez-vous à: Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Нарядите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.
