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ENGLISH

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND
NINE HUNDRED AND SIXTY-FIFTH MEETING

Held at Headquarters, New York,
on Wednesday, 5 December 1990, at 11 a.m.

President: Mr. AL-ASHTAL (Yemen)

<u>Members:</u>	Canada	Mr. FORTIER
	China	Mr. LI Daoyu
	Colombia	Mr. PEÑALOSA
	Côte d'Ivoire	Mr. ANET
	Cuba	Mr. ALARCON de QUESADA
	Ethiopia	Mr. TADESSE
	Finland	Mr. TÖRNUDD
	France	Mr. BLANC
	Malaysia	Mr. RAZALI
	Romania	Mr. MUNTEANU
	Union of Soviet Socialist Republics	Mr. VORONTSOV
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mr. PICKERING
	Zaire	Mr. BAGBENI ADEITO NZENGEYA

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The meeting was called to order at 11.35 a.m.

EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT (interpretation from Arabic): As this is the first meeting of the Security Council for the month of December, I should like to take this opportunity to pay a tribute, on behalf of the Council, to His Excellency Mr. Thomas R. Pickering, Permanent Representative of the United States of America to the United Nations, for his service as President of the Security Council for the month of November 1990. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Pickering for the great diplomatic skill and unfailing courtesy with which he conducted the Council's business last month.

On behalf of the Council I should like also to express deep appreciation to His Excellency Mr. James A. Baker III, Secretary of State of the United States of America, for having presided over the work of the Council at its important 2963rd meeting, at which so many Foreign Ministers were present.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

LETTER DATED 26 SEPTEMBER 1990 FROM THE PERMANENT REPRESENTATIVE OF YEMEN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/21830)

REPORT SUBMITTED TO THE SECURITY COUNCIL BY THE SECRETARY-GENERAL IN ACCORDANCE WITH RESOLUTION 672 (1990) (S/21919 and Corr.1 and S/21919/Add.1-3)

The PRESIDENT (interpretation from Arabic): In accordance with the decisions taken at the previous meetings on this item, I invite the representatives of Algeria, Bangladesh, Egypt, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Mauritania, Morocco, Pakistan,

(The President)

Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yugoslavia to take the places reserved for them at the side of the Council Chamber.

I welcome Mr. Farouk Kaddoumi, Minister for Foreign Affairs of the State of Palestine, and invite him to take a place at the Council table.

At the invitation of the President, Mr. Bendjama (Algeria), Mr. Mohiuddin (Bangladesh), Mr. Moussa (Egypt), Mr. Menon (India), Mr. Kharrazi (Islamic Republic of Iran), Mr. Al-Anbari (Iraq), Mr. Aridor (Israel), Mr. Salah (Jordan), Mr. Al-Sabah (Kuwait), Mr. Makkawi (Lebanon), Mr. Treiki (Libyan Arab Jamahiriya), Mr. Ould Mohamed Mahmoud (Mauritania), Mr. Hasbi (Morocco), Mr. Umer (Pakistan), Mr. Al-Nimah (Qatar), Mr. Shihabi (Saudi Arabia), Mr. Ali (Sudan), Mr. El-Fattal (Syrian Arab Republic), Mr. Ghezal (Tunisia), Mr. Aksin (Turkey), Mr. Al-Shaali (United Arab Emirates) and Mr. Silovic (Yugoslavia) took the places reserved for them at the side of the Council Chamber; Mr. Kaddoumi (Palestine) took a place at the Council table.

The PRESIDENT (interpretation from Arabic): The Security Council will now resume its consideration of the item on its agenda.

I should like to draw the attention of members of the Council to document S/21949, which contains the text of a letter dated 19 November 1990 from the Chargé d'affaires ad interim of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General, and document S/21958, which contains the text of a letter dated 23 November 1990 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General.

Sir David HANNAY (United Kingdom): May I begin, Sir, by welcoming you on your assumption of the Chair and saying that we look forward to your presiding over the Council's meetings with that skill and wit that we have come to associate with all your activities in the Council.

At the same time, I wish to pay a tribute to the Permanent Representative of the United States of America, Ambassador Pickering, for the outstanding way in which he presided over the Council last month, culminating in his preparation of the historic meeting of the Council held last Thursday.

On the matter before us, I should like to begin by complimenting the Secretary-General and his staff for their very thorough and careful work in preparing the report called for in resolution 672 (1990). It is all the more commendable, given Israel's deeply regrettable refusal to receive the Secretary-General's mission when that report was being prepared. At least there has been some progress since then, in that Israel has now invited Mr. Aime to visit Israel and the occupied territories. We hope that he will travel soon, and we look forward to hearing his views.

I do not wish to dwell at length on individual incidents in the occupied territories. These are covered in detail in the three addenda to the

(Sir David Hannay, United Kingdom)

Secretary-General's report, and the Security Council took a clear position on the events of 8 October in adopting resolution 672 (1990). We are all too familiar with the unhappy chain of violence in the occupied territories. We must now look forward rather than back, and focus on what steps can be taken to protect Palestinian civilians in the occupied territories.

The Secretary-General's report puts forward some interesting ideas on this. His suggestion that the Security Council might wish to call for a meeting of the High Contracting Parties to the Fourth Geneva Convention merits careful study. This is a new approach that has not been tried before. It is a recurrent theme of resolutions of this Council that the Fourth Geneva Convention applies to the occupied territories and that Israel must abide by its obligations under it. This is a matter to which my Government, along with its partners in the European Community, attaches the greatest importance. The point was reiterated in the declaration on the Middle East adopted by the European Council in Rome as recently as 27 and 28 October.

We feel that the prospect of a meeting of the High Contracting Parties would send a powerful signal to Israel that it should take the greatest care over its treatment of the Palestinian citizens under its control. It would demonstrate the concern of the whole international community over what is happening in the occupied territories.

The Secretary-General also refers in his report to Palestinian appeals for an impartial presence, properly mandated by the United Nations. This idea obviously needs to be given greater clarity before any decision can be taken. The Secretary-General's report (S/19443) of 21 January 1988 was one possible source of suggestions in this way. In addition, my authorities would be prepared to examine ideas which involved the extension of the work of the United Nations humanitarian

(Sir David Hannay, United Kingdom)

agencies working in the occupied territories, always provided that this would not in practice impede them in the performance of their main humanitarian tasks.

Whatever steps the Council decides to take, my authorities believe we should be aiming for realistic measures - ones that will have a tangible effect on improving the lives and protection of the Palestinian civilians in the occupied territories. We should be thinking in terms not of political gestures, but of practical results. We must not embrace ideas that stand no chance of being implemented. There is no point in pursuing courses that end in deadlock; that does nothing for the standing of the Council and nothing to improve the situation on the ground.

However, practical measures to protect the Palestinian civilians in the occupied territories, important though they may be, are not an end in themselves. They can only be, at best, a temporary palliative. We must never lose sight of the need to find a solution to the Arab-Israel problem as a whole. The preamble to resolution 672 (1990) reaffirms that a just and lasting solution must be based on resolutions 242 (1967) and 338 (1973) through an active negotiating process that takes into account the right to security of all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people. My Government supports this view wholeheartedly. As the Foreign Secretary, Mr. Douglas Hurd, told the House of Commons on 24 October, the Palestinians have the right to self-determination, and that right can be expressed only in the context of a negotiated settlement, which must also include provision for the security of Israel within secure borders.

In the Queen's speech at the opening of the new session of the British Parliament on 7 November Her Majesty said:

(Sir David Hannay, United Kingdom)

"My Government will continue to work for long-term peace in the Middle East, including a settlement of the Palestinian problem".

That is a clear and firm commitment for the year ahead.

The British Government reiterates its support for the principle of the convening, at an appropriate time, of an international peace conference. We believe that the establishment of a dialogue between Israel and representative Palestinians would be an important first step to reactivate the peace process.

The PRESIDENT (interpretation from Arabic): I thank the representative of the United Kingdom for his kind words addressed to me.

Mr. LI Daoyu (China) (interpretation from Chinese): I have pleasure, Sir, in congratulating you on your assumption of the presidency of the Security Council for this month. I am convinced that your rich experience and diplomatic talent will facilitate the accomplishment of the heavy tasks of the Council this month.

I should also like to express my thanks to Ambassador Thomas Pickering, Permanent Representative of the United States to the United Nations, whose outstanding efforts in leading the Council to the fulfilment of its work last month impressed us.

The tense situation in the occupied Palestinian territory has all along been of grave concern to the international community. The Secretary-General, on the basis of resolution 672 (1990), has submitted a report which is both practical and of positive significance, and has put forward reasonable recommendations. The Chinese delegation wishes to express its appreciation and thanks to the Secretary-General for his unremitting efforts to relax the tense situation in the occupied territories, protect the Palestinian residents and promote the peace process in the Middle East.

(Mr. Li Daoyu, China)

It is regrettable, however, that the Israeli Government has persisted in its negative position, and has refused to accept resolutions 672 (1990) and 673 (1990) and receive the mission sent by the Secretary-General. Furthermore, the Israeli occupying authorities have intensified their efforts to suppress the Palestinian residents in the occupied territories, which resulted in the recent killing and wounding of several hundred people in the Gaza Strip. We condemn the Israeli authorities for these acts and call on the Israeli Government to change its attitude, earnestly fulfil its obligations stipulated in Article 25 of the United Nations Charter and sincerely implement the relevant Security Council resolutions.

(Mr. Li Daoyu, China)

To date the Government of Israel has steadfastly refused to accept the applicability of the Fourth Geneva Convention to the occupied territories, and announces that Jerusalem is the sovereign capital of the State of Israel. I wish to point out that the series of resolutions adopted by the General Assembly and the Security Council, including Security Council resolutions 476 (1980) and 478 (1980), have confirmed the applicability of that Convention to Jerusalem. Any legislative and administrative measures and actions taken by the Government of Israel in violation of those resolutions and in any attempt to change the character and status of Jerusalem are illegal, null and void and should be rescinded.

The Chinese delegation supports any recommendations conducive to the protection of the safety of the Palestinian residents in the occupied territories, including those put forward by the Secretary-General in his report. Under the provisions of article 1 of the Fourth Geneva Convention, all of the signatories have the obligation to respect and to ensure respect for the Convention. In this situation, where the Convention has been repeatedly violated, we support the convening of a meeting of its signatories in order to take the necessary and effective measures to ensure that the Convention is respected. The dispatch by the Security Council of United Nations monitoring personnel to the occupied territories will help to guarantee the safety of the Palestinian residents.

Finally, I wish to reiterate that the alleviation of the sufferings of the Palestinian people and the protection of their safety are not tantamount to the fundamental solution of the question of Palestine. The Security Council, which bears the main responsibility for maintaining international peace and security, should play its due role in seeking a fair and reasonable settlement of the Palestine question. We continue to support the convening of an international conference on the Middle East under the auspices of the United Nations, with the participation of the five permanent members of the Security Council and all

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parties to the conflict, with a view to achieving a comprehensive and just solution to the Palestinian question. China is willing to continue to work with other States for the realization of this noble aim.

The PRESIDENT (interpretation from Arabic): I thank the representative of China for the kind words he addressed to me.

Mr. VORONTSOV (Union of Soviet Socialist Republics) (interpretation from Russian): I take this opportunity to welcome you, Sir, as President of the Security Council and to wish you success in your work in that post. I should also like to express our sincerest gratitude to your predecessor, the Permanent Representative of the United States, Mr. Thomas Pickering, for his skilful work in November. We also welcome the Minister for Foreign Affairs of Palestine, Mr. Farouk Kaddoumi, who is participating in our meeting of the Security Council here today.

Recent events in the occupied Palestinian territories have once again focused the attention of the Security Council on the dangerous situation in the Middle East. These tragic events did not come about by chance. They are a logical consequence of the policy carried out by Israel of reinforcing its occupation of Arab lands, of crushing the national aspirations of the Palestinian people and of offending their religious sensitivities. Evidence of this is shown in the shootings of unarmed Palestinians on 8 October 1990 on the Temple Mount, which served as a trigger for a new wave of violence that swept over the occupied territories. Despite the resistance of Israel, which refused to co-operate with the Security Council, and which blocked the arrival to the region of a mission to investigate the events that had taken place, the Secretary-General was able, in accordance with resolution 672 (1990), to prepare a substantive report, which reaffirms that confrontation in this region has reached extreme limits. Taking

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advantage of this opportunity, I should like to express to the Secretary-General, Mr. Perez de Cuellar, and to the Secretariat staff our sincere gratitude for the efforts undertaken. This document, in concentrated form, gives an exhaustive picture of the actions taken by the Council from the outset of the intifadah in the search for ways to alleviate the plight of the Palestinians in the occupied territories. It contains a number of practical recommendations aimed at overcoming barriers of confrontation and distrust and at ensuring compliance by Israel with its commitments under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. The report also objectively depicts the profound historical tragedy now being experienced by the Palestinian people.

The full picture was supplemented by the statement of the Permanent Representative of Palestine to the United Nations, Mr. Al-Kidwa, and was also seen on the videotape shown in this Chamber, which clearly left no one indifferent. I should like, with particular satisfaction, to emphasize that the position of the Palestine Liberation Organization (PLO) presented to the Security Council, in our view, contains numerous concrete and practical proposals demonstrating the flexibility and variety of approaches formulated by the Palestinians in order to resolve the problem. We fully share the point of view expressed that the United Nations and the Security Council must take urgent action to protect the Palestinian people in the occupied territories.

In this regard, we cannot ignore the statement made by the representative of Israel to the Security Council on 7 November, which showed that his Government has not abandoned the badly outdated negativist position, which is not in keeping with new trends in the world and runs counter to the aspirations of the overwhelming majority of the States Members of the United Nations. By rejecting resolutions 672 (1990) and 673 (1990), the Government of Israel is refusing to accept the

(Mr. Vorontsov, USSR)

reasonable and realistic proposals of the Secretary-General. The Security Council cannot accept the chronically obstructionist position of Israel.

A process of renewal is taking place in the world today. Problems have been or are being successfully resolved which, for many years, defied solution. People are looking at the most complex international issues in a fresh light. It is high time, and it has long been high time, for Israel to bring its policy into line with the realities of today's world.

We are convinced that present circumstances require urgent steps on the part of all interested States, on a bilateral and multilateral basis, to actively implement the peace-making potential of the United Nations and the Security Council which, from the very outset, has played a fundamental role in Middle Eastern affairs. In the eyes of the international community, resolutions 242 (1967) and 338 (1973) continue to retain their fundamental importance for an Arab-Israeli settlement.

(Mr. Vorontsov, USSR)

I would recall that in February 1989, in a statement in Cairo, the Minister for Foreign Affairs of the USSR, Eduard Shevardnadze, advanced a comprehensive concept for improving the situation in the Middle East. This included increased efforts to convene an international conference on the Middle East, with the participation of all the parties concerned, including the Palestine Liberation Organization, and the permanent members of the Security Council. That concept is valid today. The Soviet Union favours a varied approach to stimulating the peace process in the Middle East and is prepared to support any constructive proposals, including interim ones, that are linked to the achievement of a comprehensive settlement. We continue to believe that, along with efforts to establish and launch a negotiating process for the settlement of the underlying causes of the Middle East crisis, steps should be taken to reduce regional tension, strengthen trust and lower the level of military confrontation.

A timely start on work towards convening a peace conference would help to avoid a new, dangerous stage in the evolution of the situation and to begin to move towards a search for a solution to the problems of the Middle East based on a balance of interests, the principles of civilized relations among States and high standards of humanism and non-violence.

The Soviet Union continues to believe that the following elements are basic to any solution to the conflict: first, acceptance of the territorial basis for a settlement set out in Security Council resolution 242 (1967), which provides for the withdrawal of Israeli troops from all territories occupied in 1967; secondly, recognition of the right of the Palestinian people to self-determination to the same extent as it exists for the people of Israel; and, thirdly, observance of the right of all parties to the conflict to a peaceful and secure existence within

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internationally recognized boundaries and of the principles of equality, equal security, non-interference in the internal affairs of other States, respect for political independence and sovereignty, and the non-use of force.

The Soviet Union shares the conviction of the majority of members of the international community that ultimately practical steps will have to be taken to convene an international conference on the Middle East. We are convinced that Israel's agreement to the convening of such a conference could have a positive impact on the situation in the region.

I take this opportunity to call upon all concerned, and first and foremost the Government of Israel, finally to heed the voice of reason and logic.

In conclusion, I should like to express the hope that the decision of the Security Council following its discussion of the question of the situation in the occupied territories will be a step towards the achievement of a settlement and a lasting peace in the Middle East and towards guaranteeing the rights of the Palestinian people.

The PRESIDENT (interpretation from Arabic): I thank the representative of the Soviet Union for the kind words he addressed to me.

The next speaker is the representative of Palestine. I once again welcome to our midst Mr. Farouk Kaddoumi, Minister for Foreign Affairs of Palestine, and invite him to make his statement.

Mr. KADDOUMI (Palestine)(interpretation from Arabic): It gives me great pleasure at the outset, Sir, to extend my heartfelt congratulations to you, my dear brother Ambassador Abdalla Al-Ashtal, on your assumption of the presidency of the Security Council, not only because of the close ties of friendship that bind us and because you are an illustrious son of the brother Arab people of Yemen, but also because of your universally recognized qualities of leadership, wisdom and sound

(Mr. Kaddoumi, Palestine)

judgement. I am confident that you will conduct the work of the Council in such a way as to ensure the success of its deliberations.

I would like to thank the President of the Council for last month, Ambassador Thomas Pickering, for his guidance of the Council's work. I wish also to extend profound thanks and sincere greetings to the Secretary-General, Mr. Javier Perez de Cuellar, and to commend him highly for his consistent efforts in the service of international peace and security and his continuous monitoring of unresolved questions with a view to finding possible solutions. We appreciate also his report on the provision of the necessary protection for the Palestinian people in the occupied territories.

The Security Council meets today, as it has on several occasions in recent weeks, to discuss a definite and clear-cut question, namely, the provision of protection and security for a people that is daily exposed to extremely serious crimes, crimes that have become a systematic pattern of Israeli policy towards the Palestinian people.

I take this opportunity to thank our friends, Yemen, Cuba, Malaysia and Colombia, for all the efforts they have made in support of our delegation and to enable us to submit the necessary information to the Council. I must also mention the support of other friendly States and thank them for the solidarity they have demonstrated, notwithstanding all the pressures brought to bear upon them.

I need hardly repeat here the salient, well-known facts concerning the terroristic Israeli practices against the Palestinian people in occupied Palestine. The Israeli file is before the Council and is replete with terrifying examples of such practices, which reached their peak in the massacre at the holy sanctuary of Al-Haram Al-Shareef in Jerusalem. That massacre was the direct reason for the series of meetings of the Council over the past month. However, the

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Council has been meeting for years in an attempt to find ways to put an end to this terrible tragedy. It has adopted many resolutions affirming the need to apply the provisions of the Geneva Conventions and calling upon Israel to comply with them.

(Mr. Kaddoumi, Palestine)

However, all these calls and appeals fell on deaf ears. Israel, with complete impunity, reacted to these calls and appeals with indifference and arrogant rejection. And why should not Israel behave in this manner which runs counter to all international norms, laws and values, when it is certain that a major Power, namely the United States of America, is sure to protect it from any sanction through the exercise of the right of veto?

That is why the meetings of the Council follow on the heels of each other in such rapid succession as if the Council were in a hopeless vicious circle, in search of the required solution to the question of finding the appropriate means of protecting our entire Palestinian people from a non-stop series of acts of aggression that has continued without interruption since the beginning of Israeli occupation, or rather since the inception of Israel itself. This has been made abundantly clear by the posture of the United States delegation, which prevented the Council from voting on the draft resolution before it all last month.

The entire world has noted with great satisfaction that the winds of international change are now blowing in the direction of enhancing the prestige of the international Organization, and in particular the Security Council. We all know the magnitude of the action the Council could take if it had the firm resolve to do so and was governed by a spirit of unanimity and not obstructed by the unwarranted exercise of the right of veto. Hence, why does the question of Palestine seem to be an exception? The entire international community rejects and condemns the occupation, recognizes the right of all peoples to self-determination and respects the rights of every State to live in peace and security within internationally recognized boundaries. Why then do we see in the Council that these principles and standards that apply to all do not apply to the people of Palestine alone? Has our people come from another planet, or is it different from all the other peoples of the world?

(Mr. Kaddoumi, Palestine)

Undeterred, Israel occupies and annexes Arab and Palestinian territories with impunity. Israel murders; Israel arrests; Israel demolishes homes; Israel carries out raids; Israel burns farms and crops, and plunders waters with impunity. Not only this, but Israel, as the Council has heard from its Prime Minister, promises further expansion and occupation, again with impunity.

What is the reason for all of this? Once more, the only answer to this bitter question is the posture of the United States of America, which protects Israel and its criminal practices. This is the reason why we, alongside world public opinion, find that the double standard applied by the Security Council has come to threaten its credibility and prestige and to cast doubt on its ability to play the role that is expected of it in our new world, namely the upholding of right and justice over might and self-interest.

How much longer must this tragedy continue? It is a tragedy because, as the Council can see for itself, those who comply with United Nations resolutions, its Charter and its principles are punished, made prey to torture and murder, displaced and deprived of their most fundamental human rights, while those who reject those resolutions and defy those principles are rewarded with more support and assistance, and even with more encouragement to persist in their inhuman, immoral and aggressive policies.

The spirit of the draft resolution before the Council, which we have done our utmost to amend so as to command the unanimity of the Council's members, aims at ensuring the protection of our people and preserving its very existence, while Israel threatens to annihilate our people and expel them across the seas or across the river.

Hence, we hope that the draft resolution will elicit the desired agreement so that the sons of our Palestinian people, who look to the Council at these times,

(Mr. Kaddoumi, Palestine)

will discern a glimmer of hope about the ability of the Organization to discharge its role in safeguarding peace and eschewing war.

We call upon the Council to establish a permanent presence of the United Nations and its personnel in the occupied Palestinian territories, within the context of an established mechanism that would monitor the situation and submit periodic reports thereon to the Council.

This is the bare minimum that the Council should undertake to provide international protection to the people of Palestine under Israeli occupation. We hope that the Council will bring its material and moral weight to bear in order to put an end to the crimes of Israel and the challenges with which it faces our people and the Council's resolutions so that we may not be left with the only option available, which is the legitimate response of self-defence with all the means approved by international norms and instruments.

(Mr. Kaddoumi, Palestine)

We are not claiming a right that is not ours. We are not pleading for a position which runs counter to any legitimate human right or any one principle of the United Nations principles. What we are calling for is a legitimate right, and the Council is the source of its legitimacy. Hence, the Council is responsible for implementing it.

Will the Council measure up to those principles of which it is the custodian, and will it measure up to the powers invested in it?

In conclusion, may I say that the day that this Council is able to establish justice in the question of Palestine, it will not be our people only who will have been liberated and victorious, but surely this august Council also will have been liberated and victorious.

The PRESIDENT (interpretation from Arabic): I thank the representative of Palestine for the kind words he addressed to me.

There are no further speakers on my list for this meeting. As we agreed in the course of our informal consultations, the next meeting of the Security Council to continue the consideration of the item on its agenda will take place tomorrow, Thursday, at 3 p.m.

The meeting rose at 12.20 p.m.