

agreement of the Syrian Arab Republic and Israel, that the Council extend the mandate of the Force for a further period of six months, until 31 May 1993.

At its 3141st meeting, on 25 November 1992, the Council included the Secretary-General's report in its agenda. Following the adoption of the agenda, the President (Hungary) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>89</sup> The draft resolution was then put to the vote and adopted unanimously as resolution 790 (1992), which reads:

*The Security Council,*

*Having considered* the report of the Secretary-General of 19 November 1992 on the United Nations Disengagement Observer Force,

*Decides:*

(a) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

---

<sup>89</sup> S/24842.

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1993;

(c) To request the Secretary-General to submit, at the end of this period, a report on the developments in the situation and the measures taken to implement resolution 338 (1973).

At the same meeting, after the adoption of resolution 790 (1992), the President made the following statement:<sup>90</sup>

In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

As is known, the report of the Secretary-General of 19 November 1992 on the United Nations Disengagement Observer Force states, in paragraph 20: "Despite the present quiet in the Israel-Syria sector, the situation in the Middle East as a whole continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.

---

<sup>90</sup> S/24846.

## 24. The situation in the occupied Arab territories

### **Decision of 17 February 1989 (2850th meeting): rejection of a draft resolution**

By a letter dated 8 February 1989 addressed to the President of the Security Council,<sup>1</sup> the representative of Tunisia, in his capacity as Chairman of the Group of Arab States, requested an immediate meeting of the Council to consider the situation in the "occupied Palestinian territory".

By a letter dated 9 February 1989 addressed to the President of the Security Council,<sup>2</sup> the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People supported that request.

At its 2845th meeting, on 10 February 1989, the Council included the two letters in its agenda. The Council considered the item at its 2845th, 2846th, 2847th, 2849th and 2850th meetings, on 10, 13, 14 and 17 February 1989.

---

<sup>1</sup> S/20454.

<sup>2</sup> S/20455.

Following the adoption of the agenda, the Council invited the following to participate in the discussion: the representatives of Egypt, Israel, Jordan, Kuwait, the Syrian Arab Republic, Tunisia and Yemen; and, under rule 39 of its provisional rules of procedure, the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and Mr. Clovis Maksoud, Permanent Observer of the League of Arab States. At its subsequent meetings, the Council also invited the following to participate in the discussion: at the 2846th meeting, the representatives of Bahrain, Democratic Yemen, Lebanon, Pakistan, Qatar, the Sudan and Zimbabwe; at the 2847th meeting, the representatives of Afghanistan, Bangladesh, Czechoslovakia, the German Democratic Republic, Indonesia, the Islamic Republic of Iran, Japan, the Libyan Arab Jamahiriya, Nicaragua, Turkey and the Ukrainian Soviet Socialist Republic, and, under rule 39 of its provisional rules of procedure, Mr. A. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference; at the 2849th meeting, the representatives of India, Cuba, the Lao People's

Democratic Republic, Morocco and Panama; and at the 2850th meeting, the representative of the United Arab Emirates.

At the 2845th meeting, the President (Nepal) informed the Council members that he had received a letter dated 9 February 1989 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine,<sup>3</sup> requesting that, in accordance with previous practice, the Council invite the representative of the Permanent Observer Mission of Palestine to participate in the debate, and enquired if any member wished to speak on the request.

The representative of the United States explained that he would vote against the proposal on two grounds. First, he believed the Council did not have before it a valid request to speak. Second, he maintained that the observer of the Palestine Liberation Organization should be granted permission to speak only if the request complied with rule 39 of the rules of procedure. In the United States view, it was unwarranted and unwise for the Council to break with its own practice and rules.

The Council then decided, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the observer of Palestine, at his request, to participate in the debate, not under rule 37 or 39 but with the same rights of participation as under rule 37.<sup>4</sup>

The President then drew the attention of the members of the Council to a letter dated 7 February 1989,<sup>5</sup> by which the representative of Palestine informed the Secretary-General of the deterioration of the situation in the Palestinian territory occupied by Israel as a result of additional repressive measures taken by the latter.

In his statement, the representative of Palestine urged the Security Council to take three facts into consideration in its deliberations: the extreme gravity of the situation, the inaction of the Security Council for a considerable period of time, and Israel's non-compliance with Security Council resolutions 605

(1987), 607 (1988) and 608 (1988), and with international law and treaties. He denounced the recent measures taken by Israel in the occupied Palestinian territory including the demolition of houses and the use of plastic bullets against unarmed civilians. Stressing the unity of the Palestinian people inside and outside the occupied territories, he defined the intifada as a new form of popular resistance against occupation. The speaker added that history, international law, and the Charter of the United Nations had taught that resistance to occupation by any means, including violence, was legitimate and that it was even required for the achievement of freedom. Yet the intifada was limited to demonstrations, strikes and boycotts. The representative of Palestine also recalled a number of historic decisions taken by the Palestine Liberation Organization (PLO) in order to achieve peace. He mentioned first the declaration of independence of the State of Palestine by the Palestine National Council, on 15 November 1988 in Algiers, which was in line with General Assembly resolution 181 (II) providing for the creation of two States in Palestine, one Jewish and the other Arab. He then cited a political statement by the Palestine National Council which reflected a new position accepting Security Council resolutions 242 (1967) and 338 (1973), and called for the International Peace Conference on the Middle East under United Nations auspices to be convened on the basis of the above-mentioned resolutions and the national and political rights of the Palestinian people, and to be attended by the permanent members of the Security Council and the parties to the conflict, including the Palestine Liberation Organization, on an equal footing. Finally, he referred to the peace initiative, based on the Palestine National Council's position which the Chairman of the PLO Executive Committee had announced before the General Assembly at Geneva on 13 December 1988. He noted that these steps had been welcomed throughout the world, that 94 States had recognized the new Palestinian State, and that the United States had announced the opening of a dialogue with the PLO, thus ending 13 years of boycott. While Israel had rejected the Palestinian appeal for peace, an overwhelming majority of States had voted in its favour through General Assembly resolution 43/176, in which the Assembly requested the Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee. The speaker believed that the situation was now ripe for the Council

---

<sup>3</sup> S/20456.

<sup>4</sup> For the statement by the representative of the United States, see S/PV.2845, pp. 6-8. See also chapter III, case 6, which concerns the first instance in which the Council extended an invitation to the observer of Palestine at his request.

<sup>5</sup> S/20451.

to begin to move in that direction, particularly in view of the positive attitude of the Secretary-General and his constant readiness to contribute to the work required. Meanwhile, he urged the United Nations to provide the necessary protection for the Palestinian people in the occupied territory.<sup>6</sup>

The representative of Tunisia, speaking in his capacity as Chairman of the Group of Arab States, recalled the resolutions adopted by the Council in 1987 and 1988, and the recommendations made by the Secretary-General in his report of 21 January 1988, and noted that Israel had responded to those initiatives with contempt, arrogance and aggression. The increased Israeli repression could not be justified by the Palestinian uprising, which was not an aggression against Israel, but an act of self-defence. He stressed that the Palestinian leadership had opted for the path of peace, basing itself on international legitimacy as embodied in General Assembly and Security Council resolutions, whereas Israel remained intransigent. For the speaker, the Security Council had the responsibility to consider the situation, which represented a grave danger to international peace and security. He expressed hope that the Council would adopt all appropriate measures with a view to ending the repressive measures being taken by Israel, protecting the Palestinians and hastening the convening of an international peace conference.<sup>7</sup>

The representative of Senegal, speaking on behalf of her country and in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, urged an appropriate response from the international community and immediate action by the Security Council to ensure that Israel abided by its obligations under the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War. She invited the Council to discuss the best means of translating into reality the peace message of the Chairman of the PLO, who had accepted a settlement on the basis of Security Council resolutions 242 (1967) and 338 (1973), and the Palestinian people's right to self-determination. The speaker also pointed out that it was incumbent on the Council to implement the decisions and recommendations of the General Assembly on this issue, in particular those calling for an international

peace conference on the Middle East. In that regard she noted that the proposed international peace conference enjoyed broad support not only at the United Nations, but also within organizations such as the Organization of African Unity, the League of Arab States, the Organization of the Islamic Conference, the Movement of Non-Aligned Countries, and the European Economic Community. She finally appealed to all Council members to help to establish a policy of dialogue among all the parties.<sup>8</sup>

The representative of Jordan expressed the hope that the Security Council, which had last met on the issue before it 10 months previously, would take a firm and effective decision commensurate with the seriousness of the situation in the occupied Arab territories and the latest developments regarding the question of Palestine as a whole. It was essential, as a first step, to take the measures necessary to ensure the protection of the Palestinian people, recommended in the Secretary-General's report of 21 January 1988,<sup>9</sup> pending progress towards the achievement of a comprehensive peace settlement which should begin at once. The Security Council should also work to bring about the desired peaceful settlement. Stressing the recent move made in this direction by the Palestine National Council, the speaker stated that Israel, for its part, should make a sincere contribution to the promotion of a peaceful settlement by withdrawing from the occupied territories and by recognizing the national rights of the Palestinian people, in particularly its right to self-determination.<sup>10</sup>

The representative of Egypt noted that the important development of the Palestinian position and the many initiatives undertaken by the PLO had led to an American-Palestinian dialogue that demanded a favourable response from the Government of Israel and recognition by it of the need to speak with the representatives and leaders of the Palestinian people. Egypt believed that a comprehensive political settlement guaranteeing the right of the peoples of the region to self-determination and the security of all the States of the region was the only way to achieve stability. To hasten the achievement of that end, Israel should first recognize the applicability of the Fourth Geneva Convention to the occupied territories, and then all the parties concerned should agree to hold

---

<sup>6</sup> S/PV.2845, pp. 11-23.

<sup>7</sup> *Ibid.*, pp. 23-32.

<sup>8</sup> *Ibid.*, pp. 33-38.

<sup>9</sup> S/19443.

<sup>10</sup> S/PV.2845, pp. 41-48.

direct talks within the framework of the International Peace Conference and on the basis of Council resolutions 242 (1967) and 338 (1973) and the Palestinian people's right to self-determination. The speaker called upon the Security Council to take a decisive stand on the situation in the occupied Arab territories, which had become more alarming since it had last been considered.<sup>11</sup>

The representative of Israel stated that his country had always sought political accommodation, coexistence and peace with all its neighbours. He stressed that Israel had repeatedly called for dialogue and direct negotiations to solve the Arab-Israeli conflict, despite wide-ranging threats to its security and survival. The so-called uprising in the territories administered by Israel since 1967 was the latest manifestation of the conflict. Contrary to what had been said, Israel was facing large-scale rioting and widespread violence resulting in hundreds of people injured, sometimes fatally. It was this irrational pursuit of terror and violence, to which the PLO was contributing, that prevented the beginnings of a political solution in the territories. Israel believed that, in order to reach a political solution, an attempt should be made to introduce a gradual and pragmatic approach of confidence-building measures. Interim solutions were possible and could be reached in a relatively short period of time, but could not be attained under the threat of firebombs and violence. The speaker further stated that Israel had two objectives: to restore tranquillity in Judea, Samaria and Gaza, and to reach peace agreements with its neighbours. It was determined to resolve the ultimate status of the territories — taking into account the legitimate rights of the Palestinian Arab residents — through direct negotiations with its neighbours and the Palestinian Arabs residing in the administered territories, on the basis of Security Council resolutions 242 (1967) and 338 (1973). Israel opposed an international conference which, in its view, would be convened to implement a predetermined outcome, which would not provide for direct negotiations but act as a substitute for them. He added that Israel did not object in principle to third party assistance. Direct negotiations could take place under the auspices of the United States and the Soviet Union, or the Secretary-General of the United Nations, or both, provided that such auspices constituted the framework of the negotiations and did not intervene in

---

<sup>11</sup> Ibid., pp. 48-55.

their substance. The speaker concluded that if negotiations started with Arab States and representatives of the Palestinians living in the territories, a solution recognizing both Israel's security needs and the Palestinians' legitimate rights would be found.<sup>12</sup>

During the course of the debate, most of the speakers called for the convening of an international peace conference under the auspices of the United Nations with the participation of the permanent members of the Security Council and the parties to the conflict, including the PLO, on an equal footing.<sup>13</sup> Some of them supported the setting up of a preparatory committee with a view to convening the international conference.<sup>14</sup> Others stressed the need for the Council to adopt urgently measures to ensure protection of the Palestinians in the occupied territories.<sup>15</sup> One speaker was in favour of the Council adopting compulsory measures against Israel.<sup>16</sup>

At the 2846th meeting, on 13 February 1989, the representative of the Syrian Arab Republic stated that the Council was meeting amidst great hope that it would at last be able to shoulder its responsibility and would take immediate effective measures to put an end to Israel's massacre of the population of the occupied Arab territories. He recalled the Secretary-General's report submitted to the Council pursuant to resolution 605 (1987),<sup>17</sup> which described the tragic situation and the incredible conditions in which the Palestinian people were living under Israeli occupation. He added that the report demonstrated clearly that the Palestinian people in the West Bank and the Gaza Strip completely rejected the Israeli occupation. The report also

---

<sup>12</sup> Ibid., pp. 56-63.

<sup>13</sup> S/PV.2846, pp. 22-30 (Kuwait); and pp. 51-56 (Pakistan); S/PV.2847, pp. 16-22 (Algeria); pp. 22-28 (Yugoslavia); pp. 28-32 (Turkey); pp. 32-38 (Democratic Yemen); pp. 43-47 (Afghanistan); and pp. 82-88 (Ukraine); and S/PV.2849, pp. 3-7 (India); pp. 36-37 (Cuba); and pp. 45-48 (Lao People's Democratic Republic).

<sup>14</sup> S/PV.2847, pp. 56-59 (Bangladesh); and pp. 78-82 (Czechoslovakia); and S/PV.2850, pp. 12-17 (Nicaragua).

<sup>15</sup> S/PV.2846, pp. 22-30 (Kuwait); S/PV.2847, pp. 4-8 (Sudan); pp. 16-22 (Algeria); and pp. 47-51 (Indonesia); S/PV.2849, pp. 12-16 (Brazil); and pp. 37-45 (Panama); and S/PV.2850, pp. 12-17 (Nicaragua).

<sup>16</sup> S/PV.2846, p. 36 (Bahrain).

<sup>17</sup> S/19443.

contained a legal analysis of the applicability of the Fourth Geneva Convention for which the Council had a special responsibility, and an account of Israeli violations of its provisions that had also been the subject of Security Council resolutions 452 (1979), 465 (1980), 468 (1980), 471 (1980) and 478 (1980). The speaker called upon the Council to take urgent measures, including the imposition of sanctions against Israel, to compel it to desist from its brutal practices, and to ensure its earliest and urgent withdrawal from all Arab occupied territories.<sup>18</sup>

The representative of Malaysia stated that this was a historic opportunity not to be missed. The Palestinian leadership had taken decisions for peace and the United States had begun discussions with Palestine. Certain Western countries too were engaged in efforts that would build on the prospects for a settlement. All efforts should now converge in an international peace conference on the Middle East under United Nations auspices. He pointed out that the Security Council was the repository body to implement the yet unfulfilled General Assembly resolution 181 (II), which partitioned Palestine into a Jewish State and a Palestine State. As such the Council could not be removed from all the above-mentioned developments. The General Assembly in resolution 43/176 of 20 December 1988 had also made clear the responsibilities and the role of the Security Council. The speaker called on the Council to consider measures to convene an international conference, including the establishment of a preparatory committee.<sup>19</sup>

The representative of Lebanon stated that the Israeli practices of deportation and expulsion had also been extended to Lebanon, in particular in the southern part of the country and the occupied zones. In addition to that Israel had, since the beginning of the year, implemented a policy of expulsion from the occupied parts of southern Lebanon. The speaker characterized expulsions and deportations as crimes against humanity and stressed that those who had been expelled and deported had the right to demand that the international community and the Security Council see to it that they returned to their homes. He appealed to the Council to halt the Israeli practices and to speed up the peace process.<sup>20</sup>

The representative of Zimbabwe recalled the position of the Movement of Non-Aligned Countries on the issue of the Arab occupied territories: namely, that no comprehensive, just and durable solution to this problem could be achieved without the total and unconditional withdrawal of Israel from all Palestinian and other Arab territories occupied since 1967, and the regaining and exercise in Palestine of the legitimate and inalienable rights of the Palestinian people, including the right to return to their homes and the right to national independence, as well as the right to establish a sovereign, independent State in Palestine. He stated that the Council had a duty to start the peace process, even through such modest beginnings as regular consultations with the Secretary-General and all the members of the Council. Such consultations could be structured later. In the meantime, the Council should fulfil its obligations and take the necessary measures to protect the lives and property of the Palestinians in the occupied territories.<sup>21</sup>

At the 2847th meeting, on 14 February 1989, Mr. A. Engin Ansay, speaking on behalf of the Organization of the Islamic Conference, recalled that the last Islamic Conference of Foreign Ministers had reaffirmed its support for the Palestinian struggle, its condemnation of Israel's policy of expansion, occupation and repression and its rejection of any partial and individual solutions which would disregard the inalienable rights of the Palestinian people or ignore the Palestine Liberation Organization, their sole legitimate representative. The Conference had also mandated its Secretary-General to maintain contacts with the Secretary-General of the United Nations and other regional and international organizations with a view to implementing the relevant Security Council resolutions and the Fourth Geneva Convention. The speaker called upon the international community, particularly the parties directly concerned, to urgently convene the international peace conference with the full and equal participation of the PLO and to recognize the independent Palestinian State.<sup>22</sup>

The representative of Japan stated that peace in the Middle East should be achieved as quickly as possible through, first, the withdrawal of Israel's armed forces from all territories occupied since 1967; secondly, the recognition of the Palestinian people's

---

<sup>18</sup> S/PV.2846, pp. 3-11.

<sup>19</sup> Ibid., pp. 18-22.

<sup>20</sup> Ibid., pp. 37-40.

<sup>21</sup> Ibid., pp. 44-50.

<sup>22</sup> S/PV.2847, pp. 8-16.

right to self-determination, including the right to establish an independent State; and, thirdly, the recognition of Israel's right to exist. He insisted that as the international community continued to strive to attain a negotiated settlement, it should not forget the need to alleviate the social and economic difficulties besetting the Palestinian people. His Government had taken steps to increase significantly its contributions to the United Nations Development Programme and the United Nations Relief and Works Agency for Palestine Refugees in the Near East in an effort to improve the quality of life of the Palestinians in the occupied territories.<sup>23</sup>

At the 2849th meeting, on 17 February 1989, the representative of the Union of Soviet Socialist Republics said that the Security Council could not and should not remain indifferent to acts of lawlessness which were systematically perpetrated by the occupying Power in the Arab lands. Peace could not be built upon violence against the peoples of neighbouring countries but only through a policy of good-neighbourliness towards other peoples and rejection of attempts to retain the territories of other peoples through violence. Referring to General Assembly resolution 43/176 calling for the convening of the International Peace Conference on the Middle East, the speaker pointed out that the request of the General Assembly that the Security Council consider measures needed to convene the Conference, including the beginning of preparatory work, was particularly significant from the point of view of initiating the settlement process. Believing that real prospects had emerged for such a settlement, he urged the Council to seize this unique opportunity to start the peace process in accordance with General Assembly resolution 43/176.<sup>24</sup>

The representative of the United Kingdom stated that the further deterioration of the situation in the occupied territories, brought about by a cycle of violence and counter-violence, had drawn new attention to the fundamental problems underlying the conflict, that Security Council resolutions 242 (1967) and 338 (1973) remained unfulfilled and that Israel continued to occupy territories which did not belong to it. The ultimate solution to that problem, to be resolved at an international conference, would have to take

account of the Palestinian right to self-determination as well as all parties' concerns. In the meantime, the military occupation of the territories laid heavy responsibilities on Israel in terms of international law. The United Kingdom could not accept that the need to maintain law and order could be used as a pretext to override the specific and unambiguous obligations placed upon the occupying Power under the terms of the Fourth Geneva Convention. Israel should abide fully by its obligations under that Convention, including the obligation under article 27 which required it to treat the population of the occupied territories humanely at all times. Noting that the need for a political solution was recognized by all concerned, including Israel, the speaker emphasized that the members of the Council, whose responsibilities in this matter went back to the first days of the United Nations, stood ready to help.<sup>25</sup>

The representative of China stated that the Israeli authorities bore an unshirkable responsibility for the rapid deterioration of the situation in the occupied territories. His delegation hoped that the Council would respond resolutely and prevent further deterioration of the situation. Recalling several Council resolutions affirming the applicability of the Fourth Geneva Convention to the occupied Arab territories, he said that Israel was duty-bound to comply with those resolutions, implement the Convention, and assure the Palestinians of their basic right to life. Pointing out the need for a comprehensive settlement of the Middle East question, he mentioned that an increasing number of countries had advocated the convening of an international conference under the auspices of the United Nations. China hoped that Israel would desist from its erroneous policy of force and cooperate with the international community in the peace process.<sup>26</sup>

At the 2850th meeting, also on 17 February 1989, the President drew the attention of the Council to a draft resolution submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia.<sup>27</sup>

Under the operative part of the draft resolution, the Council would have called upon Israel to abide by the relevant resolutions of the Security Council, as well as to comply with its obligations under the Fourth

---

<sup>23</sup> Ibid., pp. 66-72.

<sup>24</sup> S/PV.2849, pp. 16-22.

<sup>25</sup> Ibid., pp. 22-27.

<sup>26</sup> Ibid., pp. 28-31.

<sup>27</sup> S/20463. The draft resolution was not adopted, owing to the negative vote of a permanent member.

Geneva Convention and to desist forthwith from its policies and practices that were in violation of the provisions of the Convention; called furthermore for the exercise of maximum restraint; affirmed the urgent need to achieve, under the auspices of the United Nations, a comprehensive, just and lasting settlement of the Middle East conflict, and expressed its determination to work towards that end; and requested the Secretary-General to follow the implementation of the resolution.

The representative of France, having expressed deep concern at the deterioration of the situation in the occupied territories, noted, however, that a glimmer of hope for peace had appeared recently and that it should be grasped. Israel was entitled to live within secure and recognized boundaries. The Palestinian people was entitled to possess a country, a land, and in that land to organize itself according to the structures it chose. France believed that it was urgent that preparations be made for the holding of an international conference with the participation of all parties concerned as well as the permanent members of the Security Council.<sup>28</sup>

Before the vote, the representative of the United States stated that his country remained seriously concerned over the events in the occupied territories and had actively engaged in diplomatic efforts to defuse tensions, by urging restraint on all sides and denouncing acts of violence from whatever quarter. The United States maintained that the Fourth Geneva Convention applied to the occupied territories and that Israel had an obligation to comply with it, but did not view Israeli practices in the territories in a vacuum. As the occupying Power, Israel had a responsibility recognized under international law to maintain order and security in the territories, a task that the intifada had made more difficult. The speaker indicated that his delegation would vote against the draft resolution because it was flawed and would not advance the prospects for peace in the Middle East. In severely criticizing Israeli policies and practices, it did not take into sufficient account the context in which they occurred, or the excesses of the other side. Neither Palestinian acts of violence nor those committed by Israelis could be condoned. The situation could only be resolved in the context of an overall negotiated settlement of the Arab-Israeli dispute, grounded in Security Council resolutions 242 (1967) and 338

---

<sup>28</sup> S/PV.2850, pp. 26-27.

(1973), taking into account both the security of the State of Israel and the legitimate rights of the Palestinian people. Furthermore, the complex issues involved could not be resolved in New York by third parties, but only in the region by the parties themselves. If the Council was to play a positive role in that process, it could not do so by adopting unbalanced resolutions, but by urging reconciliation and mutual understanding while denouncing violence by all sides.<sup>29</sup>

The draft resolution was then put to the vote. There were 14 votes in favour and 1 against (United States), and the draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

Speaking after the vote, the representative of the United Kingdom stated that his country's vote in favour of the draft resolution, which made use of certain language to describe territories occupied by Israel since 1967, did not imply any change in its view of the status of those territories.<sup>30</sup>

The representative of Palestine underlined the great efforts made to submit a text acceptable to all. He regretted the decision of the United States to break with unanimity and to use its right of veto, which made it impossible for the Council to address the grave situation in the occupied Arab territories and to shoulder its responsibilities. Hoping that the Council's decision would not lead to a further deterioration of the situation and that it will not encourage the occupying Power to adopt further repressive measures and to defy the principles of international law, he remained confident that the Council would be able to address the situation more effectively in the future.<sup>31</sup>

#### **Decision of 9 June 1989 (2867th meeting): rejection of a draft resolution**

By a letter dated 31 May 1989 addressed to the President of the Security Council,<sup>32</sup> the representative of the Sudan, in his capacity as Chairman of the Group of Arab States, requested an urgent meeting of the Council to discuss the situation in the occupied Palestinian territory.

---

<sup>29</sup> Ibid., pp. 32-34.

<sup>30</sup> Ibid., p. 36.

<sup>31</sup> Ibid., pp. 36-38.

<sup>32</sup> S/20662.

At its 2863rd meeting, on 6 June 1989, the Council included the letter in its agenda. The Council considered the item at its 2863rd to 2867th meetings, from 6 to 9 June 1989.

Following the adoption of the agenda, the Council invited the representatives of Bahrain, Egypt, Jordan, Saudi Arabia, the Syrian Arab Republic, Tunisia and Yemen to participate in the discussion without the right to vote; and extended an invitation under rule 39 of its provisional rules of procedure to Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, and to Mr. A. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference. At the same meeting, the Council also decided, by a vote of 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>33</sup> At its subsequent meetings, the Council invited the following to participate in the discussion without the right to vote: at the 2864th meeting, the representatives of Democratic Yemen, Israel, Kuwait, Pakistan and Qatar; at the 2865th meeting, the representatives of Bangladesh, Cuba, Japan and the Ukrainian Soviet Socialist Republic; and at the 2866th meeting, the representatives of Afghanistan, the German Democratic Republic, the Libyan Arab Jamahiriya, Mauritania and Zimbabwe.

At the 2863rd meeting, the President (United States) drew the attention of the members of the Council to several other documents.<sup>34</sup>

The representative of Palestine stated that the Council was meeting to address Israel's new acts of State terrorism such as the attacks carried out by settlers on Palestinian civilians, the closing of schools by the Israeli authorities, depriving the Palestinians of the right to education, the recent obligation to wear

identity cards, and acts of desecration of the Koran by Israeli soldiers. He denounced Israel's policy of settlement and deportation in the occupied territories and characterized the intifada as the legal obligation for the Palestinians to resist occupation. Israel, for its part, had the legal obligation to respect and treat humanely the population in the occupied territories. The speaker recalled in this regard that under the Charter the Members of the United Nations undertook to respect and carry out the decisions of the Security Council, which had reaffirmed on several occasions the applicability of the Fourth Geneva Convention to the occupied territories. The High Contracting Parties to the Fourth Geneva Convention, including all the Council members, were duty-bound to ensure respect for that Convention. However, no action had been taken to that effect. Though fully informed of the situation, the Council had been prevented by one of its members from fulfilling its duty. The speaker emphasized that the Council was meeting to consider "exclusively" the recommendations on ways and means to ensure the safety and protection of Palestinian civilians contained in the last report, of 25 November 1980, of the Commission established under resolution 446 (1979) to examine the situation relating to the settlements in the occupied Arab territories.<sup>35</sup> However this should not in any way be construed as an appeal to the Council to forgo its responsibility to contribute towards the achievement of a comprehensive, just and durable peace in the Middle East through political and diplomatic means under the auspices of the United Nations, and precisely in exercise of the powers vested in the Council by the Charter to maintain international peace and security. He concluded by calling upon the Council to provide international protection to the occupied Arab territories.<sup>36</sup>

Speaking on behalf of the Arab Group, the representative of the Syrian Arab Republic stated that the Security Council had once again been convened to adopt the necessary emergency measures to ensure the protection of the Palestinian people and the withdrawal of the Israeli forces from the occupied Arab territories. He noted that since the Council last met many massacres had been carried out by the Israeli armed forces and settlers. The speaker voiced his concern over the increased participation of Israeli settlers in acts of repression. Quoting from the Secretary-

---

<sup>33</sup> For the statement by the representative of the United States, see S/PV.2863, pp. 6-8. See also chapter III, case 6.

<sup>34</sup> Note by the Secretary-General transmitting General Assembly resolution 43/233 (S/20609); letters addressed to the Secretary-General from the Permanent Observer of Palestine (S/20611); the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/20623 and S/20668); the representative of Israel (S/20637); and the representative of Spain (S/20667).

---

<sup>35</sup> S/14268.

<sup>36</sup> S/PV.2863, pp. 11-28.



General's report of 21 January 1988,<sup>37</sup> he said that the central issue was the continuing occupation by Israel of the territories captured in 1967. The occupation was an act of aggression which the Council should act to end. Also referring to the Secretary-General's report he emphasized that the Secretary-General had recommended to the Council to consider making a solemn appeal to the High Contracting Parties to the Fourth Geneva Convention that had diplomatic relations with Israel to use all means at their disposal to ensure respect for the Convention. The speaker concluded that only recourse to Chapter VII of the Charter would compel Israel to end its massacres and to withdraw from the occupied territories.<sup>38</sup>

The representative of Senegal, speaking also in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that the current meeting to discuss the situation in the occupied territories was taking place in the face of the Council's near-paralysis, Israel's intransigent insistence on its policy of occupation, domination and repression, and the numerous delays holding up the convening of the international peace conference on the Middle East. She stressed that only political action could meet the aspirations of the Palestinian people. The speaker further stressed that the ideals of peace, justice and freedom that formed the basis of the Charter should cause the Security Council to support the solidarity that was growing in favour of the restoration of the inalienable rights of the Palestinian people in conformity with the wish of the United Nations, the Non-Aligned Movement, the Organization of the Islamic Conference and the Organization of African Unity. It was high time for the Council to increase its involvement by taking appropriate action. In that regard, the speaker also drew the attention to the Secretary-General's report of 21 January 1988.<sup>39</sup>

During the debate, most of the speakers called for immediate action by the Security Council to protect the Palestinian people in the occupied territories and to compel Israel to apply the provisions of the Fourth Geneva Convention to those territories, and urged the Council to consider the report of the Secretary-General of January 1988, which contained recommendations in

this regard.<sup>40</sup> One speaker called upon the Council to adopt measures under Chapter VII of the Charter of the United Nations.<sup>41</sup>

At the 2864th meeting, on 7 June 1989, the President drew the attention of the Council to a draft resolution submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia.<sup>42</sup>

Under the preambular part of the draft resolution, the Council would have recalled, in particular, its resolutions 446 (1979), 465 (1980), 607 (1988) and 608 (1988), as well as the Secretary-General's report of 21 January 1988<sup>43</sup> and the recommendations contained therein. Under the operative part, the Council would have strongly deplored Israel's policies and practices which violated the human rights of the Palestinian people as well as vigilante attacks against Palestinian towns and villages and desecration of the Holy Koran; called upon Israel, as the occupying Power and as a High Contracting Party to the Geneva Convention of 12 August 1949, to accept the de jure applicability of the Convention to the occupied Arab territories, including Jerusalem, and fully to comply with its obligations under that Convention; recalled the obligations of all the High Contracting Parties, under article 1 of the Convention, to ensure respect for the Convention in all circumstances; demanded that Israel desist forthwith from deporting Palestinian civilians from the occupied territory and ensure the safe and immediate return of those already deported; expressed great concern about the prolonged closure of schools in parts of the occupied territory and called upon Israel to permit the immediate reopening of those schools; and requested the Secretary-General to continue to monitor the situation, to make timely reports to the Council, including on ways and means to ensure respect for the Convention and protection of Palestinian civilians, and to submit the first such report no later than 23 June 1989.

<sup>40</sup> S/PV.2863, pp. 46-53 (Jordan); S/PV.2864, pp. 37-46 (Tunisia); S/PV.2865, pp. 11-13 (Malaysia); pp. 36-37 (Brazil); pp. 43-47 (Yugoslavia); pp. 47-52 (Kuwait); and pp. 52-57 (Democratic Yemen); and S/PV.2866; pp. 3-5 (Cuba); pp. 6-8 (Nepal); pp. 12-17 (Ukraine); pp. 24-27 (Afghanistan); and pp. 28-32 (German Democratic Republic).

<sup>41</sup> S/PV.2864, pp. 54-63 (Bahrain).

<sup>42</sup> S/20677. The draft resolution was not adopted, owing to the negative vote of a permanent member.

<sup>43</sup> S/19443.

<sup>37</sup> S/19443.

<sup>38</sup> S/PV.2863, pp. 28-40.

<sup>39</sup> Ibid., pp. 41-45.

The representative of Algeria stated that the responsibilities of the Security Council towards the Palestinian people were as clear as its duties regarding the restoration of a just and lasting peace in the Middle East. According to the speaker, the Council's failure to act respecting the necessity to guarantee adequate international protection would be a failure to assist a people in danger. Any measure should include the full implementation of the Fourth Geneva Convention and United Nations supervision. To that end, a minimal draft resolution had been submitted to the members of the Council, indicating the measures that were indispensable to the protection of the Palestinians in the occupied territories. The speaker stressed that being limited in scope, the draft resolution should enjoy the Council's unanimous support. He warned that failure to adopt it would be seen as an encouragement to repression and a reward for the occupier's violence.<sup>44</sup>

Mr. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference, underlined the United Nations historic and special responsibility towards the people of Palestine. The speaker recalled the position of the Eighteenth Islamic Conference of Foreign Ministers on the Palestinian question, in March 1989, in particular its call for the occupied territories to be placed under the provisional control of the United Nations and for international forces to protect the Palestinian citizens and supervise Israel's withdrawal from those territories. It also held the view that all settlements were null and void as well as illegal and requested the United States to develop and promote its dialogue with the PLO and adopt an impartial stand by recognizing the right of self-determination of the Palestinian people. With respect to Israel's election plan, he said that a democratic election could not take place under the rules of occupation, which denied the right to various forms of political expression and activity that were intrinsic to genuine democratic choice. He recalled that the Arab summit held in Casablanca in May 1989 had fully supported the Palestinian stand on that issue, namely that the elections should take place after the Israeli withdrawal and under international supervision. Only on the basis of withdrawal could steps towards peace be negotiated, elections held, and the final status of the West Bank and Gaza determined. Action by the Council was

---

<sup>44</sup> S/PV.2864, pp. 12-18.

needed in that respect, as well as in regard to the current situation in Palestine.<sup>45</sup>

Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, charged that Israel attempted to routinize the casualties of the Palestinians and to marginalize the United Nations and its Security Council, reducing it to a platform for verbalizing frustration while ensuring it would not be an instrument of consequential resolution. On the other hand, the Arabs were determined to render the Council functional, credible and effective. That was reflected in the fact that the Arab League summit had advocated a central role for the Council in preparing an international conference and bringing about a peaceful outcome to the conflict. In connection with Israel's elections proposal, the speaker held that it was lacking in credibility and in respect for the Palestinian State's authority to designate its own negotiators. As for the negotiations themselves, there was a need to define the goal. Negotiations would need to be about how to structure, phase and determine the independent State of Palestine. The Palestinians' right to self-determination was no more negotiable for the Arab States than Israel's right to exist within the pre-1967 borders as proclaimed by the international community.<sup>46</sup>

The representative of Yemen stated that it was the Council's duty to make Israel comply with its obligations under all the instruments, including treaties, it accepted as a State on its admission to membership in the United Nations. He took note of several positive events, including the proposal to hold elections in the West Bank and Gaza Strip and the advancement of certain United States ideas on a peaceful settlement by means of elections as well as statements made by its officials. However the call for elections would not contribute effectively to the achievement of a comprehensive peace, unless and until the Council endorsed a comprehensive peace plan that would set a specific time frame for its implementation and be guaranteed by the permanent members and all parties to the conflict. He added that if the Council were to accept an international peace conference, it would have to make Israel commit itself to withdrawing its forces from the occupied territories and to replacing them with an international force to be deployed for a specific period of time to supervise free

---

<sup>45</sup> Ibid., pp. 18-27.

<sup>46</sup> Ibid., pp. 27-37.

and fair elections. The same force would later oversee the exercise by the Palestinian people of its right to self-determination. The speaker concluded by saying that the Council would be held fully accountable for the adverse consequences of a delayed political solution to the problem.<sup>47</sup>

At the 2865th meeting, on 8 June 1989, the representative of Egypt stated that the Israeli policy, confronted with the intifada, had worsened the situation in the occupied territories. This was a good indicator of whether Israel truly wished to live in peace with its neighbours. As a first step Israel had to fulfil its commitments under international treaties dealing with the protection of civilian persons in time of war and respond favourably to the constructive initiatives put forward by the PLO. He further stated that, given the radicalization of the situation in the occupied territories, which was fraught with very serious dangers to peace and security, it had become even more necessary to take urgent action. He called upon the Security Council to adopt, by consensus, a resolution expressing the international community's repudiation of the situation. Acknowledging that members of the Council bore a share of the responsibility for achieving peace in the region, the speaker stressed that the brunt of it lay with the Palestinians and the Israelis. A just political settlement required negotiations between the representatives of the two parties involved.<sup>48</sup>

The representative of Israel said that the statements made by some representatives of the Arab Group in the General Assembly and the Security Council served as additional proof that the Arab-Israeli conflict could not be resolved in an international conference, nor by blatant accusations, extreme demands and futile debates in the Council. The speaker observed that the United Nations succeeded in furthering peaceful solutions in cases where the parties to the conflict genuinely wished for peace and were ready for dialogue and direct negotiations. He warned that the Arab-Israeli conflict had not yet reached that stage. Peace could not be achieved while violence reigned, Syrian troops occupied Lebanon in the name of "peacekeeping", and the PLO daily initiated terror against fellow Palestinians as well as Israelis. The speaker told the Council that the Government of Israel, which categorically opposed all acts of violence, had

approved a peace initiative on 14 May 1989, calling for the simultaneous implementation of the following components. First, the peace between Israel and Egypt, based on the Camp David accords, should serve as a corner-stone for enlarging the circle of peace in the region. Secondly, peace should be achieved between Israel and those Arab States that still maintained a state of war with it so that a comprehensive settlement could be concluded. Thirdly, an international endeavour was needed to improve the living conditions of residents of the Arab refugee camps in Judea, Samaria and Gaza. Fourthly, Israel proposed that free and democratic elections be held in those districts to choose a representation to conduct negotiations for a transitional period of self-rule. At a later stage, negotiations would be carried out for a permanent solution during which all options would be examined and peace between Israel and Jordan would be achieved. The complexity of the issues involved in negotiations and the depth of emotion of all sides made some transitional period essential.<sup>49</sup>

The representative of the Syrian Arab Republic charged that Israel did not want peace. It wanted more land and expansion through settlements. The Golan was annexed in the full view of the world, and contrary to the will of the international community. Israel occupied southern Lebanon and had established a so-called security zone, which was nothing other than occupation. He warned that, if the Council did not adopt the measures dictated by its mandate and provided by the Charter, Israel would continue to pursue its expansionist policies. Peace could be based only on Israel's total and unconditional withdrawal from all occupied Arab territories, and the Palestinian people's exercise of its inalienable rights to self-determination and the establishment of an independent State on its national soil. Such a settlement should be arrived at within the framework of an international conference under United Nations auspices, in conformity with the relevant resolutions of the Organization. Replying to Israel's comment about the role of the Syrian Arab Republic in Lebanon, the speaker underlined that his country was in Lebanon at the latter's request and had been authorized by the other Arab countries to help all the Lebanese parties to reach agreement and to settle their problems. The Syrian Arab Republic itself was not a party to the dispute there. On the other hand, he contended, Israel

---

<sup>47</sup> Ibid., pp. 46-55.

<sup>48</sup> S/PV.2865, pp. 3-10.

<sup>49</sup> Ibid., pp. 21-32.

was an occupying Power in Lebanon which it had invaded in 1982 and from which it refused to withdraw despite the relevant Security Council resolutions calling for such action.<sup>50</sup>

At the 2867th meeting, on 9 June 1989, the representative of the Union of Soviet Socialist Republics referred to the general world trend towards establishing a new system of global and regional relations. He said that one of its main distinguishing features was an increase in efforts by the United Nations to seek ways of unblocking conflict situations and finding practical solutions to them. At this important stage, no part of the world should be left out of this process of improvement in the international atmosphere. Unfortunately, there had been no real movement towards untying the Middle East knot — one of the oldest and most difficult. The speaker expressed his belief that the tragedy of the Palestinians was the tragedy of all the peoples living in the Middle East. A solution to it was to be found through a comprehensive settlement. His delegation considered that favourable conditions had now been established in the region for peace. The broadest possible consensus had been reached on the core of the matter, through support for the convening of an international conference on the Middle East. The shift to peace in the region had been also facilitated by the balanced and constructive policy adopted by the PLO. The speaker appealed to Israel to reconsider its negative position and become involved in the international efforts for peace. Stressing the peacemaking potential of the Security Council, he recalled his country's proposals for a special meeting of the Council at the level of foreign ministers and multilateral and bilateral talks among the interested parties, carried on directly or indirectly through mediators. He supported the draft resolution which he called an humanitarian one, carefully balanced and a compromise.<sup>51</sup>

The representative of Finland noted that the parties concerned agreed on at least one thing, that the continuation of the present situation was untenable and that there had to be a change. In his opinion what was needed was bold steps by the occupying Power. The role of the Israeli settlers also deserved special attention. Israeli settlements in the occupied territories were clearly a violation of international law. Ensuring

full respect for the principles regarding the protection of civilians under occupation was one of the steps. In this regard the speaker endorsed the conclusions contained in the Secretary-General's report as fully valid. He hoped that the activities of the International Committee of the Red Cross and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) would be further supported and strengthened. He also stressed the importance of having additional future reports by the Secretary-General on conditions in the occupied territories.<sup>52</sup>

The representative of France maintained that the Security Council could not remain indifferent to the escalation of repression by the occupying forces in the West Bank and Gaza, and the repeated attacks by Israeli settlers against Palestinian villages. The international community should live up to its responsibilities, and it was necessary for the permanent members of the Council, together with the parties directly concerned, to begin laying the groundwork for an international peace conference that would deal with all aspects of the conflict.<sup>53</sup>

The representative of the United Kingdom underlined the urgent need for the two sides to come together in direct negotiations that would prepare the way for a comprehensive settlement. In that respect he welcomed the declared commitment of the PLO to peace with Israel, and described the Israeli Government's proposals for elections in the occupied territories as another useful step forward. He called upon Israel to give a clear promise of progress towards negotiations and a solution based on territory for peace, in fulfilment of Security Council resolutions 242 (1967) and 338 (1973). Regretting the representative of Israel's description of the proceedings in the Council as a "futile debate", the speaker welcomed the fact that the other speakers had concentrated on the need for measures to protect the population under occupation. He hoped that the Council would consider urgently what action it could take in that regard.<sup>54</sup>

Speaking before the vote, the representative of the United States stated that he was deeply disturbed by the continuing violence in the occupied territories. He appealed to all parties to refrain from acts of

<sup>50</sup> Ibid., pp. 58-67.

<sup>51</sup> S/PV.2867, pp. 2-8.

<sup>52</sup> Ibid., pp. 8-13.

<sup>53</sup> Ibid., pp. 13-16.

<sup>54</sup> Ibid., pp. 16-18.

violence and, in particular, to Israel to utilize methods of maintaining order that did not result in unnecessary deaths and casualties. He said that his Government was engaged in active efforts to help reach a negotiated settlement for a comprehensive peace, based on Security Council resolutions 242 (1967) and 338 (1973). As a practical step in that direction, free and fair elections in the occupied territories, grounded in a broader political process, provided a basis for moving ahead. He welcomed the initiative of the Government of Israel, while acknowledging that much work needed to be done to bridge the differences between the Israelis and the Palestinians and between the Israelis and the Arabs over how such elections would be conducted. Recalling that his Government had repeatedly urged the Security Council to refrain from unhelpful, divisive and one-sided rhetoric in addressing the Arab-Israeli problem, the speaker stated that the draft resolution fell short of that goal. The United States agreed with certain aspects of the text, such as its affirmation of the applicability of the Geneva Convention to the occupied territories, the condemnation of the actions of settlers, and the opposition to the deportation of Palestinians. However, he continued, it was an unbalanced text, making sweeping condemnations of Israeli policies and practice, without reference to any of the serious acts of violence by the other side. He indicated that the United States, which took seriously its responsibilities as a member of the Security Council, would vote against the draft resolution which did not enhance the role of the Council and the United Nations in the peace process.<sup>55</sup>

The draft resolution was then put to the vote. It received 14 votes in favour and 1 against (United States) and was not adopted, owing to the negative vote of a permanent member of the Council.

Speaking after the vote, the representative of the United Kingdom stated that his country's vote in favour of the draft resolution, which made use of certain language to describe territories occupied by Israel since 1967, did not imply any change in its view of the status of those territories.<sup>56</sup>

Reflecting on the voting, the representative of Palestine rejected the argument that the draft resolution was unbalanced. He asked whether the United States,

---

<sup>55</sup> Ibid., pp. 26-30.

<sup>56</sup> Ibid., p. 36.

which had proposed removing the expression "including Jerusalem" from the reference in the text to the occupied territories, had changed its position on the status of Jerusalem. He questioned the United States Government for speaking about free elections for a people who were being denied the right to self-determination.<sup>57</sup>

**Decision of 6 July 1989 (2870th meeting):  
resolution 636 (1989)**

By a letter dated 30 June 1989 addressed to the President of the Security Council,<sup>58</sup> the representative of the Syrian Arab Republic, in his capacity as the Chairman of the Group of Arab States, requested the convening of an immediate meeting of the Council to consider the situation in the occupied Palestinian territory, in particular the deportation of Palestinian civilians.

At its 2870th meeting, on 6 July 1989, the Council included the letter in its agenda and considered the matter at the same meeting. 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. The Council also decided, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>59</sup>

At the same meeting, the President (Yugoslavia) drew the attention of the members of the Council to a letter dated 29 June 1989 from the Permanent Observer of Palestine addressed to the Secretary-General,<sup>60</sup> in which he informed the Council that the situation in the occupied Palestinian territory, including Jerusalem, had deteriorated further with Israel's deportation of eight Palestinians to southern Lebanon on 29 June 1989, in violation of the Fourth Geneva Convention and Security Council resolutions 607 (1988) and 608 (1988). The President also drew the attention of the Council to several other documents,<sup>61</sup> including a draft

---

<sup>57</sup> Ibid., pp. 32-37.

<sup>58</sup> S/20709.

<sup>59</sup> For the statement by the representative of the United States, see S/PV.2870, pp. 8-10. See also chapter III, case 6.

<sup>60</sup> S/20708.

<sup>61</sup> Letters addressed to the Secretary-General from the

resolution submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia.<sup>62</sup>

The representative of Israel charged that the Council consistently attempted to censure Israel for its measures, while ignoring the intense and continuous violence that had necessitated them. He stated that Israel, which had the unequivocal responsibility to ensure the safety and security of all inhabitants, had acted with the utmost restraint and within the confines of local and international law. It chose not to utilize the death penalty expressly contemplated by the Fourth Geneva Convention, preferring to exercise less severe measures in conformity with article 63 of the Hague Regulations. The speaker indicated that those expelled were given the opportunity fully to exercise their legal rights during lengthy legal proceedings, which lasted nearly a year. He added that should quiet be restored the possibility of their return would be considered. The speaker noted that while several extreme political events had recently disturbed the global order, the Council was being asked to meet to criticize Israel only. Maintaining that the Council should call for the cessation of all violence and encourage dialogue and peace, he stressed that draft resolutions such as the one before the members did not promote those goals.<sup>63</sup>

Before the vote, the representative of the United States recalled his Government's opposition to the practice of deportations because they violated article 49 of the Fourth Geneva Convention and were unnecessary to maintain order and unhelpful to the peace process. But it was also important for members of the Council to understand that Israel, which for many years had been dealing with a very difficult situation, was presented with new challenges to its security. The United States, which was actively engaged in seeking to assist the parties to come together for interim and final status arrangements leading to a comprehensive peace, believed that there was no military solution but only a negotiated solution. While regretting the deportation of an additional eight Palestinians, and agreeing with the call for Israel to desist from further such acts, he asserted that raising the issue in the Council, in the form in which it was being presented, would not help to reduce tensions.

---

observer of Palestine (S/20708); and from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/20714).

<sup>62</sup> S/20710.

<sup>63</sup> S/PV.2870, pp. 12-17.

That was why the United States delegation would abstain in the vote on the draft resolution. For the record, the speaker affirmed that his Government objected to the phrases "occupied Palestinian territories", and "Palestinian territories occupied by Israel since 1967, including Jerusalem, and ... the other occupied Arab territories", considering that those phrases describe the territories demographically, were limited to territories occupied in 1967 and did not prejudge their status. Jerusalem should remain undivided and its final status be decided through negotiations.<sup>64</sup>

The draft resolution was then put to the vote. It was adopted by 14 votes to none, with 1 abstention (United States), as resolution 636 (1989), which reads:

*The Security Council,*

*Reaffirming* its resolutions 607 (1988) of 5 January 1988 and 608 (1988) of 14 January 1988,

*Having been apprised* that Israel, the occupying Power, has once again, in defiance of those resolutions, deported eight Palestinian civilians on 29 June 1989,

*Expressing grave concern* over the situation in the occupied Palestinian 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 thereof,

1. *Deeply regrets* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *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 territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Following the adoption of the resolution, the representative of Palestine expressed confidence that the Council would take further steps to ensure that the Fourth Geneva Convention was respected, that the Palestinian civilians would return safely and

---

<sup>64</sup> *Ibid.*, pp. 18-20.

immediately to their homes, and that Israel would not undertake any more deportations.<sup>65</sup>

**Decision of 30 August 1989 (2883rd meeting):  
resolution 641 (1989)**

By a letter dated 29 August 1989 addressed to the President of the Security Council,<sup>66</sup> the representative of Qatar, on behalf of the Group of Arab States, requested the convening of an urgent meeting of the Council to consider the situation in the occupied Palestinian territory, and in particular the deportation of Palestinian civilians. At its 2883rd meeting, on 30 August 1989, the Council included the letter in its agenda, and considered the matter at the same meeting.

Following the adoption of the agenda, the Council invited the representative of Israel, at his request, to participate in the discussion without the right to vote. The Council also decided, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>67</sup>

The President (Algeria) drew the attention of the members of the Council to a draft resolution submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia.<sup>68</sup>

He then drew their attention to a letter dated 28 August 1989 from the Observer of Palestine,<sup>69</sup> in which the Council was informed that Israel had expelled five Palestinians from the occupied Palestinian territory to Lebanon and France on 27 August 1989, in violation of the Fourth Geneva Convention and Security Council resolutions 607 (1988), 608 (1988) and 636 (1989) and requested that appropriate measures be taken. The President also drew the attention of the members of the Council to a letter dated 29 August 1989 from the representative of Lebanon.<sup>70</sup>

The representative of Israel asserted that the increase of violence was the direct response of the PLO to the challenge posed by his country's peace initiative of April 1989. Many more Palestinians than Israelis had been, in recent months, the casualties of PLO violence. This violence was intended to intimidate the local population and ensure absolute PLO domination. The speaker stated that, despite the violence, his Government was determined to pursue the dialogue with local Palestinian leaders. Extensive talks were held between the Government of Israel and leaders from all elements of Palestinian society in order to reach an agreement as to the modalities and process of holding free and democratic elections in the territories. While admitting that international law placed the responsibility to maintain public order and safety in the "administered" territories on Israel, he emphasized that Israel did not accept the de jure applicability of the Fourth Geneva Convention to Judea, Samaria and the Gaza district, but acted de facto in accordance with its humanitarian provisions. Israel's Supreme Court had examined repeatedly the proper interpretation and application of article 49 of the Convention and held that while mass deportations were prohibited under that article, the expulsion of individuals was allowed. In his concluding remarks, the speaker drew attention to the inability of the Council to respond in an effective manner to the indiscriminate slaughter perpetrated recently by the Syrian Arab Republic and its proxies in Lebanon while taking quick action when it came to Israel. Yet he invited the nations of the Middle East to support the peace initiative, and called on the Council to encourage a breakthrough in the current stalemate.<sup>71</sup>

Before the vote, the representative of the United States reiterated his Government's opposition to deportations. He stated that despite the Security Council's last call on Israel to desist from further deportations, in resolution 636 (1989), it had proceeded with further deportations. It was in this context that his Government would not oppose the draft resolution, but abstain. In conclusion, he recorded once again his country's objection to the wording of the draft resolution regarding the occupied Palestinian territories.<sup>72</sup>

---

<sup>65</sup> Ibid., pp. 21-22.

<sup>66</sup> S/20817.

<sup>67</sup> For the statement by the representative of the United States, see S/PV.2883, pp. 6-8. See also chapter III, case 6.

<sup>68</sup> S/20820.

<sup>69</sup> S/20816.

<sup>70</sup> S/20822.

---

<sup>71</sup> S/PV.2883, pp. 9-16.

<sup>72</sup> Ibid., pp. 16-18.

The draft resolution was then put to the vote. It was adopted by 14 votes to none, with 1 abstention (United States), as resolution 641 (1989) which reads:

*The Security Council,*

*Reaffirming* its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988 and 636 (1989) of 6 July 1989,

*Having been apprised* that Israel, the occupying Power, has once again, in defiance of those resolutions, deported five Palestinian civilians on 27 August 1989,

*Expressing grave concern* over the situation in the occupied Palestinian 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 thereof,

1. *Deplores* the continuing deportation by Israel, the occupying Power, of Palestinian civilians;

2. *Calls upon* Israel to ensure the safe and immediate return to the occupied Palestinian territories of those deported and to desist forthwith from deporting any other Palestinian civilians;

3. *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 territories, occupied by Israel since 1967, including Jerusalem, and to the other occupied Arab territories;

4. *Decides* to keep the situation under review.

Following the adoption of the resolution, the representative of Palestine expressed the hope that preparations would be initiated under the supervision of the United Nations for the convening of the international peace conference.<sup>73</sup>

#### **Decision of 7 November 1989 (2889th meeting): rejection of a draft resolution**

By a letter dated 3 November 1989, addressed to the President of the Security Council,<sup>74</sup> the representative of Kuwait, in his capacity as Chairman of the Group of Arab States, requested an immediate meeting of the Council to consider the situation in the occupied Palestinian territory.

At its 2887th meeting, on 6 November 1989, the Council included the letter in its agenda. The Council considered the item at its 2887th, 2888th and 2889th meetings, on 6 and 7 November 1989.

Following the adoption of the agenda, the Council invited the representatives of Israel, Kuwait and Saudi Arabia, at their request, to participate in the discussion without the right to vote. It also extended an invitation to Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, under rule 39 of the provisional rules of procedure. At the same meeting, the Council also decided, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>75</sup> At the 2888th meeting, the Council invited the representative of the Islamic Republic of Iran, at his request, to participate in the discussion without the right to vote.

At the 2887th meeting, the President drew the attention of the members of the Council to a draft resolution submitted by Algeria, Colombia, Ethiopia, Malaysia, Nepal, Senegal and Yugoslavia.<sup>76</sup> Under the preambular part of the draft resolution, the Council would have recalled its relevant resolutions on the occupied Arab territories, including Jerusalem, in particular 605 (1987), and the Geneva Convention, and taken note of General Assembly resolution 44/2 of 6 October 1989. Under its operative part, the Council would have strongly deplored the policies and practices of Israel which violated the human rights of the Palestinian people, and in particular the siege of towns, the ransacking of homes, and the illegal and arbitrary confiscation of their property and valuables; reaffirmed the applicability of the Geneva Convention to the occupied Arab territories, including Jerusalem, and called upon Israel to abide by the Convention; also called upon Israel to desist from its policies and practices and lift its siege; urged that Israel return the confiscated property to its owners; and requested the Secretary-General to conduct on-site monitoring of the situation in the occupied territory, and to submit periodic reports thereon.

The President also drew the attention of the members of the Council to a note by the Secretary-

---

<sup>73</sup> *Ibid.*, pp. 18-20.

<sup>74</sup> S/20942.

<sup>75</sup> For the statement by the representative of the United States, see S/PV.2887, pp. 3-6. See also chapter III, case 6.

<sup>76</sup> S/20945. The draft was subsequently revised, but was not adopted, owing to the negative vote of a permanent member.



General dated 16 October 1989,<sup>77</sup> transmitting the text of paragraph 6 of General Assembly resolution 44/2, in which the Assembly requested the Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem.

The President further drew the attention of the Council to two letters dated 23 and 30 October 1989 from the Permanent Observer of Palestine addressed to the Secretary-General,<sup>78</sup> in which he described the most recent measures taken by Israel against the Palestinian people and requested the Council to take immediate measures to protect the Palestinian civilians and to ensure respect for the Fourth Geneva Convention.

The representative of Kuwait, speaking also on behalf of the Group of Arab States, said that the meeting had been requested by the Arab Group because of the gravity of the situation and the Council's delay in examining the situation to consider measures for the protection of Palestinians in accordance with General Assembly resolution 44/2. According to the representative, the dimensions and significance of Israeli policies were most recently manifested in Beit Sahur, where houses were ransacked, roads closed, and property confiscated. The matters had gone further with the so-called renovation of the temple of Solomon near Al-Aqsa Mosque in Jerusalem. The Arab Group expected that Israeli plundering of Palestinian properties and the expropriation of property and means of production in an attempt to force entrepreneurs to pay the so-called tax dues would lead to widespread civil disobedience whose effects would spread to other areas. The speaker called upon the Council to adopt all the necessary measures to compel Israel to end its onslaught on the population and to comply with the Fourth Geneva Convention, and to pay reparations for the damage resulting from its blockade of Beit Sahur. He insisted that it was high time for the Council to carry out in-depth, objective reviews and assessments of the reasons and factors preventing implementation of its resolutions.<sup>79</sup>

---

<sup>77</sup> S/20902.

<sup>78</sup> S/20920 and S/20925.

<sup>79</sup> S/PV.2887, pp. 8-16.

The representative of Palestine said that the members of the Council were meeting to ensure respect, as High Contracting Parties, for the Fourth Geneva Convention, and as members of the Council jointly to carry out their obligations under the Charter of the United Nations to consider a request made by the General Assembly in resolution 44/2. He charged Israel with committing "State crimes" in Beit Sahur by confiscating the property of innocent civilians and imposing taxation by brute force for the maintenance and perpetuation of foreign occupation. Referring to the Secretary-General's report of 21 January 1988,<sup>80</sup> which the speaker described as being the result of an on-the-spot examination of the situation, he called upon the members of the Council to request, on a priority basis, that the Secretary-General submit such on-the-spot reports as often as needed. He added that the Council should also demand that Israel return the stolen property to the victims or compensate them for damage. Lastly, the speaker noted that the United States Government had authorized massive additional economic and military aid for Israel and expressed fear that it would provide additional funds for the military occupation and the atrocities committed in the occupied territories. He urged the United States to join in a consensus, so that the Secretary-General might at least be enabled to immediately dispatch or assign a monitoring team to provide the Council with on-the-spot reports.<sup>81</sup>

During the course of the debate, other speakers expressed concern about Israel's repressive measures against the Palestinian civilians in Beit Sahur and its intervention against UNRWA offices and personnel in the West Bank and Gaza.<sup>82</sup> Stating that the Council had a responsibility to ensure the protection of Palestinians, they called upon it to consider the recommendations outlined in the Secretary-General's report of 21 January 1988. They maintained that a peaceful settlement of the problem had to be based on the ending of the Israeli occupation, the realization of the legitimate rights of the Palestinians to self-determination, and the recognition of the right of Israel

---

<sup>80</sup> S/19443.

<sup>81</sup> S/PV.2887, pp. 16-33.

<sup>82</sup> S/PV.2888, pp. 3-12 (Saudi Arabia); pp. 26-31 (Yugoslavia); pp. 31-35 (Nepal); and pp. 36-40 (Islamic Republic of Iran); and S/PV.2889, pp. 12-16 (Malaysia); pp. 17-18 (Finland); pp. 22-27 (Algeria); pp. 27-28 (Canada); pp. 29-32 (Ethiopia); pp. 32-35 (Brazil); and pp. 35-36 (Colombia).

to live in secure and recognized borders. Several speakers appealed to the Council to address the question through an international peace conference with the equal participation of the PLO. One representative called upon the Council to establish the conditions necessary for the convening of that conference.<sup>83</sup> Another appealed to the permanent members of the Council to take practical steps and to begin considering the early establishment of a preparatory committee for the conference.<sup>84</sup>

At the 2888th meeting, the representative of Senegal, speaking also in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, stated that repression was growing and that the raids launched against Beit Sahur clearly demonstrated that Israel was seeking a military solution to the Palestinian problem. She stated that the Security Council should do more with regard to the Middle East by initiating and overseeing the peace process on the basis of the guidelines set out in General Assembly resolution 43/176. She hoped that the Council would work with the Secretary-General to organize the international peace conference on the Middle East, and adopt the draft resolution to assure impartial and international protection for Palestinians. The speaker added that, in carrying out the peace process, the Council would need the support and assistance of all its members, especially of its permanent members.<sup>85</sup>

The representative of Israel contended that if there was any deterioration in the situation, it involved not the efforts of the Israeli authorities to maintain public order and safety, but the escalation in inter-Palestinian violence. He held that the draft resolution, orchestrated by the Arab States in their campaign of political jihad against Israel, ignored the murder of Palestinians by the PLO and directed its fury at entirely legal measures, such as tax collection. The charge that Israel, by collecting taxes in Beit Sahur, had violated international law, was baseless, since the collection of taxes, dues, tolls and other forms of payment was permitted under the Hague Regulations. By customary international law, the occupant might even utilize for its own purpose the balance left over after administration costs had been met. Instead, Israel had used the funds to finance the provision of services for

the Palestinian residents and had complemented them with its own funds whenever necessary. The speaker asserted that countries which claimed to be concerned about the welfare of the Palestinians resorted to the Security Council only to attack Israel. He recalled that negotiations were being undertaken at that time between Israelis and Palestinian representatives from Judea, Samaria and Gaza with the goal of opening a dialogue. He concluded by saying that his country's peace initiative was the only realistic, viable and practical endeavour towards a solution of the Arab-Israeli conflict.<sup>86</sup>

The representative of Yugoslavia, speaking also in his capacity as Chairman of the Coordinating Bureau of the Movement of Non-Aligned Countries, expressed concern at the fact that, owing to the positions of some, the United Nations was not in a position to play an appropriate role in the consideration of this problem, which had the potential of posing one of the most serious threats to peace and stability. The non-aligned countries had repeatedly pointed out the need for the continued consideration of the problem of Palestine in the Council. They expected the Council on this occasion to take resolute action and, as a first step, to secure implementation and compliance with resolution 605 (1987). At the same time they believed the Council should become more involved by seeking the most suitable basis for opening the process leading to a political solution of the problem, on the basis of resolutions 242 (1967) and 338 (1973) and other relevant United Nations resolutions. The speaker recalled that at their ninth summit conference in Belgrade the non-aligned countries had reaffirmed the position that the most realistic and acceptable way to achieve a solution was the early convening of an international conference under United Nations auspices.<sup>87</sup>

Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, said that the Arab Group had asked for the meeting to affirm its commitment to salvaging peace in the Middle East through the United Nations and the Security Council. He stated that Israel's intention, through the proliferation of settlements in the occupied territories, was to distort the unity of the Palestinian people and to facilitate the annexation of the West Bank, Gaza and East Jerusalem.

---

<sup>83</sup> S/PV.2888, p. 26 (Algeria).

<sup>84</sup> *Ibid.*, p. 16 (Malaysia).

<sup>85</sup> *Ibid.*, pp. 12-20.

---

<sup>86</sup> *Ibid.*, pp. 21-26.

<sup>87</sup> *Ibid.*, pp. 26-31.

That intent was evident in Israel's past declarations of the Golan Heights and East Jerusalem as part of its territory, its deliberate failure to define the land of the 1967 occupation, and its refusal to evacuate the lands it had occupied in 1947. Israel wanted to be treated as an occupant when it collected taxes but did not want to be considered as such when deporting Palestinians. The speaker reiterated the support of the Arab League for the international conference to be sponsored by the United Nations and stressed that any peace negotiations would have to be undertaken with the PLO, the sole legitimate representative of the Palestinian people.<sup>88</sup>

At the 2889th meeting, on 7 November 1989, the representative of the Union of Soviet Socialist Republics condemned the Israeli authorities' repressive actions against the Palestinian people and their attempts to impede the humanitarian work of UNRWA. He expressed concern over the use of force against the Agency's international staff and the arrests and detention of staff members as well as the raids against the Agency's offices in the occupied territories. He noted the discrepancy between Israel's assurances regarding a political settlement, and its actual policy with regard to the intifada. The speaker recalled his country's proposal in February aiming at improving the situation in the region and stated that the Soviet Union was ready to cooperate actively with all parties, the United Nations, and the Secretary-General in the convening of a conference to find a peaceful settlement in the Middle East. In supporting the draft resolution, he stressed the need to bring into play the potential of the Security Council.<sup>89</sup>

The representative of the United Kingdom deplored the recent raids by the Israeli forces on UNRWA premises in the West Bank and Gaza Strip, which he described as a violation of the privileges and immunities of a United Nations body. He informed the Council that his Government had received disturbing reports of the situation in Beit Sahur. Whatever the rights and wrongs of the tax strike by the citizens of Beit Sahur, due legal process should be followed. Furthermore, there was no excuse for the illegal and arbitrary confiscation of Palestinian property. Britain condemned both the killing of civilians by the Israeli forces and the killing of so-called Palestinian

collaborators. The speaker held that elections should take place in the occupied territories on the basis of land for peace, in fulfilment of Council resolutions 242 (1967) and 338 (1973). That could set in motion a process leading to an international peace conference under United Nations auspices.<sup>90</sup>

The representative of France stated that, whatever the justifications offered, the events in Beit Sahur and the methods employed by the Israeli army should be condemned. He also condemned the occupation authorities for forbidding access to the town by representatives of foreign States and called upon Israel to respect its obligations under the Fourth Geneva Convention. The speaker stressed that lasting peace could only be based on mutual recognition by Palestinians and Israelis of each other's respective rights and aspirations. In that sense, a comprehensive political settlement should ensure Israel's right to live within secure and recognized borders, and the equally important right of the Palestinians to a homeland in which they could establish the political structures of their choice. The international community had a duty to perform in that regard, and negotiations between the parties directly concerned should take place within the framework of an international peace conference.<sup>91</sup>

The representative of China supported the draft resolution and was in favour of the Council's taking action to check the Israeli authorities' suppression of Palestinians. He reiterated the recent proposal by his Government on a peace settlement. First, the Middle East question should be settled through political means and all parties should refrain from using force. Secondly, an international peace conference should be convened under the auspices of the United Nations, with the participation of the five permanent members of the Council and the parties to the conflict. Thirdly, the concerned parties should hold various forms of dialogue, including a direct dialogue between Israel and the PLO. Fourthly, Israel should stop suppressing Palestinian residents in the occupied areas and withdraw from the occupied territories. Accordingly the security of Israel should be also guaranteed. Fifthly, the State of Palestine and the State of Israel should extend mutual recognition and their peoples coexist peacefully.<sup>92</sup>

---

<sup>88</sup> Ibid., pp. 41-52.

<sup>89</sup> S/PV.2889, pp. 2-11.

<sup>90</sup> Ibid., pp. 18-21.

<sup>91</sup> Ibid., pp. 37-38.

<sup>92</sup> Ibid., pp. 38-41.

The President then put the draft resolution to the vote. It received 14 votes in favour and 1 against (United States), and was not adopted, owing to the negative vote of a permanent member of the Council.

Following the vote, the representative of the United States stated that his Government had raised directly with Israel its concerns over the blockade of Beit Sahur, the interference with the operations of UNRWA, school closures and other questions. Yet, he said, the United States was not willing to support unbalanced draft resolutions, which criticized Israeli actions without regard for the situation in the occupied territories, and did not refer to the Palestinians' acts of violence against Israelis and other Palestinians. While supporting efforts by the Secretary-General to visit the occupied territories to report periodically on the situation, the United States did not agree with the request in the draft resolution that the Secretary-General conduct on-site monitoring, since it connoted a permanent, ongoing presence on the ground. In the view of the United States, which was engaged in intensive efforts to help launch an Israeli-Palestinian dialogue, repeated recourse to the Council with one-sided draft resolutions did not contribute to this process or to a real reduction of confrontation in the occupied territories but exacerbated tensions and distracted the parties from addressing the critical issues.<sup>93</sup>

The representative of Canada emphasized that the territories referred in the text were the West Bank, Gaza and East Jerusalem, and Canada's vote in favour did not indicate any change in its view on the status of those territories.<sup>94</sup>

The representative of Palestine blamed the United States for blocking the Secretary-General's and the Security Council's involvement in the search for a comprehensive settlement, as requested by the General Assembly. Referring to United States individual action he stated that the situation did not permit such action. Action should be collective. Furthermore, on-site monitoring of crimes committed in a territory under occupation did not entail any unnecessary violation of the sovereignty of the State of Israel. Therefore it was the duty of the United Nations to have a presence in the territories to report on such violations.<sup>95</sup>

---

<sup>93</sup> Ibid., pp. 42-45.

<sup>94</sup> Ibid., p. 45.

<sup>95</sup> Ibid., pp. 45-47.

**Letter dated 12 February 1990 from the  
Permanent Representative of the Union of  
Soviet Socialist Republics to the United Nations  
addressed to the President of the Security  
Council**

By a letter dated 12 February 1990 addressed to the President of the Security Council,<sup>96</sup> the representative of the Union of Soviet Socialist Republics requested that a meeting of the Security Council be convened to consider the Israeli moves to settle the occupied territories, which ran counter to the Fourth Geneva Convention and to the decisions of the United Nations and were obstructing the peace effort in the Middle East. He called upon the Council to request the Government of Israel not to permit any action which might alter the demographic structure of the occupied territories.

At its 2910th meeting, on 15 March 1990, the Council included the letter in its agenda. The Council considered the item at its 2910th to 2912th, 2914th, 2915th and 2920th meetings, from 15 to 29 March, and on 3 May 1990.

Following the adoption of the agenda, the Council invited the representatives of Israel, Jordan and Senegal, at their request, to participate in the discussion without the right to vote. It also extended an invitation, under rule 39 of its provisional rules of procedure, to Mr. Clovis Maksoud, Permanent Observer of the League of Arab States. At the same meeting, the Council also decided, by 11 votes to 1 (United States) and 3 abstentions (Canada, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>97</sup>

At the 2912th meeting, the Council invited the representatives of Algeria, Bahrain, Egypt, India, Indonesia, Iraq, the Libyan Arab Jamahiriya, Pakistan, Qatar, Saudi Arabia, the Syrian Arab Republic, Tunisia, the Ukrainian Soviet Socialist Republic, Yemen and Yugoslavia to participate in the discussion. It also extended an invitation, under rule 39 of its provisional rules of procedure, to Mr. A. Engin Ansay, Permanent Observer of the Organization of the Islamic

---

<sup>96</sup> S/21139.

<sup>97</sup> For the statement by the representative of the United States, see S/PV.2910, pp. 3-6. See also chapter III, case 6.

Conference. At its subsequent meetings, the Council invited the following to participate: at the 2914th meeting, the representatives of Bangladesh, Morocco and the United Republic of Tanzania; at the 2915th meeting, the representatives of Afghanistan, the Islamic Republic of Iran, Kuwait and Nicaragua; and at the 2920th meeting, the representatives of Greece and Turkey.

At the 2910th meeting, the President (Democratic Yemen) drew the attention of the members of the Council to several documents.<sup>98</sup>

The representative of the Union of Soviet Socialist Republics stated that the meeting had been convened because his Government had come to the conclusion that the question of Israel's action in settling the occupied territories with persons who had never lived in those territories was extremely serious and affected matters of security in the Middle East. The settlement in the occupied Arab territories of immigrants arriving from the Soviet Union caused deep concern in his country. Noting that appeals were made to his country to prevent Soviet Jews from emigrating to Israel, he pointed out that it was impossible for the Soviet Union to prevent its Jewish citizens from doing so, because it would be contrary to the policy of equal rights and freedoms for all citizens, including the right to emigrate, resulting from the democratization of Soviet legislation. The responsibility lay with Israel, which should prohibit its citizens and others from settling in the occupied territories in accordance with article 49 of the Fourth Geneva Convention and the relevant resolutions of the Security Council. Instead, the Government of Israel was planning to build some 4,000 homes on the West Bank for the settlement of immigrants. The Soviet Union, however, hoped that the Government of Israel would make an assessment of the situation and not permit actions liable to alter the demographic structure of the occupied territories. Pointing out that very few of the Soviet Jews leaving the Soviet Union wanted to live in Israel, the speaker encouraged Western countries, including the United States which had recently cut the number of entry permits for Soviet Jews, to grant residence to them. In the Soviet Union's view, the Council should focus on

---

<sup>98</sup> Letters addressed to the Secretary-General by the representatives of the Soviet Union (S/21118, S/21137, S/21143 and S/21186); Kuwait (S/21133); Saudi Arabia (S/21134); Tunisia (S/21144); Oman (S/21182); and Yugoslavia (S/21192).

the three following elements: confirmation of the applicability of the Fourth Geneva Convention to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem; disagreement by the Council with the intention of the Government of Israel to settle immigrants in the occupied territories in contravention of the provisions of the Geneva Convention, in particular article 49, which prohibits the settlement of non-native inhabitants in occupied lands; and an appeal by the Council to the Government of Israel not to permit actions liable to alter the demographic structure of the occupied territories. The speaker also stressed the importance of balancing the interests of all parties concerned within the framework of an international conference. A comprehensive settlement should be based on Security Council resolutions 242 (1967) and 338 (1973), the exercise by the Palestinian people of its right to self-determination, and the right of all parties to existence within internationally recognized borders. As part of the practical preparations for a conference, he agreed that there could be purposeful bilateral and multilateral contacts to find compromise decisions, including interim ones. He supported also the commencement of preparatory work for the peace conference within the framework of the Security Council.<sup>99</sup>

The representative of Palestine stated that the immigration of Soviet Jews and their settlement in the occupied territories was an act of aggression against national Palestinian rights and an usurpation of Palestinian land in preparation for expelling the Palestinian people, as happened in 1948 where approximately 1 million Palestinians were expelled. The massive organized Jewish emigration from the Soviet Union to Palestine was no more than a continuation of the Zionist invasion of the Palestinian and Arab lands. The speaker indicated that, despite all the suffering of the Palestinian people, their aim remained peaceful coexistence. They had offered constructive initiatives which were met on the Israeli side by an escalation of violence, a strengthening of the occupation and persistence in the practice of eviction. He regretted that the United States remained hesitant to agree to the convening of an international peace conference and insisted on pursuing unilateral efforts which proved to be inadequate and futile. It was also inadequate for the Council to adopt a resolution or to issue a statement. The Council should take measures

---

<sup>99</sup> S/PV.2910, pp. 9-20.

similar to the actions taken against the Pretoria regime. Equally important was the stand expected to be taken by the United States and the Soviet Union against the organized massive immigration.<sup>100</sup>

The representative of Malaysia said that the Israeli policy of encouraging mass Jewish immigration and its policy of territorial occupation of Palestinian lands, leading to their eventual annexation, could not be condoned and should be condemned by the Council. It was imperative that the Council sent a clear and unequivocal message to the Government of Israel that it deplored its policies and practices, including the illegal opening-up of settlements in the occupied territories, and that Israel should desist forthwith from those practices. It was equally imperative that the Council declare the illegality of those settlements and reaffirm the inalienable right of the Palestinian people to its land, including the right of return. Israel should be pressured by the collective weight of international opinion, if not by sanctions, to respect its international obligations. At the same time Governments should refrain from providing financial assistance to Israel for the purpose of developing settlements in the occupied territories. In the speaker's opinion, there was a special responsibility on the part of the sender country to ensure they did not open the floodgates of Jewish emigration to Israel and on the part of the traditional recipient countries not to erect artificial barriers against those intending to emigrate. The speaker added that, pending the settlement of the Palestinian problem, which could only be achieved via the formula "land for peace", his Government urged the Council to reconsider the Secretary-General's report of 21 January 1988 in order to provide protection for the inhabitants of the occupied territories.<sup>101</sup>

During the course of the debate, several speakers referring to the systematic settlement of Soviet Jews in the occupied territories as another phase in the Israeli occupation aimed at replacing Palestinians with settlers, in order to change the demographic composition of those territories and ultimately to annex them, stating that these practices were contrary to the Fourth Geneva Convention and to Security Council resolution 465 (1980). They condemned Israel's intensification of its expansionist policy at a time when there were promising steps towards the restoration of

peace in the Middle East. They appealed, in various terms, to the Council to take firm action to stop the settlements.<sup>102</sup> A number also called upon the Council to appeal to all States to refrain from giving any assistance to Israel that might be used in establishing new settlements.<sup>103</sup> A few speakers appealed to the Council to consider deterrent measures under Chapter VII of the Charter of the United Nations.<sup>104</sup>

At the 2911th meeting, on 15 March 1990, the representative of Jordan, speaking in his capacity as Chairman of the Group of Arab States, pointed out that the history of Jewish immigration to Palestine was closely linked to the course of the Israeli-Arab conflict. Indeed, this immigration was the reason behind the conflict and its continuation a major factor in the persistence of the conflict. The arrival of huge numbers of immigrants and their settlement in the occupied Arab territories meant the continuation of the creeping annexation of those territories and the expulsion of their rightful inhabitants. He warned that, as a result of that immigration, Israel might sooner or later annex the West Bank and the Gaza Strip. It might also commit the crime of deporting the Palestinian people en masse, called "transferral" in Israel. In this regard, the speaker drew attention to recent statements by the Israeli authorities in which it was said, inter alia, that those immigrants had the freedom to settle wherever they wanted and that this large-scale immigration required the establishment of a Greater Israel. He deplored the attitude of countries which had set quotas or shut their doors to Jewish immigration and indicated that in the case of the Soviet Union those immigrants had left the country carrying travel documents and not passports, which meant they could not return. It was a matter of evacuation not emigration. It was unfair to allow Jews from all parts of the world to settle in the occupied territories and to deny the Palestinian refugees in the diaspora their right to return to their land. The Council ought to act in an effective manner which meant that it had to use its powers to implement its resolutions. What was expected of the Council was, inter alia, the suspension of that immigration to Israel or its

---

<sup>100</sup> *Ibid.*, pp. 21-36.

<sup>101</sup> *Ibid.*, pp. 37-47.

<sup>102</sup> S/PV.2912, pp. 47-51 (Indonesia); S/PV.2914, pp. 29-35 (Qatar); pp. 35-43 (Libyan Arab Jamahiriya); S/PV.2915, pp. 6-7 (Finland); pp. 28-36 (Kuwait); pp. 36-47 (Morocco); and pp. 47-52 (Islamic Republic of Iran).

<sup>103</sup> S/PV.2912, pp. 26-35 (Tunisia); pp. 51-56 (Saudi Arabia); and S/PV.2915, pp. 13-21 (Algeria).

<sup>104</sup> S/PV.2912, pp. 51-56 (Saudi Arabia); and S/PV.2914, pp. 44-57 (Bahrain).

redirection to other countries, reaffirmation of its past resolutions and of the applicability of the Fourth Geneva Convention, and a request to the Secretary-General to monitor the implementation of the resolution to be adopted by the Council on this matter and to submit a report.<sup>105</sup>

The representative of Senegal, speaking also as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that it had been reported that the settlers already living in the occupied territory were actively encouraging new immigrants to come to the occupied territory and that the Government of Israel was offering large cash bonuses, low-interest mortgages and practically free land. She added that reliable sources noted the existence in the West Bank of a growing campaign to break up families, and, as a result of Israeli-imposed restrictions, tens of thousands of Palestinians who had returned to the occupied territory after the 1967 war with limited-residence permits and who remained in the territory were regarded as foreigners by the occupation authorities, who expelled several hundred Palestinians in 1989, for the most part women and children. Senegal supported the right of each individual to emigrate to the country of his choice, but could not agree that the exercise of that right could be imposed by a third Power, to the detriment of the host populations. As for the Committee, it joined in the appeals made to the Government of Israel to implement the Fourth Geneva Convention and the relevant resolutions of the Security Council and to refrain from actions likely to alter the demographic composition of the occupied Palestinian territory.<sup>106</sup>

The representative of Israel stated that the immigration of Soviet Jews to Israel was the culmination of a long and strenuous international struggle in which the free world had played a leading role. This momentous development was particularly critical when the darker side of democratization was generating a resurgence of virulent anti-semitism. The speaker maintained that at the same time an “ugly campaign” was being waged by Arab States, with the aim of halting the immigration of Jews to Israel, which lay at the foundation of the existence of the State of Israel. He charged that by doing so they were opposing that very existence. The Arab claim that Israel intended

to displace Palestinians by settling Jewish immigrants in their place was a preposterous charge. As a matter of fact, over 99 per cent of the immigrants had settled in Israel’s main urban centres. Moreover, far from displacing Palestinians, Israel had been the only party actively engaged in rehabilitating them through a family reunification plan. The speaker pointed out that it was neither the time nor the place to focus on the contentious issues and mutual grievances that lay at the heart of the Arab-Israeli conflict. Disagreement should and would be addressed when negotiations commenced.<sup>107</sup>

At the 2912th meeting, on 27 March 1990, the representative of Egypt said that the question before the Council was whether Israel’s settlement of parts of its population in the occupied Palestinian territories was an exercise of human rights or an attempt to establish an illegal fait accompli under that pretext. Egypt did not take issue with the emigration of the Soviet Jews, or others, to Israel of their own volition, provided that they also had the right to return and that certain criteria be applied to that emigration to ensure that those participating in it were not settled in the occupied Arab territories. However, if enabling emigrants to leave their country of origin resulted in their settling in the occupied Arab lands and contributed to the expulsion of the indigenous population, that presented a paradox in which humanitarian law was violated in the name of human rights. The speaker stated that certain conclusions could be drawn regarding the future intentions of Israel from the practice of altering the demographic composition of the occupied territories. Those intentions, if proved true, would entail actions in blatant violation of a cardinal principle of the Charter of the United Nations, namely, the inadmissibility of the acquisition of territory by force, which was the basis of Security Council resolutions 242 (1967) and 338 (1973). Immigration to Israel, coupled with settlements, constituted a serious threat to the peace process in the Middle East and jeopardized endeavours to build confidence among the Israelis and the Palestinians. The two super-Powers had an instrumental role to play on both counts. He called upon Israel to terminate any settlement activity in the occupied territories and appealed to the Council to

---

<sup>105</sup> S/PV.2911, pp. 2-20.

<sup>106</sup> *Ibid.*, pp. 20-28.

<sup>107</sup> *Ibid.*, pp. 29-43.

unequivocally reaffirm the illegality of such Israeli practices.<sup>108</sup>

The representative of the Syrian Arab Republic stated that his country's position was best reflected in the resolution adopted by the Council of the League of Arab States on 13 March 1990, in which it, *inter alia*, deplored Israel's settlement policies as constituting an act of aggression against the right of the Palestinian people to their land and as representing a threat to Arab national security. Furthermore, it called upon the international community to put an end to the emigration of Soviet Jews and to guarantee all the national rights of the Palestinian people, including their right to return, as set forth in General Assembly resolution 194 (III) of 11 December 1948. He charged that there was a long-standing intention to forge ahead with the establishment of the greater Zionist State in the Arab region by means of expanding at the expense of the neighbouring States. That was evidenced by the fact that Israel had annexed the Syrian Golan. The Syrian Arab Republic considered the settlement of Jewish immigrants in the Golan as an act of aggression against Syrian sovereignty and territorial integrity. Their settlement in any other part of the occupied Arab territories was an equally grave matter.<sup>109</sup>

The representative of China said that Israel's establishment of settlements in the occupied Palestinian territory was illegal and posed a threat to the existence of the Palestinian people and the security of the Arab countries, aggravating the tense situation in the region. He called on Israel to give up its erroneous policy and to demonstrate good faith and flexibility. He also proposed that the Council should take unequivocal steps to stop Israel's settlement of immigrants in the occupied territories, and appealed to the countries directly involved to cooperate.<sup>110</sup>

At the 2914th meeting, on 28 March 1990, the representative of Yugoslavia, speaking on behalf of the Movement of Non-Aligned Countries, expressed concern about the announced intention of the Government of Israel to settle Jewish immigrants from the Soviet Union in the occupied territories. He stated that the Foreign Ministers of non-aligned countries, in a meeting held on 11 March, had warned that such organized, mass actions undermined the peace process

and were in flagrant violation of the Fourth Geneva Convention and the International Covenant on Civil and Political Rights. They called upon the Security Council to take resolute action to prevent such attempts and declare them illegal, null and void. The Council should consider measures for the protection of the Palestinian civilian population under Israeli occupation and call upon all States not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories. The speaker concluded by saying that it was high time that the Council got actively involved in the efforts to find a peaceful and just solution to the Middle East crisis.<sup>111</sup>

The representative of the Ukrainian Soviet Socialist Republic stated his concern regarding the propaganda campaign being waged in certain circles around the growing emigration of Jewish persons from the Soviet Union, in particular the Ukrainian Soviet Socialist Republic, to Israel. He charged that Israel was exploiting the Jewish immigration for its aggressive and expansionist plans, with the intention of sabotaging the peace negotiations. The speaker stated that the main problem was the illegal settling in Palestinian territories, regardless of whether it was by compulsion or voluntary. He appealed to Israel to support the convening of an international conference with the equal participation of the PLO, and called upon the Council to take a decision that would halt Israel's practice of settlements.<sup>112</sup>

At the 2915th meeting, on 29 March 1990, the representative of France reaffirmed that his delegation considered illegal the settlements in the occupied territories and called upon Israel to respect its obligations under the Fourth Geneva Convention. He said that the proposals made by Israeli authorities in the past weeks, including their call for increased Jewish settlement, failed to create the climate of confidence essential for any progress towards a peaceful settlement of the Arab-Israeli conflict. An international peace conference, with the participation of all parties concerned, was the most appropriate framework for direct negotiations among the parties.<sup>113</sup>

The representative of the United Kingdom stated that Israel had been settling its citizens in the occupied territories for nearly a quarter of a century, in violation

---

<sup>108</sup> S/PV.2912, pp. 6-14.

<sup>109</sup> *Ibid.*, pp. 36-46.

<sup>110</sup> *Ibid.*, pp. 56-58.

---

<sup>111</sup> S/PV.2914, pp. 3-9.

<sup>112</sup> *Ibid.*, pp. 23-30.

<sup>113</sup> S/PV.2915, pp. 7-10.



of the Fourth Geneva Convention and the resolutions of the Security Council and the General Assembly. The problem was being aggravated by the arrival of Soviet Jews in the occupied territories. Welcoming the liberalization of Soviet emigration controls, the speaker however stated that the freedom of Soviet Jews to emigrate to Israel should not be made at the expense of the rights, homes and land of the Palestinian people. He pointed out that the settling of those Jews was not only illegal but also politically misguided because it threatened the peace process. Noting that the past 18 months had seen some positive developments, he called upon the Government of Israel not to jeopardize the prospects of peace by either allowing or encouraging Jewish immigrants to settle in the occupied territories.<sup>114</sup>

On 12 April 1990, a draft resolution in provisional form, sponsored by Colombia, Côte d'Ivoire, Cuba, Democratic Yemen, Ethiopia, Malaysia and Zaire, was circulated among the members of the Council.<sup>115</sup> In the preambular part of the draft resolution, the Council would have expressed awareness of the immigration of Jews to Israel and concern regarding Israeli statements about settling them in the occupied territories. It would have recalled General Assembly resolution 194 (III), which had stipulated that the Palestinian refugees wishing to return to their homes should be permitted to do so, and that compensation should be paid for the property of those choosing not to return. Under the operative part, the Council would have, *inter alia*, considered that the policies and practices of Israel of settling parts of its civilian population and new immigrants in the occupied territories were violations of the rights of the Palestinian people and the population of the other occupied Arab territories; called upon Israel to desist from such practices or any other action to alter the physical character and demographic composition of those territories; and called upon all States not to provide Israel with any assistance to be used in connection with settlements.

By a letter dated 23 April 1990,<sup>116</sup> the observer of Palestine brought to the attention of the Secretary-General that, on 11 April 1990, a group of Israelis had moved into a property belonging to the Greek Orthodox Patriarchate in Jerusalem. Consequently,

Palestinians had demonstrated in protest and the Israeli police had used force to disperse the procession, resulting in the assault on the Patriarch. In a further letter dated 27 April 1990,<sup>117</sup> the observer also brought to the attention of the Secretary-General that, on 26 April 1990, the Israeli army had opened fire on Palestinian civilians in the occupied territories, resulting in the killing of five persons and the wounding of hundreds.

At the 2920th meeting, on 3 May 1990, the representative of Greece expressed concern at the events that had taken place in the Christian Quarter of East Jerusalem, where settlers had occupied the St. John Hospice, owned by the Greek Orthodox Patriarchate of Jerusalem and situated in the heart of the Christian Quarter of the Old City. He informed the Council that his Government had asked for the immediate eviction of the settlers. He also shared the Secretary-General's view on the involvement of some Israeli officials in the financial transactions that had led to the move of Jewish settlers to the Christian Quarter.<sup>118</sup>

The representative of Palestine said that what prompted an immediate request that the Council should continue considering the situation was the alarming news that Israeli troops had confined 120,000 Palestinians to their homes, sealing off half of the West Bank to prevent violence at a so-called religious seminary established by Israeli settlers in Nablus. The speaker also recalled that a number of memorandums had been submitted to the President of the Council about the incidents that took place during the Holy Week against the property of the Patriarchate in Jerusalem. Those last two incidents were an indicator that the illegal occupation was turning into a holy war. The speaker noted that those settlements could not have been established if they had not been provided for financially. In this regard, he warned that the new loan for housing provided by the United States on the guarantee that it would not be used to establish settlements in the occupied territories might still be misused. The Palestinian people demanded the establishment of an effective United Nations presence to monitor events such as those that had occurred in the Jabalya refugee camp, where Palestinians had been killed recently by Israeli soldiers. Reminding the

---

<sup>114</sup> *Ibid.*, pp. 11-12.

<sup>115</sup> S/21247; the draft resolution was not put to the vote.

<sup>116</sup> S/21267.

---

<sup>117</sup> S/21276.

<sup>118</sup> S/PV.2920, pp. 7-11.

Council that it had before it a draft text that had been circulating for weeks, without being put to the vote, he asked what prevented the Council from taking effective action against Israel.<sup>119</sup>

The representative of Egypt pointed out that the Council had been convened to consider the recent developments, before it had concluded consultations on the draft resolution regarding Israel's settlement of immigrants in the occupied territories. Egypt condemned the acquisition by force of the Greek Orthodox Patriarchate's premises in Jerusalem, the violence employed against the Patriarch, and the role of the Government of Israel in that action. The speaker stressed that the international community had repeatedly emphasized that the status of the Arab city of Al-Quds Al-Sharif must not be violated or unilaterally modified. By the same token, rules of international law should be scrupulously observed, as should United Nations resolutions, particularly Security Council resolutions 242 (1967), 267 (1969) and 465 (1980), which considered East Jerusalem an integral part of the occupied Arab territories. This continued to be the firm position of the Government of Egypt and this policy was unalterable. Finally, the speaker called upon the Council to unanimously adopt an objective and decisive resolution commensurate with the issue.<sup>120</sup>

**Decision of 31 May 1990 (2926th meeting):  
rejection of a draft resolution**

By a letter dated 21 May 1990 addressed to the President of the Security Council,<sup>121</sup> the representative of Bahrain, in his capacity as Chairman of the Group of Arab States, requested the convening of an immediate meeting of the Council to consider "the crime of collective murder committed by Israel against the Palestinian people".<sup>122</sup>

At its 2923rd meeting, held on 25 and 26 May 1990 at Geneva, the Council included the letter in its agenda. The Council considered the item at its 2923rd and 2926th meetings, on 25, 26 and 31 May 1990.

Following the adoption of the agenda, the Council invited the following, at their request, to participate in the discussion without the right to vote: the representatives of Bahrain, Bangladesh, Egypt, Gabon, India, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Morocco, Qatar, Saudi Arabia, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yugoslavia. It also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; to Mr. Clovis Maksoud, Permanent Observer of the League of Arab States; and to Mr. Nabil T. Maarouf, Assistant Secretary-General for Palestine and Al-Quds of the Organization of the Islamic Conference. At the 2926th meeting, the Council invited the representatives of Japan and Pakistan, at their request, to participate in the discussion without the right to vote.

At the 2923rd meeting, the Council also decided, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, at the request of the observer of Palestine, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>123</sup>

At the 2923rd meeting, the President of the Council (Finland) drew the attention of the members of the Council to several documents.<sup>124</sup>

The representative of Palestine, Mr. Yasser Arafat, stated that the request for the convening of an urgent meeting stemmed from the realization that the situation had reached an extremely dangerous point. The "massacre" perpetrated by the Israeli forces against Palestinian workers had been followed by the killing of more than 25 Palestinians and the injury of 2,000 more in the West Bank, the Gaza Strip and Jerusalem in the past five days. The speaker asserted that it was not the insanity of an individual that was responsible for the "Black Sunday massacre", as Israeli

---

<sup>119</sup> Ibid., pp. 13-30.

<sup>120</sup> Ibid., pp. 31-37.

<sup>121</sup> S/21300.

<sup>122</sup> Following consultations with the members of the Security Council concerning the request of the representative of Bahrain to hold an immediate meeting of the Council, the President set the first meeting on the matter at the United Nations Office at Geneva (S/21309).

---

<sup>123</sup> For the statement by the representative of the United States, see S/PV.2923, pp. 3-6. See also chapter III, case 6.

<sup>124</sup> Letters addressed to the Secretary-General by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/21303); the representative of Saudi Arabia (S/21307); and the observer of Palestine (S/21308).

officials had claimed, but the insanity of a system haunted by illusions of racial superiority and an obsession with expansion for a "Greater Israel". He then gave an account of the sufferings of the Palestinian people over the past 30 months. Pointing out that Israel, although established by a decision of the United Nations, was the only State which ignored and challenged United Nations resolutions and which did not commit itself to implementing them, and warning that through its practices, threats and war, it was leading the Middle East to an unprecedented catastrophe given its stockpile of nuclear, chemical and biological weapons and threatened international peace and security, he urged the Security Council, in particular its permanent members, to shoulder its responsibility and implement United Nations resolutions relating to the Arab-Israeli conflict before it was too late. The speaker regretted what he saw as the unlimited support of the United States for Israel which impeded all peace initiatives in the Middle East, including the United States proposals themselves. He stated that the PLO, whose peace initiative had received the support of the peace-loving forces inside Israeli society and had been positively received among Jewish groups abroad, remained flexible towards international initiatives, including the five-point plan of the United States. He concluded by suggesting the following measures. First, the designation by the Secretary-General of a permanent special envoy to work on the peace process; second, the adoption by the Council of a resolution to provide international protection to Palestinians and to supplement the United Nations observer force stationed in Jerusalem; third, the adoption by the Council of a resolution to stop immigration to the occupied territories; fourth, an immediate meeting of the permanent members of the Council to prepare for the convening of the international peace conference on the Middle East; and fifth, the imposition of sanctions on Israel in accordance with Chapter VII of the Charter of the United Nations. Finally, the Council should form a committee composed of its members to investigate Israel's crimes against humanity.<sup>125</sup>

The representative of Bahrain, speaking on behalf of the Group of Arab States, praised the Council's readiness to hear all views, in particular those of the President of Palestine. Hoping that there would be no other obstacles to working at United Nations

---

<sup>125</sup> S/PV.2923, pp. 9-35.

Headquarters, leading to another transfer of the Council's meetings, he appealed to the United States to respect its commitments as a host State. Stating that the situation in the occupied territories had worsened as a result of the practices of the Israeli authorities and the suppression of the intifada, he referred to international reports which confirmed that 700 Palestinians had been killed in the first two years of the intifada, 25,000 wounded since 1987 and 5,000 arrested. He believed that the only way to deal with the current situation was by adopting a strong resolution condemning Israeli's acts and sending international peacekeeping forces to protect the population in the occupied Palestinian Arab territories.<sup>126</sup>

The representative of Jordan appealed to the Council to react favourably to the requests made by the President of Palestine, Yasser Arafat, regarding the measures to be taken to protect Palestinians. He expressed regrets and frustration over the fact that each time the Council met to consider the situation in the occupied Arab territories it was because of grave events taking place in that region, whereas in recent times there had been increasing number of Council meetings devoted to the positive evolution of the situation in other parts of the world. The event that led the Council to meet again was the result of a growing extremism, which was fed by the policies of the Israeli leadership. He held that any responsible body would demand that sanctions be imposed on Israel, which spared no effort to kill any peace initiative. The speaker hoped that the Council would take the necessary measures to ensure international protection of the Palestinian people and send an international fact-finding mission to Israel and the occupied territories to investigate the events in question in order to take the necessary measures to see that Israel abided by the relevant international conventions, including the Fourth Geneva Convention.<sup>127</sup>

The representative of the United Kingdom expressed concern at the murder of Palestinians by an Israeli civilian and at the response of the Government of Israel to the spontaneous demonstrations by Palestinians provoked by that incident. He, however, noted that the due process of law against the civilian had already begun in Israel. He pointed out the bankruptcy of the policy of the status quo, and

---

<sup>126</sup> *Ibid.*, pp. 36-51.

<sup>127</sup> *Ibid.*, pp. 51-62.

regretted that Israel, where a political crisis had frozen all movement since mid-March, was unable to proceed on the basis of the five points proposed by the United States. It was essential that a dialogue start between Israel and a credible and genuinely representative Palestinian delegation, followed by an international conference to reach a settlement on the basis of land for peace, security for Israel, and self-determination for the Palestinians. The United Kingdom was ready to look at proposals for further United Nations involvement in the region. The speaker called upon Israel to exercise the utmost restraint in the occupied territories and to move rapidly towards the creation of a Government able and determined to take the peace process forward.<sup>128</sup>

The representative of Israel objected to the convening of the Council on four grounds. First, it was convened to retard peace and security and to inflame passions and to incite violence, as revealed by the different attitudes of Israel and the Arabs to the attacks on Jews. Where Jews had been killed, Israel had called for restraint whereas the PLO and most Arab capitals had hailed the killers. Second, it was an attempt to violate international law and to encroach on Israel's rights and duties under the Fourth Geneva Convention as the responsible governing Power in the territories. The speaker said that there had never been a call for the convening of the Council when violence had broken out in other countries and put down. It appeared to him that Israel was judged by a unique standard. He maintained that there was no need for additional observers to the most reported and monitored area of the world. He further pointed out that sending observers to protect the civilian population in internal disputes, or in what were termed occupied territories, had no precedent. Third, it was a springboard for total war on Jewish immigration, a war that had begun in 1922, against Israel's very existence and its right, like any other sovereign nation, to accept people. The recent call of the PLO for the right to return meant the flooding of Jaffa, Acre, Tel Aviv and Jerusalem with Palestinians in order to bring about Israel's dissolution. Fourth, it was a prelude to an Arab summit that would meet the following week in Baghdad to discuss war against Israel. The speaker reiterated Israel's commitment to peace and recalled its plan, the components of which were non-belligerency pacts between Israel and the Arab States, free elections, the

---

<sup>128</sup> Ibid., pp. 62-66.

rehabilitation of refugee camps and a period of autonomy followed by negotiations over the final status of the territories of Judea, Samaria and Gaza.<sup>129</sup>

The representative of the Union of Soviet Socialist Republics stated that the decision of the Council to hold the meeting at Geneva testified to its desire to hear the representatives of all concerned parties, including the leader of the Palestine Liberation Organization, which he qualified as the sole, legitimate representative of the Palestinian people. He agreed that the Israeli who had opened fire on unarmed workers could be called a madman, but questioned the rightfulness of the orders of Israeli generals to fire on defenceless civilians. Expressing concern at the escalation of violence, he supported the establishment of a team of international observers that could subsequently be converted into a permanent standing body.<sup>130</sup>

Referring to the issue of Israeli settlement of Jewish immigrants under the Council's consideration since March, the representative of China stated that it was unfortunate that, before the Council could wind up its deliberation on a draft resolution on this issue, a tragedy had occurred in which more than a dozen peaceful Palestinian labourers in the occupied territories were killed in a single day. He wanted to put on record the strong condemnation of his Government for the criminal acts of the Israeli authorities who instead of protecting the population slaughtered it. He warned that, if Israel did not change its erroneous policy, the situation would threaten peace and security in the Middle East and the world. The international community should take effective steps to bring pressure on Israel, which had obstinately refused to hold any dialogue with the PLO and had rejected the international peace conference. The speaker expressed disappointment about the failure of the Council to play its expected role with regard to the Middle East issue and stated that the Council should do something "tangible".<sup>131</sup>

The representative of France described the meeting of the Council at Geneva with the participation of the PLO leader as exceptional. This meant that its members had realized that the situation had reached a degree of tension demanding urgent

---

<sup>129</sup> Ibid., pp. 77-98.

<sup>130</sup> Ibid., pp. 104-112.

<sup>131</sup> Ibid., pp. 112-117.

action. He observed that at the origin of the latest tragedy lay an Israeli's act of madness, leading to violent demonstrations against which the Israeli army reacted harshly. Drawing attention to the months-long paralysis in the peace process, due to the crisis in the Government of Israel, he appealed to the Council to call upon Israel, in the strongest possible terms, to respect its obligations under the Fourth Geneva Convention. But he added that the Council should do more and consider some of the proposals made by Mr. Yasser Arafat. He supported the sending as soon as possible of a United Nations fact-finding mission to the territories for the emplacement of United Nations observers.<sup>132</sup>

The representative of Senegal, speaking in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that the Committee's view was that the United Nations, and in particular the Security Council, should make Israel guarantee the safety of the Palestinian civilian population and join in the international consensus on the convening of an international peace conference. The Committee also trusted that the Council would adopt decisions in line with general opinion and that observers would be sent promptly to the occupied Palestinian territories to restore peace and security. That was the only position the Committee could take, for the Organization's credibility was at stake.<sup>133</sup>

During the course of the debate some speakers supported the idea of sending United Nations forces and observers in the occupied territories.<sup>134</sup> One speaker supported the use of the Secretary-General's good offices.<sup>135</sup> A few speakers called upon the Council to impose sanctions on Israel.<sup>136</sup>

Following a suspension, the meeting resumed on 26 May 1990. The representative of Egypt stated that the occupied territories were not the property of Israel, but the lands of the Palestinian people whose right to an independent State had been confirmed by General Assembly resolution 181 (II). Israel, which had been created in accordance with that resolution, destroyed

its very basis for existence by denying the same right to Palestinians. He held that the Fourth Geneva Convention did not confer upon Israel competence to govern the occupied territories, but entrusted it with certain powers on a provisional and exceptional basis. The speaker rejected the argument made by Israel that the international control and monitoring of those territories would be a violation of Israel's sovereignty or an interference in its internal affairs, on the grounds that all parties to the Convention were under obligation to ensure respect for it. He further stated that immigration and return were the two sides of the same coin and the establishment of new settlements was incompatible with United Nations decisions on the Palestinian refugees' right to return. He asked the Council to ensure the protection of the Palestinian people and expressed support for the establishment of a permanent United Nations presence in the occupied territories.<sup>137</sup>

Speaking after a further suspension, Mr. Clovis Maksoud, Permanent Observer of the League of Arab States, deplored the attempt by the representative of Israel to pre-empt the results of the meeting and to exercise a "veto power" by rejecting any decision the Council would take. He stressed that the West Bank, Gaza and East Jerusalem were occupied territories and Israel was bound to abide by the Geneva Conventions. Yet Israel made a distinction between *de facto* and *de jure* compliance by maintaining that it chose to be bound only by certain aspects of the Conventions.<sup>138</sup>

The representative of Lebanon feared that the Israeli State's practices were aimed at the total displacement of the Palestinian people. He asserted that it wanted to create "Greater Israel" by displacing the Palestinian people and settling thousands of them in Lebanon. He expected the Council to play its role and secure the implementation of its own resolutions in the Middle East, including Lebanon.<sup>139</sup>

The meeting was suspended briefly to hold informal consultations in a separate room, following which the meeting resumed.

Before adjourning the meeting, the President informed the members of the Council that, as agreed in the consultations, informal consultations would be held

<sup>132</sup> *Ibid.*, pp. 117-121.

<sup>133</sup> *Ibid.*, pp. 168-174.

<sup>134</sup> *Ibid.*, pp. 67-73 (Kuwait); pp. 98-103 (Malaysia); pp. 285-292 (Tunisia); pp. 306-310 (Turkey); and pp. 315-317 (Finland).

<sup>135</sup> *Ibid.*, pp. 122-125 (Canada).

<sup>136</sup> *Ibid.*, pp. 132-142 (Cuba); pp. 161-168 (Syrian Arab Republic); and pp. 202-211 (Iraq).

<sup>137</sup> *Ibid.*, pp. 216-226.

<sup>138</sup> *Ibid.*, pp. 246-265.

<sup>139</sup> *Ibid.*, pp. 296-306.

at United Nations Headquarters in New York on Tuesday, 29 May 1990.

At the 2926th meeting, on 31 May 1990, the President drew the attention of the Council to a draft resolution submitted by Colombia, Côte d'Ivoire, Cuba, Ethiopia, Malaysia, Yemen, and Zaire.<sup>140</sup> Under the preambular part of the draft resolution, the Council would have reaffirmed the applicability of the Fourth Geneva Convention to the territories occupied since 1967. Under the operative part, the Council would have established a commission consisting of three members of the Council, to be dispatched immediately to examine the situation relating to the policies and practices of Israel in the Palestinian territories including Jerusalem; requested the commission to submit its report to the Council by 20 June 1990, containing recommendations on ways and means for ensuring the safety and protection of Palestinians; and also requested the Secretary-General to provide the commission with the necessary facilities to enable it to carry out its mission.

The President also drew the attention of the members of the Council to several other documents.<sup>141</sup>

The representative of Israel observed that, with the exception of one or two representatives, all the members of the Security Council who had spoken so far had called only on Israel to act with restraint. None of them had called on the Palestinians to cease rioting or on the PLO to cease its acts of terror. By containing such violence, Israel had only exercised its legal obligation to uphold public order. If Israel were to be labelled an "occupying Power", then it was the exclusive legal authority in the territories under the Fourth Geneva Convention, and would therefore not accept the appointment of a commission to examine the situation. The speaker concluded by urging the members of the Council to vote against the draft resolution.<sup>142</sup>

Following a brief suspension of the meeting, the President put the draft resolution to the vote. It received 14 votes in favour and 1 against (United

States), and was not adopted, owing to the negative vote of a permanent member of the Council.

Speaking in explanation of vote, the representative of the United States said his Government would support practical steps that responded to the spiral of troubling events, but such steps should not set back the effort to move forward on the peace process. While the United States continued to support the dispatching of a special envoy of the Secretary-General to look at the situation, it could not support the draft resolution, because it promoted a different vehicle that could be misused to generate more controversy in the region. What was really essential for the peace process was an endeavour to be undertaken by the parties themselves.<sup>143</sup>

The representative of Palestine regretted that one permanent member invoked its arbitrary powers to deny the Council its responsibilities and the ability to carry out its tasks in response to an alarming situation. By casting a negative vote, the United States made clear that it was against the Council's commissioning of a delegation to examine the situation and report to it; a practical step that would ensure the safety and protection of the Palestinian civilians. He hoped that the Government of the United States would eventually realize that it was obligated by the Charter of the United Nations to permit the Council to discharge its duties in an equitable way. Despite the rejection of the draft resolution, the speaker assured the Council that the Palestinian people would still recognize it as their last resort.<sup>144</sup>

The representative of the Union of Soviet Socialist Republics regretted that the members of the Council had been unable to convince the representative of the United States not to block the totally non-confrontational, balanced, moderate and logical draft resolution. In his opinion, the occupied Palestinian territories were territories in which innocent people were dying. It was the duty of the Council to clarify why that was taking place and to decide on what had to be done. It was therefore totally incomprehensible why the Council should be deprived of studying the state of affairs on site.<sup>145</sup>

The representative of Cuba stressed that the Council, which once again was prevented from

---

<sup>140</sup> S/21326. The draft resolution was not adopted, owing to the negative vote of a permanent member.

<sup>141</sup> Letters addressed to the Secretary-General by the observer of Palestine (S/21321); and the representatives of Madagascar (S/21322); Saudi Arabia (S/21327); and the Soviet Union (S/21335).

<sup>142</sup> S/PV.2926, pp. 8-18.

<sup>143</sup> *Ibid.*, pp. 36-38.

<sup>144</sup> *Ibid.*, pp. 38-45.

<sup>145</sup> *Ibid.*, p. 46.

performing its functions under the Charter, still had the obligation to put an end to the situation. The Council was not created to impose anyone's view, but to make it possible for the United Nations to respond swiftly and effectively on everyone's behalf.<sup>146</sup>

The representative of Yemen interpreted the negative vote cast by the United States as a vote of no confidence in the Council. Maintaining that the item was not closed, he called upon the United States to change its attitude and to respond to the wishes of the other 14 members.<sup>147</sup>

**Decision of 19 June 1990: statement by the President**

On 19 June 1990, following consultations, the President of the Security Council issued the following statement on behalf of the members of the Council:<sup>148</sup>

The members of the Council strongly deplore the incident which occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, located near Shati' camp in Gaza, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer.

They are dismayed to find that the penalty imposed on that officer has been commuted.

They reaffirm 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, and request the High Contracting Parties to ensure respect for the Convention.

The members of the Council call upon Israel to abide by its obligations under that Convention.

**Decision of 13 October 1990 (2948th meeting): resolution 672 (1990)**

By a letter dated 26 September 1990 addressed to the President of the Security Council,<sup>149</sup> the representative of Yemen requested an urgent meeting of the Council to consider the situation in the occupied Palestinian territory.

At its 2945th meeting, on 5 October 1990, the Council included the letter in its agenda. The Council

considered the item at its 2945th, 2946th, 2947th and 2948th meetings, on 5, 8, 9 and 12 October 1990.

Following the adoption of the agenda, the Council invited the representatives of Israel and the Libyan Arab Jamahiriya, at their request, to participate in the discussion without the right to vote. It also extended an invitation, under rule 39 of its provisional rules of procedure, to the delegation of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. At the same meeting, the Council decided further, by 11 votes to 1 (United States), with 3 abstentions (Canada, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>150</sup> At its subsequent meetings, the Council invited the following to participate: at the 2946th meeting, the representatives of Algeria, Jordan, Tunisia and Yugoslavia; at the 2947th meeting, the representatives of Bangladesh, Egypt, the Islamic Republic of Iran, Iraq, Kuwait, Mauritania, Morocco, Pakistan, Qatar, Saudi Arabia, the Syrian Arab Republic and the United Arab Emirates, and, under rule 39 of its provisional rules of procedure, Mr. Abdulmalek Ismail Mohamed, Office of the Permanent Observer of the League of Arab States; and, at the 2948th meeting, the representatives of India and Turkey.

At the 2945th meeting, the President (United Kingdom) drew the attention of the Council to a letter dated 19 September 1990 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General<sup>151</sup> and to two letters, dated 21 and 24 September 1990, from the Permanent Observer of Palestine addressed to the Secretary-General.<sup>152</sup>

The representative of Palestine recalled that the question of Palestine had existed since the establishment of the United Nations, which had adopted the resolution on partition in 1947. He pointed out that the Organization had committed itself to the implementation of the said resolution to establish Israel, but had not done so with respect to the Arab

---

<sup>146</sup> Ibid., pp. 46-50.

<sup>147</sup> Ibid., pp. 51-52.

<sup>148</sup> S/21363.

<sup>149</sup> S/21830.

---

<sup>150</sup> For the statement by the representative of the United States, see S/PV.2945, pp. 3-7. See also chapter III, case 6.

<sup>151</sup> S/21802.

<sup>152</sup> S/21809 and S/21813.

State of Palestine. As a matter of fact the Security Council had failed to protect the Palestinian people and to safeguard their national rights of independence and sovereignty. The United States by its veto had stopped the Council from deterring Israel's policies and had prevented the imposition of any sanctions on Israel. Meanwhile the tension had continued to escalate in the occupied territories. What had happened a few days ago was another massacre to add to the list. The speaker made it clear that, unless the question of Palestine was addressed in a serious and responsible manner, there would be no way to find a solution that would restore security and stability to the Middle East region. The speaker appealed to the members of the Council to have a single, universal standard for implementation that would be relevant to all resolutions. He also called on the Council to make every effort to implement its previous resolutions on the question of Palestine, to take the necessary measures to protect the Palestinian people and to put an end to the Israeli occupation.<sup>153</sup>

The representative of Yemen acknowledged that the meeting was taking place at a time when the events in Gaza might not seem important in comparison with the crisis in the Gulf. Yet the events in question would test whether the Council could implement all its resolutions with the same diligence, enthusiasm and commitment. He cautioned that, if the Council did not act cohesively and consistently on all questions, it would be thought that there was a double standard. His delegation would, at a later time, submit a draft resolution on Israel's recent practices calling upon Israel to abide by the Geneva Convention and upon the Secretary-General to make an effort to protect the Palestinians.<sup>154</sup>

The meeting was suspended.

Following the suspension, the representative of Israel praised the Council's decisive action against Iraqi aggression, but regretted that two dissenting members, one of whom had requested the current meeting at the urging of the PLO, had not taken part in the united response. In his view, the PLO had many motives for the convening of the emergency meeting. The first motive was to divert attention from the open alliance of the PLO with Iraq. The second was to convene the Council as a "primer" for the General

Assembly's debates on the Middle East to be held in November. The third was to sow division and disunity among the members of the international coalition mustered against the Iraqi aggression against Kuwait by pointing at Israel in order to make everyone, including the Arab States, forget the instantaneous support of the PLO for Iraq. The speaker maintained that the situation in the territories was more peaceful than at any other time since December 1987, and asserted that the calm was thanks to Israel's policy of restraint. Israel was doing everything in its power to create an atmosphere conducive to democratic elections and coexistence. He then gave his account of the events of 20 September 1990. He said that an Israeli civilian, called up for his reserve duty, was driving in a civilian car, dressed in civilian clothes when he took a wrong turn into El-Bureij refugee camp in Gaza and was killed by a lynch mob. In order to ensure that such lynchings did not occur again, the Israel Defense Forces had decided to expedite existing plans to broaden the road on which the incident occurred. Contrary to the PLO claim, that decision had not been an act of collective punishment. Also false were the PLO allegations that 200 houses were to be demolished. On the contrary, 26 stores and 7 residential buildings had been demolished, and their owners would receive full financial compensation for any loss. The speaker concluded by saying that the grave threat to international peace and security was Iraq and its weapons of mass destruction, not the situation in El-Bureij.<sup>155</sup>

Mrs. Absa Claude Diallo, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, noted that, since the beginning of the intifada, the Security Council had fallen short of ensuring protection for the Palestinians. She emphasized once again the primary responsibility of the Council and, in that regard, urged the Council to consider the question of Palestine with the same sense of urgency and determination as shown in the Gulf crisis and to set up an appropriate system for effective protection of the population in the occupied territories.<sup>156</sup> She also welcomed the statement of the Ministers for Foreign Affairs of the five permanent members of the Security Council<sup>157</sup> and hoped it would motivate the Council.

---

<sup>153</sup> S/PV.2945, pp. 8-16.

<sup>154</sup> *Ibid.*, pp. 16-25.

<sup>155</sup> *Ibid.*, pp. 26-41.

<sup>156</sup> *Ibid.*, pp. 42-50.

<sup>157</sup> S/21835, annex.



During the course of the debate, most of the speakers emphasized the need for a just and lasting negotiated solution based on Security Council resolutions 242 (1967) and 338 (1973) and called upon the Council to promote the convening of an international conference on the Middle East.<sup>158</sup> Many of them called upon the Council to take action to protect the Palestinians. In that regard, some supported the dispatching of a fact-finding mission made up of the members of the Council,<sup>159</sup> while others were in favour of the Secretary-General sending a mission to examine the situation in Jerusalem.<sup>160</sup> A few were in favour of the adoption by the Council of deterrent measures against Israel making implicit or explicit reference to Chapter VII of the Charter.<sup>161</sup>

At the 2946th meeting, on 8 October 1990, the President drew the attention of the Council members to a letter of the same date from the Permanent Observer of Palestine addressed to the President of the Security Council.<sup>162</sup> The representative stated that the members of the Israeli Army had opened fire on Palestinians who were trying to prevent the aggression by a group of Israelis against Haram al-Sharif (Al-Aqsa Mosque) in Jerusalem, and called upon the Security Council to invoke the powers invested in it by the Charter to put an end to such criminal acts by the occupying Power, Israel. The President said that, as the resumption of the consideration of the item took place against the background of a profoundly shocking outbreak of violence in Jerusalem, he had agreed to the request of the Permanent Observer of Palestine and of Israel to speak again in the debate.<sup>163</sup>

The representative of Palestine welcomed the Secretary-General's immediate expression of his concern over the eruption of violence in Jerusalem. He transmitted to the Council a message from the Palestinians in the occupied territory that Israel, using

the cover of the Gulf crisis, was, by building more settlements, beginning to implement its plan to take over Jerusalem. Regretting that the Council was ignoring the Palestinian people's plea for protection at a time when it was prepared to send troops to the Gulf region, the letter appealed for international intervention. Recalling that the United States had vetoed a draft resolution, submitted on 31 May 1990, calling for a fact-finding commission composed of the members of the Council, he stated that the Palestinian people would like to see the Council react as resolutely as in other cases with respect to the carrying out of its decisions. He called once again for the immediate dispatch by the Council of a commission to investigate the events in Jerusalem.<sup>164</sup>

The representative of Israel stated that the attack perpetrated against Jewish worshippers who were converging on the Western Wall on the occasion of the holy Day of Tabernacles was premeditated. The discovery of stores of rocks and flammable material at the scene and the fact that thousands of Arabs assembled on the Temple Mount on a Monday, which was not a day of Moslem mass worship, had left no doubt about it. He reminded the Council that the session had been convened prior to this latest development, during a long period of calm in the territories. Arguing that this incident would profit only the PLO and Saddam Hussein, he warned against the exploitation of the Council as a forum for incitement.<sup>165</sup>

The representative of the Union of Soviet Socialist Republics stated that the Council should express its unconditional condemnation of the situation and take swift and firm measures in connection with it. Drawing the attention of the Council to the joint statement made on 28 September 1990 by the Ministers for Foreign Affairs of the five permanent members,<sup>166</sup> he said that his Government regarded the immediate achievement of a comprehensive, just and lasting peace as the final objective of a settlement.<sup>167</sup>

The representative of China appealed to the Security Council to take immediate action to protect, in a practical manner, the life and property of the Palestinian residents in the occupied territory. He

<sup>158</sup> S/PV.2946, pp. 48-50 (Canada); pp. 66-73 (Jordan); S/PV.2947, pp. 11-13 (Zaire); pp. 17-23 (Tunisia); pp. 41-43 (Bangladesh); and pp. 51-56 (Pakistan); and S/PV.2948 (India), pp. 16-23.

<sup>159</sup> S/PV.2947, pp. 11-13 (Zaire); pp. 33-37 (Syrian Arab Republic); and pp. 51-56 (Pakistan).

<sup>160</sup> *Ibid.*, pp. 13-17 (Egypt); S/PV.2948, pp. 7-12 (Qatar); and pp. 13-17 (Morocco).

<sup>161</sup> S/PV.2946, pp. 37-42 (Malaysia); S/PV.2947, pp. 43-46 (Islamic Republic of Iran); and S/PV.2948, pp. 4-7 (United Arab Emirates).

<sup>162</sup> S/21850.

<sup>163</sup> S/PV.2946, p. 6.

<sup>164</sup> *Ibid.*, pp. 6-10.

<sup>165</sup> *Ibid.*, pp. 12-17.

<sup>166</sup> S/21835, annex.

<sup>167</sup> S/PV.2946, pp. 29-33.

hoped that the Council's recent unanimity and effectiveness would provide new opportunities for the peace process in the Middle East. Asserting that a political settlement should provide for Israel's withdrawal from all occupied territories, mutual recognition of the State of Palestine and the State of Israel, and peaceful coexistence between the Arab and Jewish peoples, he supported the convening of an international conference.<sup>168</sup>

The representative of France said that the Council could not remain passive, given the seriousness of the situation in Jerusalem. It was important that the Council had urgent access to on-the-spot information in order to enable the international community to take a position on the ways and means of ensuring effective protection for the Palestinian people. The French delegation was prepared to consider any proposal along those lines. The Council should also urge Israel to respect fully the Fourth Geneva Convention. The proposed international conference continued to be the best approach for a comprehensive settlement.<sup>169</sup>

The representative of Romania shared the view that the Council should assume its responsibility in promoting and defending world peace by ensuring the implementation of pertinent resolutions of the General Assembly and the Council itself. He supported the exercise of the good offices of the Secretary-General and hoped that the Council would identify constructive consensus solutions that could receive the full cooperation of all the parties to the conflict.<sup>170</sup>

The representative of Algeria, speaking on behalf of the States of the Arab Maghreb Union,<sup>171</sup> said that the convening of the Council was necessary in order to show that the crisis in the Gulf could not be used as a pretext to give Israel a free hand. It was now up to the Council, in its new-found unanimity, to demonstrate that its diligence and firmness was not selective and would be evident in every situation where universally accepted principles should be defended or legitimate rights restored. Having inaugurated a new attitude by resorting for the first time to the provisions of Chapter VII of the Charter of the United Nations, the Council could no longer do less for the Palestinian people. A

draft resolution that would soon be presented to the Council advocated simple and non-controversial action by the United Nations to protect Palestinians. The Council's attitude towards that draft was at stake.<sup>172</sup>

The representative of Yugoslavia, speaking also in his capacity as the Chairman of the Movement of Non-Aligned Countries, drew the attention of the Council to a statement adopted on 4 October 1990 by the Foreign Ministers of the Non-Aligned Countries. The statement emphasized that the prompt solution of the Gulf crisis should contribute to approaching the Arab-Israeli conflict with equal determination and urgency, and that it was the right time for the Council to take concrete and effective action to reactivate the peace process. A solution was only possible on the basis of the Palestinian people's right to self-determination, including the establishment of its own State; Israel's withdrawal from occupied territories; the right of all States in the region to live in peace and security within internationally recognized boundaries; and the Palestinian refugees' right to return. The Council should urgently proceed to prepare the convening of the international peace conference under the auspices of the United Nations, with the equal participation of all directly concerned parties, including the PLO, and the permanent members of the Council. Pending progress towards a political settlement, all necessary measures should immediately be taken to protect the Palestinian people in the occupied territories. The Council should take a resolute stand on the implementation of its resolutions and the provisions of the Fourth Geneva Convention.<sup>173</sup>

At the 2947th meeting, on 9 October 1990, the representative of Kuwait, speaking on behalf of the Group of Arab States, said that the world should not stand powerless while Israel suppressed the unarmed Palestinian people and desecrated one of the holiest sites of Islam. He asked the Council to call upon Israel to desist forthwith from such practices and to provide full protection for all the Islamic Holy Places in Jerusalem, to send a fact-finding mission to the occupied Palestinian lands and report on them; and to provide international protection to the Palestinian people under occupation.<sup>174</sup>

---

<sup>168</sup> Ibid., pp. 42-45.

<sup>169</sup> Ibid., pp. 46-47.

<sup>170</sup> Ibid., pp. 52-56.

<sup>171</sup> Algeria, the Libyan Arab Jamahiriya, Mauritania, Morocco and Tunisia.

---

<sup>172</sup> S/PV.2946, pp. 56-62.

<sup>173</sup> Ibid., pp. 62-66.

<sup>174</sup> S/PV.2947, pp. 6-10.

The representative of Iraq recalled that the United States and its allies, advocating international legitimacy and compliance with Security Council resolutions, had taken unprecedented measures against Iraq by enforcing sanctions under Chapter VII of the Charter of the United Nations and mobilizing military forces in the region. He contrasted that with the case of Israel.<sup>175</sup>

On the same day, the representatives of Colombia, Côte d'Ivoire, Cuba, Ethiopia, Malaysia, Yemen and Zaire submitted a draft resolution sponsored by their delegations.<sup>176</sup> Under the preambular part of the draft resolution, the Council would have reaffirmed the applicability of the Geneva Convention to the occupied Arab territories including Jerusalem. Under the operative part, the Council would have decided to establish a commission consisting of three of its members to be dispatched immediately to examine the situation in Jerusalem; requested the commission to submit its report to the Council by 20 October 1990, containing recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation; and asked the Secretary-General to provide the commission with the necessary facilities for carrying out its mission.

At the 2948th meeting, on 12 October 1990, the President drew the attention of the members to a draft resolution submitted by Canada and the United Kingdom of Great Britain and Northern Ireland, and sponsored also by Côte d'Ivoire, Finland, France, the Union of Soviet Socialist Republics and Zaire.<sup>177</sup> He also drew the attention of the members to several other documents.<sup>178</sup>

The representative of Palestine expressed discontent at the way the United States had acted in attempting to block a rapid agreement in the Council and in exerting pressure to prevent the adoption of the kind of resolution warranted by the situation. Palestine was dissatisfied with the inadequate draft resolution under consideration because it did not reflect the position expected from the Council in keeping with its

traditions and the Charter, and because the draft would not have the necessary positive impact required by the realities. This in spite of the fact that it was expected to be adopted unanimously, which in itself was a positive phenomenon if taken separately from the draft resolution. Palestine did not expect Israel to feel bound by the draft resolution, which would inevitably lead the Council to convene a further meeting to address the problem anew.<sup>179</sup>

Before putting the draft resolution to the vote, as agreed in the Council's prior informal consultations, the President stated that he had been asked to clarify the meaning of the reference in the text to "the territories occupied by Israel since 1967". He said that it was his understanding that those words included Jerusalem.<sup>180</sup> In connection with the draft resolution, he made the following statement:<sup>181</sup>

In the informal consultations of members of the Council which led up to the consideration of this draft resolution, the Secretary-General explained that the purpose of the mission which he would be sending to the region would be to look into the circumstances surrounding the recent tragic events in Jerusalem and other similar developments in the occupied territories, and to submit by 24 October 1990 a report containing findings and recommendations to the Council on ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation. He recalled, however, that under the Fourth Geneva Convention the principal responsibility for ensuring the protection of the Palestinians rested with the occupying Power, namely Israel.

The draft resolution was then put to the vote and was adopted unanimously as resolution 672 (1990), which reads:

*The Security Council,*

*Recalling* its resolutions 476 (1980) of 30 June 1980 and 478 (1980) of 20 August 1980,

*Reaffirming* that a just and lasting solution to the Arab-Israeli conflict must be based on its resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 through an active negotiating process which takes into account the right to security for all States in the region, including Israel, as well as the legitimate political rights of the Palestinian people,

*Taking into consideration* the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

<sup>175</sup> Ibid., pp. 37-41.

<sup>176</sup> S/21851. The draft resolution was not put to the vote.

<sup>177</sup> S/21859.

<sup>178</sup> Letters addressed to the Secretary-General by the representatives of Japan (S/21855); Yugoslavia (S/21858); Qatar (S/21864); Kuwait (S/21867); the Soviet Union (S/21868); and Tunisia (S/21870).

<sup>179</sup> S/PV.2948, pp. 23-26.

<sup>180</sup> Ibid., pp. 26-27.

<sup>181</sup> Ibid., p. 27.

1. *Expresses alarm* at the violence which took place on 8 October at the Haram al-Sharif and other Holy Places of Jerusalem resulting in over twenty Palestinian deaths and the injury of more than one hundred and fifty people, including Palestinian civilians and innocent worshippers;

2. *Condemns* especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life;

3. *Calls upon* Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to all the territories occupied by Israel since 1967;

4. *Requests*, in connection with the decision of the Secretary-General to send a mission to the region, which the Council welcomes, that he submit a report to the Security Council, before the end of October 1990, containing his findings and conclusions and that he use as appropriate all of the resources of the United Nations in the region in carrying out the mission.

Following the vote, the representative of Cuba stated that he had voted in favour of the resolution for three reasons. First, to express solidarity with the PLO and the Palestinian people; second, because the Council had, after overcoming countless obstacles, been able to join its voice to the others; third, because there was really no other possibility. The Council could not fail to adopt such a text, despite the fact that it left much to be desired.<sup>182</sup>

The representative of Malaysia stated that a number of important concessions had been made, especially by the non-aligned caucus, in order to arrive at a general agreement. However, Malaysia had supported the resolution to maintain the recent spirit of cooperation within the Council, and, above all, to enable the Council to move forward in a practical fashion in support of the effort of the Secretary-General to send a mission to the region. Malaysia's position on the resolution was that paragraph 3 included Jerusalem. It also understood that the Council would take seriously the findings and recommendations of the Secretary-General and act upon them immediately after the submission of the mission's report. The adoption of the resolution was a historic event for the Council, with the United States joining the other members of the Council for the first

---

<sup>182</sup> Ibid., pp. 36-41.

time to condemn in clear terms the actions of the Israeli security forces.<sup>183</sup>

The representative of Canada, referring to the compromises made by all members, said that there were no winners or losers in the Council after its adoption of a very significant resolution. The members of the Council would be put to test again when the Secretary-General submitted his report at the end of the month.<sup>184</sup>

The representative of Zaire said he expected that report to contain recommendations about the measures the Council would take to protect the Palestinian people.<sup>185</sup>

The representative of Colombia qualified the unanimous adoption of the resolution as a very important step which, he hoped, would be the beginning of a new phase in which a permanent member of the Council would commit itself to changing its traditional position. He pointed out that no link should be established between the situation created by the invasion of Kuwait and that experienced by the Palestinian people, since the two had different origins and developments. Yet, both were the result of violent occupation and a refusal to comply with Security Council resolutions. Any formula that solved the Iraq-Kuwait problem should take into account the problems of the Middle East, and of Palestine in particular.<sup>186</sup>

The representative of the Union of Soviet Socialist Republics expressed the hope that the Council's consideration of the Secretary-General's report would enable it to adopt effective measures to protect the civilian population living in the occupied territories and to discuss ways and means to give immediate impetus to the process of a settlement in the Middle East.<sup>187</sup>

The representative of the United States supported the resolution, which condemned both the provocative and reactive acts of violence, reaffirmed the obligations and responsibilities of the occupying Power under the Fourth Geneva Convention, and reaffirmed that a just and lasting solution to the Arab-Israeli conflict should be based on resolutions 242 (1967) and

---

<sup>183</sup> Ibid., pp. 41-43.

<sup>184</sup> Ibid., pp. 43-45.

<sup>185</sup> Ibid., pp. 46-47.

<sup>186</sup> Ibid., pp. 47-50.

<sup>187</sup> Ibid., pp. 51-52.

338 (1973). The resolution should not be misinterpreted, however. It did not empower the Council to address any subject beyond the matters directly contained in the resolution, which neither addressed the status of the Middle East peace process nor changed the role of the United Nations in that regard.<sup>188</sup>

The President, speaking in his capacity as the representative of the United Kingdom, expressed satisfaction at the unanimous adoption of the resolution, a factor that would compensate for whatever imperfections might be found in the text. The resolution sent two strong signals. The first was a clear condemnation of the events of 8 October. The second was the request by the members of the Council that the Secretary-General help them find ways to improve the situation of the Palestinian people. The members would certainly not find it easy to deal with the recommendations of the Secretary-General, but they had made a good start with the resolution and would take the matter up promptly once they received the report.<sup>189</sup>

The representative of Israel regretted that the resolution failed to condemn the unprovoked attack on Jewish worshippers, which was the cause of the tragic event in Jerusalem. It was also regrettable that the Security Council had fallen into the trap laid by Saddam Hussein and his PLO supporters who had incited the riots in order to divert attention from Iraq's aggression in the Gulf. Asserting that such a resolution could not contribute to the efforts to restore tranquillity, normalcy and peace, he hoped that the Arab extremists would not view it as an internationally sanctioned licence to further violence.<sup>190</sup>

**Decision of 24 October 1990 (2949th meeting):  
resolution 673 (1990)**

At its 2949th meeting, held on 24 October 1990 in accordance with the understanding reached in its prior consultations, the Council resumed its consideration of the situation in the occupied Arab territories and the letter dated 26 September 1990 from the representative of Yemen to the President of the Security Council.<sup>191</sup>

In accordance with the decisions taken at the previous meetings on the item, the President renewed the previously issued invitations to participate. He also invited the representative of the Sudan, at his request, to participate in the discussion without the right to vote.

The President drew the attention of the members of the Council to a draft resolution submitted by Colombia, Cuba, Malaysia and Yemen.<sup>192</sup> He also drew their attention to a letter dated 23 October 1990 from the sponsors of the draft resolution addressed to the President of the Council,<sup>193</sup> requesting the holding of a formal meeting of the Council to put the draft resolution to the vote.

The President also drew attention to several other documents,<sup>194</sup> including a letter dated 19 October 1990 addressed to the Secretary-General,<sup>195</sup> in which the observer of Palestine brought to his attention that the situation in the occupied Palestinian territory continued to deteriorate at an alarming pace. He requested immediate action by the Council, given the situation, Israel's rejection of Security Council resolution 672 (1990), and its refusal to receive the Secretary-General's mission.

In regard to the events which took place on 8 October at Haram al-Sharif, the representative of Israel told the Council that an independent commission of enquiry had been appointed to investigate the incident. Despite the fact that Israel regretted both the content and the tone of resolution 672 (1990), it had expressed its readiness to assist the Secretary-General in preparing the report requested by the Council. Yet, even according to the terms of reference of resolution 672 (1990), which referred to the Fourth Geneva Convention, Israel was the exclusive authority in the territory under its control, which included its capital, Jerusalem. The speaker contrasted the Council's condemnation of Israel with its inaction in the face of the actions by Syrian troops in Lebanon. He rejected the contention that Iraq's aggression against Kuwait

---

<sup>192</sup> S/21893.

<sup>193</sup> S/21896.

<sup>194</sup> Letters addressed to the Secretary-General by the representatives of Greece (S/21873); Pakistan (S/21876); Italy (S/21877); Egypt (S/21881); Indonesia (S/21886); Kuwait (S/21897); and note verbale addressed to the Secretary-General by the representative of Morocco (S/21890).

<sup>195</sup> S/21888.

---

<sup>188</sup> *Ibid.*, pp. 53-55.

<sup>189</sup> *Ibid.*, pp. 57-58.

<sup>190</sup> *Ibid.*, pp. 58-59.

<sup>191</sup> S/21830; included in the agenda at the 2945th meeting.

was comparable to the Arab-Israeli war of June 1967. Iraq had committed an unprovoked act of aggression expressly prohibited under Article 2 (4) of the Charter, while Israel had resorted to the use of force in lawful exercise of its inherent right to self-defence under Article 51. Iraq had invaded the territory of a recognized sovereign State, while Israel administered the territories of Judea, Samaria and the Gaza district, which were under no defined sovereignty. Security Council resolution 660 (1990), determining clearly and unequivocally that Iraq's invasion of Kuwait constituted a breach of international peace and security, applied Chapter VII of the Charter. By contrast, resolution 242 (1967) did not condemn Israel's use of force, but rather affirmed the right of every State in the area to "live in peace within secure and recognized boundaries". The resolution called for withdrawal from "territories", not from "the territories". Resolution 660 (1990), on the other hand, demanded that Iraq withdraw immediately and unconditionally from all the territory of Kuwait. While Israel had accepted resolutions 242 (1967) and 338 (1973), Iraq rejected every Security Council resolution relating to it. Moreover, resolution 242 (1967) set forth the guiding principles for all sides to follow. Israel was under no obligation to do anything unilaterally prior to the completion of negotiations.<sup>196</sup>

The representative of Palestine noted the slow pace of the Council in dealing with the rejection by the Government of Israel of Council resolution 672 (1990) and its refusal to receive the mission of the Secretary-General. He drew certain conclusions from the situation. First, Israel was in flagrant violation of the Charter of the United Nations. The speaker hoped that the draft resolution would send a clear signal of the Council's intent. Second, the Council should not shirk its responsibilities by laying them at the door of any other party, even the Secretary-General. Third, when the Council considered the report containing the Secretary-General's recommendations and conclusions on the protection of the Palestinian people, it would have to adopt concrete measures. Tangible, physical measures, such as deploying a peace force in the occupied territories to observe the situation and report to the Council and the Secretary-General, were needed.<sup>197</sup>

---

<sup>196</sup> S/PV.2949, pp. 6-25.

<sup>197</sup> *Ibid.*, pp. 26-35.

The representative of the Sudan stated that certain principles of justice and norms of international law should be kept in mind when dealing with the Israeli-Arab conflict. First, the city of Jerusalem was an integral part of the occupied Palestinian territories and the capital of the State of Palestine. Resolutions 476 (1980) and 478 (1980) had declared null and void the "basic law" of Israel designating Jerusalem as its capital. Second, the Fourth Geneva Convention applied to the occupied Arab territories. Third, the United Nations, represented by the Security Council, should support the Palestinian people in regaining its inalienable national rights, including the right to return, to self-determination, and to an independent State on its land under the leadership of PLO. Fourth, the Middle East would never know peace until Israel withdrew from all occupied territories and a comprehensive solution to the question of Palestine was reached through the convening of an international peace conference. Fifth, the Council should discharge its responsibilities in order to strengthen the principles of the United Nations and reinforce its credibility. In the light of Israel's defiance of resolution 672 (1990) and refusal to accept the Secretary-General's mission, he called upon the Council to impose sanctions on Israel under Chapter VII of the Charter.<sup>198</sup>

The representative of the Syrian Arab Republic, responding to the representative of Israel, characterized the Israeli representative's accusations against the Syrian Arab Republic as paradoxical, and maintained that his country was doing its best to restore Lebanese legitimacy. Israel should immediately and unconditionally withdraw from southern Lebanon in accordance with United Nations resolutions, so that Lebanon could regain its sovereignty.<sup>199</sup>

Speaking before the vote, the representative of Yemen said that Israel rejected Security Council resolution 672 (1990) despite the fact that the resolution, to a certain degree, took account of Israel's sensitivities and did not call for the establishment of a Security Council mission. In the resolution, the Council did not even make a direct request to the Secretary-General to send a mission, because Israel refused to have anything to do with Security Council resolutions. Instead, the Council discreetly welcomed

---

<sup>198</sup> *Ibid.*, pp. 35-40.

<sup>199</sup> *Ibid.*, pp. 41-43.

the Secretary-General's decision to send a mission and called upon him to submit a report.<sup>200</sup>

Quoting Article 24 (1) of the Charter of the United Nations, the representative of Zaire stated that the logical consequence of the responsibility that the Member States had conferred upon the Council under that Article could be seen in Article 25 of the Charter, which committed all Members of the United Nations to accept and carry out the decisions of the Council in accordance with the Charter. In this regard he deplored Israel's refusal to accept the Secretary-General's mission and called it an obstruction to the Council's due exercise of its functions of maintaining peace and security. Faced here with a question of principle in terms of the spirit and the provisions of the Charter, his delegation would vote in favour of the draft resolution and appealed to Israel not to continue to flout the most elementary rights of the Palestinian people and to accept the United Nations mission.<sup>201</sup>

The representative of Malaysia said that the draft resolution on which the Council was about to vote would not be necessary but for Israel's rejection of resolution 672 (1990) and its refusal to receive the mission of the Secretary-General. The draft resolution underlined firmly the Council's insistence that all aspects of resolution 672 (1990) be fully complied with, and that Israel had to permit the mission of the Secretary-General to proceed. It was unacceptable that the unanimity of the Council should be made an issue, to the extent that it became an obstacle to correct action. Malaysia was convinced that the Council's position regarding Palestine and the occupied territories enjoyed the full support of the overwhelming majority of the States Members of the United Nations. The responsibility to address the problem of the safety and protection of the Palestinians lay entirely with the Council.<sup>202</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 673 (1990), which reads:

*The Security Council,*

*Reaffirming* the obligations of Member States under the Charter of the United Nations,

*Reaffirming also* its resolution 672 (1990) of 12 October 1990,

*Having been briefed* by the Secretary-General on 19 October 1990,

*Expressing alarm* at the rejection of resolution 672 (1990) by the Israeli Government, and its refusal to accept the mission of the Secretary-General,

*Taking into consideration* the statement of the Secretary-General relative to the purpose of the mission he is sending to the region and conveyed to the Council by the President on 12 October 1990,

*Gravely concerned* at the continued deterioration of the situation in the occupied territories,

1. *Deplores* the refusal of the Israeli Government to receive the mission of the Secretary-General to the region;
2. *Urges* the Israeli Government to reconsider its decision and insists that it comply fully with resolution 672 (1990) and permit the mission to proceed in keeping with its purpose;
3. *Requests* the Secretary-General to submit to the Security Council the report requested in resolution 672 (1990);
4. *Affirms* its determination to give full and expeditious consideration to the report.

**Decisions of 20 December 1990 (2970th meeting): statement by the President and resolution 681 (1990)**

On 1 November 1990, pursuant to paragraph 4 of resolution 672 (1990), the Secretary-General submitted to the Security Council a report,<sup>203</sup> containing his findings about the events which took place in Jerusalem on 8 October 1990 and conclusions on the question of the protection of civilians in the occupied territories. The Secretary-General informed the Council that, owing to Israel's refusal to receive the mission, he had been unable to secure independent information, on the spot, about the circumstances surrounding the recent events in Jerusalem and similar developments in the West Bank and Gaza Strip. However, widespread coverage had been given by the international press, a number of inquiries conducted and a number of Israeli and Palestinian individuals and groups had expressed willingness to provide information to the Secretary-General's mission, had it been sent to the area. While there were conflicting opinions as to what had provoked the clashes, observers on the spot had stated that live ammunition was used against Palestinian

---

<sup>200</sup> Ibid., pp. 43-48.

<sup>201</sup> Ibid., pp. 48-52.

<sup>202</sup> Ibid., pp. 52-53.

---

<sup>203</sup> S/21919 and Corr.1 and Add.1-3.

civilians. On the issue of the protection of the Palestinian civilian population in the occupied territories, the message that was repeatedly conveyed to the Secretary-General by the Palestinians was that far more was required on the part of the international community. The overall feeling among the Palestinians was that only an impartial presence mandated by the United Nations would be able to protect them. In this regard attention had been drawn to the military observers stationed in Jerusalem, the United Nations Truce Supervision Organization (UNTSO). The Secretary-General recalled that he had sent a Personal Representative during June 1990 to the area to look into the question of protection in the occupied territories and to report back to him personally. On 13 July, in a statement to the Council, he had said that he intended to pursue his initiative with the Israeli authorities to persuade them to comply fully with their obligations under the Fourth Geneva Convention. The Israeli authorities had indicated at that time that they would be implementing new measures in the territories. Unfortunately he had not been able to follow up on the discussions. In his concluding observations, the Secretary-General pointed out that the cooperation of Israel was essential to the implementation of any measures of protection. He nevertheless suggested that the Council call for a meeting of the High Contracting Parties to the Fourth Geneva Convention to discuss possible measures under the Convention. With regard to the Palestinian appeals for a United Nations presence, he stressed that he did not have the competence to act on his own. This was a matter on which the Council would have to decide.

At its 2953rd meeting, on 7 November 1990, the Council included the report of the Secretary-General in its agenda. The Council considered the item at its 2953rd, 2954th, 2957th, 2965th to 2968th and 2970th meetings.

At the 2953rd meeting, the President (United States) drew the attention of the members of the Council to three letters addressed to the Secretary-General: letters dated 2 and 5 November 1990 from the observer of Palestine<sup>204</sup> and a letter dated 30 October 1990 from the representative of Italy.<sup>205</sup>

The representative of Palestine, recalling that his delegation had previously objected to the Security

Council's shifting the burden of its responsibilities on to the shoulders of others, stated that it was inevitable that the Secretary-General would transfer the responsibility back to the Council without any direct recommendations. It was now up to the Council to make a full decision by choosing from the options available. The speaker derived four major conclusions from the Secretary-General's report. The first point was Israel's handling of Council resolutions 672 (1990) and 673 (1990) which was in blatant violation of the Charter of the United Nations, in particular Article 25, and of the requirements for membership in the Organization. He believed that the Council should take real action by using the enforcement measures under the Charter to oblige Israel to implement those resolutions. The second point concerned the situation in the occupied Palestinian territories and the suffering of the Palestinian people under Israeli occupation. The description in the report of the Israeli practices clearly demonstrated the need for the Council to act immediately to protect the Palestinian people. The third point concerned the applicability of the Fourth Geneva Convention to the occupied territories. On the one hand Israel rejected the de jure applicability of the Fourth Geneva Convention to the occupied territories, but on the other hand it presented itself as the Power responsible for the maintenance of law and order under the same Convention. The speaker called for the Council to instruct Israel to accept the de jure applicability of the Convention and supported the designation of an alternative protecting Power and the holding of a meeting of the High Contracting Parties to the Geneva Convention. The fourth point concerned the concrete and practical measures the Council should adopt to protect the Palestinian civilians. The speaker believed that the Council should deploy a United Nations observer force in the occupied Palestinian territory in order to secure the protection of civilians. But what the Palestinian delegation really wanted was for the Council to deploy an armed international emergency force to replace the Israeli forces in the occupied territories. Such action would permit the United Nations to supervise the transition period until a final settlement was reached, enabling the Palestinian people to exercise its right to self-determination and sovereignty. The fundamental task before the Council was to achieve a political settlement to the Middle East conflict by convening an international peace conference, under the auspices of the United Nations with the equal participation of the PLO. The Security

---

<sup>204</sup> S/21926 and S/21928.

<sup>205</sup> S/21920.



Council, particularly its permanent members, should undertake the necessary preparations. The Palestinian delegation was ready to cooperate fully to reach an agreement.<sup>206</sup>

The representative of Lebanon, speaking on behalf of the Arab Group, contrasted the immediate levying of sanctions against Iraq under Chapter VII of the Charter with the continuing impunity of Israel, despite the existence of over 100 resolutions and condemnations against it. Referring to the Secretary-General's report he welcomed his suggestion that the Council invoke the Fourth Geneva Convention against a State Member of the United Nations by calling a meeting of the Convention's signatories for the first time since the Convention came into force. He pointed out that the Secretary-General had made it clear that the Council had the authority to establish a protecting Power for the Palestinians. The Secretary-General's assessment was that only an impartial presence properly mandated by the United Nations could provide a credible sense of protection. He added that the Council was urged to consider the possibility of expanding the mandate of UNTSO, stationed in Jerusalem, or dispatching a new United Nations observer force to the occupied territories.<sup>207</sup>

The representative of Israel accused the Arab States of having continuously breached the Charter of the United Nations and the basic principles of international law vis-à-vis his country. More specifically he accused the Syrian Arab Republic, Lebanon, Jordan, Iraq and Saudi Arabia, among others, of breaching Article 2 (3 and 4) of the Charter. Turning to the report of the Secretary-General, he had to view with deep regret the suggestions made therein. He claimed that the provisions of the Fourth Geneva Convention regarding its application vis-à-vis a High Contracting Party dealt with the seizure by one Power of territory under the sovereignty of another Power. This could not be said to apply to the territories of Judea, Samaria and the Gaza district since they had been illegally occupied by Jordan. Therefore the attempt to impose the de jure application of the Convention was aimed at prejudicing unilaterally the political status of the territories in question. Israel could not accept the unprecedented idea of calling for a meeting of the High Contracting Parties. It had the sole

responsibility for the administration of the territories and it would not accommodate demands for deploying a United Nations observer force, expanding the mandates of the United Nations personnel, and all other attempts to infringe on its sovereignty and authority. Stating that in the case of the incident on the Temple Mount the Council had rushed to judgement without taking into account facts such as incitements by the muezzins through loudspeakers to attack Jewish worshippers at the Western Wall, the speaker informed the Council that the independent commission of inquiry appointed by his authorities had completed its investigations and that its conclusions were conveyed to the Secretary-General.<sup>208</sup>

The representative of Palestine rejected the allegation that appeals had been made by the muezzins to incite Palestinians to violence. He called upon the President to arrange for the showing of a videotape so that the Council would learn the real nature of those appeals.<sup>209</sup>

During the course of the debate, most of the speakers endorsed the Secretary-General's proposals contained in his report to call a meeting of the High Contracting Parties to the Fourth Geneva Convention and for a United Nations presence in the occupied territories to ensure effective protection for Palestinians, in ways ranging from establishing a monitoring mechanism to deploying international military observers, including the possibility of expanding the mandate of UNTSO in Jerusalem.<sup>210</sup> One speaker stated that Israel's withdrawal from the occupied territories should be brought about even through resort to Chapter VII of the Charter.<sup>211</sup> Another called upon Israel to fulfil its obligations in accordance with Article 25 of the Charter.<sup>212</sup>

At the 2954th meeting, on 9 November 1990, the representative of Yugoslavia, speaking also on behalf of the Movement of Non-Aligned Countries, stated that there was an urgent need to take specific action to ensure the safety and protection of Palestinian civilians

<sup>208</sup> Ibid., pp. 46-56.

<sup>209</sup> Ibid., pp. 56-57.

<sup>210</sup> S/PV.2953, pp. 32-45 (Jordan); S/PV.2954, pp. 36-48 (Algeria); S/PV.2957, pp. 3-10 (Tunisia); pp. 11-17 (Malaysia); pp. 17-21 (Colombia); pp. 21-27 (Libyan Arab Jamahiriya); pp. 28-32 (Organization of the Islamic Conference); and S/PV.2965, pp. 9-12 (China).

<sup>211</sup> S/PV.2954, Algeria, pp. 36-48.

<sup>212</sup> S/PV.2965, China, pp. 9-12.

<sup>206</sup> S/PV.2953, pp. 6-22.

<sup>207</sup> Ibid., pp. 22-32.

under Israeli occupation. The non-aligned countries expected the Council to take action in that regard. In their opinion a United Nations presence in the occupied territories would be the most effective to provide such protection and would be conducive to a lasting solution in the longer run.<sup>213</sup>

The representative of Palestine said that the videotape he was about to show to the Council proved three things. First, the repression of Palestinians had no relation to the Israelis' claims that the lives of the praying Jewish faithful had been threatened. Second, the degree of brutality of the occupation forces could not be construed as mere self-defence or an attempt to control the situation. Third, what the muezzins and clerics had said through the loudspeakers were the exact opposite of what the Israeli representative had claimed.<sup>214</sup>

Upon the request of the representative of Palestine, a videotape was displayed in the Council Chamber.<sup>215</sup>

At the 2965th meeting, on 5 December 1990, the representative of the United Kingdom stated that the Fourth Geneva Convention applied to the occupied territories and that Israel should abide by its obligations under it, as had been reiterated in the declaration on the Middle East adopted by the European Council on 27 and 28 October 1990. Emphasizing the need to protect the Palestinian civilians, he said that the suggestion in the Secretary-General's report for a meeting of the High Contracting Parties to the Convention merited careful study. He felt that the prospect of such a meeting would send a strong signal to Israel. The Palestinian appeals for an impartial presence properly mandated by the United Nations needed to be given greater clarity before any decision could be taken. The speaker believed that whatever the steps the Council would take, they should be realistic. However, these measures could only be a temporary palliative. The Security Council must never lose sight of the need to find a solution to the Arab-Israeli problem as a whole. His Government reiterated its support for the principle of convening, at an appropriate time, an international peace conference.<sup>216</sup>

---

<sup>213</sup> S/PV.2954, pp. 21-22.

<sup>214</sup> *Ibid.*, pp. 22-30.

<sup>215</sup> See S/PV.2954, pp. 31-40, for the audio portion of the tape.

<sup>216</sup> S/PV.2965, pp. 6-9.

The representative of Palestine called upon the Council to establish a permanent presence of the United Nations and its personnel in the occupied Palestinian territories to monitor the situation and submit periodic reports to the Council. That was the bare minimum the Council should undertake to provide international protection to the people of Palestine, so that they were not left with the only option available, namely the legitimate response of self-defence with all the means approved by international norms and instruments.<sup>217</sup>

At the 2966th meeting, on 8 December 1990, the representative of the Union of Soviet Socialist Republics officially requested that the meeting be adjourned, in the interest of the Security Council reaching a decision. Following a procedural discussion, the proposal was put to vote and adopted by 9 votes in favour to 4 against (Colombia, Cuba, Malaysia, Yemen), with 2 abstentions (China, France).

The President, speaking in his capacity as the representative of Yemen, recalled that the first version of the draft resolution had been put before the Council on 8 November 1990<sup>218</sup> and the first amended version on 26 November 1990.<sup>219</sup> The Council now had before it the second amended version.<sup>220</sup> The great difference between the first and the final version was a result of the spirit of cooperation and concession the sponsors of the draft resolution had displayed. He said that his delegation had insisted on mentioning Council resolutions 242 (1967) and 338 (1973), the occupation, and the entire crisis in all its aspects because the Council could not limit its consideration to the protection and safety of the Palestinians. He also stressed that he had no wish to link the crisis in the Gulf to the one in the Middle East. He called upon the big Powers, especially the United States and the Soviet Union, to work towards a solution.<sup>221</sup> After resuming his functions as President, and following three statements by representatives, of a largely procedural nature, the President adjourned the meeting.

At the 2967th meeting, on 10 December 1990, the President proposed suspending the meeting in order to

---

<sup>217</sup> *Ibid.*, pp. 17-25.

<sup>218</sup> S/21933. The draft resolution was not put to the vote.

<sup>219</sup> S/21933/Rev.1. The draft resolution was not put to the vote.

<sup>220</sup> S/21933/Rev.2. The draft resolution was not put to the vote.

<sup>221</sup> S/PV.2966, pp. 21-22.

continue the informal consultations. The proposal was agreed to by consensus.

Upon the resumption of the meeting, the representative of the Union of Soviet Socialist Republics requested that the meeting be adjourned. The representative of Malaysia opposed the motion on the grounds that the new text submitted to the Council was a package agreement that went even further than the second revision, which, in the sponsors' opinion, could well have found agreement. The representative of the United States supported the motion on the grounds that further progress could be made in the Council's deliberations. The representative of the United Kingdom also supported the proposal. The proposal was put to the vote and adopted by 9 votes in favour to 4 against (Colombia, Cuba, Malaysia, Yemen), with 2 abstentions (China, France). The meeting was adjourned.

At the 2968th meeting, on 12 December 1990, the representative of the Union of Soviet Socialist Republics requested the adjournment of the meeting. Without debate, the request was put to the vote and adopted by 9 votes in favour to 4 against (Colombia, Cuba, Malaysia, Yemen), with 2 abstentions (China, France). The meeting was adjourned.

At the 2970th meeting, on 19 December 1990, the representative of Finland, in response to a request made by the representative of the United Kingdom, reported, in accordance with the agreement reached in informal consultations, that his delegation had tried to work towards a text that could be adopted unanimously by the Council. His delegation had been working on an arrangement that would include the adoption of both a resolution and a presidential statement. In that connection, it had circulated to the members of the Council a working paper, the contents of which were almost agreed, despite some remaining problems. One of the difficulties related to what wording should be used to describe the reference to the presidential statement in a preambular paragraph of the draft resolution. Other difficulties related to the last two paragraphs of the draft presidential statement and concerned the reference to an international conference and whether the word "parties" to such a conference should be used, as well as the inclusion or exclusion of a paragraph emphasizing that the Arab-Israeli conflict

and the Iraq-Kuwait situation should be addressed independently.<sup>222</sup>

The representative of the United Kingdom proposed that the meeting be suspended and that the Council immediately consider the report of the representative of Finland in informal consultations of the whole, without further delay. Following a procedural discussion, the request was put to the vote and adopted by 9 votes in favour to 6 against (China, Colombia, Cuba, France, Malaysia, Yemen). The meeting was suspended to a later date to be decided by the President.

At the resumed 2970th meeting, on 20 December 1990, the President drew the attention of the members to a draft resolution prepared in the course of the Council's consultations.<sup>223</sup> He also drew attention to several other documents.<sup>224</sup>

The President then made the following statement on behalf of the members of the Security Council:<sup>225</sup>

The members of the Council reaffirm their determination to support an active negotiation process in which all relevant parties would participate leading to a comprehensive, just and lasting peace to the Arab-Israeli conflict through negotiations which should be based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and should take into account the right to security of all States in the region, including Israel, and the legitimate political rights of the Palestinian people.

In this context they agree that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict.

However, they are of the view that there is not unanimity as to when would be the appropriate time for such a conference.

In the view of the members of the Council, the question of the Arab-Israeli conflict is important and unique and must be addressed independently, on its own merits.

Speaking before the vote on the draft resolution, the representative of Ethiopia said that he would vote in favour of the draft resolution because he believed

---

<sup>222</sup> S/PV.2970 (Part I), pp. 2-6.

<sup>223</sup> S/22022.

<sup>224</sup> Letters addressed to the Secretary-General by the representatives of Algeria (S/21995); Jordan (S/21999); and Egypt (S/22017); from the observer of Palestine (S/22003); and from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/22012).

<sup>225</sup> S/22027.

that its adoption would contribute to the ultimate solution of the problem.<sup>226</sup>

The representative of France expressed regret at the persistent refusal of the Israeli authorities to receive the Secretary-General's mission. The draft resolution contained very reasonable provisions such as the reaffirmation of the de jure applicability of the Fourth Geneva Convention to all territories, including Jerusalem, the convening of a meeting of the High Contracting Parties to the Convention and the request to the Secretary-General to monitor the situation with the help of United Nations personnel and report to the Council. The speaker also welcomed the Council's recognition in the presidential statement of the need for an international conference to settle the Arab-Israeli conflict.<sup>227</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 681 (1990), which reads:

*The Security Council,*

*Reaffirming* the obligations of Member States under the Charter of the United Nations,

*Reaffirming also* the principle of the inadmissibility of the acquisition of territory by war, set forth in resolution 242 (1967) of 22 November 1967,

*Having received* the report of the Secretary-General submitted in accordance with resolution 672 (1990) of 12 October 1990 on ways and means of ensuring the safety and protection of the Palestinian civilians under Israeli occupation, and taking note in particular of paragraphs 20 to 26 thereof,

*Taking note* of the interest of the Secretary-General to visit and to send his envoy to pursue his initiative with the Israeli authorities, as indicated in paragraph 22 of his report, and of their recent invitation extended to him,

*Gravely concerned* at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

*Taking into consideration* the statement made by the President of the Security Council on 20 December 1990 concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

*Recalling* its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989, and alarmed by the decision of the Government of Israel to deport four Palestinians from the

occupied territories in contravention of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,

1. *Expresses its appreciation* to the Secretary-General for his report;

2. *Expresses its grave concern* over the rejection by Israel of its resolutions 672 (1990) of 12 October 1990 and 673 (1990) of 24 October 1990;

3. *Deplores* the decision by the Government of Israel, the occupying Power, to resume the deportation of Palestinian civilians in the occupied territories;

4. *Urges* the Government of Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the territories occupied by Israel since 1967 and to abide scrupulously by the provisions of the Convention;

5. *Calls upon* the High Contracting Parties to the said Convention to ensure respect by Israel, the occupying Power, for its obligations under the Convention in accordance with article 1 thereof;

6. *Requests* the Secretary-General, in cooperation with the International Committee of the Red Cross, to develop further the idea, expressed in his report, of convening a meeting of the High Contracting Parties to the said Convention and to discuss possible measures that might be taken by them under the Convention and, for this purpose, to invite the Parties to submit their views on how the idea could contribute to the goals of the Convention, as well as on other relevant matters, and to report thereon to the Council;

7. *Also requests* the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task and to keep the Security Council regularly informed;

8. *Further requests* the Secretary-General to submit a first progress report to the Security Council by the first week of March 1991 and to report every four months thereafter, and decides to remain seized of the matter as necessary.

Speaking after the vote, the representative of Zaire said he considered the essence of resolution 681 (1990) to be its request to the Secretary-General to continue examining the situation in the occupied Palestinian territories and to report to the Council on any human rights violations by the security forces. He supported the convening of a meeting of the High Contracting Parties to the Fourth Geneva Convention

---

<sup>226</sup> S/PV.2970 (Part II), pp. 4-7.

<sup>227</sup> Ibid., pp. 7-10.

and the convening of an international peace conference.<sup>228</sup>

The representative of Finland supported a meeting of the High Contracting Parties which could produce an authoritative interpretation regarding the scope and applicability of the Fourth Geneva Convention.<sup>229</sup>

The representative of Malaysia noted what he saw as three important elements in the resolution. The first was the convening of a meeting of High Contracting Parties to the Fourth Geneva Convention. The second was the request that the Secretary-General monitor and observe the situation in the occupied territories. In his view, that was the core of the resolution and should serve as the centrepiece of all future efforts by the Council to protect Palestinians. The third was the Council's acceptance of the convening at an appropriate time of the international peace conference on the Middle East, which was by necessity in the form of a presidential statement. This was a major event. For the first time what had been urged by the General Assembly year after year had been accepted by all members of the Council. The resolution also restored the proper reference to Jerusalem as part of the occupied Palestinian territories. Future action by the Council should be free of the tendencies to set barriers, including procedural devices, deliberately used to delay the proper and early consideration of the issue.<sup>230</sup>

The representative of the United Kingdom explained that his Government had pursued three objectives in the negotiations. First, to endorse proposals which might improve the well-being of the Palestinians. Second, to address the wider issue of the Arab-Israeli peace process. The British Government accordingly supported the convening of an international conference at an appropriate time. Third, to ensure that any reference to the conference did not lend itself to an interpretation that a link was made between the question of Palestine and the crisis in the Gulf. The British Government, in line with the Council's stand in the presidential statement, firmly rejected the linkage that the Government of Iraq was promoting.<sup>231</sup>

---

<sup>228</sup> *Ibid.*, pp. 11-12.

<sup>229</sup> *Ibid.*, pp. 13-15.

<sup>230</sup> *Ibid.*, pp. 16-19.

<sup>231</sup> *Ibid.*, p. 26.

The representative of the United States stated that his Government supported the resolution, but believed that there were other elements that should have been included in the text, such as a reference to the use of violence by the Palestinians. The United States vote for the resolution in no way indicated a change in its policy on any issue related to the Arab-Israeli conflict. First, the United States did not support a resolution that would seek to convene an international conference. Although a properly structured conference might be useful, the timing was not appropriate, because the Gulf crisis and the Arab-Israeli dispute should not be linked. Secondly, the United States maintained that the Fourth Geneva Convention applied to all occupied territories and regarded the phrase "Palestinian territories occupied by Israel since 1967" as being merely demographically and geographically descriptive, not indicative of sovereignty. Finally, it deplored the decision of the Government of Israel to resume deportations. Clarifying his Government's views on several elements of the resolution, the speaker said that a premature decision to convene a meeting of the High Contracting Parties to the Geneva Convention could undermine the safety and protection of the Palestinians and have adverse impacts on the future implementation of the Convention. Furthermore, the United States, while strongly supporting the efforts of the Secretary-General to monitor and report on the situation, believed that no activity should be undertaken that would alter the separate and well-defined mandates of the various United Nations organizations in the region and elsewhere.<sup>232</sup>

The representative of Yemen stated that his delegation would have liked a much stronger resolution with regard to three points: Israel's resumption of deportations, the protection of the Palestinians, and the international conference on the Middle East.<sup>233</sup>

The representative of Israel stated that the Council's call upon the States parties to the Fourth Geneva Convention to ensure that Israel respect the Convention, and the request that the Secretary-General develop the idea of convening a meeting of the High Contracting Parties were unprecedented. As for the Council's request to the Secretary-General to make renewed efforts to monitor and observe, the speaker recalled that the tasks and powers of the United

---

<sup>232</sup> *Ibid.*, pp. 48-55.

<sup>233</sup> *Ibid.*, pp. 55-58.

Nations personnel in the area had been agreed upon with Israel. Therefore altering such an agreement would be highly inappropriate and impractical. He also described the reference in the presidential statement to an international peace conference as a tool to impose a predetermined outcome, and suggested instead the holding of bilateral and direct negotiations between Israel and its neighbours. Regarding the Council's expression of alarm at Israel's exercise of its legal right to issue expulsion orders against four leaders of Hamas, he found it regrettable that the Council was not alarmed by, and did not even mention, the murders Hamas had committed against Jews. He contended that the practice of singling out one country undermined the inviolable principles of universality and sovereign equality, and that peace and security would never be achieved by discriminating against the Jewish State.<sup>234</sup>

The representative of Palestine noted the substantial progress the Council had made towards protecting the Palestinian people by unanimously adopting a resolution and authorizing a presidential statement. The Palestinian delegation did differ with certain parts of the resolution and the presidential statement but the political realities of the international situation, as well as the balance within the Council, required constant compromise. Regretting that the Council had not adopted a resolution at an earlier stage, the speaker hoped that a permanent member, which in the past had used its veto repeatedly in relation to the Middle East, would not prevent the adoption of any resolution in the future.<sup>235</sup>

**Decision of 4 January 1991 (2973rd meeting):  
statement by the President**

At its 2973rd meeting, held on 4 January 1991 in accordance with the understanding reached in its prior consultations, the Security Council resumed its consideration of the situation in the occupied Arab territories.

Following the adoption of the agenda, the Council decided, by 11 votes to 1 (United States), with 3 abstentions (Belgium, France, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate, not under rule 37

---

<sup>234</sup> *Ibid.*, pp. 58-62.

<sup>235</sup> *Ibid.*, pp. 62-68.

or rule 39 but with the same rights of participation as under rule 37.<sup>236</sup>

The President (Zaire) drew the attention of members of the Council to a letter dated 31 December 1990 from the observer of Palestine addressed to the Secretary-General,<sup>237</sup> in which he called upon the international community to act immediately to protect the Palestinian people and to implement relevant Security Council resolutions, the most recent of which was resolution 681 (1990). The President also drew the attention of the members of the Council to a letter dated 31 December 1990 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People<sup>238</sup> addressed to the Secretary-General.

The President stated that, following consultations among the members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>239</sup>

The members of the Security Council are deeply concerned about recent acts of violence in Gaza, especially actions by Israeli security forces against Palestinians, which led to scores of casualties among those civilians.

The members of the Council deplore those actions, particularly the shooting of civilians. They reaffirm the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and request that Israel, the occupying Power, fully comply with the provisions of the Convention.

The members of the Council reaffirm their positions, most recently expressed in Council resolution 681 (1990) of 20 December 1990, and support the work of the Secretary-General in implementing that resolution. The members of the Council further urge intensified efforts by all who can contribute to reducing conflict and tension in order to achieve peace in the area.

**Decision of 27 March 1991 (2980th meeting):  
statement by the President**

At its 2980th meeting, held on 27 March 1991 in accordance with the understanding reached in its prior consultations, the Security Council resumed its

---

<sup>236</sup> For the statement by the representative of the United States, see S/PV.2973, pp. 3-7. See also chapter III, case 6.

<sup>237</sup> S/22037.

<sup>238</sup> S/22040.

<sup>239</sup> S/22046.

consideration of the situation in the occupied Arab territories. Following the adoption of the agenda, the Council decided, by 11 votes to 1 (United States), with 3 abstentions (Belgium, France, United Kingdom), to invite the observer of Palestine, at his request, to participate in the debate, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>240</sup>

The President (Austria) drew the attention of the members of the Council to a letter dated 25 March 1991 from the observer of Palestine addressed to the Secretary-General,<sup>241</sup> in which he stated that, on 24 March 1990, Israel had decided to expel four Palestinians from the occupied Palestinian territory, in violation of the Fourth Geneva Convention and Security Council resolutions. He urged that the Council take immediate action. The President also drew the attention of the Council members to a letter dated 26 March 1991 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General.<sup>242</sup>

The President stated that, following consultations among members of the Council, he had been authorized to make the following statement on behalf of the Council:<sup>243</sup>

The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and especially by the current serious situation resulting from the imposition of curfews by Israel.

The members of the Security Council deplore the decision of 24 March 1991 by the Government of Israel to expel four Palestinian civilians in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the above-mentioned territories, and in contravention of relevant resolutions of the Security Council.

The members of the Security Council also call upon Israel to desist from deporting Palestinians and to ensure the safe return of those deported.

Recalling Security Council resolution 681 (1990) and other Security Council resolutions, the members of the Security

Council will keep the situation described in the first paragraph under review.

**Decision of 24 May 1991 (2989th meeting):  
resolution 694 (1991)**

By a letter dated 22 May 1991 addressed to the President of the Security Council,<sup>244</sup> the representatives of Côte d'Ivoire, Cuba, Ecuador, India, Yemen, Zaire and Zimbabwe requested the urgent convening of a meeting of the Council to examine the situation created by Israel's recent deportation of four Palestinians from the occupied territories.

At its 2989th meeting, on 24 May 1991, the Council included the letter in its agenda, and invited the representatives of Algeria, Egypt, Israel, Jordan, Lebanon, Malaysia and the United Arab Emirates, at their request, to participate in the discussion without the right to vote. The Council also decided, by 11 votes to 1 (United States), with 3 abstentions (Belgium, France, United Kingdom), to invite the observer of Palestine, at his request, to participate in the debate, not under rule 37 or 39 but with the same rights of participation as under rule 37.<sup>245</sup> The Council considered the item at its 2989th meeting.

The President (China) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council's prior consultations.<sup>246</sup> He also drew their attention to several other documents.<sup>247</sup>

The representative of Palestine stated that the Council was meeting to consider the situation following Israel's deportation of four Palestinians from Gaza on 18 May 1991, in violation of the Fourth Geneva Convention and repeated Security Council resolutions and several presidential statements. The deportations went hand in hand with an escalation in the building of new settlements and the expansion of the older ones, increasing the need for international protection of Palestinians, until the Israeli occupation was brought to an end. The speaker contended that

---

<sup>240</sup> For the statement by the representative of the United States, see S/PV.2980, pp. 2-5. See also chapter III, case 6.

<sup>241</sup> S/22383.

<sup>242</sup> S/22388.

<sup>243</sup> S/22408.

<sup>244</sup> S/22634.

<sup>245</sup> For the statement by the representative of the United States, see S/PV.2989, pp. 6-8. See also chapter III, case 6.

<sup>246</sup> S/22633.

<sup>247</sup> Letters addressed to the Secretary-General by the representative of Lebanon (S/22621) and the observer of Palestine (S/22626).

Israel would not have been able to act as it had, had it not been backed by some States that had great weight in the Council. The State that had endorsed “peace for land” as one of the basic requirements for a peaceful solution and had declared settlements to be the main obstacle towards its achievement should compel Israel to withdraw from the occupied territories. Recalling that all members of the Council had agreed in a presidential statement to the idea of an international conference, the speaker stated that the appropriate time for holding it had arrived and that preparations to that end should begin. Concluding, he rejected the idea of any conference not based on international legitimacy and not held under United Nations auspices.<sup>248</sup>

The representative of Israel asserted that the four men expelled by Israel were convicted criminals who had continued terrorist activities under orders from abroad, despite their conditional release from prison in 1985. Following appeal, the Supreme Court had decided to uphold the expulsion orders. The speaker stressed that Israel did not have a general policy of expulsions, but resorted to the removal of instigators of violence as a measure of last resort in line with its international responsibility to preserve public safety in Judea, Samaria and the Gaza district. He maintained that the people of Israel yearned for peace, which could be achieved not by convening the Council to win points against Israel but only through face-to-face negotiations.<sup>249</sup>

The representative of Lebanon reminded the Council that Israel had thrown Palestinians into his country. He reiterated his Government’s objection to Israel’s violation of Lebanese sovereignty and territory by its practices, which ran counter to the Charter and the relevant Security Council resolutions, and his condemnation of the expulsion and deportation of the four Palestinians in contravention of article 49 of the Fourth Geneva Convention. He urged the Council to take on the task of repatriating the four Palestinians.<sup>250</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 694 (1991), which reads:

---

<sup>248</sup> S/PV.2989, pp. 9-17.

<sup>249</sup> Ibid., pp. 21-26.

<sup>250</sup> Ibid., pp. 27-31.

*The Security Council,*

*Reaffirming* its resolution 681 (1990) of 20 December 1990,

*Having learned with deep concern and consternation* that Israel has, in violation of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and acting in opposition to relevant Security Council resolutions, and to the detriment of efforts to achieve a comprehensive, just and lasting peace in the Middle East, deported four Palestinian civilians on 18 May 1991,

1. *Declares* that the action of the Israeli authorities of deporting four Palestinians on 18 May is in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to all the Palestinian territories occupied by Israel since 1967, including Jerusalem;

2. *Deplores* this action and reiterates that Israel, the occupying Power, must refrain from deporting any Palestinian civilian from the occupied territories and ensure the safe and immediate return of all those deported;

3. *Decides* to keep the situation under review.

Following the vote, the representative of the United States restated the consistent opposition of his Government to Israel’s policy of deporting Palestinians and called once again on Israel to cease deportations. He noted that intensive efforts were under way to bring about negotiations to reach a comprehensive settlement based on Security Council resolutions 242 (1967) and 338 (1973). He informed the Council that the parties in the region agreed to hold two parallel tracks of direct negotiations between Israel and the Arab States, and Israel and the Palestinians.<sup>251</sup>

The representative of France said that the deportation of four Palestinians was doubly regrettable both for its illegality and for its occurrence at a moment when efforts were under way to strike up a dialogue for holding a peace conference. Emphasizing the importance of Security Council resolution 681 (1990), he felt particularly strongly that this text should be implemented and expressed full support for the Secretary-General’s efforts towards that end.<sup>252</sup>

The representative of the United Kingdom stated, as the preamble to the resolution made it clear, that the action of deporting Palestinians was even more reprehensible because it occurred at a time when a

---

<sup>251</sup> Ibid., pp. 51-52.

<sup>252</sup> Ibid., pp. 61-62.



major effort was being made to set up a peace process. The Government of the United Kingdom strongly supported the efforts being made by the Secretary of State of the United States to bring the parties to the negotiating table, and appealed to all concerned to work to get the peace process under way.<sup>253</sup>

**Decision of 6 January 1992 (3026th meeting):  
resolution 726 (1992)**

In accordance with the understanding reached in its prior consultations, the Security Council held its 3026th meeting on 6 January 1992. Following the adoption of the agenda, the Council invited the representatives of Egypt, Israel and the Syrian Arab Republic, at their request, to participate in the discussion without the right to vote. The Council also decided, by 11 votes to 1 (United States), with 4 abstentions (Belgium, France, Hungary, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the debate not under rule 37 or 39 but with the same rights of participation as under rule 37.<sup>254</sup>

The President drew the attention of the members of the Council to a draft resolution that had been prepared in the Council's consultations.<sup>255</sup> He also drew to the attention of the members of the Council several other documents.<sup>256</sup>

The representative of Palestine stated that, on 2 January 1992, the Israeli Minister of Defence had issued an order for the deportation of 12 Palestinian citizens, which had been reaffirmed by the Government of Israel despite all international reactions, including those of the permanent members of the Security Council. He noted that Israel had been carrying out the aforementioned activities during the ongoing peace process, to which all Arab parties concerned had committed themselves. As a matter of fact Israel had intensified military aggression against southern Lebanon, reaffirmed its rejection of the principle of

land for peace, and refused to arrive at the first round of the Washington talks at the appointed time. Maintaining that Israel was systematically derailing the peace process, he appealed to the international community and, in particular, to the sponsors of the peace conference, to face the true Israeli position. The Council was responsible for resuscitating the peace process. The latest Israeli decision had compelled the members of the Palestinian delegation to the peace conference to suspend their journey to Washington while they awaited the decision of the leadership of the PLO in this regard. The taking of an appropriate action by the Council would undoubtedly reflect positively on the course of events.<sup>257</sup>

The representative of Israel asserted that the Palestinians who were to be expelled were active members of terrorist organizations and that their expulsion would help create the security and calm essential for serious peace talks. Maintaining that Israelis were being systematically attacked before each stage of the negotiations, the speaker said that his Government could not allow what might become an extended peace process to be used as a smokescreen for terrorism. Pending the achievement of a political solution to the problem as a whole, Israel was responsible for the administration of the territories. Whereas terrorist attack would be countered by military measures, political problems would be solved in the peace negotiations around the negotiating table. He said that a one-sided and unbalanced view of the situation by the organs of the United Nations, which was reflected in the draft resolution before the Council, would not contribute to the peace process, and could not but encourage more terrorist activities.<sup>258</sup>

The representative of the Syrian Arab Republic called Israel's decision to deport 12 Palestinian citizens a provocative action that could jeopardize the ongoing peace process and subject the Palestinian civilians to grave dangers and suffering. He considered Israel's occupation a continued act of aggression in violation of the Charter of the United Nations, aimed at expelling the Arab inhabitants and replacing them with settlers. Maintaining that it was the responsibility of the Security Council, which had adopted numerous resolutions regarding deportations, to put an end to Israel's practices, the speaker said that the application

---

<sup>253</sup> *Ibid.*, pp. 63-65.

<sup>254</sup> For the statement by the representative of the United States, see S/PV.3026, pp. 4-5 (a). See also chapter III, case 6.

<sup>255</sup> S/23372.

<sup>256</sup> Letters addressed to the Secretary-General by the observer of Palestine (S/23369); and to the President of the Security Council by the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/23374).

---

<sup>257</sup> S/PV.3026, pp. 6-16.

<sup>258</sup> *Ibid.*, pp. 17-22.

of Chapter VII of the Charter would be the best solution. Until it was applied, the explosive situation could only lead to further threats to international peace and security.<sup>259</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 726 (1992), which reads:

*The Security Council,*

*Recalling* the obligations of Member States under the Charter of the United Nations,

*Recalling* its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, and 694 (1991) of 24 May 1991,

*Having been apprised* of the decision of Israel, the occupying Power, to deport twelve Palestinian civilians from the occupied Palestinian territories,

1. *Strongly condemns* the decision of Israel, the occupying Power, to resume deportations of Palestinian civilians;

2. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the Palestinian territories occupied by Israel since 1967, including Jerusalem;

3. *Requests* Israel, the occupying Power, to refrain from deporting any Palestinian civilian from the occupied territories;

4. *Also requests* Israel, the occupying Power, to ensure the safe and immediate return to the occupied territories of all those deported;

5. *Decides* to keep the matter under review.

Following the vote, the representative of the United States stated that the deportation of individuals was a violation of article 49 of the Fourth Geneva Convention as it pertained to the treatment of inhabitants of the occupied territories. Any persons charged with wrongdoing should be given a fair trial based on evidence and, if found guilty, be imprisoned. Condemning the increasing attacks on Israelis and Palestinians, the speaker reminded the Council that bilateral talks were scheduled to resume the following week, and appealed to the parties to avoid unilateral actions.<sup>260</sup>

The representative of the Russian Federation stated that, as one of the sponsors of the Middle East

peace process, his country would continue to promote negotiations between Israel and the Arabs, to cooperate closely with the United States and the parties directly involved in the conflict, as well as all States which had an interest in achieving an early settlement. The Russian leadership approached the Palestinian problem with an equal degree of attention as that of the former leaders of the Soviet Union and held the view that the bilateral negotiations which had taken place in December in Washington were one more step towards a radical improvement of the situation. What was therefore required of all participants in the peace process was a maximum of restraint and a constructive spirit to maintain the favourable climate surrounding the negotiations and to prevent unnecessary difficulties. Taking into consideration the urgency of preventing the deportation of more Palestinians and the negative consequences such deportation might have for the negotiations, the resolution was a balanced text that would promote the creation of a favourable climate.<sup>261</sup>

**Decision of 4 April 1992 (3065th meeting):  
statement by the President**

At its 3065th meeting, held on 4 April 1992 in accordance with the understanding reached in its prior consultations, the Council resumed its consideration of the situation in the occupied Arab territories.

Following the adoption of the agenda, the Council decided, by 11 votes to 1 (United States), with 4 abstentions (Belgium, France, Hungary, United Kingdom), to invite the Permanent Observer of Palestine, at his request, to participate in the discussion, not under rule 37 or rule 39 but with the same rights of participation as under rule 37.<sup>262</sup>

The President (Zimbabwe) drew the attention of the members of the Council to letters dated 16 March 1992, 20 March 1992 and 1 April 1992 from the observer of Palestine addressed to the Secretary-General.<sup>263</sup>

The President stated that, following consultations among members of the Council, he had been

---

<sup>261</sup> *Ibid.*, pp. 36-38.

<sup>262</sup> For the statement by the representative of the United States, see S/PV.3065, pp. 2-5. See also chapter III, case 6.

<sup>263</sup> S/23721, S/23740 and S/23770, respectively.

---

<sup>259</sup> *Ibid.*, pp. 26-31.

<sup>260</sup> *Ibid.*, pp. 35-36.

authorized to make the following statement on behalf of the Council:<sup>264</sup>

The members of the Council are gravely concerned by the continued deterioration of the situation in the Gaza Strip, especially by the current serious situation in Rafah in which several Palestinians have been killed and many more injured.

The members of the Council condemn all these acts of violence at Rafah. They urge maximum restraint in order to bring the violence to an end.

The members of the Council urge Israel to abide at all times by its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to respect and to act in accordance with the relevant resolutions of the Security Council. The members of the Council are concerned that any escalation of violence would have serious implications for the peace process, especially at a time when negotiations to achieve a comprehensive, just and lasting peace are under way.

The members of the Council request the Secretary-General to use his good offices, in accordance with resolution 681 (1990) of 20 December 1990, regarding this situation concerning Palestinian civilians under Israeli occupation.

**Decision of 18 December 1992 (3151st meeting):  
resolution 799 (1992)**

By a letter dated 18 December 1992 addressed to the President of the Security Council,<sup>265</sup> the representative of Lebanon requested the convening of an urgent meeting of the Council to discuss the grave situation which had occurred as a result of the deportation of more than 400 Palestinians into Lebanese territory, in violation of the Charter of the United Nations, rules and norms of international law, and the principle of State sovereignty. The Government of Lebanon urged the Security Council to take all necessary measures, as provided in Chapter VII of the Charter, to compel Israel to reverse its action and allow the safe return of the Palestinians to their homes.

At its 3151st meeting, held on 18 December 1992 in accordance with the understanding reached in its prior consultations, the Council included that letter in its agenda.

Following the adoption of the agenda, the Council decided, by 11 votes to 1 (United States), with 4 abstentions (Belgium, France, Hungary, United Kingdom), to invite the Permanent Observer of

Palestine, at his request, to participate in the debate, not under rule 37 or 39 but with the same rights of participation as under rule 37.<sup>266</sup>

The President (India) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of its prior consultations.<sup>267</sup> He also drew their attention to several other documents.<sup>268</sup>

The representative of Palestine stated that, on 16 December 1992, the Government of Israel had ordered the deportation of 418 civilians, and that on 17 December, under a court order, the authorities had deported 383 Palestinians to Lebanon. This action represented an unprecedented qualitative escalation which not only violated the Fourth Geneva Convention and Security Council resolutions but also the sovereignty of Lebanon. At the political level, the deportation had the potential to sabotage and even destroy the ongoing peace process launched in Madrid. Reminding the Council that the Palestinian delegation had been forced to boycott the meeting the day before, pending the final decision by the PLO leadership on the principle of continuing with the process as a whole, he called upon the international community and the sponsors of the Peace Conference to make serious efforts to salvage the peace process. He also appealed to the Council to take proper action to ensure the immediate return of the deportees and to ensure that Israel would not take similar actions in the future. He hoped that the Council would unanimously adopt the draft resolution and implement its provisions promptly and rigorously.<sup>269</sup>

The representative of Lebanon stated that the deportation of almost 400 Palestinians into Lebanese territory, despite the opposition of its Government, constituted a serious breach of the principle of sovereignty of States and of article 49 of the Fourth Geneva Convention. It was an act in defiance of the United Nations and its Charter, and a challenge to the

---

<sup>266</sup> For the statement by the representative of the United States, see S/PV.3151, pp. 2-5. See also chapter III, case 6.

<sup>267</sup> S/24987.

<sup>268</sup> Letters addressed to the Secretary-General by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (S/24974); and to the President of the Security Council by the representative of Lebanon (S/24980).

<sup>269</sup> S/PV.3151, pp. 6-11.

---

<sup>264</sup> S/23783.

<sup>265</sup> S/24980.

Security Council, its resolutions and authority. At the political level, it would have serious consequences with respect to the internal situation in Lebanon, frustrating the Government's endeavours to restore a normal situation. It also posed an obstacle to the liberation of the southern part of the country occupied by Israel. The speaker noted with surprise that the United Nations, and the Security Council in particular, had been excluded from the efforts to achieve a settlement of the Arab-Israeli conflict, at a time when the Council was involved in the search for solutions to all other regional and local problems. Reminding the Security Council that Israel had defied all its resolutions on deportations, he called on the Council to use its authority, including the authority conferred by Chapter VII of the Charter, to adopt the draft resolution and to ensure the implementation of all other previous resolutions. He also requested the Council to enforce its resolution 425 (1978) to bring about Israel's total withdrawal from southern Lebanon, which would remove one of the major obstacles to the peace process and help to lessen the friction in the Middle East.<sup>270</sup>

The representative of Israel stated that his Government had issued temporary removal orders against members of the terrorist organizations Hamas and Islamic Jihad who, discouraged by bilateral negotiations between Israel and its Arab neighbours, had been mounting a campaign of intimidation and bloodshed. He noted that the measures, which would be effective for a period of time not extending beyond two years, had been approved by the Supreme Court of Israel. Faced with extremist groups that threatened to endanger the stability and prospects for peace in the Middle East, Israel was exercising its natural right of self-defence, and it was regrettable that some members of the Council wanted to condemn it for doing so. The speaker assured the Council that Israel was fully committed to the quest for peace and would not withdraw from the talks in Washington. He warned that the Palestinians, who had rejected the partition plan in 1948 and the Camp David accords later, would make yet another great mistake by choosing to desert the negotiations and giving in to Hamas and Islamic Jihad.<sup>271</sup>

The representative of Jordan noted that, over the past quarter century, the Council had examined the

question of deportations and adopted several resolutions, the most recent of which was resolution 726 (1992). Yet it was meeting again to examine a deportation by Israel, in disregard of the Charter of the United Nations, the Fourth Geneva Convention and the Council's resolutions. The speaker contended that, contrary to Israel's statement that the deportations aimed to punish those responsible for killing the Israeli soldier and to safeguard the peace process, the real reason was the rivalry in Israeli domestic politics. He hoped that the Council would adopt a resolution to ensure the prompt return of the deportees, another to follow up on the implementation of the first, and a third affirming the applicability of the Geneva Conventions to the occupied territories and compelling Israel to respect them.<sup>272</sup>

The draft resolution was then put to the vote and adopted unanimously as resolution 799 (1992), which reads:

*The Security Council,*

*Recalling* the obligations of Member States under the Charter of the United Nations,

*Reaffirming* its resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 681 (1990) of 20 December 1990, 694 (1991) of 24 May 1991 and 726 (1992) of 6 January 1992,

*Having learned with deep concern* that Israel, the occupying Power, in contravention of its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, deported to Lebanon on 17 December 1992 hundreds of Palestinian civilians from the territories occupied by Israel since 1967, including Jerusalem,

1. *Strongly condemns* the action taken by Israel, the occupying Power, to deport hundreds of Palestinian civilians, and expresses its firm opposition to any such deportation by Israel;

2. *Reaffirms* the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and affirms that deportation of civilians constitutes a contravention of its obligations under the Convention;

3. *Reaffirms* also the independence, sovereignty and territorial integrity of Lebanon;

---

<sup>270</sup> Ibid., pp. 12-20.

<sup>271</sup> Ibid., pp. 21-28.

---

<sup>272</sup> Ibid., pp. 28-33.

4. *Demands* that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported;

5. *Requests* the Secretary-General to consider dispatching a representative to the area to follow up with the Israeli Government with regard to this serious situation and to report to the Security Council;

6. *Decides* to keep the matter actively under review.

Speaking after the vote, the representative of the United States recalled that his Government had repeatedly urged Israel to cease deportations as a method of punishment and to comply fully with the Fourth Geneva Convention in all occupied territories. He regretted that Israel had gone ahead with the deportations, playing into the hands of those whose goal was to scuttle the peace process, and in the process imposing an unfair burden on Lebanon. Equally condemning Hamas for murdering Israelis as part of a deliberate strategy to undermine the peace process, he appealed to all parties to avoid unilateral actions that raised tensions. He reiterated that the United States regarded the phrase “all the Palestinian territories occupied by Israel since 1967, including Jerusalem” as being merely demographically and

geographically descriptive and not indicative of sovereignty.<sup>273</sup>

The representative of the United Kingdom said that his delegation had supported the resolution because the vital interests of all the concerned parties should be to preserve and pursue the peace process. Condemning both the acts of violence — the recent murder of an Israeli military official — and the deportation of Palestinians, he called on all parties to devote themselves to the bilateral and multilateral negotiations.<sup>274</sup>

The representative of France condemned the acts of violence and opposed the procedure of deportation, which constituted a violation of the Fourth Geneva Convention and was contrary to several Security Council resolutions. The current deportations were even more deplorable, because they were on a very large scale, constituted collective punishment and a violation of Lebanon’s sovereignty, to which the Government of France attached particular importance, and impeded the peace process.<sup>275</sup>

---

<sup>273</sup> Ibid., pp. 48-51.

<sup>274</sup> Ibid., pp. 52-53.

<sup>275</sup> Ibid., pp. 53-55.

## General issues

### 25. Marking of plastic or sheet explosives for the purpose of detection

#### Initial proceedings

##### **Decision of 14 June 1989 (2869th meeting): resolution 635 (1989)**

At its 2869th meeting, held on 14 June 1989 in accordance with the understanding reached in its prior consultations, the Security Council included in its agenda the item entitled “Marking of plastic or sheet explosives for the purpose of detection” and considered the question at the same meeting.

Following the adoption of the agenda, the President (United States) drew the attention of the members of the Council to a draft resolution that had been prepared in the course of the Council’s prior

consultations.<sup>1</sup> The draft resolution was voted upon and adopted unanimously as resolution 635 (1989), which reads:

*The Security Council,*

*Conscious* of the implications of acts of terrorism for international security,

*Deeply concerned* by all acts of unlawful interference against international civil aviation,

*Mindful* of the important role of the United Nations in supporting and encouraging efforts by all States and intergovernmental organizations in preventing and eliminating

---

<sup>1</sup> S/20690.