

manent Mission of the Libyan Arab Jamahiriya to the United Nations transmitted a letter from the Secretary of the People's Committee of the People's Bureau for Foreign Liaison addressed to the Secretary-General that gave an account of the statements made by the United States Government that he interpreted as an American-Zionist conspiracy exerting diplomatic and economic pressure on the Libyan Arab Jamahiriya endangering the security of the people of his country and the stability of the region. The letter stated that such threats as well as the preparations for aggression and the use of the deplorable outrages perpetrated at the Rome and Vienna airports as a pretext for a military action constituted a grave violation of the Charter of the United Nations. It was reiterated that the Libyan Arab Jamahiriya condemned such acts of terrorism and was not involved either directly or indirectly in those actions. The letter expressed hope that appropriate measures provided by the Charter would be taken to secure peace in the region.

The Acting Permanent Representative of Israel in his letters to the Secretary-General expounded the position of his Government. By a letter dated 9 January 1986⁵ the representative transmitted a letter from the Minister for Transportation of Israel to Ministers of Transportation, members of the International Civil Aviation Organization (ICAO), stating that the latest terrorist act added to a long list of previous acts. The letter called for international cooperation in planning and convening an urgent worldwide conference on the safety of civil aviation. The letter dated 9 January 1986⁶ gave an account of acts of murder by the PLO and examples of past terrorist attacks.

⁵A/41/87-S/17723 and Corr.1.

⁶A/41/84-S/17728 and Corr.1.

19. THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

Decision of 13 September 1985 (2605th meeting): rejection of a six-Power draft resolution

By a letter dated 11 September 1985 addressed to the President of the Security Council,¹ the representative of Qatar, on behalf of the Group of Arab States at the United Nations, requested an immediate meeting of the Council to consider Israeli practices against the civilian population in the Palestinian occupied territories.

At its 2604th meeting, on 12 September 1985, the Security Council included the letter from Qatar in its agenda, without objection,² and considered the matter at two meetings, on 12 and 13 September 1985.

During its consideration of this item, the Council decided to invite, at their request, the representatives of Egypt, the Islamic Republic of Iran, Israel, Jordan, Qatar and the Syrian Arab Republic to participate, without the right to vote, in the discussion of the question.³ At the 2604th meeting, the Council also decided, by a vote, to invite the representative of the Palestine Liberation Organization (PLO), in accordance with the Council's past practice, to participate in the debate.⁴ At the same meeting, the Council decided to extend an invitation under rule 39 of the provisional rules of procedure, at the request of the representative of Qatar, to Mr. Clovis Maksoud, Permanent Observer for the League of Arab States (LAS). At the 2605th meeting, the Council decided to extend an invitation, also under rule 39, at his request to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁵

At the same meeting, the representative of Qatar, speaking in his capacity as Chairman of the Group of Arab States, informed the Council of the grave situation in the occupied Palestinian territories, resulting from arbitrary Israeli practices against the civilian population there. He charged Israel with neither respecting nor implementing the Fourth Geneva Convention and called on the members of the Council, as parties to the Convention, to take the necessary measures to prevail upon Israel to respect it, in accordance with its article 1. He further noted that under the Charter members of the Council, in particular the permanent members, had primary responsibility for the maintenance of international peace and security and that the perpetuation of Israeli occupation of the Palestinian territories, and Israel's human rights violations, clearly constituted a threat to international peace and security. Therefore, he said that the world, and the Palestinian people in particular, expected nothing less from the Council than the unanimous adoption of the draft resolution before it.⁶

Also at the same meeting, the representative of the PLO stated that on 4 August the Government of Israel had adopted a set of oppressive laws and procedures thereby reviving the state of emergency originally introduced in 1945 by the British Mandate authorities in Palestine, especially those aspects relating to administrative detention, arbitrary dismissal and the closure of Palestinian newspapers. He asserted, therefore, that such oppressive Israeli practices called not only for condemnation and denunciation by the Security Council but for the adoption of measures to end those practices and to redress their consequences, especially since they ran counter to international conventions and resolutions, in particular the Fourth Geneva Convention of 1949. Referring to the United States' rejection of United Nations resolutions calling for the convening of an international peace conference on the Middle East with the participation of all parties to the conflict, including the PLO, he charged the United States with con-

¹S/17456.

²S/PV.2604, p. 7.

³For details, see chap. III of the present *Supplement*.

⁴The proposal to invite the representative of the PLO was carried by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statements regarding the invitation and for details of voting see S/PV.2604, pp. 9 and 10, as well as chap. III.

⁵See chap. III of the present *Supplement* for details regarding the invitations under rule 39 of the provisional rules of procedure.

⁶S/PV.2604, pp. 12-17.

tinuing to obstruct the process of establishing a just peace in the Middle East and with the constant encouragement of Israel's persistent disregard of the international will, United Nations resolutions and international law.⁷

At the same meeting, the representative of Egypt stated that the occupied Arab territories of the West Bank and Gaza were the scene of an intensification of acts of expulsion of Palestinian inhabitants and of repression by the occupying Power, acts that had culminated in the imposition of a state of emergency and a curfew in those towns and villages. He charged that the worsening of the general situation in those Arab regions resulted from the desire of Israel to continue to cling to the occupied territories and to yield to the promptings of various segments of Israeli society that sought to extend their domination over those territories through the establishment of settlements and whose colonists were even encouraged to move into wholly Arab areas and towns. Egypt continued to believe that the policy of colonization and settlement pursued by Israel in the occupied Arab territories could only heighten tension there. Citing several Security Council resolutions, he demanded that they be implemented and further recalled that a just and lasting solution of the Palestinian problem required a serious attempt to establish trust among the Palestinian population of the occupied territories. Referring to Egypt's repeated calls upon Israel to take steps that could help establish trust in the West Bank and Gaza, he expressed his Government's continued support for all efforts to bring about a peaceful settlement and its continued opposition to all the oppressive measures carried out by the occupying authorities in the West Bank, Gaza and all other occupied territories.⁸

At the same meeting, the representative of Israel charged that the Security Council was once again being abused, this time by the unusual collusion and collaboration between the Syrian Arab Republic and the PLO. He said that there were few things more offensive to one's basic sense of morality and decency, more insulting to one's elementary intelligence, than to have the Syrian Government and the PLO accusing others of human rights violations. He mentioned a number of events in that connection, such as the civil strife in Lebanon involving the Syrian Arab Republic and the PLO, attacks on Israeli civilians by PLO Arab terrorists and the establishment of new terrorist bases on the Israeli borders provided by the embrace of the PLO and Jordan. He defended Israeli steps to apprehend terrorist perpetrators and their collaborators as actions which were fully legal under the Fourth Geneva Convention.⁹

At the same meeting, the representative of Jordan replied that the Israeli allegation was baseless and ran counter to the truth, which was that resistance against Israeli occupation stemmed from within the occupied territories and grew and intensified as a natural reaction to the practices of the Israeli occupation authorities. He charged that Israel wanted to sow confusion with regard to the Palestinian-Jordanian peace initiative, as represented in the agreement signed on 11 March, which Jordan was trying to crystallize with all parties directly concerned and with all peace-

loving parties. He drew the Council's attention to the implicit threat against Jordan made by Israel, which he considered out of order, and revealed Israel's intentions to prevent the achievement of a just, comprehensive and honourable solution to the Middle East problem.¹⁰

At the 2605th meeting, on 13 September 1985, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People stated that it was up to the Security Council to give effect to the recommendations of the Committee and the recommendations adopted by consensus at the International Conference on the Question of Palestine, held in Geneva in September 1983. He recalled that those recommendations were solidly based on the internationally recognized fundamental principles regarding the Palestine question, which was the very heart of the Arab-Israeli conflict. While urging the Council to redouble its efforts to convene the International Conference on the Middle East, he also appealed to members to take appropriate measures to revive, on the basis of the principles and purposes of the Charter and the relevant resolutions of the Organization, the policy of dialogue among all the parties, in order to put an end to the tragic situation and to establish a just and lasting peace in the Middle East.¹¹

At the same meeting, the representative of the Syrian Arab Republic, while urging the Security Council to demand that Israel respect the Fourth Geneva Convention, also observed that the provisions of the draft resolution before the Council were not commensurate with the gravity of the situation created by Israel in the West Bank, Gaza and other occupied territories through its oppressive measures, which violated the most elementary rules of international law governing foreign occupation. He believed that the draft resolution should have contained an explicit condemnation of Israel for its actions and a strong condemnation of all acts of terrorism carried out by Israel against the Arabs, especially individual and official Israel terrorism and the mass punishment and killings of innocent people.¹²

Also at the same meeting, the representative of Jordan emphasized that the only solution to the suffering of the Palestinian population in those territories was an end to the occupation, through the establishment of a just and comprehensive peace, as called for by all international resolutions. He hoped that the Council would adopt the draft resolution, since that was the least it could do to maintain the security and safety of the population of the occupied territories at that stage.¹³

At the same meeting, the representative of China held that the decision by Israel to carry out administrative detentions and deportations was in violation of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and therefore those acts needed to be repealed immediately. He supported the Palestinian people and the Arab countries in their demand that Israel stop its illegal activities in the occupied Arab territories and implement the relevant provisions contained in the Geneva Convention. He also urged the Security Council to support them in that regard. Maintaining that the Palestinian issue

⁷Ibid., pp. 26 and 27.

⁸Ibid., pp. 34-38.

⁹Ibid., pp. 38-43.

¹⁰Ibid., pp. 38-51.

¹¹S/PV.2605, pp. 16-18.

¹²Ibid., p. 36.

¹³Ibid., p. 43.

was the crux of the Middle East question, having a direct bearing on peace and stability in the region, he stressed that the key factors to the solution of the Middle East question were the restoration of the national rights of the Palestinian people and the withdrawal of Israel from all the Arab territories it had occupied since 1967, including Arab Jerusalem.¹⁴

Many other speakers who participated in the debate identified the question of Palestine as the core of the Middle East problem and the key to peace and security in the region as a whole. They all called upon Israel to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. Many speakers urged the Security Council to prevail upon Israel to comply strictly with the relevant General Assembly and Council resolutions. Several also reiterated their concern over the plight of the Palestinian population in the occupied territories, in particular in the West Bank and Gaza.¹⁵

At the same meeting, the President drew the attention of the members of the Council to a draft resolution submitted by Burkina Faso, Egypt, India, Madagascar, Peru and Trinidad and Tobago.¹⁶ Under the draft resolution the Council would have recalled its resolutions 468 (1980), 469 (1980) and 484 (1980); taken note of General Assembly resolution 35/122 of 11 December 1980; recalled the statement of the Permanent Representative of Qatar to the United Nations and other statements made before the Council; stressed the urgent need to achieve a comprehensive, just and lasting peace in the Middle East; and reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem; deplored the repressive measures taken by Israel since 4 August 1985 against the civilian Palestinian population in the Israeli occupied territories, especially in the West Bank and Gaza; expressed serious concern that the persistence of Israeli authorities in applying such measures would lead to further deterioration of the situation in the occupied territories; called upon Israel, the occupying Power, to immediately stop all repressive measures, including curfews, administrative detentions and forceful deportation, and to release forthwith all detainees and refrain from further deportations; and would also have called upon Israel to abide scrupulously by the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

Speaking in explanation of vote, the representative of France deplored the constraints that the renewed special legislation of Israel imposed on the civilian population of the occupied territories and maintained that only a cessation of the escalation of violence, from whatever source, could make it possible to restore the climate of confidence so indispensable to dialogue. While recognizing that Israel as the occupying Power had to respect the provisions of the Fourth Geneva Convention of 12 August 1949 relative

to the Protection of Civilian Persons in Time of War and aware from the available information that some measures taken by Israel in the occupied territories were in fact not in keeping with the provisions of that Convention, France stated that his delegation was, nevertheless, compelled to abstain on the draft resolution, since it implied that all those measures were contrary to the Convention.¹⁷

Also in explanation of vote, the representative of the United States of America rejected the draft resolution, stating that it singled out for condemnation the detention and other policies of Israel in the West Bank and Gaza, without equally condemning and calling for a halt to the acts of terror against Israeli civilians and officials in the West Bank and Gaza that had provoked those policies. He said that one-sided draft resolutions such as one under consideration encouraged the spiral of violence and retaliation by hardening the attitudes of all parties. The party singled out for condemnation would conclude that it could never get a fair hearing and the other parties would believe that the Security Council had condoned their actions. He said the present draft resolution undercut rather than strengthened the ability of the Council to play a positive role in resolving the problems that were the root cause of the violence by exacerbating an already volatile situation.¹⁸

At the same meeting, the President put the draft resolution to the vote. It received 10 votes to 1, with 4 abstentions, and failed to be adopted owing to the negative vote of a permanent member of the Council.¹⁹

After the vote, the representative of the United Kingdom of Great Britain and Northern Ireland explained that despite the unhappiness of his delegation at certain aspects of the conduct of the Israeli authorities, it was not satisfied that operative paragraph 2 of the draft resolution conformed with the occupying Power's legal obligations in this case and his delegation would have welcomed a balanced reference calling for an end to violence by all parties. He regretted that suggestions on those lines had not been taken up and therefore he had had to abstain on the draft resolution.²⁰

Decision of 30 January 1986 (2650th meeting): rejection of a five-Power draft resolution

By a letter dated 16 January 1986 addressed to the President of the Security Council,²¹ the representative of Morocco, in his capacity as the Chairman of the Organization of the Islamic Conference, requested an urgent meeting of the Council to consider the serious threat to international peace and security resulting from Israeli acts of profanation committed against the sanctuary of Haram al-Sharif in Al-Quds (Jerusalem).

By a letter dated 16 January 1986 addressed to the President of the Security Council,²² the representative of the United Arab Emirates, in his capacity as Chairman of the Group of Arab States, requested an urgent meeting of the Security Council to consider the grave situation created in

¹⁴*Ibid.*, p. 46.

¹⁵*Ibid.*, Trinidad and Tobago, pp. 19 and 20; Burkina Faso, p. 38; Madagascar, p. 51; Peru, p. 52; Thailand, pp. 54 and 55; and Ukrainian SSR, pp. 58 and 59.

¹⁶S/17459.

¹⁷S/PV.2605, pp. 76 and 77.

¹⁸*Ibid.*, pp. 79 and 80.

¹⁹For the vote, see *ibid.*, p. 81.

²⁰*Ibid.*, p. 88.

²¹S/17740.

²²S/17741.

Jerusalem by Israeli actions violating the sanctity of the Haram al-Sharif.

At its 2643rd meeting, on 21 January 1986, the Council included the letters from Morocco and the United Arab Emirates in its agenda without objection,²³ and considered the matter at eight meetings, on 21 to 30 January 1986. At the same meeting the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate;²⁴ and also to extend an invitation under rule 39, at the request of the United Arab Emirates, to Mr. Samir Mansouri. At its 2644th meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.²⁵ At its 2646th meeting, the Council also decided at the request of Morocco to extend an invitation to Mr. Syed Sharifuddin, Secretary-General of OIC, under rule 39 of the provisional rules of procedure.²⁵

In the course of the meetings the representatives of Afghanistan, Algeria, Bangladesh, Brunei Darussalam, Cuba, Egypt, Guinea, India, Indonesia, Iraq, Israel, the Islamic Republic of Iran, Jordan, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Nicaragua, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, Yemen and Yugoslavia were invited, at their request, to participate in the debate without the right to vote.²⁵

At the 2643rd meeting, on 21 January 1986, the President drew the attention of members of the Security Council to three letters dated 9 January, 15 January and 20 January 1986 from the representatives of Jordan and Israel addressed to the Secretary-General.²⁶

At the same meeting, the representative of Morocco, in his capacity as Chairman of the Group of States Members of OIC, charged that throughout the first half of January the Al-Aqsa al-Sharif Mosque had been desecrated by members of the Israeli Knesset and despite all the attempts to achieve a peaceful settlement of the question of Al-Quds, Israel had thus far displayed only arrogance and scorn, stepping up its illegal measures, even annexing the City of Al-Quds and declaring it its administrative capital. He warned that the credibility of the Organization was at stake and it now had to show its commitment to universality by demanding proper respect for the Holy City of Jerusalem, the age-old crucible of universal civilization. The Council and each of its members had to go beyond short-term domestic or external political plans and solemnly affirm the fundamental inviolable principles governing the rights of innocent civilian populations, defending them against terrorist practices from any quarter, respecting religious beliefs and showing tolerance for differing practices and beliefs. Demanding that the Council meet its responsibilities under the Charter, he stressed that firmness

in the condemnation of the acts of profanation and in the warning addressed to Israel would be the surest way to strengthen the chances of a peaceful, comprehensive settlement of the entire Middle East question that would respect the sacred and inalienable national rights of the Palestinian people.²⁷

Also at the same meeting, the representative of the United Arab Emirates charged that, in its violation of the sanctity of Al-Haram al-Sharif, Israel had also violated both article 46 of the Hague Convention and of the Fourth Geneva Convention, in particular its articles 27 and 58, which called for respect by the occupying State, Israel, for the observance by the Palestinian Arabs, the people under their protection, of their religious beliefs. He urged the Council not to be content with denunciation and condemnation but to act to impose the necessary controls so as to prevent the recurrence of such acts of aggression, to put an end to Israeli aggression and recognize the inalienable rights of the Palestinian people, in particular its right to self-determination, thus preparing the ground for a just and comprehensive peace in the region.²⁸

The representative of Israel maintained that the visit of a group of Members of the Knesset on 8 January to the Temple Mount was a courtesy tour, coordinated in advance with the Ministry of Religious Affairs and the Muslim religious authorities, the *Waqf*, which under Israeli policy administered the Muslim holy places. However, a handful of agitators had attempted to transform a routine visit into a mob scene. He stated that the main instigator for convening the Council was the PLO, which had suffered many political and military setbacks. The PLO had been weakened and dispersed and its duplicity had been exposed by the *Achille Lauro* murder. Through this meeting of the Council it was attempting to regain lost ground by trying to inflame religious intolerance and hatred. He reiterated that Jerusalem, united in its entirety under the Israeli flag, was the capital of Israel. It had been the capital of the Jewish people since the time of David and would remain so forever. Israel had overall responsibility for safeguarding religious freedom and religious sites in Jerusalem, regardless of their status. In summing up his country's record and its policies, the representative emphasized Israel's commitment to a policy of tolerance and its record of unparalleled, unsurpassed respect for all religions and for all faiths.²⁹

The representative of Saudi Arabia stated that his country was committed not only to the full rights of the Palestinian people, but to the Arab character of Al-Quds and the sanctity of the Al-Aqsa Mosque, the first of the two Kiblas and the third holiest shrine in Islam. He appealed to the Council members to recognize and deal with the seriousness of what Israel was doing in Al-Quds and the Al-Aqsa Mosque and resolutely to adopt a firm resolution on this grave situation.³⁰

The representative of the PLO rejected any rights of Israel over Jerusalem. He recalled that on several occasions the Security Council had determined that the measures taken by Israel, both administrative and legislative, were null and void and thus Jerusalem was beyond Israel's sov-

²³S/PV.2643, pp. 8-43.

²⁴The proposal to invite the representative of the PLO was carried by 10 votes to 1, with 4 abstentions. For the relevant statement by the representative of the United States of America regarding the invitation and for details of the voting, see S/PV.2643, as well as chap. III of the present *Supplement*.

²⁵For further details, see chap. III.

²⁶S/17727 dated 9 January 1986 from Jordan, S/17739 dated 15 January 1986 from Israel and S/17749 dated 20 January 1986 from Jordan.

²⁷S/PV.2643, pp. 9-15.

²⁸*Ibid.*, pp. 17, 18 and 26.

²⁹*Ibid.*, pp. 26-30.

³⁰*Ibid.*, pp. 41 and 42.

ereignty. He said that Israel was the occupying Power and was duty-bound to abide by the norms of international law, the provisions of the Fourth Geneva Convention and the relevant resolutions of the United Nations—precisely the resolutions adopted by the Security Council. Thus the mere presence in the Sanctuary, he charged, of some members of the Interior Committee of the Knesset was a violation and an attempt to provoke a confrontation, leading to an escalation of the policy of Israel against the Palestinian people. The Knesset dealt with matters affecting Israeli sovereignty, but the occupied territory, including Jerusalem, did not come under that sovereignty. He called on the Council to take concrete measures conducive to a comprehensive, just and lasting peace.³¹

The representative of Jordan maintained that the Arab city of Al-Quds was part and parcel of the occupied West Bank. It was occupied Arab territory, subject to the provisions of the Fourth Geneva Convention and Security Council resolutions, which emphasized the inadmissibility of the acquisition of territory by force. Charging that the attempts by Israel to violate the sanctity of Al-Aqsa Mosque affirmed the imperative need for the Council to take effective measures to preserve the status and integrity of the Islamic Holy Places and obtain respect for its resolutions on Jerusalem and their implementation, he further called for the termination of Israeli occupation of all the Arab territories, including Al-Quds, through a just, comprehensive and peaceful settlement.³²

The representative of the Syrian Arab Republic charged that the latest Israeli violations of the resolutions of the Security Council and the General Assembly since the occupation of Jerusalem indicated that Israel was persisting in its defiance of the United Nations and in particular the Security Council. He maintained that those violations showed that Israel did not abide by its commitments under the Charter and therefore should be denied its membership in the United Nations. He further called on the Security Council to impose on Israel mandatory and comprehensive sanctions under Chapter VII of the Charter.³³

The representative of Egypt called upon the Council to reaffirm its position concerning the status of East Jerusalem and Arab rights there. He stressed the following: the inadmissibility of the occupation of land through military force; the sanctity of Al-Haram Al-Sharif and the need for an immediate end to any provocative act or acts that violated inherent, inalienable Arab and Islamic rights in the Al-Haram area; Israel's adherence to the Geneva Conventions and the principles of international law that govern and define the responsibilities of the occupying Power and acceptance of the fact that Israel should not hamper the work of the Supreme Islamic Council responsible for Al-Haram's affairs; and, lastly, the illegitimacy of all Israel practices aimed at changing the nature, the status or the demographic composition of the occupied Arab territories, including Arab East Jerusalem. He called on Israel to persevere in its efforts to enable steps to resume towards the re-establishment of bridges of confidence, which was the indispensable prerequisite for the creation of the necessary climate to start new, serious negotiations between all the

parties within the framework of an international peace conference to achieve a comprehensive lasting and just settlement of the dispute.³⁴

The Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People recalled the number of resolutions adopted by the Council that reaffirmed the principle of the inadmissibility of the acquisition of territory by military conquest and confirmed that all legislative and administrative measures taken by Israel to change the status of Jerusalem, in particular the Basic Law, were in violation of the Geneva Convention and completely null and void. He also maintained that the status of Jerusalem was one of the fundamental issues in the Middle East dispute and that a solution of that question could only be envisaged within the framework of a comprehensive settlement in the Middle East in which implementation of the inalienable rights of the Palestinian people as defined by the General Assembly would have a central place. He called for an urgent initiation of the negotiation process under the auspices of the United Nations and in a spirit of understanding and cooperation, with respect for the fundamental interests of all parties concerned.³⁵

The representative of the Libyan Arab Jamahiriya charged Israel with disregarding the relevant resolutions of the Security Council and the General Assembly and rejecting commitments stemming from the Charter of the United Nations, all of which proved in the Libyan view that Israel was a non-peace-loving Member not deserving of United Nations membership. He called on the Security Council to deny Israel membership and to impose mandatory economic sanctions against it until Israel heeded the will of the international community and respected the resolutions of the United Nations.³⁶

The representative of the Union of Soviet Socialist Republics maintained that Israel's actions in Jerusalem warranted categorical condemnation and demanded that the Security Council take all necessary measures to prevent a repetition of such actions in the future. He condemned Israel for its continued defiance, disregard and refusal to comply with the numerous United Nations decisions and charged Israel with stubbornly refusing to recognize the inalienable rights of the Palestinian people and committing acts of armed intrusion into the territories of the Arab States. Calling for the total withdrawal of Israeli troops from all occupied Arab territories and for the Palestinian people to be allowed fully to exercise its inalienable right to statehood, he reiterated the need for an international conference for peace in the Middle East.³⁷

During the course of the debate, a number of other speakers appealed, in various terms, for firm action by the Security Council to put an end to Israeli acts of aggression, its illegal occupation of Arab territories and the desecration of Islamic Holy places. Urging the Council to adopt appropriate measures to ensure compliance with the relevant United Nations resolutions, they emphasized that Israel, as an occupying Power, was also bound by the norms of international law and the provisions of the Fourth Geneva Convention of 1949. Many agreed on the need to achieve

³¹S/PV.2644, pp. 12-17.

³²*Ibid.*, pp. 26 and 27.

³³*Ibid.*, pp. 36 and 37.

³⁴S/PV.2645, pp. 17 and 18.

³⁵*Ibid.*, pp. 26 and 27.

³⁶*Ibid.*, pp. 34 and 35.

³⁷S/PV.2646, pp. 16 and 17.

a just and comprehensive peaceful settlement of the Middle East conflict as a whole, including the restoration of the legitimate and inalienable rights of the Palestinian people to self-determination. In this context several supported the convening of an international peace conference on the Middle East.³⁸

At the 2650th meeting, on 30 January 1986, the representative of China held that the question of Jerusalem was an important component of the whole Middle East question and that the ultimate solution of the question of Jerusalem hinged on a comprehensive, fair and lasting settlement of the Middle East question. He called upon Israel to withdraw from the Arab territories it had occupied, including Jerusalem, and for the restoration of the national rights of the Palestinian people and the other Arab countries.³⁹

At the same meeting, the President drew the attention of the members of the Security Council to a draft resolution submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago, and the United Arab Emirates.⁴⁰ Under the preambular part of this draft resolution, the Council would have taken note of the letters from the Permanent Representatives of Morocco (S/17740) and the United Arab Emirates (S/17741) to the United Nations, both addressed on 16 January 1986 to the President of the Council; would have reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Arab territories occupied by Israel since 1967, including Jerusalem, and, while bearing in mind the specific status of Jerusalem and, in particular, the need to protect and preserve the unique spiritual and religious dimensions of the Holy Places in the City, would have recalled and reaffirmed its resolutions relevant to the status and character of the Holy City of Jerusalem, in particular resolutions 252 (1968), 267 (1969), 271 (1969) and 298 (1971), the consensus statement made by the President of the Security Council on 11 November 1976 and resolutions 465 (1980), 476 (1980) and 478 (1980); would have strongly deplored the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council; would have expressed deep concern at the provocative acts by Israelis, including members of the Knesset, who had violated the sanctity of the sanctuary of the Haram Al-Sharif in Jerusalem; would have further deplored the provocative acts that had violated the sanctity of the sanctuary of the Haram Al-Sharif in Jerusalem and affirmed that such acts constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East, whose failure could also endanger international peace and security; would have also determined again that all measures taken by Israel to change the physical character, demographic composition, institutional structure or status of the Pales-

tinian and other Arab territories occupied since 1967, including Jerusalem, or any part thereof, had no legal validity and that the policy and practices of Israel in settling parts of its population and new immigrants in those territories constituted a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and also constituted a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East; would have reiterated that all legislative and administrative measures and actions taken by Israel, the occupying Power, that had altered or purported to alter the character and status of the Holy City of Jerusalem and in particular the Basic Law on Jerusalem were null and void and had to be rescinded forthwith; would have called upon Israel, the occupying Power, to observe scrupulously the norms of international law governing military occupation, in particular the provisions of the Fourth Geneva Convention, and to prevent any hindrance to the discharge of the established functions of the Supreme Islamic Council in Jerusalem, including any cooperation that the Council desired from countries with predominantly Muslim populations and from Muslim communities in relation to its plans for the maintenance and repair of the Islamic Holy Places; and while urgently calling on Israel, the occupying Power, to implement forthwith the provisions of this resolution and the relevant Security Council resolutions, would request the Secretary-General to report to the Security Council on the implementation of the present resolution before 1 May 1986.

At the same meeting, prior to the vote, the representative of the United Kingdom of Great Britain and Northern Ireland reiterated his country's inability to recognize the sovereignty of any State over Jerusalem pending a final determination of the status of the area and called on Israel to continue to carry out its responsibilities under the Geneva Convention.⁴¹

The representative of the United States of America indicated that his delegation would oppose the draft resolution as his Government's request for a brief postponement of the vote in order to clarify and ameliorate the situation had not been acceded to. Also, the text of the draft resolution gave the unmistakable impression that Israel was to blame for the provocative actions of a few individuals. Attempts were also made to use those incidents as a pretext for addressing the larger issues of the status of Jerusalem and Israel's stewardship as an occupying Power. The work of the Security Council, once seized of the subject, should have been to invite people of good faith from all religions to join together in tolerance and mutual respect to honour the unique spiritual importance of the Holy Places in the City of Jerusalem, without rancour or partisanship. However, he said, the Council had chosen a different path.⁴²

The representative of France noted that his country recognized the particularly important and especially sensitive role of the issue of Jerusalem issue for all the parties involved. However, France accepted no unilateral initiative that could result in changing the status of Jerusalem.⁴³

The President then put the draft resolution to the vote; it received 13 votes to 1, with 1 abstention, and was not

³⁸ Pakistan, S/PV.2644, p. 42; Qatar, S/PV.2645, p. 12; Turkey, *ibid.*, p. 38; Bangladesh, *ibid.*, pp. 42 and 43; Tunisia, S/PV.2646, pp. 11-15; Ghana, *ibid.*, p. 26; Algeria, *ibid.*, pp. 33-35; Mauritania, *ibid.*, pp. 41 and 42; Indonesia, *ibid.*, p. 48; Thailand, S/PV.2647, p. 5; Islamic Republic of Iran, *ibid.*, pp. 14 and 15; Brunei Darussalam, *ibid.*, p. 22; Guinea, *ibid.*, pp. 23-25; India, *ibid.*, pp. 33-36; Malaysia, *ibid.*, pp. 41 and 42; Sudan, *ibid.*, pp. 46-52; Cuba, S/PV.2648, p. 21; Madagascar, S/PV.2649, p. 6; Afghanistan, *ibid.*, pp. 9-11; Yugoslavia, *ibid.*, pp. 14-16; Nicaragua, *ibid.*, pp. 18-21; Yemen, *ibid.*, p. 26; Iraq, S/PV.2650, pp. 28-30; Australia, *ibid.*, pp. 29 and 30; and Denmark, *ibid.*, pp. 32-35.

³⁹S/PV.2650, p. 18.

⁴⁰S/17769/Rev.1.

⁴¹S/PV.2650, p. 22.

⁴²*ibid.*, pp. 23-26.

⁴³*ibid.*, p. 27.

adopted, owing to the negative vote of a permanent member of the Security Council.⁴⁴

Decision of 8 December 1986 (2727th meeting): resolution 592 (1986)

By a letter dated 4 December 1986 addressed to the President of the Security Council,⁴⁵ the representative of Zimbabwe requested a meeting of the Council to consider the situation in the Israeli-occupied Palestinian and other Arab territories, including Jerusalem.

At its 2724th meeting, on 5 December 1986, the Council included the letter from Zimbabwe in its agenda without objection⁴⁶ and considered the matter at four meetings, on 5 to 8 December 1986. At the same meeting, the Council decided by vote to invite the representative of the Palestine Liberation Organization, in accordance with the Council's past practice, to participate in the debate.⁴⁷ Also at the same meeting, the Council decided to extend an invitation under rule 39, at his request, to the Vice-Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁴⁸

At the same meeting, the Council decided to extend an invitation under rule 39, at the request of the representative of the United Arab Emirates, to Mr. Clovis Maksoud, Permanent Observer for the League of Arab States to the United Nations.⁴⁹

In the course of the meetings, the representatives of Egypt, Israel, Jordan, Kuwait, Morocco and the Syrian Arab Republic were invited, at their request, to participate in the debate without the right to vote.⁵⁰

Opening the debate, the representative of Zimbabwe said that the shooting of unarmed Palestinian students from Bir Zeit University and the seizing of the University were deliberate acts of Israel provoking more violence and inflicting more death and suffering upon the Palestinian people. Those actions further demonstrated Israel's total contempt for the findings and demands of the Security Council and the General Assembly with regard to its continuing illegal occupation of Palestinian and other Arab territories, including Jerusalem. Condemning its policies as aggressive and expansionist, he called for the curbing of Israel's arrogance by the adoption and imposition of measures under Chapter VII of the Charter, as urged by the Eighth Conference of Heads of State or Government of Non-Aligned Countries in view of its intolerable intransigence. Zimbabwe appealed to the Council to take urgent steps to establish the preparatory committee in order to bring about an international peace conference on the Middle East.⁵¹

The representative of the Palestine Liberation Organization (PLO) charged Israel with using force to disperse

peaceful demonstrators. He said that the students of Bir Zeit University were commemorating the International Day of Solidarity with the Palestinian People, observance of which had been initiated by the General Assembly. He stated that the Palestinians under occupation had the right and the duty to manifest their position in a peaceful way. He called on the Security Council to demand that Israel respect the provisions of the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War. He stressed that the members of the Council, jointly and individually, were bound to ensure respect for the Convention. He further expressed hope that the Council would take action under the powers vested in it by the Charter to put an end to the practices of the Israeli occupation forces.⁵²

The representative of Kuwait, in his capacity as Chairman of the Group of Arab States, stated that the Security Council was once again meeting to consider the seriousness of the practices pursued by Israel in the occupied Arab and Palestinian territories. Those practices constituted a flagrant violation of norms of international law, the 1949 Geneva Convention on the Protection of Civilian Persons in Time of War, all other human rights agreements and the Charter of the United Nations. He called on the Council to strongly condemn Israel's actions in the occupied Arab territories and to demand that Israel put an end to its flagrant violations of human rights. He urged the Council also to compel Israel to implement United Nations resolutions and not to allow the Palestinian people to become the victim of the military force of Israel. He reiterated that only a lasting political and just solution to the question of Palestine could bring permanent peace to the region. He reiterated the call of the international community for the convening of the international peace conference on the Middle East.⁵³

The representative of Egypt condemned Israel for refusing to comply with the demands of the international community. He called on the Security Council, in particular its permanent members, to attack actively and effectively the perpetuation of Israeli occupation and the denial to the Palestinians of their right to live in freedom on their territory, Palestine. He supported the convening of the international peace conference on the Middle East as a logical and objective means to ensure the beginning of the process of negotiations between the parties concerned, in order to find a solution to the Arab-Israeli conflict.⁵⁴

The representative of Morocco, speaking in his capacity as Chairman of the Group of States members of the OIC, charged Israel for its continued acts of repression, thereby violating the Fourth Geneva Convention of 1949 and the decisions of the Security Council. He emphasized that the surest way to strengthen the chances of an overall settlement of the Middle East question, with respect for the sacred and inalienable rights of the Palestinian people, was for the Council to take action so that the law was not trampled underfoot and to adopt a clear and unambiguous position.⁵⁵

⁴⁴Ibid., pp. 31 and 32.

⁴⁵S/18501.

⁴⁶S/PV.2724, p. 2.

⁴⁷The proposal to invite the representative of the PLO was carried by 10 votes to 1, with 4 abstentions. For the relevant statement by the representative of the United States of America regarding the invitation and for details of the voting see S/PV.2724, pp. 3-5, and chap. III of the present *Supplement*.

⁴⁸S/PV.2724, p. 5.

⁴⁹Ibid., p. 6.

⁵⁰For details regarding the invitations, see chap. III of the present *Supplement*.

⁵¹S/PV.2724, pp. 7-12.

⁵²Ibid., pp. 14-17.

⁵³Ibid., pp. 27-33.

⁵⁴Ibid., pp. 38-41.

⁵⁵Ibid., pp. 43-47.

The representative of Israel, in defending its actions at Bir Zeit, maintained that a Government's responsibility to enforce law and order did not change with the status of the territory under its control. Israel had fulfilled that responsibility assumed by its laws as well as by international law. He warned that the incident at Bir Zeit was not to be viewed in isolation. It was part of a larger effort by the PLO to restore its shattered position. The PLO's decline had led to internecine warfare within the PLO ranks. He charged the PLO with misusing the Council for propaganda and political incitement and warned that if the Council relented by passing a PLO-backed resolution it would merely encourage the PLO to foment further riots and bloodshed.⁵⁶

The representative of Senegal, speaking in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, warned that Israel's policy and practices and lack of progress towards a comprehensive, peaceful, just and lasting solution of the problem only increased the tensions and violence in the region, seriously jeopardizing international peace and security. He said that this state of affairs would continue unaltered as long as the Palestinian people were prevented from exercising their right to self-determination, national independence and sovereignty and the Palestinian and other Arab territories continued to be occupied. Expressing support for the convening of the international peace conference on the Middle East, he stressed that it offered all the parties concerned the full responsibility of participating in the negotiations, which could lead to a just and lasting solution of the question. He also appealed to the Council to take appropriate measures to ensure resumption of the policy of dialogue among all the parties concerned so as to end the tragic situation in the Middle East.⁵⁷

The representative of Jordan, charging that the principle of provocation and of inciting civilians through the creation of crisis was an unchanging element of Israel's relationship with the Palestinian people, urged the Security Council to deal appropriately with the Israeli occupation and the accompanying Israeli practices in a manner that would contribute to the achievement of peace and the maintenance of the Council's credibility. The Council's action had to include laying the bases agreed on by international consensus as necessary to achieve a comprehensive, just and lasting political settlement of the Palestinian problem through implementation of the relevant resolutions of the Council, in particular resolutions 242 (1967) and 338 (1973), and through fulfilment of the legitimate rights of the Palestinian people. He suggested the convening of the international peace conference on the Middle East under the auspices of the United Nations and with the participation of the permanent members of the Council and the parties concerned. He appealed to the Council to adopt a resolution that would include condemnation and denunciation of Israeli policies against civilians in the occupied territories; illegitimacy and illegality of Israeli settlements in the occupied territories; Israeli practices against Islamic and Christian Holy Places, educational institutions and academic freedoms; and, finally, rejection of Israeli attempts to alter the geographical, demographic and legal nature of

the City of Jerusalem and towns in the West Bank and the Gaza Strip.⁵⁸

The representative of the Syrian Arab Republic stated that as long as Israel continued its occupation of Arab lands and did not withdraw from the occupied Arab territories, events similar to the killing of students at Bir Zeit University would continue to occur. Coexistence between the Palestinian people and the occupation forces was impossible and was equally impossible for the Syrian people in the occupied Golan. He emphasized that the central problem in the region was the continuing Israeli occupation of Arab territories, in violation of General Assembly resolutions that called upon Israel to withdraw from all the occupied Arab territories.⁵⁹

The representative of the Union of Soviet Socialist Republics condemned Israel's actions in Jerusalem, as well as in Ramallah and Bir Zeit, and supported the demands that the Security Council adopt all the measures necessary to prevent the recurrence of such actions. He also supported the convening of the international peace conference to settle the Middle East problem on a just and lasting basis, taking into account the legitimate interests and rights of all States and peoples in the region.⁶⁰

The representative of China, condemning Israel for its policy of hostility against the Palestinian people and denial of their national rights, called upon the Security Council to take urgent measures to check the atrocities of the Israeli authorities and to demand immediate Israeli implementation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and cessation of its suppression of the inhabitants of the occupied territories.⁶¹

The representative of France deplored the escalation of acts of violence and repression and recalled that it was the duty of the Israeli authorities to respect the Fourth Geneva Convention of 1949 on the Protection of Civilian Persons in Time of War. He said that those acts of violation drew attention to the urgent need to bring about a comprehensive peace settlement in the Middle East that would be both lasting and just.⁶²

The representative of the United Kingdom of Great Britain and Northern Ireland reiterated his delegation's view that the part of Jerusalem occupied by Israel since 1967, like the remainder of the West Bank and the Gaza Strip, constituted occupied territory to which the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War were applicable. Also, his Government was opposed to the continuance of Israeli military occupation, but as long as that military occupation continued, and in the absence of a political settlement, it was incumbent upon the Israeli Government to ensure that its administration was indeed as benign as Israel claimed.⁶³

In the course of the meetings, other speakers called on the Security Council to condemn Israel's breach of the terms of international law and to seek immediate ratification of Israel's practices in the occupied territories. They demanded Israel's implementation of the relevant Security Council resolutions, respect for the Fourth Geneva Con-

⁵⁶*ibid.*, pp. 56-58.

⁵⁷S/PV.2725, pp. 7-10.

⁵⁸*ibid.*, pp. 13-17.

⁵⁹*ibid.*, pp. 23-26.

⁶⁰*ibid.*, pp. 46 and 47.

⁶¹*ibid.*, p. 51.

⁶²S/PV.2726, pp. 9 and 10.

⁶³*ibid.*, p. 16.

vention of 1949, its withdrawal from all parts of the occupied territories and respect for the international character of Jerusalem. They also expressed support for the convening of the international peace conference on the Middle East with the participation of the permanent members of the Security Council.⁶⁴

At the 2727th meeting, on 8 December 1986, the President drew the attention of the members of the Council to the text of a draft resolution submitted by the Congo, Ghana, Madagascar, Trinidad and Tobago and the United Arab Emirates⁶⁵ and subsequently orally revised.⁶⁶

The draft resolution was then put to the vote and was adopted by 14 votes to none, with 1 abstention (United States of America) as resolution 592 (1986). The resolution reads as follows:

The Security Council,

Having considered the letter dated 4 December 1986 from the Permanent Representative of Zimbabwe to the United Nations, in his capacity as the Chairman of the Coordinating Bureau of the Movement of Non-Aligned Countries, contained in document S/18501,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Seriously concerned about the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Bearing in mind the specific status of Jerusalem,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

2. *Strongly deplures* the opening of fire by the Israeli army resulting in the death and the wounding of defenceless students;

3. *Calls upon* Israel to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

4. *Further calls upon* Israel to release any person or persons detained as a result of the recent events at Bir Zeit University in violation of the above-mentioned Geneva Convention;

5. *Also calls* on all concerned parties to exercise maximum restraint, to avoid violent acts and to contribute towards the establishment of peace;

6. *Requests* the Secretary-General to report to the Council on the implementation of the present resolution not later than 20 December 1986.

Decision of 22 December 1987 (2777th meeting): resolution 605 (1987)

By a letter dated 11 December 1987 addressed to the President of the Security Council,⁶⁷ the representative of Democratic Yemen, in his capacity as Chairman of the Group of Arab States, requested an urgent meeting of the Council to address the situation in the occupied Palestinian and other territories.

At its 2770th meeting, on 11 December 1987, the Council included the letter from Democratic Yemen in its agenda without objection⁶⁸ and considered the matter at seven meetings, on 11 to 22 December 1987. At the same meeting, the Council decided, by vote, to invite the representative of the Palestine Liberation Organization, in ac-

cordance with the Council's past practice, to participate in the debate.⁶⁹ Also at the same meeting the Council decided to extend an invitation under rule 39, at his request, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.⁷⁰

In the course of the meetings the representatives of Afghanistan, Algeria, Bahrain, Cuba, Czechoslovakia, Democratic Yemen, Egypt, the German Democratic Republic, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Morocco, Nicaragua, Pakistan, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, the Ukrainian Soviet Socialist Republic, Viet Nam, Yemen, Yugoslavia and Zimbabwe were invited, at their request, to participate in the debate without the right to vote.⁷¹

At its 2772nd meeting, on 14 December 1987, the Council decided to extend an invitation under rule 39, at the request of the representative of the United Arab Emirates, to Mr. Clovis Maksoud, Permanent Observer of the League of Arab States.⁷²

At its 2773rd meeting, on 15 December 1987, the Council decided to extend an invitation under Rule 39, at the request of the representative of Kuwait to Mr. Ahmet Engin Ansay, Permanent Observer for the Organization of the Islamic Conference.⁷³

At the 2770th meeting, on 11 December 1987, the representative of the PLO urged the Security Council to fulfil its responsibility by ensuring respect for the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949. Defending his delegation's participation in the Council's deliberations, he said that they were exercising a right—a right that had been admitted through that Convention. He charged Israel with not being able to accept the principle of an international conference to achieve peace in the area and with rejecting the principle of the international peace conference on the Middle East. He recalled several resolutions adopted by the General Assembly and the Security Council condemning Israel for its practices against the people in the occupied territories and calling upon Israel to abide by the Geneva Convention. Citing several incidents outlining Israel's practices in the occupied territories and Palestinians' protests and demonstrations, he stated that it was only natural for occupation to engender resistance. But such resistance had varying degrees of violence. The cause of this chain of violence was the perpetuation of the occupation. He added that resistance against occupation had been unanimously accepted and considered legitimate by a decision of the General Assembly (see its resolution 40/61). He warned that such resistance only increased when the hopes for a peaceful settlement diminished. He asked the Council to consider other

⁶⁹The proposal to invite the representative of the PLO was carried by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statements by the representatives of the United States of America, the Federal Republic of Germany and Japan regarding the invitation and for details of the voting, see S/PV.2770, p. 7, and chap. III.

⁷⁰S/PV.2770, pp. 8-10.

⁷¹For details regarding the invitations, see chap. III of the present Supplement.

⁷²For details regarding the invitation, see S/PV.2772, pp. 3-5, and chap. III of the present Supplement.

⁷³For details regarding the invitation, see S/PV.2773, p. 4, and chap. III of the present Supplement.

⁶⁴Ibid., p. 7; Bulgaria, *ibid.*, pp. 12 and 13.

⁶⁵S/18506/Rev.1.

⁶⁶S/PV.2727, p. 3.

⁶⁷S/19333.

⁶⁸S/PV.2770, p. 2.

remedies provided for in the Charter, specifically those chapters on the imposition of sanctions. He appealed to the Council to shoulder its responsibility and to take immediate action to put an end to the Israeli activities and the situation of occupation and to move closer to a comprehensive peace, as prescribed in the General Assembly resolution.⁷⁴

At the same meeting, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People stated that the deterioration of the situation in the occupied territory was all the more disturbing because it directly affected not merely the future of the Palestinian population but also international peace and security. In supporting the convening of an international peace conference on the Middle East, he recalled the Secretary-General's report that stated that convening such a conference under United Nations auspices offered the best chance of successfully negotiating a comprehensive settlement of the Arab-Israeli conflict. He appealed to the Security Council to take appropriate steps to restore the policy of dialogue between all the parties concerned in order to put an end to the tragic state of affairs that had prevailed for more than 40 years.⁷⁵

Also at the same meeting, the representative of Israel reiterated that under international law the first responsibility of any Government, military or civilian, was to enforce law and order. He charged that the PLO incited violence. He stated that although the Arab-Israeli dispute was a complex one, it could be settled through negotiations. He, however, pointed out that the source of the conflict from the very beginning was that Palestinian Arabs lacked a State, but that the Jews had one. He charged the PLO with being committed not to peace but to the destruction of the Jewish State. He criticized the meeting of the Council as an attempt by the PLO to bail itself out of a condition of irrelevance, powerlessness and lost prestige.⁷⁶

The representative of the PLO replied that it was the duty of the Security Council to address the situation, in view of the position taken in the Council that the Fourth Geneva Convention applied to the occupied areas and that the parties were under an obligation to respect and ensure respect for the provisions of that Convention.⁷⁷

The representative of the Syrian Arab Republic stated that the situation before the Security Council was not merely one of popular unrest or demonstrations, but it was the will of a people to resist occupation; terrorist measures practised against it by Israeli occupation forces and a Government waging a systematic extermination campaign against the inhabitants of the occupied Arab lands. He said that the continuation of Israeli occupation of Arab lands represented a constant violation of the Charter of the United Nations and international law. He called on the Council to put an end to Israeli behaviour and to adopt measures, notably those under Chapter VII of the Charter, to compel Israel to comply with the United Nations resolutions and the provisions of international law by withdrawing fully and unconditionally from all the occupied Arab and Palestinian territories.⁷⁸

The representative of Egypt charged Israel with continuing to suppress and terrorize the population of the occupied

territories. Such a path, he said, could not lead to a final, just and comprehensive settlement, for it was the path of force and of resort to the use of force and violence as a means of settling a conflict. He supported the convening of the international conference on the Middle East as the best guarantee for the achievement of stability, good neighbourliness and fruitful, constructive cooperation among all the peoples of the Middle East. Calling on the Council to shoulder its responsibilities by reaffirming its resolutions on the occupied territories and reaffirming that the Israeli occupying Power had undertaken to implement strictly the Geneva Convention, he also asked the Council to request Israel to cease and desist from its acts.⁷⁹

The representative of Jordan called on the Security Council to denounce the continued Israeli occupation of Arab territories and to request Israel to end its acts of aggression and oppression, including firing on civilians, and to begin to put into place conditions conducive to moving forward the peace process, through the convening of an international conference under United Nations auspices, with the participation of all parties and in implementation of the relevant United Nations resolutions.⁸⁰

During the discussions, a number of speakers appealed to the Security Council to redouble its efforts and to promote the convening of an international conference in order to reach a peaceful, comprehensive, just and durable settlement of the Palestinian question. They condemned Israel for its violation of the Fourth Geneva Convention of 1949 and the Charter of the United Nations and for its non-compliance with the United Nations resolutions. They emphasized that a just and lasting solution to the conflict had to include the exercise of the right of self-determination by the Palestinian people.⁸¹

Speaking in his second intervention, the representative of the PLO called for more serious measures by the Security Council through implementation of the provisions of the Charter, especially Chapter VII, and adoption of a resolution providing for the withdrawal of the Israeli forces from populated areas and their replacement with the United Nations peacekeeping forces. He also called on the Council to form a committee or to send a special fact-finding mission to the territories.⁸²

Calling on the Security Council to reiterate firmly the applicability of the 1949 Geneva Convention to Palestine and other Arab territories under Israeli occupation since 1947 and to demand immediate and strict compliance with the provisions therein, the representative of China also called on the Council to consider adopting other specific

⁷⁹Ibid., pp. 17-21.

⁸⁰Ibid., pp. 36 and 37.

⁸¹Qatar, S/PV.2773, pp. 6 and 7; Saudi Arabia, *ibid.*, pp. 12-15; Kuwait, *ibid.*, pp. 16-21; Cuba, *ibid.*, p. 41; Bahrain, *ibid.*, pp. 47-50; Iraq, *ibid.*, p. 54; Pakistan, S/PV.2774, pp. 23 and 24; Yemen, *ibid.*, pp. 27-32; Ghana, *ibid.*, p. 37; Islamic Republic of Iran, *ibid.*, p. 43; Algeria, *ibid.*, pp. 48-50; Libyan Arab Jamahiriya, *ibid.*, pp. 53-56; Democratic Yemen, *ibid.*, p. 61; Yugoslavia, *ibid.*, pp. 64-66; India, *ibid.*, pp. 68-70; Tunisia, S/PV.2775, pp. 7-12; Bulgaria, *ibid.*, pp. 17-20; Zambia, *ibid.*, pp. 22-25; Viet Nam, *ibid.*, p. 28; Ukrainian Soviet Socialist Republic, *ibid.*, pp. 31-33; Morocco, *ibid.*, pp. 36 and 37; German Democratic Republic, *ibid.*, pp. 41 and 42; Italy, *ibid.*, pp. 45 and 46; Afghanistan, *ibid.*, pp. 51-53; Czechoslovakia, *ibid.*, pp. 56-58; Congo, *ibid.*, pp. 62-66; Nicaragua, S/PV.2776, pp. 7-9; Federal Republic of Germany, *ibid.*, pp. 11 and 12; United Arab Emirates, *ibid.*, pp. 22-24; and Japan, S/PV.2777, pp. 12 and 13.

⁸²S/PV.2774, p. 12.

⁷⁴S/PV.2770, pp. 12-27.

⁷⁵Ibid., pp. 28-34.

⁷⁶Ibid., pp. 41-46.

⁷⁷Ibid., p. 47.

⁷⁸S/PV.2772, pp. 6-15.

and effective measures. He stressed the convening of an international conference under the auspices of the United Nations with the participation in particular of the permanent members of the Council.⁸³

The representative of France supported the convening of an international peace conference with the participation of all parties concerned as well as the permanent members of the Council. Demanding that Israel respect the Geneva Conventions, he asked the United Nations to act in order to produce a comprehensive settlement.⁸⁴

Referring to the draft text unofficially circulated and objecting to that text, the representative of Israel criticized the draft text as totally one-sided as it failed to condemn the PLO for acts of terrorism and placed all the responsibility on Israel and condemned only Israel. Referring to the Fourth Geneva Convention, he said that Israel did not recognize its formal application to the territories and that Israel had done nothing that contradicted the provisions of the Convention. Israel had acted to restore law and order, an obligation also recognized by that Convention. With reference in the text to the appointment of a special representative to report on measures necessary to ensure safety of and protection for the Palestinian civilians under Israeli occupation, he asserted that those matters related to security questions and were the exclusive responsibility of Israel and warned that Israel would not countenance any interference in them. He maintained that a genuine solution could not be obtained by such one-sided resolutions but only in the framework of a political solution, which could be achieved through direct negotiations based on Security Council resolutions 242 (1967) and 338 (1993).⁸⁵

The representative of Zimbabwe recalled the communiqué issued at the meeting of the Coordinating Bureau of the Non-Aligned Countries, held on 15 December 1987, which, *inter alia*, had called upon the Council to dispatch a fact-finding mission to the occupied territories to investigate the situation and report to the Council as soon as possible. He said that that communiqué had also renewed its call to the Council to invoke Chapter VII of the Charter against Israel, with a view to enforcing immediate and total withdrawal and ending occupation.⁸⁶

The representative of the United Kingdom of Great Britain and Northern Ireland reiterated that the territories occupied by Israel in 1967 and since were just occupied territories to which the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War applied. Those territories comprised the West Bank, the Gaza Strip, that part of Jerusalem over which the British Government did not recognize Israel's de facto authority and the Golan Heights. He also reiterated his Government's recognition of Jordanian sovereignty over the West Bank and its inability to recognize the sovereignty of any State over Jerusalem pending a final determination of the status of that area. Condemning Israel for its non-compliance with the provisions of the Convention, he expressed concern over the serious consequences of continued Israeli occupation, for international peace and security and in respect of its resolutions 242 (1967) and 338 (1973). He

supported the convening of an international conference in a form agreed by the parties concerned and called on the Security Council to do its utmost to bring about a just, lasting and comprehensive settlement.⁸⁷

The President of the Security Council, speaking in his capacity as representative of the Union of Soviet Socialist Republics, pointed out that without a solution to the question of Palestine it would be impossible to establish a just and lasting peace in the Middle East. He supported the holding of an international conference with the participation of all parties involved, including the Arab people of Palestine and the five permanent members of the Security Council.⁸⁸

At the same meeting, the President said that he had been informed that the consultations between the sponsors of the draft resolution and several members of the Council had not yet been completed and that he had been requested to suspend the meeting for one hour. When the meeting resumed after a brief suspension, the President said that further consultations were required and that the Council would defer action on the draft resolution until 21 December 1987. At the 2777th meeting, on 22 December 1987, the President drew to the attention of the Council members the text of a revised draft resolution sponsored by Argentina, the Congo, Ghana, the United Arab Emirates and Zambia.⁸⁹

The representative of Israel criticized the draft resolution as unbalanced and unreasonable and reiterated that the Arab-Israeli conflict could only be solved in the context of a political solution, through direct peace negotiations on the basis of resolutions 242 (1967) and 338 (1973), based on mutual respect for the rights of Jews and Arabs alike. He held that such a political solution lay not in the hands of the Security Council but rather with the States concerned.⁹⁰

The Permanent Observer for LAS, Mr. Maksoud, hoped that the Council's resolve and its adoption of the draft resolution would be a signal of deterrence, that it would lead Israel to comply with the rules of international law and the resolutions of the Council.⁹¹

The Council then proceeded to vote⁹² on the revised draft resolution, which received 14 votes to none, with 1 abstention (United States of America), and was thereby adopted as resolution 605 (1987), the text of which reads as follows:

The Security Council,

Having considered the letter dated 11 December 1987 from the Permanent Representative of Democratic Yemen to the United Nations, in his capacity as Chairman of the Group of Arab States at the United Nations for the month of December,

Bearing in mind the inalienable rights of all peoples recognized by the Charter of the United Nations and proclaimed by the Universal Declaration of Human Rights,

Recalling its relevant resolutions on the situation in the Palestinian and other Arab territories, occupied by Israel since 1967, including

⁸³*ibid.*, p. 18.

⁸⁴S/PV.2775, p. 48.

⁸⁵*ibid.*, pp. 58-61.

⁸⁶*ibid.*, pp. 71 and 72.

⁸⁷S/PV.2776, pp. 13-16.

⁸⁸*ibid.*, pp. 33-35.

⁸⁹S/19352/Rev.1, adopted as resolution 605 (1987).

⁹⁰S/PV.2777, pp. 6 and 7.

⁹¹*ibid.*, p. 7.

⁹²*ibid.*, p. 13.

Jerusalem, and including its resolutions 446 (1979), 465 (1980), 497 (1981) and 592 (1986).

Recalling also the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

Gravely concerned and alarmed by the deteriorating situation in Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem,

Taking into account the need to consider measures for the impartial protection of the Palestinian civilian population under Israeli occupation,

Considering that the current policies and practices of Israel, the occupying Power, in the occupied territories are bound to have grave consequences for the endeavours to achieve comprehensive, just and lasting peace in the Middle East,

1. *Strongly deplores* those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians;

2. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;

3. *Calls once again upon* Israel, the occupying Power, to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, and to desist forthwith from its policies and practices that are in violation of the provisions of the Convention;

4. *Calls furthermore* for the exercise of maximum restraint to contribute towards the establishment of peace;

5. *Stresses* the urgent need to reach a just, durable and peaceful settlement to the Arab-Israeli conflict;

6. *Requests* the Secretary-General to examine the present situation in the occupied territories by all means available to him, and to submit a report no later than 20 January 1988 containing his recommendation on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation;

7. *Decides* to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

Speaking in explanation of vote, the representative of the United States, while maintaining that in his Government's view Israel had to meet its obligations under the Geneva Conventions, contended that the resolution just adopted went beyond deploring the Israeli practice of using live fire to a generalized criticism of Israeli policies and practices. The resolution ignored the fact that Israeli lives were also at risk and that Israeli security forces had faced provocations and, in some cases, life-threatening situations. He called on the Security Council to refrain from polemics in dealing with those tragic events and instead to assist in the search for a mutually acceptable political settlement of the Arab-Israeli conflict.⁹³

Decision of 5 January 1988 (2780th meeting): resolution 607 (1988)

By a letter dated 4 January 1988 addressed to the President of the Security Council,⁹⁴ the representative of Jordan, in his capacity as Chairman of the Group of Arab States, requested an urgent meeting of the Council to address the situation in the occupied Palestinian and other Arab territories.

At its 2780th meeting, on 5 January 1988, the Security Council included the letter from Jordan in its agenda, without objection.⁹⁵ Following the adoption of the agenda, the Council decided to invite the representative of Israel, at his request, to participate in the discussion without the right to vote.⁹⁵ At the same meeting, the Council decided by vote to invite the representative of the Palestine Liberation Organization, in accordance with the Council's past practice, to participate in the debate.⁹⁶

Also at that meeting, the President drew the attention of the members of the Council to a document containing the text of a draft resolution submitted by Algeria, Argentina, Nepal, Senegal, Yugoslavia and Zambia.⁹⁷

The representative of Israel, referring to the Fourth Geneva Convention, stated that it was the duty of any Government, military or civilian, whether dealing with territory that was sovereign, disputed or occupied, to invoke the rights that were accrued to it under international law, to maintain the orderly government of the territory under its control, to ensure the security of its armed forces and to keep roads and other lines of communication open. Referring to Israel's act of expulsion of the nine agitators in the territories, he noted that in spite of the fact that the right to appeal to the Supreme Court was not part of the Geneva Convention but the death penalty was, Israel had chosen to allow those deportees legal recourse, including to their highest Court. Israel did not choose to follow the course of the death penalty in those or other cases. As a balance between its security and humanitarian needs, Israel had, therefore, limited itself and employed the measure of deportation. He defended his Government's actions by referring to article 63 of the Hague Regulations of 1907; the Defence Emergency Regulation that Great Britain employed in 1945, which allowed deportation and which was also picked up and exercised by Jordan in Judea and Samaria and Egypt in Gaza. Israel had continued that practice as its right under international law. Speaking on the question of international law and international conventions, he stressed that there was a big difference between pledging adherence to a document or an agreement and doing something about it. He pointed out that most countries just pledged adherence to the Geneva Convention, but nobody besides Israel did anything about it. While Israel had recognized the Convention, it had doubts about the application of it to the areas of Judea and Samaria and Gaza, in view of the unclear status of those territories under international law. Nevertheless, Israel had agreed to apply to those areas all humanitarian provisions of the Convention. While Israel would not allow the Palestinians to destroy them nor would it countenance any attempt to interfere with its legitimate responsibility for maintaining orderly government and security in all the areas under Israel's control as it saw fit, it would continue to strive for peaceful coexistence as it restored calm and tranquillity, in spite of the Security Council's partisan and unbalanced resolutions.⁹⁸

⁹³S/PV.2780, p. 6.

⁹⁶The proposal to invite the representative of the PLO was carried by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statements regarding the invitation and for details of voting, see S/PV.2780 and chap. III of the present *Supplement*.

⁹⁷S/19403; for the text of the draft resolution, see resolution 607 (1988).

⁹⁸S/PV.2780, pp. 11-17.

⁹³*Ibid.*, p. 17.

⁹⁴S/19402, *OR*, 43rd yr., *Suppl. for Jan.-March 1988*.

The draft resolution before the Council was put to the vote and was adopted unanimously as resolution 607 (1988).⁹⁹ The text of the resolution reads as follows:

The Security Council,

Recalling its resolution 605 (1987) of 22 December 1987,

Expressing grave concern over the situation in the occupied Palestinian territories,

Having been apprised of the decision of Israel, the occupying Power, to continue the deportation of Palestinian civilians in the occupied territories,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular articles 47 and 49 of same,

1. *Reaffirms once again that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem;*

2. *Calls upon Israel to refrain from deporting any Palestinian civilians from the occupied territories;*

3. *Strongly requests Israel, the occupying Power, to abide by its obligations arising from the Convention;*

4. *Decides to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.*

Speaking after the vote, the representative of the United States of America said that in his Government's view the deportation of individuals from the occupied territories was a violation of article 49 of the Fourth Geneva Convention, which prohibited individual or mass forcible transfers "regardless of their motive". He said such measures were unnecessary to maintain order and only served to increase tension rather than to contribute to the creation of a political atmosphere conducive to reconciliation and negotiation.¹⁰⁰

The representative of the PLO said that the Security Council having reiterated a position that was in full conformity with its obligations, the Palestinians expected Israel's compliance with the Council's resolutions and that it would refrain from deporting any Palestinian civilians from occupied territories. He said Israel was bound by the Geneva Convention and article 49, which prohibited the occupying Power from deporting any of the protected persons from the occupied territory. With reference to the remarks about legal recourses made by Israel, he said that article 47 of the Geneva Convention made very clear the obligations of the occupying Power and, regarding the Defence Emergency Regulations of 1945, he pointed out that the Power that had decided to promulgate and introduce those regulations had been a mandatory Government and not an occupying Power. He urged the Council to see to it that the fate and destination of those nine Palestinians would be guaranteed and that they would not be deported from the territories to anywhere else. He gave further assurances that they would not interfere with the process of justice if the Israeli courts brought those deportees to trial for any specific crime.¹⁰¹

⁹⁹*Ibid.*, p. 18.

¹⁰⁰*Ibid.*, pp. 19 and 20.

¹⁰¹*Ibid.*, pp. 21-26.

Decision of 14 January 1988 (2781st meeting): resolution 608 (1988)

The Security Council decided to convene its meeting in accordance with the understanding reached in the Council's prior consultations.¹⁰²

At its 2781st meeting, on 14 January 1988, the Council included in its agenda without objection the item entitled "The situation in the occupied Arab territories".¹⁰³

At the same meeting, the Council decided to invite the representatives of Israel and Lebanon, at their request, to participate in the discussion without the right to vote.¹⁰⁴ Also at the same meeting, the Council decided, by vote, to invite, in accordance with previous practice, the representative of the PLO to participate in the discussion.¹⁰⁵

The President drew the attention of the Council to the text of a draft resolution submitted by Algeria, Argentina, Nepal, Senegal, Yugoslavia and Zambia.¹⁰⁶

At the same meeting, the representative of Israel stated that the whole approach to the convening of the Council reflected and was characterized by a gross imbalance and a total disregard of context. Those meetings had produced resolutions, all of which had been directed against Israel and the measures Israel had taken to try to restore calm and tranquillity, but those measures had been attacked and criticized. Defending Israel's position, he said that Israel was acting—as was its right under international law—to secure order in the face of violent provocations, with maximum restraint and in full compliance with the laws that had applied and pertained to those areas for nearly half a century. He described the resolutions adopted by the Security Council as only cascading down on Israel, resolutions that did not inspire confidence in the impartiality and fair-mindedness of the Council. He defended Israel's objection in principle to the involvement of the Security Council in matters of security because those matters were Israel's exclusive responsibility under international law.¹⁰⁷

The representative of Lebanon, while rejecting the deportation and expulsion by Israel of four Palestinians to Lebanese territory—acts that were contrary to article 49 of the Fourth Geneva Convention and the provisions of international humanitarian law—charged that Israel had exploited its occupation of a portion of Lebanese territory it termed a "security zone" to deport those Palestinians to Lebanese territory and by leaving them without shelter and home, forcing them to proceed northward to the Lebanese army and to the area between Lebanese and Israeli positions. He suggested that the only solution was to allow the International Committee of the Red Cross (ICRC) to meet those individuals and bring them to Palestinian territory. He called on the Council to adopt prompt measures as required by international humanitarian law, a solution that would be consistent with the draft resolution then before

¹⁰²S/PV.2781, p. 5.

¹⁰³*Ibid.*, p. 2.

¹⁰⁴For details regarding these invitations, see S/PV.2781 and chap. III of the present *Supplement*.

¹⁰⁵The proposal to invite the representative of the PLO was adopted by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statement by the representative of the United States of America concerning the invitation and for details of the voting, see S/PV.2781, pp. 3 and 4, and chap. III of the present *Supplement*.

¹⁰⁶S/19429, subsequently adopted as resolution 608 (1988).

¹⁰⁷S/PV.2781, pp. 5-7.

the Council. Stating that in expelling and deporting those Palestinians Israel had demonstrated its defiance of the Security Council and its contempt for its resolutions, he appealed to the Council to compel Israel to cease violating the Council's resolutions and to comply with them.¹⁰⁸

The Council then proceeded to vote on the draft resolution, which received 14 votes to none, with 1 abstention (United States of America), and was adopted as resolution 608 (1988), the text of which reads as follows:¹⁰⁶

The Security Council,

Reaffirming its resolution 607 (1988) of 5 January 1988,

Expressing its deep regret that Israel, the occupying Power, has, in defiance of that resolution, deported Palestinian civilians,

1. *Calls upon* Israel to rescind the order to deport Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported;

2. *Requests* that Israel desist forthwith from deporting any other Palestinian civilians from the occupied territories;

3. *Decides* to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

Speaking after the vote, the representative of the United States of America, while deeply regretting the deportations that had taken place and urging Israel to avoid further deportations, stated that his country had abstained on the resolution because his delegation believed that repeatedly raising the issue in the Security Council did not assist the process of restoring calm to the territories or addressing the problems that had contributed to the recent disturbances. He further stated that the four individuals who had been deported had failed to appeal to the Israeli Supreme Court and had not, therefore, allowed the judicial process to run its course. Selective attention to the issue in the Council was unjustified.¹⁰⁹

The representative of the PLO, while maintaining that the deportations violated not only the Fourth Geneva Convention but also article 9 of the Universal Declaration of Human Rights, which stated that no one should be subjected to arbitrary arrest, detention or exile, stated that whatever the motives that were advanced, nevertheless, under article 49 of the Geneva Convention, the occupying Power was prohibited from deporting persons. Thus, whether those detainees or those to be deported had recourse to the entire judicial process available to them or not was irrelevant at that stage. He was compelled therefore to state that the position of the United States was not consistent with what it claimed to be its commitment to the norms of international law and to justice and indeed his delegation's lack of confidence in what the United States said had been clearly borne out by the American action.¹¹⁰

Decision of 1 February 1988 (2790th meeting): rejection of a six-Power draft resolution

Pursuant to paragraph 6 of resolution 605 (1987) of 22 December 1987, the Secretary-General submitted a report¹¹¹ in which, following a visit to the area by the Under-Secretary-General for Special Political Affairs, Marrack Goulding, he gave an account of the situation in the occu-

ried territories, discussed ways and means by which the international community could improve the safety and protection of the civilian population in those territories and concluded that a solution to the Arab-Israeli conflict could be reached only through a political settlement negotiated by an international conference under United Nations auspices.

At its 2785th meeting, on 27 January 1988, the Security Council decided to include the Secretary-General's report in its agenda without objection¹¹² and discussed the matter at four meetings, on 27 and 28 January and 1 February 1988.

At the same meeting, the Council decided, by vote, to invite, in accordance with past practice, the representative of the Palestine Liberation Organization to participate in the discussion.¹¹³ Also at the same meeting, the Council decided to extend invitations under rule 39 of the provisional rules of procedure, at the request of the representatives of Kuwait and Algeria, to Mr. Syed Shar Shari-uddin Pirzada, Secretary-General of the Organization of the Islamic Conference¹¹⁴ and Mr. Clovis Maksoud, Permanent Observer for the League of Arab States.¹¹⁴

In the course of the meetings, the representatives of Czechoslovakia, Egypt, India, Indonesia, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Morocco, Qatar, Sudan, the Syrian Arab Republic and Zimbabwe were invited, at their request, to participate in the debate without the right to vote.¹¹⁴

At the 2785th meeting, on 27 January 1988, the representative of Jordan, speaking in his capacity as Chairman of the Group of Arab States, warned that the situation in the Palestinian and other occupied territories continued to deteriorate, which posed a threat to international peace and security. He stressed that, in view of Israel's rejection of Security Council resolution 605 (1987), its lack of respect for United Nations resolutions and, as stated in paragraph 4 of the Secretary-General's report, its consideration that the Security Council had no role to play in the security of the occupied territories, for which Israel itself was exclusively responsible, they had turned to the United Nations to seek a comprehensive and just settlement in the Middle East region, recognizing the importance of the Security Council and the General Assembly and their resolutions. The Security Council was duty-bound to make a great and urgent effort commensurate with the complexity and gravity of the situation to move forward towards a peaceful settlement based on its resolutions 242 (1967) and 338 (1973), by means of an effective international conference to be convened by the Secretary-General, with the participation of the permanent members of the Security Council and all the parties concerned, including the PLO. He called for a settlement that would ensure Israeli withdrawal from all Arab territories occupied by Israel since 1967, especially the City of Jerusalem, and would guarantee the Pal-

¹⁰⁸*ibid.*, pp. 8-11.

¹⁰⁹*ibid.*, pp. 11 and 12.

¹¹⁰*ibid.*, pp. 13-16.

¹¹¹S/19443.

¹¹²S/PV.2785, pp. 2-5.

¹¹³The proposal to invite the representative of the PLO was adopted by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see S/PV.2785 and chap. III.

¹¹⁴For further details, see chap. III.

estinian people the right to self-determination and peace and security for all States of the region.¹¹⁵

The representative of the Federal Republic of Germany, recalling the position of the States members of the European Community as stated in the Venice Declaration, emphasized that an urgent effort was required to promote an effective negotiating process in the Middle East and that a solution had to be based on Security Council resolutions 242 (1967) and 338 (1973) and on the recognition and implementation of the right to existence and to security of all States in the region, including Israel, and on justice for all peoples, which implied the recognition of the legitimate rights of the Palestinian people, placing them in a position by an appropriate process defined within the framework of the comprehensive peace settlement to exercise fully their right to self-determination. He expressed the community's view that the renunciation of force, or of the threatened use of force, by all parties concerned had to constitute a basic element for the settlement of the conflict. He recalled the Declaration made in Brussels on 23 February 1987 where the countries of the Community had stated that they favoured an international peace conference to be held under the auspices of the United Nations. He called on all sides to show maximum restraint and for the civilian population in the occupied territories to be treated in full conformity with the Fourth Geneva Convention, as also stated in the Secretary-General's report. He also called on all parties concerned and the members of the Security Council to join the constructive approach taken by the Secretary-General and to support him.¹¹⁶

At the 2786th meeting, on 27 January 1988, the representative of the PLO, appealing to the members of the Security Council to use a comprehensive approach towards the Arab-Israeli conflict, asserted that ending Israeli occupation of Palestinian and other Arab territories, including Jerusalem, as called for by the international community, as well as the convening of an international peace conference in the Middle East under the auspices of the United Nations, as determined by the General Assembly in its resolution 38/58 C of 13 December 1983, would definitely contribute to the endeavours for a comprehensive settlement and for the establishment of peace. He called on the Council to make a solemn appeal to all the high contracting parties to the Fourth Geneva Convention, Israel being one of them, to ensure respect and to use all the means at their disposal to persuade the Government of Israel to accept the *de jure* applicability of the Convention. Referring to the proposals offered by the Secretary-General in his report with regard to the immediate ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation, he stated that the Security Council was duty-bound to ensure the operational feasibility of some of those proposals. He emphasized that the mere presence of the United Nations, as a symbol of protection and admission of responsibility was important, and the physical role of supervision and ensuring compliance with and preventing violations of the obligations of the occupying Power, Israel, was a must. He cautioned that Israel could not and should not be permitted to deny the Council and the

Secretary-General the right and duty to discharge their responsibilities.¹¹⁷

The representative of France reiterated his delegation's position that Israel, the occupying Power, had to shoulder its international responsibilities and abide by the Fourth Geneva Convention of 1949. He stated that while Israel was a contracting party to that Convention, so were other States, and while the responsibility to respect the Convention lay squarely with the occupying Power, the other contracting parties were likewise bound under article 1 of the Convention to ensure respect for that instrument under all circumstances. He said that France was convinced that the time had come for the parties concerned to move towards mutual recognition and dialogue and that the most realistic way for progress was to hold an international peace conference.¹¹⁸

The representative of Egypt recalled the new peace initiative put forward by President Hosni Mubarak aimed at creating a meaningful negotiating process. The initiative called upon the parties concerned to cease all forms of violence and repression in the occupied territories for six months. He said such a step would be accompanied by the following: cessation of all settlement activities; respect for the political rights and freedoms of the Palestinian people under Israeli occupation; ensuring the safety and protection of the people under occupation through proper international machinery; movement towards the convening of an international peace conference with the aim of reaching a comprehensive peace settlement that provided for recognition of the right of all States in the region to live in peace and enabled the Palestinian people to exercise its rights to self-determination.¹¹⁹

The representative of Italy charged Israel with taking possession of the territories in question through the use of force, thereby violating Article 2, paragraph 4, of the Charter of the United Nations. He maintained that Israel had ratified the Fourth Geneva Convention of 1949 and it was therefore under an obligation to comply with it.¹²⁰

The representative of the Syrian Arab Republic stated that since Israel as occupying Power had refused to apply the Convention of the occupied territories, it was necessary for the Security Council and other contracting States to take effective steps to bring about its application, including the imposition of sanctions against the occupying Power, Israel.¹²¹

At the 2787th meeting, on 28 January 1988, the representative of the Union of Soviet Socialist Republics said that his delegation had found in the Secretary-General's report a number of practical recommendations that could help alleviate the lot of the Palestinians in the territories occupied by Israel, including the need for the Security Council to appeal to the parties to the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War; to try to persuade the Government of Israel to accept the applicability of the Convention to the West Bank and Gaza, which it occupies; the desirability of making broader use of the capabilities of the United Nations Relief and Works Agency for Palestine Refugees in the

¹¹⁵S/PV.2785, pp. 11, 12 and 21.

¹¹⁶*Ibid.*, pp. 23-27.

¹¹⁷S/PV.2786, pp. 13-15.

¹¹⁸*Ibid.*, pp. 42-45.

¹¹⁹*Ibid.*, p. 57.

¹²⁰*Ibid.*, pp. 61 and 62.

¹²¹*Ibid.*, p. 67.

Near East (UNRWA) and ICRC; and the possibility of sending military observers to the occupied territories. He added that the convening of an international conference would be the only realistic way to bring about a just settlement in the Middle East. In this context, he said, his country had suggested that the members of the Security Council, in particular the permanent members, needed to proceed to consultations to consider the relevant questions and that such a meeting be held at the foreign ministerial level. He stressed that it was important that the format of the conference did not jeopardize the rights and interests of any party and that it upheld the principle of unconditional respect for the sovereignty and independence of each State, including Israel, and for the right of each people to self-determination and to an autonomous path to development of its own choosing.¹²²

The representative of China said that his Government continued to maintain that Israel had to withdraw from the Arab territories it had occupied since 1967, that the national rights of the Palestinian people had to be restored and that all countries in the Middle East should enjoy the right to peace and existence. He supported the convening of an international conference under the auspices of the United Nations and with the participation of the PLO on an equal footing.¹²³

The representative of Israel criticized the Secretary-General's report as containing unsubstantiated allegations against Israel, not supported by proof and one that could hardly be called a full and balanced and realistic picture of the situation on the ground. He defended Israel's policy regarding the use of force by stating that it was to be used: to break up violent demonstrations; against people resisting arrest; against people who attacked security forces; and in self-defence for the preservation of the security forces' own lives. He maintained that Israel was trying, under local laws and international law, to ensure the restoration of tranquillity in the area, a prerogative that under the various conventions and as recognized in the report of the Secretary-General was Israel's obligation. Israel maintained that, in view of the *sui generis* status of Judea and Samaria and the Gaza district, the *de jure* applicability of the Fourth Geneva Convention to those areas was doubtful and that Israel preferred to leave aside the legal question of the status of those areas and had decided since 1967 to act *de facto* in accordance with the humanitarian provisions of that Convention. He stressed that Israel had on several occasions called for a political solution of the conflict. He recalled that Israel had got into those areas in the first place because they were being used as staging areas for his country's destruction and that that attempt had failed. However, when Israel came into control of those territories, it had immediately stated that it was prepared immediately to enter into negotiations. In conclusion, he added that serious efforts were taking place outside the Council to launch negotiations in the spirit of Camp David and of Security Council resolutions 242 (1967) and 338 (1973).¹²⁴

At the 2789th meeting, on 1 February 1988, the representative of Zimbabwe, speaking on behalf of the members of the Movement of Non-Aligned Countries, while wel-

coming the Secretary-General's report, demanded that Israel abide by its international obligations under the Fourth Geneva Convention. He recalled the communiqué of 29 January 1988, issued by the Coordinating Bureau of the Non-Aligned Countries, urging the Security Council to approve the dispatch of United Nations observers to the occupied Palestinian territories with a view to monitoring compliance by the occupying Power with the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. The non-aligned countries also supported the call for increased assistance to ICRC and UNRWA and for an early convening of the international peace conference on the Middle East under the auspices of the United Nations.¹²⁵

At the 2790th meeting, on 1 February 1988, the representative of the United Kingdom of Great Britain and Northern Ireland, while welcoming and endorsing the Secretary-General's report, maintained that the main elements for a solution to the conflict were the withdrawal of Israel from territories occupied since 1967 and the resolution of the status of those territories; the guaranteed right of all States in the region, including Israel, to secure existence within recognized borders; and provision for the legitimate rights of the Palestinian people, including their right to self-determination. He warned, however, that though those elements provided a basis for a solution, that solution would remain beyond grasp until the parties concerned made a conscious decision to prepare for negotiations in a spirit of compromise and by avoiding acts that made peace all the harder to achieve. In that context, he stressed his country's view that a real opportunity lay in the proposal for an international conference involving all the parties to the conflict and the five permanent members of the Council, under the auspices of the United Nations, and that such a conference was to act as a framework for negotiations between the parties directly concerned. Noting the cooperation of the five permanent members as a noteworthy feature of the Council's work over the conflict in the Gulf over the past year, he stated that it set an encouraging example of how they could and should work closely together to resolve major questions of international peace and security.¹²⁶

During the course of the debate, several other speakers all welcomed and endorsed the Secretary-General's report and stressed in particular the paragraphs that called on Israel to comply strictly with the Fourth Geneva Convention and to assume its responsibilities as an occupying Power and for the early convening of an international peace conference under the auspices of the United Nations with the participation of all parties concerned, including the PLO and the five permanent members of the Council. They agreed that such a conference offered the best chance for a comprehensive and peaceful settlement of the Middle East conflict. Many of them stressed the primary responsibility of the Security Council, as guarantor of international peace and security, to take effective measures to end the Israeli occupation of all Palestinian and other Arab territories and to make it possible for the Palestinian people

¹²²S/PV.2787, pp. 13-20.

¹²³ibid., p. 52.

¹²⁴ibid., pp. 63-71.

¹²⁵S/PV.2789, pp. 8-10.

¹²⁶S/PV.2790, pp. 36-38.

to exercise their right to self-determination, pursuant to the relevant United Nations resolutions.¹²⁷

At the 2790th meeting, on 1 February 1988, the President drew the attention of the members of the Security Council to the text of a draft resolution submitted by Algeria, Argentina, Nepal, Senegal, Yugoslavia and Zambia.¹²⁸ Under that draft resolution, the Council would have considered the report of the Secretary-General of 21 January 1988 pursuant to resolution 605 (1987); expressed its grave concern over the increasing sufferings of the Palestinian people in the occupied Palestinian territories; borne in mind the inalienable rights of all people recognized by the Charter of the United Nations and proclaimed by the Universal Declaration of Human Rights; reaffirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; commended the International Committee of the Red Cross for its activities in the occupied territories; commended also the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its invaluable work; and, conscious of the urgent need to resolve the underlying problem through a comprehensive, just and lasting settlement, including a solution to the Palestinian problem in all its aspects, expressed its deep appreciation to the Secretary-General for his report; called upon Israel, as the occupying Power and as a high contracting party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to accept the *de jure* applicability of the Convention to the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and to fully comply with its obligations under that Convention; recalled the obligation of all the high contracting parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; called again upon Israel to desist forthwith from its policies and practices which violated the human rights of the Palestinian people; requested Israel to facilitate the task of the International Committee of the Red Cross and of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and requested all Members to give them their full support; would have requested the Secretary-General to continue to monitor the situation in the occupied territories by all means available to him and to make regular and timely reports to the Council; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israeli conflict, an integral part of which was the Palestinian problem; and expressed its determination to work towards that end; requested the Secretary-General to continue his endeavours to promote such a settlement and

to keep the Council regularly informed; and decided to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

Prior to the vote, the representative of the United States of America said that his delegation would veto the draft resolution because it was an untimely effort to involve the Security Council on issues that were best dealt with through diplomatic channels. He viewed the draft resolution as redundant and inappropriate and expressed his delegation's disapproval of the Council's effort, in this instance, to address the current unrest and Israel's response in a fruitless and redundant way and to direct a negotiating process before agreement had been reached among the parties on appropriate auspices for negotiations.¹²⁹

The President then put the draft resolution to the vote; it received 14 votes to 1, with no abstentions, and was not adopted owing to the negative vote of a permanent member of the Council.¹³⁰

The representative of the Union of Soviet Socialist Republics indicated that his delegation expressed its deepest regret that, because of the negative vote cast by the United States, the Security Council could not adopt the draft resolution on such a necessary and important decision. The tragic situation of the Palestinians in the occupied Palestinian territories had been recognized by members of the Council and by many other Member States in the course of the Council's deliberations. He expressed his delegation's hope that the Council's inability to adopt the draft resolution would not weaken the determination of the Secretary-General to continue to do his utmost to fulfil the mandate entrusted to him by the Security Council and the General Assembly. He emphasized further that the Secretary-General's report would remain in force and retain its significance.¹³¹

Decision of 15 April 1988 (2806th meeting): rejection of a six-Power draft resolution

By a letter dated 29 March 1988 addressed to the President of the Security Council,¹³² the representative of Tunisia, in his capacity as the Chairman of the Group of Arab States, requested an urgent meeting of the Council to discuss the situation in the occupied territories.

At its 2804th meeting, on 30 March 1988, the Security Council included the letter from Tunisia in its agenda without objection¹³³ and considered the matter at three meetings, on 30 March and 14 and 15 April 1988. At the same meeting, the Council decided, by vote, to invite the representative of the PLO, in accordance with the Council's past practice, to participate in the debate.¹³⁴

During the course of the meetings, the Council decided to extend invitations under rule 39, at the request of the

¹²⁷Mr. Pirzada, S/PV.2785, pp. 42 and 43; Mr. Maksoud, S/PV.2786, pp. 21-27; Brazil, *ibid.*, pp. 28-31; Senegal, *ibid.*, pp. 32-35; Nepal, *ibid.*, pp. 38-40; Morocco, *ibid.*, pp. 46-51; Zambia, S/PV.2787, pp. 7-11; Kuwait, *ibid.*, pp. 27-31; Algeria, *ibid.*, pp. 34-37; Yugoslavia, *ibid.*, pp. 37-41; Japan, *ibid.*, pp. 43-45; Argentina, *ibid.*, pp. 46-48; Libyan Arab Jamahiriya, *ibid.*, pp. 53-60; Sudan, *ibid.*, pp. 76-81; Malaysia, *ibid.*, pp. 82-86; Qatar, *ibid.*, pp. 91 and 92; Indonesia, S/PV.2790, pp. 8-12; India, *ibid.*, pp. 16 and 17; Czechoslovakia, *ibid.*, pp. 18-20.

¹²⁸S/19466.

¹²⁹S/PV.2790, pp. 41 and 42.

¹³⁰*ibid.*, p. 42.

¹³¹*ibid.*, pp. 43-47.

¹³²S/19700.

¹³³S/PV.2804, p. 2.

¹³⁴The proposal to invite the representative of the PLO was carried out by 10 votes to 1 (United States of America), with 4 abstentions. For the relevant statement by the representative of the United States regarding the invitation and for details of the voting, see S/PV.2804, pp. 3 and 4, and chap. III of the present *Supplement*.

representative of Algeria, to Mr. Chedli Klibi, Secretary-General of the League of Arab States,¹³⁵ and Mr. Clovis Maksoud, Observer for the League of Arab States,¹³⁶ and, at the request of the representative of Jordan, to Mr. Engin A. Ansay, Observer for the Organization of the Islamic Conference.¹³⁷

At its 2805th meeting, on 14 April 1988, the Security Council decided to extend an invitation under rule 39, at his request, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.¹³⁸

In the course of the meetings, the representatives of India, Israel, Jordan, Kuwait, the Libyan Arab Jamahiriya, Pakistan, Saudi Arabia, the Syrian Arab Republic and Tunisia were invited, at their request, to participate in the discussion without the right to vote.¹³⁹

At the 2804th meeting, on 30 March 1988, the Foreign Minister of Algeria appealed to the Members of the United Nations to free themselves of their narrow points of view and to demonstrate a genuine determination to find a just and lasting solution to the Middle East conflict. A resolute effort in that direction would be the convening of an international peace conference under the auspices of the United Nations, but he cautioned that to guarantee the success of the conference there were authentic requirements: the United Nations needed to lend its authority to the conference and to be a vigilant custodian to ensure that the principles of the United Nations were enshrined there; equal participation for the Palestinian people, through their spokesman—the PLO; the objective of the conference to accord with the legitimate claims and inalienable rights of the Palestinian people to self-determination; and the total withdrawal from all the occupied Arab territories.¹⁴⁰

The representative of the Syrian Arab Republic stated that it was the responsibility of the Security Council to ensure the implementation of its own resolutions, in particular resolution 605 (1987), which reaffirmed the provisions of the Fourth Geneva Convention on the Protection of Civilian Persons in Time of War. He also stated that in order to achieve a peaceful, comprehensive and just solution to the Middle East problem it was necessary to convene an international conference under the auspices of the United Nations, with the participation of the five permanent members of the Security Council, as well as all other parties concerned, among them the PLO as sole and legitimate representative of the Palestinian people. He said the conference had to be convened in keeping with the United Nations resolutions, and based upon the withdrawal of all Israeli forces from the occupied Arab territories and upon respect for the inalienable rights of the Palestinians to self-determination.¹⁴¹

The representative of Jordan called on the Security Council to take effective, urgent action to ensure the protection and safety of the Palestinian people, as recom-

mended by the Secretary-General in his report,¹⁴² and to achieve a peaceful settlement of the Arab-Israeli conflict on the basis of Council resolutions 242 (1967) and 338 (1973). The appropriate means for achieving such a settlement was the convening of an international conference under the United Nations auspices with participation of the permanent members of the Council and all parties to the conflict, including the PLO.¹⁴³

The representative of Senegal, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, maintained that an international peace conference on the Middle East offered all interested parties considerable opportunity to participate in negotiations that could lead to a comprehensive, just and lasting solution to the Middle East crisis.¹⁴⁴

Speaking on behalf of the Organization of African Unity, the representative of Zambia reaffirmed the urgent need to achieve a comprehensive, just and lasting settlement of the Arab-Israeli conflict within the framework of the international peace conference under the auspices of the United Nations and with participation of the PLO.¹⁴⁵

The representative of Israel criticized the convening of the Security Council as irresponsible and not a call for tranquillity, nor in a genuine pursuit of a negotiated peace, but to devote its time to a repetition of the rhetoric against Israel. He emphasized, instead, that in order to promote a peaceful resolution of the Arab-Israeli conflict, the Council should attempt to focus non-prejudicial efforts on the encouragement of direct negotiations between Israel and its neighbours, on the basis of its resolutions 242 (1967) and 338 (1973).¹⁴⁶

The representative of the PLO charged Israel and the United States of America with blocking the efforts of the Secretary-General and the United Nations by their rejection of the international conference. He called on the Security Council to adopt all measures designed to ensure the effective protection of the Palestinian people in the occupied territories and also to make Israel cease immediately all arbitrary measures that violated human rights and contravened international law. He also called on the Council to entrust the Secretary-General with the task of pursuing his constructive efforts.¹⁴⁷

At the 2805th meeting, on 14 April 1988, the representative of Cuba, speaking in his capacity as Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, called for the redoubling of efforts to secure the convening of an international peace conference on the Middle East in accordance with General Assembly resolution 38/58 C, in order to bring about a solution to the problem. He also appealed to the Secretary-General to implement the recommendations in his report of 21 January 1988¹⁴² to provide the necessary humanitarian assistance to the Palestinians in the occupied territories.¹⁴⁸

The representative of Israel, in his second intervention, stated that his Government had set forth two goals, one for

¹³⁵S/PV.2804, p. 4.

¹³⁶S/PV.2806, p. 6.

¹³⁷*Ibid.*, p. 6.

¹³⁸S/PV.2805, pp. 3-5.

¹³⁹For full details regarding the invitations, see chap. II of the present *Supplement*.

¹⁴⁰S/PV.2804, pp. 11 and 12.

¹⁴¹*Ibid.*, pp. 32-35.

¹⁴²S/19443.

¹⁴³S/PV.2804, p. 47.

¹⁴⁴*Ibid.*, p. 52.

¹⁴⁵*Ibid.*, pp. 56 and 57.

¹⁴⁶*Ibid.*, pp. 59-65.

¹⁴⁷*Ibid.*, pp. 86-90.

¹⁴⁸S/PV.2805, p. 32.

the restoration of tranquillity to the areas of Judea and Samaria and Gaza, and the other for the political resolution of those territories' ultimate status. However, he warned that peaceful political negotiations could not proceed under the threat of any kind of violence. He reiterated that, as was its right and obligation, Israel would use all measures necessary to ensure peace and security in the territories under its administration in accordance with due process of law.¹⁴⁹

During the course of the debate, several speakers condemned Israel for its disregard for and non-compliance with United Nations resolutions and demanded that Israel fully respect and implement in the occupied territories the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. They also maintained that the Security Council was duty-bound to enforce its resolutions 605 (1987), 607 (1988) and 608 (1988) in the matter. Many of them maintained that the most realistic and acceptable way to bring about a solution of the Middle East crisis was the speedy convening of an international peace conference, under the auspices of the United Nations, with the equitable participation of all directly interested parties including the PLO. In that regard, they also called for the implementation of the recommendations of the Secretary-General contained in his report of 21 January 1988.¹⁵⁰

At the 2806th meeting, on 15 April 1988, the President drew the attention of members of the Security Council to the text of a draft resolution submitted by Algeria, Argentina, Nepal, Senegal, Yugoslavia and Zambia.¹⁵¹ Under the preambular part of the draft resolution, the Council would have expressed its grave concern over the current situation in the occupied Palestinian territories; reaffirmed its resolutions 605 (1987), 607 (1988) and 608 (1988); recalled the report of the Secretary-General of 21 January 1988; and, having been apprised of the deportation by Israel, the occupying Power, of eight civilian Palestinians on 11 April 1988 and of its decision to continue the deportation of Palestinian civilians in the occupied territories; gravely concerned and alarmed by the measures adopted by Israel against the civilian Palestinian people and its persistent policy of taking measures of the collective punishment, such as the recent demolition of homes in the village of Beita; and also expressing grave concern over the action taken by the forces of the occupying Power against Sheik Saad Eddin El-Alami, Head of the Supreme Islamic Council, who was assaulted and beaten in the Haram al-Sharif in Jerusalem, on 1 April 1988; would have reaffirmed once again that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, was applicable to Palestinian and other Arab territories, occupied by Israel since 1967, including Jerusalem; recalling in particular the provisions of article 49 of the Fourth Geneva Convention and expressing alarm that Israel had continued to transfer its civilian population into the territory

it occupied and had equipped those settlers with arms which had been used against the civilian Palestinian people. In the operative part of the draft resolution the Council would have (a) urged Israel, the occupying Power, to abide immediately and scrupulously by the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to desist forthwith from its policies and practices that are in violation of the provisions of the Convention; (b) urged further Israel to rescind the order to deport Palestinian civilians and ensure the safe and immediate return to the occupied Palestinian territories of those already deported; (c) urged once again Israel to desist forthwith from deporting Palestinian civilians from the occupied territories; (d) condemned those policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied territories, and in particular the opening of fire by the Israeli army, resulting in the killing and wounding of defenceless Palestinian civilians; (e) affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Arab-Israeli conflict, an integral part of which was the Palestinian problem, and expressed its determination to work towards that end; (f) requested the Secretary-General to submit periodic reports on the situation in the occupied territories, including those aspects relating to endeavours for ensuring the safety and protection of the Palestinian civilians under Israeli occupation; and (g) decided to keep the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, under review.

At the same meeting, the representative of France called for the mobilization of efforts to ensure urgent dialogue and negotiations, on the basis of mutual recognition, for an overall political settlement ensuring the safety of all States in the region and justice for their peoples. He said that his country remained convinced that convening an international conference with the participation of the permanent members of the Security Council and all parties directly concerned was the most realistic way to achieve a just and lasting peace in the Middle East.¹⁵²

The representative of China called on the Security Council to voice its condemnation and take forceful measures in response to the policies and actions of Israel. He called for effective steps to compel Israel to implement the relevant Security Council resolutions and supported the convening of an international conference under United Nations auspices as an effective way to seek Middle East peace.¹⁵³

The representative of the Union of Soviet Socialist Republics stated that the United Nations was invested with sufficient authority and the necessary opportunities to impart a dynamic thrust to the process of a Middle East settlement and to that end the Security Council needed to proceed immediately to take the steps necessary to prepare and activate the machinery for an international conference on the Middle East, starting with the establishment of a preparatory committee.¹⁵⁴

The representative of the United Kingdom of Great Britain and Northern Ireland maintained that Israel, as a party to the Convention, had not only the legal obligation to ap-

¹⁴⁹Ibid., pp. 59-63.

¹⁵⁰Saudi Arabia, S/PV.2804, p. 28; India, *ibid.*, p. 67; Libyan Arab Jamahiriya, *ibid.*, p. 71; Nepal, S/PV.2805, pp. 26-27; Yugoslavia, *ibid.*, pp. 36-38; Tunisia, *ibid.*, pp. 48-50; Kuwait, *ibid.*, p. 57; Pakistan, *ibid.*, p. 6; Argentina, S/PV.2806, p. 11; Japan, *ibid.*, pp. 12 and 13; Mr. Ansary, *ibid.*, p. 18; Mr. Maksoud, *ibid.*, pp. 21-27; Bangladesh, *ibid.*, pp. 32-35; Federal Republic of Germany, *ibid.*, pp. 41 and 42; Italy, *ibid.*, p. 53; and Algeria, *ibid.*, pp. 58-61.

¹⁵¹S/19780.

¹⁵²S/PV.2806, p. 8.

¹⁵³*Ibid.*, p. 37.

¹⁵⁴*Ibid.*, p. 47.

ply its provisions in full but also the moral obligation to ensure that its occupation took place in accordance with the standards the Convention embodied. The Security Council should again call Israel's attention to the grave concern about the situation in the occupied territories and express not merely the Council's desire for an end to the current violence but its hopes for a comprehensive, just and lasting settlement of the conflict.¹⁵⁵

At the same meeting, the Council proceeded to vote on the draft resolution.¹⁵¹ The draft resolution received 14 votes in favour to 1 against, with no abstentions, and failed to be adopted owing to the negative vote of a permanent member.¹⁵⁶

After the vote, the representative of the United States of America contended that the draft resolution just voted upon contributed neither to easing tensions in the occupied territories nor to promoting the cause of peace, and was redundant and inappropriate. Its broad and sweeping condemnation of Israel contained not a scintilla of balance and it contained no appeal or request for calm. Nevertheless, he reaffirmed that his country's position on the applicability of the Fourth Geneva Convention and its opposition in principle to deportations remained unchanged. He noted that his country was engaged in a major diplomatic effort with the parties directly concerned to try to bring about the start of direct negotiations between Israel and its Arab neighbours. Referring to a proposal put forward by the United States as a realistic and constructive one, he maintained that it offered the best hope for a political solution to the Arab-Israeli conflict and would lead to a comprehensive settlement that assured security to Israel and all the States of the region and the legitimate rights of the Palestinian people. He requested the Council to desist from rhe-

torical exercises and draft resolutions that were not productive and only cut across the objective of finding a real way to peace in the Middle East.¹⁵⁷

Decision of 26 August 1988: statement by the President

On 26 August 1988, following consultations, the President of the Security Council issued a statement on behalf of the members of the Council. The statement reads:¹⁵⁸

The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the current grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths that have occurred.

The members of the Council are profoundly concerned by the persistence of Israel, the occupying Power, in continuing its policy of deporting Palestinian civilians in contravention of Security Council resolutions and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members of the Council request Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported.

The members of the Council consider that the current situation in the occupied territories, described in the first paragraph above, has grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East.

They reaffirm that the above-mentioned Geneva Convention is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and request the high contracting parties to ensure respect for the Convention.

Recalling Security Council resolutions, the members of the Council will keep the situation in the occupied Palestinian territories, including Jerusalem, under review.

¹⁵⁵*ibid.*, p. 51.

¹⁵⁶*ibid.*, pp. 53 and 54.

¹⁵⁷*ibid.*, pp. 56 and 57.

¹⁵⁸S/20156.

20. STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL (FORTIETH ANNIVERSARY OF THE FIRST MEETING OF THE SECURITY COUNCIL AND THE INAUGURATION ON 1 JANUARY 1986 OF THE INTERNATIONAL YEAR OF PEACE)

Decision: statement by the President

At the 2642nd meeting, on 17 January 1986, prior to the adoption of the agenda,¹ the President made the following statement² on behalf of the members of the Council:

On the occasion of the fortieth anniversary of the first meeting of the Security Council and the inauguration on 1 January of the International Year of Peace, the members of the Security Council wish to reaffirm their commitment to the Charter of the United Nations which conferred on the Council the primary responsibility for the mainte-

nance of international peace and security. At the first meeting of the Council in London 40 years ago, its members assumed this special responsibility in the conviction that it would prove a new beginning of the continuing quest for lasting peace and security.

Although peace has been preserved on a global basis for 40 years, conflicts and tensions persist. Over the course of the 2,600 meetings, the Security Council has debated the most pressing issues of peace and security. The inauguration of the International Year of Peace provides an added impetus for the members of the Council to enhance the effectiveness of the Security Council in discharging its principal role of maintaining international peace and security. They call again upon the entire membership of the United Nations to abide by their obligations under the Charter to accept and carry out decisions of the Security Council. Let us hope that 1986 and the years to come will bring the progress which is so urgently needed for the safeguarding of peace for future generations.

¹The agenda for the meeting was: "The situation in the Middle East".

²S/17745.