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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE TWENTIETH MEETING

Held at Headquarters, New York,
on Wednesday, 28 April 1982, at 10.30 a.m.

<u>President:</u>	Mr. GONZALEZ CESAR (Vice-President)	(Mexico)
later:	Mr. MOUSHOUTAS (Vice-President)	(Cyprus)
later:	Mr. KITTANI (President)	(Iraq)

- Question of Palestine /5/ (continued)

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The meeting was called to order at 11.05 a.m.

AGENDA ITEM 5 (continued)

QUESTION OF PALESTINE

The PRESIDENT (interpretation from Spanish): As members are aware, the debate on this item was concluded on Monday afternoon.

I call on the representative of Senegal, who wishes to introduce the draft resolution contained in document A/ES-7/L.3.

Mr. SARRE (Senegal) (interpretation from French): On behalf of the delegations of Afghanistan, Chad, the Congo, Cuba, the German Democratic Republic, Guinea, Guyana, Hungary, India, Indonesia, the Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Niger, Nigeria, Pakistan, Senegal, Tunisia, the Ukrainian Soviet Socialist Republic, Viet Nam and Yugoslavia, I have the honour of introducing the draft resolution in document A/ES-7/L.3, which has been submitted for adoption by the General Assembly.

The resumed seventh emergency special session of the General Assembly, devoted to the question of Palestine, has enabled all delegations once more to express the views of their Governments on this issue, which, to say the least, is highly disquieting - as proved by the renewed violence in the occupied Arab territories over recent months. If throughout our deliberations we have sometimes detected subtle differences of approach to a just, comprehensive solution to the question of Palestine, I think we can say that a consensus to reach that goal has emerged on the basis of the elements contained in the aforementioned draft resolution. Those elements are as follows.

The first element is the inadmissibility of the acquisition of territory by force. This principle has been repeatedly reaffirmed in resolutions adopted by the General Assembly and the Security Council.

The second element is respect by Israel, a Member of our Organization, for the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949. We feel that such respect constitutes an important step towards finding a solution to the question of Palestine.

(Mr. Sarre, Senegal)

Thirdly, there is Israel's obligation to comply with the provisions of Security Council resolution 465 (1980) of 1 March 1980. It will be recalled that the Council, in that resolution, accepted the recommendations of the Security Council Commission; declared null and void all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem; and, inter alia, called upon all States not to provide Israel with any assistance to be used specifically in connexion with settlements.

Fourthly, Israel is also requested to comply with all relevant United Nations resolutions on Jerusalem. If we bear in mind Jerusalem's importance for the faithful of the three monotheistic revealed religions, this appeal is merely in keeping with the aspirations of believers, whether they be Moslem, Christian or Jewish.

Fifthly, recent events in Jerusalem and other occupied territories have moved world public opinion. The international community has deplored and even condemned them. In recalling those events in the draft resolution, we are merely being consistent.

Sixthly, the fact that the Security Council has been unable to adopt a definitive position to solve the question of Palestine, as well as the fact that assistance is given to Israel, sometimes delays recognition of the inalienable rights of the Palestinian people. That is why in the draft the sponsors deemed it necessary to deplore those attitudes. Thus an appeal is addressed to all States Members of the United Nations which have not yet done so to recognize those rights and refrain from supplying Israel with the means that enable it to delay the recognition of those rights.

Seventhly, the sponsors thought that, in addition to the General Assembly, the Secretary-General of the United Nations and the Security Council had an important role to play in resolving the Palestinian crisis. That is why they are being asked to initiate necessary contacts with the parties to the conflict - and this is very important - in order to pinpoint ways and means that are likely to lead to a just, comprehensive solution to the question of

(Mr. Sarre, Senegal)

Palestine, on the basis of the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

It will be noted that this draft, to be sure, recalls facts; but the most important thing is that it advocates peaceful means in keeping with the spirit and the noble goals of our Charter to solve the question of Palestine. The sponsors believe that its adoption and scrupulous implementation will make a large contribution towards strengthening the credibility of our Organization, on the one hand, and establishing, or rather restoring, peace, mutual understanding and fruitful co-operation among all States and peoples of the region, on the other.

The PRESIDENT (interpretation from Spanish): I shall now call on those representatives who have asked to be allowed to explain their votes before the voting. I should like to remind the Assembly that explanations of vote are limited to 10 minutes and are made from representatives' seats in the Assembly hall.

Mr. NISIBORI (Japan): In my statement on 21 April I made clear Japan's basic position on the question of Palestine. I also expressed Japan's earnest hope that at this resumed emergency special session deliberations on all aspects of the question of Palestine would result in a real and effective contribution to the search for a just solution.

Unfortunately, we are obliged to express some doubts as to whether the draft resolution before us (A/ES-7/L.3) will help us realize that goal. In particular, we deeply regret that it contains some paragraphs which are incompatible with my Government's basic position -- namely, that the United Nations must be a universal Organization; that any and all conflicts must be resolved peacefully, through talks; and that the isolation of a particular country does not necessarily contribute to the solution of a question.

If the second preambular paragraph and operative paragraphs 8, 10 and 11 were put to separate votes, my delegation would vote against them. However, after seriously considering a number of actions recently taken by Israel, we have decided to abstain in the vote on the draft resolution as a whole.

I should like on this occasion, however, to emphasize once again that a just, lasting and comprehensive peace in the Middle East should be achieved through the early and complete implementation of Security Council resolutions 242 (1967) and 338 (1973), and through the recognition of, and respect for, the legitimate rights of the Palestinian people, including the right to self-determination, under the United Nations Charter.

Mr. VRAALSEN (Norway): One of the greatest contributions of the United Nations to the international community has been the steady strengthening of the system of international law. Through a widening network of international treaties and conventions, as well as other declarations, resolutions and decisions by United Nations bodies, the Member States have established some basic rules of conduct among themselves, which, if they were universally respected, would make the world a safer and better place to live for all nations and peoples.

A number of these instruments of international law have direct relevance to the Middle East conflict. In resolutions 242 (1967) and 338 (1973) the Security Council defined some of the basic principles for a lasting and peaceful settlement of the Middle East conflict. These principles also form the cornerstone of the Norwegian Government's policy towards the Middle East conflict.

A separate framework for peace was established through the Camp David accords and through the peace treaty between Israel and Egypt. The Norwegian Government has firmly supported these agreements as being important first steps towards a comprehensive peace settlement. My Government welcomes the final Israeli withdrawal from Sinai that took place on 25 April 1982. We regard this act as an important step to develop further the climate of mutual confidence between the parties that is so essential to achieving a lasting peace.

A third instrument of international law applicable to the Middle East conflict is the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. The Norwegian Government has consistently maintained, together with a nearly unanimous world community, that this Convention is applicable to all the Arab territories occupied in the 1967 war, including Jerusalem. We regret that the provisions of the Geneva Convention have been violated on different occasions in the occupied areas.

In accordance with that position, the Norwegian Government has always maintained that the final status for the City of Jerusalem can be settled only through a comprehensive peace settlement, and not through unilateral acts. A comprehensive solution must guarantee free access to the Holy Places in Jerusalem for Jews, Christians and Moslems alike. The Norwegian Government regrets the recent incident in the Al Aqsa Mosque, and we urge the Israeli Government to continue to do everything in its power to ensure that such acts do not recur.

(Mr. Vraalsen, Norway)

Concerning the situation in the occupied areas, it is the view of the Norwegian Government that some of the steps taken by the Israeli Government, including the settlement policy and the decision to apply Israeli civilian law to the Golan Heights, are in contravention of the aforementioned Geneva Convention.

The recent disturbances on the West Bank are a sign of mounting frustration among the Palestinian population of the occupied areas. It is the view of the Norwegian Government that a lasting peace in the Middle East cannot be found without recognition of the legitimate national rights of the Palestinian people, including its right to self-determination.

One of the basic rules of international law is respect for the territorial integrity of all States. The Norwegian Government regrets all acts of violence across national frontiers in the Middle East, whether they are directed towards civilian or military targets inside Israel, or whether they are acts of pre-emption or retribution emanating from Israel.

As a country contributing troops to the United Nations Interim Force in Lebanon (UNIFIL), Norway is particularly concerned with the situation in Lebanon. We regret the recent bombing of Palestinian targets outside Beirut. We should like to make a strong appeal to all parties concerned scrupulously to observe and respect the cease-fire of last July, and to strengthen their co-operation with the United Nations to help the UNIFIL forces to fulfil their mandate.

Recognition of Israel's right to exist is a fundamental prerequisite for any lasting peace in the Middle East. The same is true of Israel's right to continue as a Member of the United Nations with rights equal to those of all other Member States. Any attempt to deprive, suspend or limit Israel's full participation in the activities of the United Nations will damage not only the possibilities for the United Nations to help the peace process in the Middle East, but the United Nations itself.

The draft resolution now before us contains several paragraphs which appear to move towards exclusion or suspension of Israel from the United Nations. My Government strongly opposes all such attempts for the reasons I have already indicated. The draft resolution, furthermore, lacks any reference to Israel's right to exist. It contains a number of provisions which

(Mr. Vraalsen, Norway)

would prejudge the outcome of a comprehensive peace settlement and it reaffirms earlier resolutions which a number of countries, including Norway, have voted against. As a whole, the draft resolution is one-sided and unbalanced. Its adoption would undermine the credibility of the General Assembly, and my delegation will consequently vote against it.

Mr. SHERMAN (United States of America): In a speech delivered last Friday to this resumed seventh emergency special session of the General Assembly, United States Ambassador Jeane Kirkpatrick spoke in clear and forceful terms about the steadily deepening crisis which now grips the United Nations:

"If this Organization," she said, which was "established to seek, maintain and strengthen peace, is used to make war by other means; if its avenues, established to provide a rational basis for discussion and settlement of international disputes, are used as battlefields in a holy war; if its procedures, designed to ensure fairness, are twisted to ensure desired political outcomes - then the purposes and structures of this Organization are transformed and the United Nations itself is transformed." (A/ES-7/PV.17, p. 7)

(Mr. Sherman, ~~United~~ States)

With the draft resolution now before us the United Nations is being pushed one step closer to a precipice beyond which looms a political and moral abyss.*

This draft resolution represents still one more example of nations using the mechanisms of peace to promote hostility and divisiveness. It does not further the goal of peace between Israel and its Arab neighbours but is intended, on the contrary, to intensify the political and ideological struggle against one of those parties, namely, Israel. In that respect it is inconsistent with the purposes of the Charter.

In her speech last Friday, Ambassador Kirkpatrick contrasted two approaches to the Arab-Israeli conflict: the one embodied in Security Council resolutions 242 (1967) and 338 (1973), which mandates a peaceful settlement through negotiations; the other which insists upon the immediate satisfaction of non-negotiable demands.

Since she spoke we have witnessed, just three days ago, a historic event: the final withdrawal of Israel from the Sinai in accordance with the peace treaty signed between Israel and Egypt, as well as with resolutions 242 (1967) and 338 (1973) of the Security Council. Would it have been too much to expect that the General Assembly of the United Nations would welcome this momentous step towards peace in the Middle East, even as it looked towards further steps leading ultimately towards a comprehensive settlement of the Arab-Israeli conflict? But where in the draft resolution now before us is note taken of this hopeful development? No, on the contrary, the State that withdrew from occupied territory for the sake of peace is vilified as "not a peace-loving Member State", language never used against any other Member of the United Nations and intended, as we all know, to question the legitimacy of Israel's membership in this body.

Can the United Nations ever hope to restore its credibility as a force for peace in the Middle East if the General Assembly adopts such an odious stand? Can the United Nations prevent the further erosion of its reputation for fairness and objectivity if the General Assembly adopts its authority and the Charter in pursuit of this single-minded and self-destructive vendetta against Israel? We think not.

* Mr. Moushoutas (Cyprus), Vice-President, took the Chair.

(Mr. Sherman, United States)

The draft resolution before us not only implicitly rejects the very framework for peace established by the Security Council in its resolutions 242 (1967) and 338 (1973). It is also profoundly and specifically hostile to the United States. It condemns the United States for exercising its constitutional prerogative under the Charter to vote against resolutions which, in its view, aggravate international situations and harm the cause of peace.

The authority of the Security Council derives from the constitutional provision that no substantive decision may be taken against the opposition of a permanent member. To challenge that provision - which is what is entailed when a permanent member is condemned for the exercise of the veto - is to assault the authority and the effectiveness of the Security Council. It is one further step in the erosion of respect for the Charter and, indeed, in the perversion of the procedures and purposes of the United Nations.

In sum, we disagree with more than specific words or clauses or paragraphs of this draft resolution. We deplore its entire thrust. It violates the spirit of reason and peace. It debases the Charter and therefore it debases the United Nations itself. It is an ill-inspired, offensive document that will reinforce an attitude of cynicism towards the General Assembly and, thus, towards the United Nations itself among people of goodwill.

We shall, of course, vote against it.

Mr. PINIES (Spain) (interpretation from Spanish): The long-standing conflict in the Middle East will not be resolved until solutions are found to its core: the question of Palestine. This necessarily requires recognition of the inalienable rights of the Palestinian people and of its representative, the Palestine Liberation Organization. That has been, and is, the constant, unswerving position of the Spanish Government, on whose behalf I should like once again to reiterate it.

Consistent with that position, the Spanish delegation notes in the draft resolution that is to be put to the vote numerous positive aspects in line with what I have just said, as they advocate the effective recognition and the implementation of the rights of the Palestinian people. A draft resolution which focused on this positive approach would have enjoyed our full support. However, the draft resolution also includes certain critical or negative aspects

which my delegation cannot support, in particular with regard to the fact that it contains interpretations of the United Nations Charter with which we do not agree.

Thus, the Spanish delegation will be obliged to abstain.

Mr. ABDEL MEGUID (Egypt)(interpretation from Arabic): On behalf of the Egyptian delegation, and on my own behalf, I wish to extend thanks and appreciation to the heads of delegations who have spoken in this hall and to the members of delegations who have congratulated me and the other members of the Egyptian delegation on Egypt's having regained its territory and on the raising of the Egyptian flag over a cherished part of the territory of Egypt. We also greatly appreciate the statement issued by the Secretary-General, Mr. Perez de Cuellar, on 26 April, in which he expressed the belief that the withdrawal from Sinai was a constructive and extremely significant step.

The sincerity of those feelings, expressed both as individuals and as representatives of Governments, is a living expression of their appreciation of the great step towards the achievement of a comprehensive and just peace in the region and towards security and stability which was embodied in the completion of the Israeli withdrawal from the Arab Egyptian territory of Sinai. The appreciation of those delegations of the significance of peace between the peoples of Egypt and Israel, achieved after wars and conflicts that lasted for more than 30 years, provides a new incentive for us to continue the march of peace forcefully and with all sincerity and faithfulness to our historical and national responsibilities, so that a framework for peace will be established and the banner of sovereignty and justice for all peoples and countries in the area will be raised.

Egypt's commitment to its international undertakings and to the Camp David accords, both before and after 25 April, and its commitment to its national and historical responsibility to establish a comprehensive peace based on justice, is a firm strategic commitment, and will remain so.

(Mr. Abdel Meguid, Egypt)

Egypt's position concerning the draft resolution before the Assembly stems from its firm position of principle on the question of Palestine and developments in the Middle East question in general.

Before taking up the draft resolution before us, I should like to place the following facts on record. Egypt's firm position of principle concerning the denunciation of Israel's policies and the rejection of its practices in the occupied Arab territories forms part of international unanimity and growing international support for Palestinian rights. Egypt has persistently called for the creation of mutual trust and the dispell of doubts and illusions in order to break the barriers of fear. This requires us to tell Israel that just and lasting peace is based on recognition for the Palestinian people of those rights enjoyed by the Israeli people themselves, and not on policies of expansion, annexation and settlements.

Our rejection and condemnation of Israel's policies and practices is a rejection of the logic of might, which only leads to revolution, resistance and the creation of a vicious circle of violence and destruction excluding the possibility of peace and stability in the area.

The draft resolution before us has three important characteristics. First, it contains a number of general principles that have been affirmed by the international community in its covenants and by our international Organization in its resolutions. They reflect the values of right and justice. Egypt considers itself an authentic part of international unanimity, which has supported and defended these principles. Secondly, it contains another set of elements which, in our view, represent relative value judgements reflecting intense feelings and extreme reactions more than quiet logic and an objective, pragmatic approach which does not undermine the principles. In our view, these elements weaken the practical value of the draft resolution and make the negative aspects prevail over the positive aspects, disrupting the delicate balance which maintains growing international support for the justice of the Palestinian question without being inconsistent or in conflict with the rights and sovereignty of States and their independence in adopting decisions and conducting their foreign relations within a framework of complicated international relations.

(Mr. Abdel Meguid, Egypt)

Thirdly, the draft resolution, important and vital as it is in view of the elements it contains, loses some of its importance and vitality because it omits indispensable principles and bases necessary to deal with this difficult question. A draft resolution which deals with the Middle East problem, the rights of the peoples and the future of the area and which ignores, without any justifiable or logical reason, Security Council resolution 242 (1967), which is still the internationally recognized basis for a solution to the situation, is one that lacks the valid point of departure without which sincere efforts will be frustrated and suffer from a grave shortcoming vis-à-vis the right framework.

The draft resolution before us is still a captive, and even a prisoner, of the same language, the same logic and the same formulas of some 300 resolutions on the question of Palestine, all of which, in spite of their moral value, have undoubtedly not advanced the Palestinian question one inch because they have not contained a new and innovative approach but have been confined to form without content and essence. Thus they have depended on words and sacrificed the aim in the interests of enthusiasm and eloquence. A draft resolution that still resorts to threats and intimidation when we know that no threat will be carried out and no intimidation will achieve any aim is another slow-acting sedative which might calm extreme feelings but which will not redress the situation, restore rights and bring us any closer to a comprehensive and just peace in the Middle East.

For all those reasons, the delegation of Egypt feels that the draft resolution in its present form does not make it possible for us to vote for it.

Mr. THUNBORG (Sweden): My delegation will vote against the present draft resolution, since it contains several paragraphs which do not conform with our views. The overriding reason for our vote, however, is the inclusion in the draft resolution of elements aiming at a possible future exclusion of Israel from the United Nations. My delegation is firmly opposed to any efforts to exclude any Member State from full participation in the work of this Organization. As I stated in the recent debate, the universality of the United Nations is one of its most important assets. Any action to exclude Israel would be extremely harmful to the United Nations, since the Organization would then be taking a step towards abdicating its role as a universal forum and lose some of its moral authority to act in the interest of peace.

Our vote should therefore be interpreted as a vote in favour of a strong and viable United Nations. It should in no way be construed as support for various elements of the Israeli Government's policy.

We have previously condemned Israel's illegal annexation of the Golan Heights, and we now also condemn its massive violation of the cease-fire in southern Lebanon. We have expressed concern over and strong criticism against various aspects of Israel's policy as occupying Power towards the Palestinians in the West Bank, including East Jerusalem, and in the Gaza Strip, as well as its settlements policy in the same areas. We have also urged Israel immediately to rescind its decision to dismiss Palestinian elected officials.

Consequently, we regret having to cast a negative vote on a draft resolution containing many paragraphs that we could support. In this connexion I should like to reiterate Sweden's full support for some of the fundamental principles expressed in the draft resolution, including the inadmissibility of the acquisition of territory by force and the applicability of the Hague Convention of 1907 and of the Fourth Geneva Convention, of 1949, to all territories occupied by Israel since 1967.

Mr. KUEN (Austria): The Austrian position on the question of Palestine and the situation in the Middle East, as well as the principles which govern our policy in this matter, were clearly expressed in the course of the general debate. I wish, however, to comment briefly on the draft resolution before this Assembly.

In our view the essential elements for any solution to the Middle East conflict are recognition of the right of Israel, and indeed of all the States of the region, to exist within safe and secure boundaries; recognition of the national rights of the Palestinian people; recognition of the Palestine Liberation Organization as the representative of the Palestinian people; and the withdrawal of Israel from the territories occupied in 1967.

The draft resolution before us does justice to a number of essential elements such as the endorsement of the rights of the Palestinian people and Israel's obligation to withdraw from the occupied territories and to respect the Fourth Geneva Convention. Austria also finds itself in agreement with the mandate for negotiation given to the Secretary-General in operative paragraph 15 and expresses the hope that those endeavours will result in the opening up of new avenues towards a peaceful settlement of this conflict.

However, the draft resolution neglects Israel's right to exist within safe boundaries and thus lacks the balance on which any constructive steps towards peace in the Middle East will have to be based. Furthermore, certain elements have been introduced into the draft resolution which pose very serious problems with regard to their legal and political implications the provisions of the Charter of this Organization and the distribution of competencies between its main organs, and which will not be conducive to the search for a just and equitable solution.

I wish to refer here specifically to operative paragraphs 8, 10 and 11, on which Austria has most serious reservations. We are convinced that it is clearly beyond the prerogatives of the General Assembly to condemn the exercise of the legitimate rights of permanent members of the Security Council which are laid down in the Charter of this Organization or to attempt to curtail the basic human rights of emigration and choice of residence. Should operative paragraph 11 be interpreted by some delegations as a first attempt to put into question Israel's status in this Organization,

(Mr. Kuen, Austria)

the Austrian delegation would like to point out that any move in that direction would meet with our strongest resistance. The principle of universality is an essential element of the United Nations as an organization devoted to the solving of conflicts through dialogue and peaceful negotiations.

In the light of those considerations Austria will have to vote against the draft resolution before us.

Mr. MEDINA (Portugal) (interpretation from French): My delegation has had repeated opportunities to emphasize that in the opinion of the Government of Portugal it has become imperative for the international community to see the Middle East conflict reach a negotiated, comprehensive and peaceful solution. It has long expressed this conviction, throughout the work of this Organization and particularly at the thirty-sixth session and the ninth emergency special session of the General Assembly, and even in the Security Council when it met last January.

My delegation has repeatedly emphasized the existence of an international consensus which implies the condemnation of any unilateral action likely to render concerted action more difficult. Hence, it is bound to protest any violation of the United Nations Charter and any action which contravenes the principle of the inadmissibility of the acquisition of territory by force and the inviolability of the Holy Places, as well as to denounce any violation of rules on which the legitimate and inalienable right of the Palestinian people to self-determination is based, with the implications of the exercise of such a right.

In that context my delegation would like to associate itself with the condemnation of the repressive measures imposed on the Palestinian people, the attacks on the liberties and freedoms of those living in the occupied territories and a whole series of acts of violence which are condemned by the universal legal conscience and which might once and for all compromise any negotiations to arrive at a comprehensive peaceful solution. For it is the duty of all the members of the international community to spare no effort to implement the principles which require scrupulous respect for the law of peoples and decisions taken by this Assembly and the Security Council.*

* The President took the Chair.

(Mr. Medina, Portugal)

Those combined elements would have prompted my delegation to consider favourably the draft resolution contained in document A/ES-7/L.3 had it not been for references to third States which made it questionable within the context of this Assembly and in particular the unacceptable implications of the language used, which give it a scope that might cause acute apprehension vis-à-vis the spirit of universality of this Organization. That will prevent my delegation from voting in favour of the draft resolution.

Mr. OZOREZ TYPALDOS (Panama) (interpretation from Spanish): Panama's position on the question of Palestine has been expressed clearly in international forums that have considered this topic. However, in explaining its vote my delegation considers it necessary to reiterate the fundamental principles that underlie its position on the question of Palestine.

My country considers that the question of Palestine constitutes the basic cause of the conflict in the Middle East. A comprehensive, just and lasting peace in that region requires the full and unconditional withdrawal of Israel from all the occupied Arab territories and a just solution to the problem of Palestine based on respect for the inalienable rights of the Palestinian people to return to their homes, to self-determination free of external interference, to national independence and sovereignty, and to establish its own sovereign and independent State in its age-old homeland. Similarly my delegation reaffirms the right of the Palestinian people represented by its legitimate representative, the Palestine Liberation Organization, to participate on an equal footing in all activities, deliberations and conferences on the question of Palestine and the situation in the Middle East.

At the same time, my country recognizes the right of all the States of the region, including Israel, to exist and live in peace within internationally recognized and secure borders.

Regarding the draft resolution contained in document A/ES-7/L.3, my delegation will be obliged to abstain in the vote in view of the fact that we have serious reservations concerning the drafting of some of the operative paragraphs, and, indeed, their meaning. We consider that they could have been improved in both letter and spirit.

However, Panama's abstention should in no way be interpreted as indicating a change in Panama's position of support for the exercise by the Palestinian people of their inalienable rights. We reiterate that support at this time.

Mr. CALLE y CALLE (Peru) (interpretation from Spanish): Peru has always supported the cause of the Palestinian people and the exercise of its inalienable rights. After serious and careful consideration of the contents of the draft resolution in document A/ES-7/L.3, my delegation will have to abstain in the vote on it. I shall explain briefly the reasons for that abstention.

In its preambular and operative parts the draft resolution contains some controversial elements which are not in accord with Peru's position. We are ready to support any resolution that would promote dialogue, negotiation and the working together of all the parties involved in the question of Palestine as a way of preserving peace and security in the Middle East region. In particular, we disagree with the second and eighth paragraphs of the preamble and operative paragraphs 8 and 11. In our view, the draft resolution does not reflect fundamental elements that were considered in the Security Council and are contained in its resolution 242 (1967), which establishes the principles to ensure a just and lasting peace in the Middle East, and resolution 338 (1973), which appeals to the parties to negotiate within that juridical framework. We note that the draft resolution does not contain any specific reference to those two Security Council resolutions and, in fact, strays from their provisions. Indeed, the draft resolution does not reflect an impartial approach to a complex situation which requires the involvement of all the concerned parties in a problem which affects the region of the Middle East in general and Palestine in particular. Similarly, we note that it prejudices and indiscriminately condemns the powers of a permanent member of the Security Council.

We consider that some points in the draft resolution do condemn some of the Israeli acts in the occupied territories in a broader context. They none the less are incompatible with the efforts that should be undertaken by the international community on the basis of the Security Council resolutions that I have mentioned.

(Mr. Calle y Calle, Peru)

In this connexion, we consider it encouraging that efforts are to be undertaken by the Secretary-General towards bringing about, through concerted action, Israel's withdrawal from the occupied territories and respect for the territorial integrity, sovereignty and independence of all the States in the region, which would imply recognition of the right of the Palestinian people and the right of the Israeli people to coexist peacefully. To set forth the intransigent attitude of one party to a conflict and to ignore the position and action of others is not constructive and, indeed, is negative -- just as it is negative to ignore the right of the Palestinian people to self-determination.

Miss DEVER (Belgium) (interpretation from French): I have the honour to speak on behalf of Belgium, Denmark, the Federal Republic of Germany, France, Italy, Luxembourg, the Netherlands and the United Kingdom.

We have adopted a clear position against the Israeli policy with respect to the Palestinian people and the occupied territories on the West Bank, and in Gaza and the Golan Heights. Accordingly, we should like to recall our view that the Hague Convention of 18 October 1907 and the Geneva Convention of 12 August 1949 apply to all those occupied territories.

We fully share the concerns of the Palestinian people and the Arab countries over the escalating tension in the occupied territories and the repressive policy of the Israeli authorities.

Nevertheless, we regret that the draft resolution contained in document A/ES-7/L.3 does not reflect the principles that we believe to be fundamental and that we clearly set forth in the statement of the 10 member countries of the European Community made on 22 April 1982.

Therefore, we shall vote against the draft resolution before us. We have been prompted to adopt this attitude for the following reasons, in particular.

First, we should like formally to reaffirm our devotion to the principle of the universality of the United Nations. In this context, we strongly oppose operative paragraph 11 of the draft resolution, since it might lead one to question the membership status of the State of Israel in this Organization.

(Miss Dever, Belgium)

That would be an extremely negative process for the future of the United Nations and for the chances of achieving a comprehensive, just and lasting peace in the Middle East. We call upon Member States not to embark upon an unrealistic approach which would eliminate from this forum a State which is of necessity a partner in any negotiations for a comprehensive, just and lasting peace settlement in the region.

We cannot accept the provisions of operative paragraphs 8 and 9 which seek to isolate Israel in various fields. Those measures certainly cannot contribute to the quest for a peaceful solution. Similarly, we cannot associate ourselves with the criticism of the exercise by a permanent member State of the Security Council of the right which it possesses under the Charter.

We disagree in particular with the language used in operative paragraph 10, the substance of which runs counter to the fundamental freedoms contained in the Universal Declaration of Human Rights.

We also regret that operative paragraph 15 ties the action of the Secretary-General to the implementation of controversial proposals which do not take sufficient account of the position of the 10 member countries of the European Community.

We have taken note of the statement that you, Mr. President, made about reopening the present session, but we cannot support the proposal to adjourn the seventh emergency special session temporarily a second time. We feel, rather, that another emergency special session could be convened, depending upon the prevailing situation at any given time, in accordance with the established procedures.

The draft resolution before us does not respond to the challenge posed by the question of Palestine in all its complexity. It seriously departs from the spirit and letter of Security Council resolutions 242 (1967) and 338 (1973) and the principles that we have so often advocated in this context. It runs counter to the efforts of those who are honestly seeking a real basis for a viable peace.

Finally, I should like to take this opportunity to pay a tribute to the Governments of Israel and Egypt for having completed the return of the Sinai. The Council of Ministers of the European Community has just issued a communiqué in that connexion, and we intend to ask that it be distributed as a document of the United Nations.

Mr. BHATT (Nepal): The position of my delegation on the question of Palestine and the situation in the Middle East is well known. It is our firm conviction that the question of Palestine is crucial to the Middle East problem and that a just, lasting and comprehensive peace in the region cannot be achieved without the peaceful settlement of that problem.

We have supported and will continue to support the inalienable rights of the Palestinian people to self-determination, independence and statehood. The draft resolution before us reaffirms those rights, and we shall therefore vote in favour of it.

However, we wish to make the following observations on the text before us.

Operative paragraph 1 of the text reaffirms relevant resolutions of the United Nations, which, as we understand it, include also Security Council resolution 242 (1967) and 338 (1973), which call for a negotiated settlement on the basis of certain principles.

My delegation would also have liked a different formulation of certain sub-paragraphs of operative paragraph 7 and 8 of paragraph 8. We also cannot associate ourselves with operative paragraph 11, as it is not in conformity with the policy and perceptions of my Government on the situation in the Middle East.

My delegation reiterates its view that certain measures called for in the draft resolution are the exclusive prerogative of the Security Council in accordance with the Charter of the United Nations.

Mr. SEWRAJSING (Suriname): The resumed seventh emergency special session of the General Assembly now has before it document A/ES-7/L.3, which contains a draft resolution on the question of Palestine.

The Government of Suriname holds the view that the continuing aggravation and deterioration of the situation in the Middle East, especially with regard to the occupied Palestinian territories, call for international action to take appropriate measures to redress that situation and to implement the relevant resolutions of the Security Council.

(Mr. Sewraising, Suriname)

The delegation of Suriname feels that the provisions of the draft resolution before the Assembly adequately address the tension in the occupied Palestinian Arab territories caused by the harsh Israeli measures against the civilian Arab population in those territories.

It is the reiterated view of the Government of Suriname that peace in the Middle East cannot be brought about without the withdrawal of Israel from the occupied Arab territories and without enabling the Palestinian people to exercise its right to self-determination, including the right to establish its own sovereign state.

The delegation of Suriname is particularly pleased with operative paragraph 15, which calls upon the Secretary-General, in concurrence with the Security Council, to initiate a genuine peace negotiations process with all parties to the Arab-Israeli conflict in the Middle East, including the Palestine Liberation Organization.

The delegation of Suriname can support, in general, the principles of the draft resolution before the Assembly. However, the delegation of Suriname wishes to put on record its reservations with regard to operative paragraph 10.

The Government of Suriname, while condemning the colonization of occupied Arab territories by Israel, is of the opinion that the right of States to allow their citizens to leave if they so desire must be respected. My delegation also wishes to express its reservations with regard to operative paragraph 11.

Those reservations, however, do not pose difficulties for the delegation of Suriname in voting in favour of draft resolution A/ES-7/L.3.

Mr. TRUCCO (Chile) (interpretation from Spanish): As we have said on previous occasions, the conflict in the Middle East is a matter of particular concern to my delegation, not only because it endangers international peace and security, but also because it affects peoples friendly to Chile, to which we are joined by firm bonds.

(Mr. Trucco, Chile)

My Government is convinced that the path to peace in the Middle East is outlined in Security Council resolutions 242 (1968) and 338 (1973). Together with those initiatives of the United Nations, we must commend other efforts to achieve peace that are being carried out in the region, including a historic fact: that is, the return of the Sinai. To fail to recognize this would be not only to fail to show elementary fairness but, indeed, to fail in the obligation to encourage truly positive action.

My delegation considers that no efforts should be spared to find a peaceful solution to the conflict in the Middle East. In that context, the fundamental task of the United Nations is to continue to encourage diplomatic dialogue among the parties. This, accordingly, should provide a dynamic forum which will promote that dialogue rather than making it sterile.

Unfortunately, we do not consider that the draft resolution that is going to be put to the vote contributes to harmonizing the position of the interested parties. It does contain positive elements that we fully support, such as the censuring of all acts of annexation, which contravene fundamental principles of the Charter. It none the less includes other aspects which in our view unbalance its general orientation.

Indeed, my delegation has serious reservations on the second, third and eighth preambular paragraphs and operative paragraphs 8, 9 (b), 10 and 11. Some of those paragraphs address matters which fall within the purview of the Security Council and introduce factors which may be used to erode the principle of the universality of the United Nations.

Accordingly, my delegation, reiterating its rejection of the illegal occupation of Arab territories and its categorical opposition to the use of force as a means of solving international disputes, will be obliged to abstain in the vote on this draft resolution.

Mr. KAMANDA WA KAMANDA (Zaire) (interpretation from French): During the first part of the seventh emergency special session on the question of Palestine - to be more exact, on 25 July 1980 - I stated that, since this emergency special session of the General Assembly on Palestine was being held under the banner of "Uniting for Peace", we had to make all the necessary efforts to bring about complete universality with regard to the recognition and reaffirmation of the legitimacy of the struggle of the Palestinian people to recover their rights; of the right to self-determination of the Palestinian people; of their right to create an independent sovereign State; of the right of the Palestinian refugees to return to their lands; of the representative character of the Palestine Liberation Organization (PLO) and its right to participate in all efforts to determine the future of the Palestinian people, on an equal footing with other parties; of the central role of the question of Palestine in the Middle East dispute; of respect for the character and international status of the city of Jerusalem as a Holy Place of the three great monotheistic revealed religions of the world and rejection of any unilateral actions and measures to annex or alter its geographic, demographic and cultural characteristics; and, finally, of the demand for Israel to withdraw from all Arab territories occupied by force.

(Mr. Kamanda wa Kamanda, Zaire)

We continue to believe that the Palestinian people have the same right as the Israeli people, that is, the right to a homeland and to live in peace. This total universality, this universal consensus, can be realized only in the context of the condemnation of the annexation of territory or the acquisition of territory by force, the establishment of settlements on Arab and Palestinian lands, expulsions, deportations and other violations of human rights in the occupied Arab territories, treatment which runs counter to the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, all sorts of frustration of religious and other freedoms, attacks on family rights and customs, and so on.

It is possible to reach this universality if we renounce maximalist positions which, far from addressing the essential, tend to pollute the atmosphere - if I may use that term - by substituting embarrassment for serenity. The draft resolution before us seems to depart from this will for universality.

I concluded in my statement in 1980 that if such a consensus could be brought about we could then look to the future with hope. What I said then is still valid today. Recent events in the Golan, the West Bank, Gaza, Jerusalem and Lebanon prove without any doubt - if proof were needed - the need for increased efforts and new initiatives to find a negotiated, comprehensive, just and lasting solution to the problem of the Middle East and Palestine, bearing in mind General Assembly resolutions 181 (II) of 29 November 1947 and 194 (III) of 11 December 1948 and Security Council resolutions 242 (1967) and 338 (1973). For everyone should realize that the annexation of the Syrian Golan Heights, the disbanding of the Municipal Council of El Bireh, the dismissal of the democratically elected mayors of Nablus and Ramallah, the sacrilegious attack on the Al Aqsa Mosque and the Dome of the Rock, the annexation of Jerusalem, the raids and incursions into Lebanon, and so on, are merely marginal aspects of the fundamental problem which it is time that we devoted ourselves to solving.

The reply given on 25 April 1982 to Security Council resolution 242 (1967) of 22 November 1967, the withdrawal of Israeli forces from occupied Egyptian Sinai - which we have noted with satisfaction and at which we rejoice, in harmony with the great Egyptian people - strengthens our conviction that if all agreed

(Mr. Kamanda wa Kamanda, Zaire)

to demonstrate goodwill, if they made a distinction between what was necessary and what was superfluous, the essential and the non-essential, the important and the secondary-- in a word, if all would demonstrate restraint and moderation we could achieve a negotiated, comprehensive, just and lasting settlement of this thorny and complex problem.

Since we are ever more unanimous in recognizing that the question of Palestine is the core of the Middle East problem, the absence of any explicit reference to Security Council resolutions 242 (1967), which defines the guiding principles for a comprehensive solution of the conflict, and 338 (1973) does not seem to contribute to the quest for a negotiated solution in accordance with the purposes and principles of the United Nations Charter.

The delegation of Zaire, in view of the support which it has constantly and reasonably given to the just cause of the Arab people of Palestine, would certainly vote in favour of draft resolution A/ES-7/L.3, as we did in the case of other resolutions, but for the fact that it contains some exclusions in the preambular part and some provisions which make us think of a remedy or treatment which worsens the illness of the patient -- that is, the Middle East and Palestine.

The implications of operative paragraph 11 in particular go far beyond the framework of the discussion, and we are not convinced that this operative paragraph will contribute to the quest for an appropriate solution to the problem of Palestine. Furthermore, through it we might create a very serious precedent and we cannot say now that it will not back-fire against one or other of the 157 Member States which make up the United Nations today -- because no one can claim monopoly of respect for the Charter and the resolutions of the General Assembly and the Security Council. Thus, we believe that the operative part does not correctly pose the problem, which is a very complex one.

Political relations evolve; and even relations of force do not remain static.

For all those reasons, while we accept most of the constructive stipulations of the draft resolution, we cannot vote in favour of it because operative paragraph 11 creates a fundamental imbalance in view of the essence of the problem.

Mr. KOROMA (Sierra Leone): The General Assembly is once again properly convened in emergency special session: properly, in our view, because when the Security Council fails to adopt a decision or take action in a matter relating to international peace and security, owing to the negative vote of a permanent member of the Security Council, the General Assembly must assume its residual competence as the custodian of international peace and security.

My delegation has stated on numerous occasions before this body that the Palestinian issue is and remains the core of the Arab-Israeli conflict in the Middle East. This problem will continue to engage the attention of this world body until and unless Israel terminates its deliberate policies of annexation of the Arab territories occupied by it since 1967 and its repeated predatory and military attacks against the Palestinian people and the neighbouring States of the region; until it renounces the deployment of military might, which it has elevated to State policy in the entire region; and, indeed, until Israel ceases the expulsion of Palestinians from their ancestral homeland and allows their return and the exercise of their right to self-determination.

My delegation therefore reaffirms its unequivocal opposition to Israel's persistent and flagrant violations of the rights of the Palestinians and its denial of that people's right to establish its own State, as provided for in General Assembly resolution 181 (II) of 29 November 1947, as well as Israel's gradual annexation of the occupied Arab territories in defiance of numerous relevant resolutions of this Organization.

(Mr. Koroma, Sierra Leone)

More recently, Israeli policies in the Middle East have further threatened peace and stability in that region as a whole and further aborted the Palestinian struggle for self-determination. The Israeli Government's declaration, in August 1980, of Jerusalem as the capital of Israel, notwithstanding the special status which General Assembly resolution 181 (II), of 1947, accorded to that Holy City, and also its decision to apply the laws of the Jewish State to the Syrian Golan Heights should both be viewed within the framework of Israel's policy to expand its territory through military occupation beyond the territorial limits which resolution 181 (II) had established for it.

Secondly, Israel has recently increased its military repression of the Palestinian people in the occupied territories. It has also indulged in the destruction and desecration of Arab religious and cultural centres in the occupied territories, as well as in the closing down of schools and universities, in the unfortunate killings of Arabs, including women and children, and in the dismantling, by force, of the municipal councils comprising duly-elected Palestinian leaders, and in the expulsion of those leaders with the intent of destabilizing the Palestinians in their homeland and further subjugating them.

Simultaneously with the convening of this emergency special session, Israel also launched a military attack against the territory of Lebanon, which resulted in wanton and serious loss of life and the further escalation of tension in the region.

My delegation strongly deplores such acts, which not only result in the unnecessary loss of innocent lives but heighten tension in the region. We shall therefore vote in favour of the draft resolution contained in document A/ES-7/L.3 - and, in particular, operative paragraph 15, which:

"Calls upon the Secretary-General, in concurrence with the Security Council and in consultation as appropriate with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to initiate contacts with all parties to the Arab-Israel conflict in the Middle East, including the Palestine Liberation Organization, the representative of the Palestinian people, with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution, conducive to peace, in conformity with the principles of the Charter and relevant resolutions and based on the implementation of the recommendations of the Committee as endorsed by the General Assembly at its thirty-first session".

(A/ES-7/L.3)

(Mr. Koroma, Sierra Leone)

With the approval of the sponsors of this draft resolution, Sierra Leone would also like to become a sponsor of it.

Mr. GALVEZ MUCIENTES (Bolivia) (interpretation from Spanish): The delegation of Bolivia wishes to reiterate its support for the cause of the Palestinian people; we deplore and condemn all of the acts of violence that frequently beset the Middle East, thereby imperilling international peace and security.

The delegation of Bolivia does not, however, accept the tacit or explicit attempt, for whatever reason, to expel any Member State, as this would run counter to the principle of universality, which is the essential philosophical basis for the very existence of the United Nations.

The Bolivian delegation considers also that within this Organization, which is devoted basically to preserving peace, and in the drafting of the official documents of this Assembly, no accusatory or cutting terms should be used against the good name of its Member States.

For those reasons the delegation of Bolivia, reiterating the inadmissibility of the acquisition of territory by force of arms, will be obliged to abstain in the vote on the draft resolution before us.

Mr. ESCUDERO (Ecuador) (interpretation from Spanish): The draft resolution that we shall be voting on contains elements which have had our unreserved and constant support. Such is the case with operative paragraph 2, which reaffirms the fundamental principle of the inadmissibility of the acquisition of territory by force. Ecuador has unswervingly supported this principle, as we had occasion to reiterate in voting for resolution 36/226 B, which reaffirmed that acquisition of territory by force is inadmissible under the Charter of the United Nations and the principles of international law, as well as for resolution ES-9/1, concerning the situation in the occupied Arab territories.

(Mr. Escudero, Ecuador)

Ecuador opposes the use or threat of the use of force in international relations and considers that only by the peaceful solution of disputes - through dialogue and negotiation - will it be possible to reduce tensions and achieve lasting results in the form of freely-entered-into agreements enjoying the full support of public opinion in the countries involved, and culminating in the return of territories to the country to which they belong, irrespective of the length of time of the spoliation, the fruits of the force of arms.

In this connexion, my delegation warmly commends Israel's restoration to Egypt of the rest of the Sinai peninsula. It is a demonstration of the course that should be adopted for the peaceful settlement of disputes among nations.

If the paragraphs of draft resolution A/ES-7/L.3 were put to separate votes the delegation of Ecuador would vote in favour of most of them. We find that operative paragraph 15, for example, introduces a constructive element to the search for peace in the Middle East, as it involves the Security Council and all the interested parties in the quest for concrete measures to achieve a just and lasting solution, in accordance with the principles of the Charter and the relevant resolutions of the United Nations. However, in view of the fact that operative paragraph 11, on which we are about to vote, contains language of questionable legality, alien to international practice and impairing the principle of universality constantly supported by my country, my delegation will abstain in the vote on the draft resolution as a whole. By seeking to have the General Assembly declare that Israel is not a peace-loving Member State, this paragraph is an attempt to disqualify that State as a Member of the United Nations - a procedure which would dislocate the structure of our Organization and run counter to Article 6 of the Charter. It would also frustrate the purposes sought in operative paragraphs 14 and 15 of the draft - purposes which Ecuador supports and with which it is in full agreement.

(Mr. Escudero, Ecuador)

My delegation's abstention on this draft resolution should in no way be interpreted as a departure from Ecuador's constant support for the exercise of the inalienable rights of the Palestinian people, including its right to independent statehood and to the participation of the Palestine Liberation Organization in all negotiations to achieve a comprehensive solution to the Arab-Israeli conflict in the Middle East.

Mr. NUSEIBEH (Jordan): The present draft resolution (A/ES-7/L.3), of 27 April 1982, accurately portrays the ordeal and suffering of the Palestinian people inside the occupied territories and of those in exile. We appreciate the support and understanding of the sponsors of the draft resolution -- and of all the States which we trust will give it their support.

At the same time, and with a very sad heart, I feel impelled to state that the draft resolution will not alleviate the plight of the Palestinian people, nor will it change by one iota the irreversible course which Israeli aggression is relentlessly pursuing, and which is bringing the Palestinian people's just cause and its inalienable rights to the point of no return.

(Mr. Nuseibeh, Jordan)

The Israeli leadership has made it unequivocally clear that it has no intention whatsoever of returning one inch of stolen land, territory or property -- and all Member States have heard this. Quite the contrary, they announced yesterday the establishment of 11 additional settlements and their determination to continue their colonization in the West Bank, the Gaza Strip and all the other occupied territories, until in a few years -- and I mean a few years: it could be two, three or four -- there will be no Palestinian territories left to talk about. This demonstrates clearly Israel's determination to expel by force, intimidation and strangulation the remnants of the Palestinian people from their ancestral homeland.

I am convinced that unless prompt action is taken to stop the haemorrhage and to redeem Palestinian rights, the principal ally and partner of Israel -- the United States of America -- and the States which have ambivalent feelings will bear full responsibility for the cannibalization of the Palestinian people. It will be a dark stain on their history.

Whether the paragraph in the original draft text which provided for a review of Israel's status at the United Nations was retained in or -- as is the case -- deleted from the present draft resolution, I would find myself impelled to declare that the General Assembly's failure to take effective action, with or without that paragraph, would inevitably render the United Nations irrelevant both to bringing about a just and comprehensive peace and to saving a whole people from destruction.

Menachem Begin will answer any resolution the General Assembly may adopt by launching further acts of aggression and intensifying illegalities and oppression against the Palestinians under occupation. The entire region will find itself impelled to look elsewhere for redemption.

The General Assembly is faced with two options. One is to respect and abide by the Charter and the lofty ideals it specifically spells out and to which we are all pledged. The other is for the General Assembly to become a hostage to Begin's diktats, faits accomplis and total defiance and vilification of the jurisdiction and authority of the United Nations. The Israelis will simply ignore the Organization -- as we may read in today's newspaper -- and will continue their absorption of the occupied territories, which is what we are talking about. That will lead to an escalation of the threat not only to regional peace and security, but eventually to world peace and security.

(Mr. Nuseibeh, Jordan)

I challenge anyone to dispute the facts of Israel's record of massive violations of the Charter over the decades, some of which have been enumerated in the draft resolution before us. In the face of such indisputable, stark facts, can we find any excuse? Can we find any exaggeration in this draft resolution? It describes, inter alia in its paragraph 7, the facts on the ground which are there for all to see: any one of us can go there and see them for himself rather than talking about them here in this hall.

If annexation, colonization and cannibalization make a State peace-loving, then I respectfully ask my fellow representatives when we should call a State non-peace-loving. We are not that hypocritical.

Some Members have criticized the lack of mention of Security Council resolutions 242 (1967) and 338 (1973). If any Member State is in any doubt about the fate of those resolutions, I must inform it that, while Jordan supported those resolutions in 1967 and 1973 in order to resolve the consequences of the 1967 Israeli aggression and occupation, the Israelis themselves have torpedoed those resolutions, in letter and spirit, on the ground, by already having confiscated 40 per cent of the occupied territories and throwing out their inhabitants, and by colonizing those territories. That colonization continues inexorably. Menachem Begin is planning to introduce a bill in the Knesset within the next few days which will bind even future Israeli Governments, by declaring unlawful the removal of illegal Israeli settlements on confiscated Palestinian or Syrian territories.

Such policies will inevitably make the task of the Secretary-General, set out in paragraphs 15 and 16, literally impossible. The Israelis will have pre-empted his honourable task of searching for a comprehensive, just and lasting peace.

Some delegations seem to be oblivious to the fact that while we talk here, Israeli diktat is being implemented on the ground in the occupied territories.

I wish to declare solemnly that unless the General Assembly and the Security Council act - and act quickly - in the not-too-distant future they will not have a question of Palestine to deal with, but will in observance of the rules of etiquette hold a meeting to read out obituaries on the Palestinian people. The Palestinians would say, "Thank you, but we do not need that courtesy". They will seek their own path to redemption, wherever they may be. Thenceforth, the United Nations will devote its time and energy only to other pressing issues, dealing with social, scientific and - if possible - economic problems.

(Mr. Nuseibeh, Jordan)

In conclusion, I would note that some Members have referred to the principle of universality of representation in the General Assembly. If that principle applies, is not the lack of representation for 4 million Palestinians a violation of that principle?

Mr. OYONO (United Republic of Cameroon) (interpretation from French):

My delegation, whose position is well known, having been repeatedly stated here and elsewhere, has constantly affirmed that the question of Palestine is the key to any just and lasting solution to the Middle East problem. We have always called upon all the parties to the dispute to demonstrate the firm political will to implement effectively the relevant resolutions of the United Nations, in particular Security Council resolutions 242 (1967) and 338 (1973), which, in the opinion of my delegation, are the basis for a just and lasting settlement of this question. That is why we welcome the recent restoration of the Sinai to Egyptian sovereignty. We note with regret and surprise that the draft resolution before us in document A/ES-7/L.3 does not explicitly take note of these two basic resolutions. The failure to do so placed my delegation in an embarrassing position and would have led it to take the position flowing therefrom, were it not for its unswerving commitment to the just cause of the Palestinian people.

We are duty bound to support all ongoing efforts to achieve all the inalienable rights of the Palestinian people, under the leadership of the Palestine Liberation Organization (PLO), the sole, authentic representative of that people.

For its part the United Republic of Cameroon is convinced that the solution to the question of Palestine cannot be brought about outside the process of a comprehensive settlement defined by the United Nations and laid down in the aforementioned Security Council resolutions 242 (1967) and 338 (1973).

With that reservation, my delegation will support the draft resolution before the Assembly.

Mr. KASEMSRI (Thailand): My delegation's position with regard to the question of Palestine has remained consistent. Members will recall that, during the seventh emergency special session in July 1980, we stated this position as follows:

"My delegation fully appreciates the anguish of the Palestinian people. Not only must every effort be made to provide them with urgent humanitarian relief, but their legitimate and inalienable rights must be restored to them forthwith, including their right to self-determination without external interference, their right to national independence and sovereignty and their right to return to their homes and property. At the same time as the legitimate rights of the Palestinian people are recognized, including the right to statehood, the legitimate right of the State of Israel to exist within secure and recognized borders must also be recognized.

"...

"It is Thailand's position not to recognize Israel's annexation of Jerusalem or its becoming Israel's capital. It also considers any change in the demographic status of ... Jerusalem as being contrary to United Nations resolutions and not in conformity with international law...

"... we must endeavour with renewed determination to uphold the purposes and principles of the United Nations Charter, to effect the withdrawal of Israeli forces from the Arab territories occupied since 1967, including Jerusalem; and to ensure for the Palestinian people the exercise of their rights, especially the right to self-determination, without further delay." (A/ES-7/PV.10, pp. 108 and 109-110)

Since July 1980 the over-all situation in the area has deteriorated. While my delegation welcomes the momentous achievement of peace between two States in the area - Egypt and Israel - which culminated in the recent restoration of the Sinai to its rightful owner, the question of Palestine remains the central issue in the situation in the Middle East. Furthermore, Israel has not relinquished its occupation of other Arab territories occupied since the 1967 war but, on the contrary, appears more determined to hold on to them, including Jerusalem.

(Mr. Kasemsri, Thailand)

Continued mistreatment of the Arab population in the occupied territories underscores the tragic plight of the Palestinian people and their urgent need for a full restoration of their inalienable rights, particularly the right to self-determination free from outside interference or coercion.

The violation on 11 April 1982 of the sanctity of one of Islam's holiest shrines has caused outrage throughout the world. Therefore, it is deplorable that the Security Council was unable to take a decision on this matter because of the negative vote of a permanent member.

It is my delegation's firm belief that the Middle East problem, with the question of Palestine as its core issue, must find a peaceful negotiated solution with the participation of all concerned, including the Palestine Liberation Organization (PLO) as the representative of the Palestinian people. As heretofore, my delegation remains convinced that a peaceful settlement acceptable to all parties can be based only on Security Council resolution 242 (1967), together with other relevant United Nations resolutions. Moreover, for the United Nations to continue to provide the framework for a peaceful and comprehensive settlement, the principle of universality must be upheld for pragmatic reasons.

In the light of the foregoing, and in order to avoid further erosion of the prospects for a negotiated solution, my delegation will abstain in the vote on the draft resolution contained in document A/ES-7/L.3.

Mr. DORR (Ireland): The position of the ten member States of the European Economic Communities (EEC), including Ireland, in the present debate was set out fully in the statement by the representative of Belgium on 22 April. Earlier, in my own statement in the Security Council on 2 April, I had occasion to express clearly the position of my Government on many of the issues before us. As I noted then, Ireland has repeatedly stressed the need for a comprehensive peace settlement in the Middle East. We believe that the two principles of Security Council resolution 242 (1967) must be basic to such a settlement.

(Mr. Dorr, Ireland)

Those two principles are, in our view, valid and necessary, but they are not a sufficient condition for a peace settlement because they do not cover what must be an important part of any comprehensive settlement: the legitimate rights of the Palestinian people, including their right to self-determination within the framework of a peace settlement.

When resolution 242 (1967) was adopted in 1967, the Security Council must have intended that it would be implemented at an early date. Instead, 15 years have passed and there has been another major war in the region. We recognize the importance of the evacuation of the Sinai, but elsewhere the occupation continues. This means that an inherently unstable and dangerous situation has been maintained. It is a continuing source of anger and resentment to those who live under occupation and to the Arab world at large.

We know from examples elsewhere how deep-seated grievances and a sense of alienation within a community can grow in such a situation, especially if there is no evidence of a real political settlement in sight but, rather, a continuing reliance on security forces or an army to maintain order and calm. Any such situation must be described as explosive.

This is the atmosphere which prevails today in the occupied territories. This atmosphere, together with the policies pursued by Israel in those territories, gives us cause for the most serious concern. Ireland gave expression to that concern by voting in favour of the draft resolution which was before the Security Council on 2 April.

(Mr. Dorr, Ireland)

We are, however, obliged to vote against the draft resolution now before the General Assembly. In setting out our main reasons for doing so, I associate myself with the attitude expressed here this morning by the representative of Belgium, with which certain other States had asked to be associated.

Our main difficulty is that the present draft resolution, taken as a whole, is predicated upon a general approach to the Middle East conflict which we do not think is conducive to the comprehensive peace settlement we so very much want to see. There are elements in the draft resolution with which we agree, but there are also a number of specific provisions which we cannot accept. I shall mention some of the more serious of these.

First, we think it wrong for the Assembly to adopt a resolution which, even if it does not seek to suspend or expel Israel from the United Nations at this stage, nevertheless does seem to foreshadow such a decision at a later date. We think that such an approach to the complex Middle East situation would be both ineffective and wrong, and indeed could ultimately be dangerous for the United Nations itself as well as for its ability to contribute to a settlement.

Secondly, we do not find acceptable a number of the provisions of the draft resolution which envisage measures directed at the isolation of Israel in many fields. There are other references, such as the language referring to the flow of human resources and the reference to the use by a permanent member of the Security Council of its veto rights under the Charter, which we do not find acceptable or which create difficulties for us.

For all of those reasons we feel it necessary to cast a negative vote. Nevertheless, Ireland's over-all position on the issues now before the Assembly should be quite clear. Let me repeat it in brief. We are seriously concerned at the continued occupation of Arab territories. We are seriously concerned at present Israeli policies in those territories. We are strongly committed to the need for a comprehensive peace settlement of the conflict as a whole.

(Mr. Dorr, Ireland)

It is precisely because we think that, despite elements with which we agree, the present draft resolution would not advance and could indeed hinder such a comprehensive settlement, that we feel it necessary to vote against it.

Mr. PELLETIER (Canada): When this seventh emergency special session was first called in July 1980, it was to consider the situation in the occupied territories. That situation has now changed. Israel has passed two laws which have annexed or effectively annexed part of the occupied territories. Canada has strongly opposed those moves, which it regards as contrary to international law and detrimental to the peace process in the Middle East. More recently, the Israeli authorities have dismissed the municipal council of El Bireh as well as the mayors of Nablus and Ramallah and have replaced them with Israeli administrators. Tensions in the West Bank and the Gaza Strip have been heightened and have led to tragic loss of life, injuries, demonstrations and general strikes which have caused severe disruption of normal daily activity.

Canada has deplored this increase in tension. It has expressed its concern and has counselled all involved to exercise restraint and avoid provocation and violence. Canada's concern is that such violence, if not checked, could have far-reaching consequences for the peace process and the stability of the region. In the Canadian view the situation points more strongly than ever to the need for a negotiated resolution of the dispute, withdrawal of Israel from territories occupied in 1967, peace and secure borders for all States in the region and recognition of the legitimate rights of the Palestinian people.

Much has been said about the tragic events at the Temple Mount on 11 April, events which deserve and have received the strong condemnation of many Governments, including that of Israel. My Government joins in the general feeling of revulsion at the tragic loss of life and desecration of that most holy site, as it condemns any disrespect for the Holy Places, be they Christian, Moslem or Jewish.

(Mr. Pelletier, Canada)

In the past few years the United Nations and its bodies have devoted a lot of attention to Middle East questions. Many resolutions have been adopted. But how significant are they in terms of promoting a just, lasting and comprehensive settlement in the Middle East? More and more, they have been couched in language that is not calculated to bring the two sides to the conflict any closer together. If we are serious about trying to promote a settlement, should we not be focusing more on helping the parties eliminate the obstacles that are keeping them from finding solutions of their own?

Unfortunately, draft resolution A/ES-7/L.3 does little to break with the polemics of the past and try to come to grips with this basic point. There are many elements in operative paragraphs 1, 7, 8, 9, 10, 11, 14, 15 and 17 which we simply cannot support, and consequently we must vote against the draft resolution.

We are particularly disturbed - as we were with an identical paragraph in resolution A/ES-9/1, on the Golan Heights - by the possible implication of operative paragraph 11, which might be employed as grounds to limit Israel's participation in the General Assembly. As we stated during the ninth emergency special session, we would be extremely concerned by a move to inhibit the right of Israel, or indeed that of any other State, to participate fully and on an equal basis in the United Nations and its agencies. Canada firmly supports the principle of universality of participation in the United Nations.

We believe that, to the extent that it calls on the Secretary-General to initiate contacts with all parties to the Arab-Israeli conflict with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution, operative paragraph 15 moves in a positive direction. Our inability to support it fully stems from its attempt at setting preconditions for the Secretary-General's contacts which are clearly unacceptable to one of the parties and therefore undermine the prospects of success. We believe the basic guidelines for any efforts should continue to be those carefully worked out in Security Council resolutions 242 (1967) and 338 (1973). These provide the framework for a settlement.

(Mr. Pelletier, Canada)

Even during the course of this session there has been change, positive change. Despite differing views, none of us can ignore the significance of the fact that, in keeping with the intent of resolution 242 (1967), a negotiated arrangement has brought about the peaceful withdrawal of Israel from part of the occupied territories, with the return of the Sinai on 25 April. Let us seek to build from that positive action and to end the generation of distrust and the cycles of violence which have bedevilled efforts to promote a just, lasting and comprehensive settlement.

Mr. BLUM (Israel): Yet another round of the anti-Israel frenzy that has gripped my people's enemies in this Organization is drawing to its close. This so-called emergency special session was convened in the first place in violation of the requirements laid down in this regard, as we had occasion to point out in July 1980. It has been a contrived emergency from the outset. The so-called resumption of this session 21 months after it was adjourned "temporarily" in July 1980 is an equally deliberate abuse of the United Nations machinery by the forces of international lawlessness that have taken control of this Organization, that ride roughshod over the Charter, the rules of procedure of the General Assembly, elementary propriety and basic logic and that intend to resort again to the same abuse.

All these irregularities are a fitting background to the current proceedings and to any resolutions emanating from them. For these irregularities too serve to highlight the utter illegality of the very purpose of the exercise that is being played out here for the umpteenth time. To comprehend the real purpose of this entire travesty, one only had to listen to the statements made by Israel's enemies that have hijacked this Organization and have turned it into an anti-peace organization in total disregard of the purposes and principles of the Charter.

(Mr. Blum, Israel)

The miserable concoction which they have produced and which they refer to as a draft resolution regurgitates once more the main components of the many anti-Israel resolutions that have been steamrolled through this Assembly in recent years by that notoriously corrupt body - corrupt even by United Nations standards - that goes under the name of the Palestine Committee. That Committee in actual fact is nothing but a pliant tool in the hands of a group of international gangsters that have been declared here a "national liberation movement". All of us know of course the truth, and some of my country's enemies do not even bother to hide it: their purpose is to bring about in stages the destruction of my country, for they deny not only the right of the Jewish people to self-determination, national independence and sovereignty in its homeland - the Land of Israel - but even the very existence of the Jewish people.

The association of the Jewish people with the Land of Israel, unique in its circumstances, has become part and parcel of the history of mankind, inextricably entwined in the fabric and texture of world culture. Here at the United Nations constant attempts have been made over the past 30-odd years to obscure the inseparable bond between the Jewish people and the Jewish homeland. Yet this continuous and uninterrupted bond antedates the establishment of the United Nations by some mere 3000 years. The United Nations - a Kafkaesque body that is eagerly divorcing itself from the realities of the world - cannot alter these incontrovertible facts, much as our enemies would like this to happen.

Today the people of Israel and the Jewish people around the world celebrate a joyful occasion - the thirty-fourth anniversary of the restoration of Jewish independence in our homeland after 19 centuries of persecution, exile and dispersion. On their behalf, let me tell the enemies of Israel and of the Jewish people that no amount of distortion, fabrication, bigotry and hallucination in this building can undo so central a fact of the political, spiritual, cultural and religious history of the world as the inseparable bond between the Jewish people and its Land.

(Mr. Blum, Israel)

This orgy of hatred and malice has, however, already had one effect: it has severely damaged the standing and reputation of this Organization. Any continuation of this display of collective frenzy can only further undermine what little, albeit steadily diminishing, prestige this Organization may still enjoy, to the point of fatally damaging it and imperilling its very existence.

The enemies of Israel have already been successful in transforming this Organization into an anti-peace organization where the relations between States are being polarized and exacerbated instead of being harmonized, as we are enjoined by the Charter. How else can one account for the fact that barely three days after the final evacuation by Israel of the Sinai, in conformity with the provisions of the epoch-making peace treaty between Israel and Egypt that was concluded and implemented over the vigorous opposition of our enemies, of the cynics who feed on their obsessions and of this Organization that is manipulated by them, this Assembly pretends to be unaware of the unprecedented sacrifices that my country has made for the sake of peace? These sacrifices were hailed last Monday in the following words: "The people of Israel have shown an enthusiasm for peace and a readiness to accept the aftermath of peace, moderation and coexistence and this is becoming more and more pronounced." These words were spoken before the Egyptian Parliament by the President of Egypt, Mohamed Hosni Mubarak, the successor of the much lamented Anwar el-Sadat. They are words of sanity and realism, as distinct from the lunacy and moral depravity that reign in this building.

Not surprisingly, the draft before us makes no mention of Security Council resolution 242 (1967), which served as the basis for the Camp David framework accords and for the Israel-Egyptian peace treaty, and which remains the only agreed framework for a negotiated and comprehensive settlement of the Arab-Israel conflict. In fact, the openly admitted objective of the enemies of peace is to undermine that resolution.

It is not my intention to analyse each and every one of the mendacious paragraphs that together make up the despicable concoction before us. Let me just give one or two examples in order to demonstrate where lunacy and dishonesty are bound to lead. In operative paragraph 7 - which incidentally contains a series of blatant lies that failed of adoption in the Security Council - it is maintained that my country has failed to fulfil its alleged obligations under the Fourth Geneva Convention of 1949, the applicability of which to certain territories under

(Mr. Blum, Israel)

Israel's control is asserted throughout the draft. Yet in the same breath paragraph 7 chides Israel for dismissing certain mayors and for disbanding a municipal council, acts that are explicitly authorized under article 54 of the said Convention. Inner contradictions of this kind are the fate of those who succumb to obsessive hatred and irrationality.

Paragraph 11 repeats the obscene libel that Israel is not a peace-loving State. Let me address myself very briefly to this abomination: The free and democratic State of Israel and the Jewish people are in no need of certification of their love of peace by the tropical gulags of Hanoi and Havana, by the Iraqi aggressors and oppressors of the Kurdish people, by the quislings of Kabul, by the genocidal criminals of the Pol Pot clique, by the oppressive régime of Zia ul-Hak of Pakistan, by the Syrian butchers of Hama and Beirut, by the level-headed ruler of Libya - that well-known paymaster of international terrorism, or by the mediaeval and backward régime of Saudi Arabia, the willing host of Idi Amin, that former respected member of the United Nations Commission on Human Rights. Israel is in no need of certification of its love of peace by the Soviet Union, whose peaceful intentions have been so vividly demonstrated in the streets of Budapest, Prague, East Berlin, Warsaw and Kabul. Israel is in no need of certification of its love of peace by the Soviet Union's miserable lackeys in those and other capitals, in particular by the arrogant neo-Nazi bullyboys of East Berlin. That is a representative sample of the forces of international lawlessness that are about to condemn my country. A condemnation by them is indeed a badge of honour. To them, to all the moral perverts, the intellectual dwarfs, the unprincipled cynics and the bigots fanning the flames of religious hatred in this building, I wish to convey the sentiments of contempt not only of my own people but indeed of all free people around the world. In token whereof, I request that a roll-call be taken so that the list of those voting for the despicable concoction can stand as a roll of dishonour and as a lasting monument to the shamelessness of the moral perverts as well as of the cynics who use them to divert attention away from such embarrassing trouble spots as Kampuchea, Afghanistan, Poland, Lebanon and Iraq. It will also attest to the spinelessness of many of those who, while fully realizing the real intentions of this draft, will still not vote against the mendacious concoction for reasons of expediency, selfishness, greed or sheer moral cowardice.

The PRESIDENT: Before the Assembly proceeds to the vote, I should like to announce that the delegations of the following countries are additional sponsors of the draft resolution in document A/ES-7/L.3: Bangladesh, Gambia and Sierra Leone.

I now put to the vote the draft resolution in document A/ES-7/L.3. A roll-call vote has been requested.

A vote was taken by roll call.

Zimbabwe, having been drawn by lot by the President, was called upon to vote first.

In favour: Afghanistan, Albania, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ethiopia, Gambia, German Democratic Republic, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Hungary, India, Indonesia, Iran, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Bahamas, Barbados, Bolivia, Brazil, Burma, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Guatemala, Haiti, Honduras, Ivory Coast, Jamaica, Japan, Liberia, Malawi, Mexico, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Samoa, Singapore, Spain, Swaziland, Thailand, Uruguay, Venezuela, Zaire

The draft resolution was adopted by 86 votes to 20, with 36 abstentions (resolution ES-7/4).

The PRESIDENT: We shall reconvene at 3 p.m. to hear those delegations that have indicated their desire to explain their vote after the voting.

The meeting rose at 1.30 p.m.