



THE JACOB RADER MARCUS CENTER OF THE  
AMERICAN JEWISH ARCHIVES

*Preserving American Jewish History*

MS-603: Rabbi Marc H. Tanenbaum Collection, 1945-1992.

Series D: International Relations Activities. 1961-1992

Box 57, Folder 7, Council of Europe reports, 1985-1986.



DAVID GELLER

*Thought  
you'd like to  
see this*



*David*

OREJA, Aguirre MARCELINO

Spanish diplomat and government official.

Born February 13, 1935.

Entered diplomatic service 1958.

Director Technical Office of Minister of Foreign Affairs 1962.

Former Assistant Director and Professor of Foreign Affairs  
at Escuela Diplomática.

Member of Delegations to UN, IMF, IDB, OECD.

Member interministerial committee drafting bill for religious  
freedom.

Director of International Relations, Banco de España 1971-74.

Under-Secretary for Information and Tourism 1974.

Under-Secretary for Foreign Affairs December 1975.

Minister of Foreign Affairs 1976-80.

Government Representative in Basque Country 1980-.

Senator by royal appointment June 1977.

Daniel Hirtz 11

Strasbourg 67000

T - 88 361397

PARLIAMENTARY ASSEMBLY  
OF THE  
COUNCIL OF EUROPE

THIRTY-SIXTH ORDINARY SESSION

RESOLUTION 826 (1984)<sup>1</sup>  
*on East-West relations*  
(General policy of the Council of Europe)

The Assembly,

1. Recalling its numerous debates and positions adopted on East-West relations since the beginning of the CSCE process, and most recently its Resolution 806 (1983) of 1 October 1983 ;
2. Reiterating the deep concern expressed in that resolution about the possible consequences of an unchecked arms race, and regretting that the situation has since further deteriorated as the result of the unilateral suspension by the Soviet Union of negotiations with the United States in Geneva on the control of both intermediate and strategic nuclear forces (INF and START) ;
3. Equally concerned at the intensification of Soviet military operations in Afghanistan, and at the suppression of the free trade union movement in Poland,
4. Draws attention, in view of continuing violations of human rights in the European countries with communist governments, to the solemn pledge given by all the CSCE participating states, in the Helsinki Final Act and the Concluding Document in Madrid, whereby they confirmed their respect for and guaranteed protection of human rights, and expressly recognised the right of the individual to know and act upon his rights ;

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 28 June 1984.

See Doc. 5238, report of the Political Affairs Committee ; Doc. 5248, opinion of the Committee on Economic Affairs and Development ; Doc. 5239, opinion of the Committee on Culture and Education ; Doc. 5246, opinion of the Committee on Agriculture ; and Doc. 5249, opinion of the Committee on Relations with European Non-Member Countries.

ASSEMBLÉE PARLEMENTAIRE  
DU  
CONSEIL DE L'EUROPE

TRENTE-SIXIÈME SESSION ORDINAIRE

RÉSOLUTION 826 (1984)<sup>1</sup>  
*relative aux relations Est-Ouest*  
(Politique générale du Conseil de l'Europe)

L'Assemblée,

1. Rappelant ses nombreux débats et prises de position au sujet des relations Est-Ouest depuis le début des négociations dans le cadre de la CSCE, notamment sa Résolution 806 (1983) du 1<sup>er</sup> octobre 1983 ;
2. Réitérant la vive préoccupation figurant dans cette résolution, que lui inspirent les conséquences possibles d'une course sans fin aux armements, et regrettant que la situation se soit encore dégradée à la suite de la suspension unilatérale par l'Union Soviétique des négociations avec les Etats-Unis à Genève sur le contrôle des armements nucléaires tant intermédiaires que stratégiques (FNI et START) ;
3. Egalement préoccupée par l'intensification des opérations militaires soviétiques en Afghanistan, et par la répression exercée contre le mouvement syndicaliste libre en Pologne,
4. Rappelle, face aux violations continues des droits de l'homme dans les pays d'Europe à régime communiste, l'engagement solennel pris par tous les Etats participant à la CSCE, dans l'Acte final d'Helsinki et le document de clôture de Madrid, de respecter et de garantir les droits de l'homme, et tout particulièrement la reconnaissance expresse du droit de tout individu de connaître et d'exercer ses droits ;

1. Texte adopté par la Commission Permanente, agissant au nom de l'Assemblée, le 28 juin 1984.

Voir Doc. 5238, rapport de la commission des questions politiques ; Doc. 5248, avis de la commission des questions économiques et du développement ; Doc. 5239, avis de la commission de la culture et de l'éducation ; Doc. 5246, avis de la commission de l'agriculture ; et Doc. 4249, avis de la commission des relations avec les pays européens non membres.

5. Points out that East-West human contacts are of great importance for peace and understanding among nations, and calls on certain states of Eastern Europe, which do not yet do so, to allow their citizens to visit a foreign country of their choice at least once a year ;

6. Emphasising the need for international law to be respected by all nations including the superpowers, and calling for respect for national sovereignty and territorial integrity, in accordance with the Charter of the United Nations ;

7. Noting, however, that the Concluding Document of the CSCE Madrid meeting held out a promise of progress in co-operation in several fields, and was more explicit than the Helsinki Final Act, among other things in its sections dealing with humanitarian co-operation, freedom for religious and trade union activities, and working conditions for journalists ;

8. Convinced that the current state of relations between the superpowers places a particular responsibility upon countries in both halves of divided Europe to maintain and intensify their dialogue both bilaterally and multilaterally in the follow-up conferences and forums decided at the Madrid meeting, such as that currently in progress on security and Confidence-Building Measures and Disarmament in Europe (CDE) in Stockholm, and the meeting of experts on human rights and the Cultural Forum due to open respectively in Ottawa and in Budapest in May and October 1985,

9. Recalls paragraph 14 of the section on principles of the Concluding Document of the CSCE Madrid meeting reaffirming that "governments, institutions, organisations and persons have a relevant and positive role to play in contributing towards the achievement of the above-mentioned aims of their co-operation", and emphasises that the Council of Europe is an institution within the meaning of this agreement, so that an increase in the official contacts of European non-member states with the Council of Europe and its organs, constitutes a means of implementing the Madrid Concluding Document ;

10. Noting that the first session of CDE (17 January to 18 March 1984) was conducted in a business-like atmosphere, contrasting with public polemics,

5. Attire l'attention sur l'importance considérable que les rencontres entre citoyens de l'Est et de l'Ouest revêtent pour la paix et pour la compréhension entre les peuples, et lance un appel à certains Etats de l'Europe de l'Est qui ne le font pas encore d'autoriser leurs ressortissants à faire au moins un voyage par an dans un pays étranger de leur choix ;

6. Soulignant la nécessité que le droit international soit respecté par toutes les nations y compris les superpuissances, et demandant le respect de la souveraineté nationale et de l'intégrité territoriale conformément à la Charte des Nations Unies ;

7. Observant, toutefois, que le document de clôture de la réunion de Madrid de la CSCE laissait espérer des progrès de la coopération dans plusieurs domaines, et était plus explicite que l'Acte final d'Helsinki, notamment dans ses chapitres traitant de la coopération humanitaire, de la liberté religieuse et syndicale et des conditions de travail des journalistes ;

8. Convaincue que l'état actuel des relations entre les superpuissances impose aux pays des deux côtés de l'Europe divisée la responsabilité particulière de maintenir et d'intensifier leurs dialogues bilatéraux et multilatéraux, dans les nouvelles conférences et réunions dont la tenue a été décidée à Madrid, notamment la Conférence de Stockholm sur les mesures de confiance et de sécurité et du désarmement en Europe (CDE) actuellement en cours, et la réunion d'experts sur les droits de l'homme et le Forum culturel qui s'ouvriront respectivement à Ottawa et à Budapest en mai et en octobre 1985,

9. Rappelle le paragraphe 14 du chapitre du document de clôture de Madrid consacré aux principes, dans lequel les participants confirment « que les gouvernements, les institutions, les organisations et les personnes ont un rôle pertinent et positif à jouer en contribuant à la réalisation des objectifs susmentionnés de leur coopération », et souligne que le Conseil de l'Europe est une institution au sens de cet accord, de sorte que la multiplication des contacts officiels entre les pays européens non membres et le Conseil de l'Europe et ses organes relève de la mise en œuvre du document de clôture de Madrid ;

10. Notant que la première session de la CDE (17 janvier au 18 mars 1984) s'est déroulée dans une atmosphère sereine, contrastant avec la polé-

in spite of widely diverging interpretations of the conference's mandate by countries of the East and the West, and expressing the hope that genuine dialogue can commence in the course of the second session which opened on 8 May 1984 ;

11. Reiterating the determination of the Council of Europe to contribute to co-ordinating the action of its member states with a view to dialogue—and to provide an opportunity for such dialogue—with the states of the East of our continent, whose present fate depends on both sides and on the level of *détente* which we and they succeed in imposing in the conflict dividing the two blocs ;

12. Expressing the belief that the balanced development of stable economic and trade relations between Western and Eastern Europe should be considered as an important factor in the realisation of the basic objectives of the Final Act of the CSCE and would contribute to world security through the search for common grounds and mutual advantages ;

13. Expressing its concern, however, at the persisting dumping practices of certain Eastern European countries and the growing importance of counter-trade transactions in overall East-West trade ;

14. Believing that stable and intense trade in food and agricultural products contributes towards a more productive East-West relationship, and convinced that the much-needed reform of Eastern European agriculture can best be brought about by enhanced scientific and commercial contacts in this area ;

15. Bearing in mind the reports of its Political Affairs Committee (Doc. 5238), and its Committee on Science and Technology (Doc. 5172) and the opinions of its Committees on Economic Affairs and Development (Doc. 5248), on Culture and Education (Doc. 5239), on Agriculture (Doc. 5246), on Relations with European Non-Member Countries (Doc. 5249), and its Legal Affairs Committee,

16. Calls upon governments and parliaments of member states :

i. to continue to use the potential of both organs of the Council of Europe to exchange and, where possible, concert views on the ongoing CSCE process ;

mique publique, malgré de larges divergences d'interprétation du mandat de la conférence entre pays de l'Est et de l'Ouest, et exprimant l'espoir qu'un vrai dialogue pourra s'instaurer au cours de la deuxième session qui s'est ouverte le 8 mai 1984 ;

11. Réitérant la volonté du Conseil de l'Europe de contribuer à coordonner l'action de ses Etats membres en vue du dialogue — et de fournir un cadre pour la poursuite de ce dialogue — avec les Etats de l'Est de notre continent, dont le sort à ce jour dépend des uns et des autres et du niveau de détente que nous réussissons les uns et les autres à imposer dans le conflit opposant les deux blocs ;

12. Etant d'avis que le développement équilibré de relations économiques et commerciales entre l'Europe occidentale et l'Europe de l'Est devrait être considéré comme un facteur important de la réalisation des objectifs fondamentaux de l'Acte final de la CSCE et pourrait contribuer à la sécurité dans le monde grâce à la recherche d'intérêts communs et de bénéfices mutuels ;

13. Exprimant, toutefois, sa préoccupation en face des pratiques persistantes de *dumping* de certains pays d'Europe de l'Est et du volume croissant des transactions de contre-achat dans le cadre du commerce global entre l'Est et l'Ouest ;

14. Estimant que des échanges de produits alimentaires et agricoles stables et intenses contribuent à des rapports Est-Ouest plus productifs, et convaincue que le meilleur moyen de susciter une réforme hautement nécessaire de l'agriculture en Europe de l'Est est d'améliorer les contacts scientifiques et commerciaux dans ce domaine ;

15. Tenant compte des rapports de sa commission des questions politiques (Doc. 5238) et de sa commission de la science et de la technologie (Doc. 5172) et des avis de ses commissions des questions économiques et du développement (Doc. 5248), de la culture et de l'éducation (Doc. 5239), de l'agriculture (Doc. 5246), des relations avec les pays européens non membres (Doc. 5249), et des questions juridiques,

16. Invite les gouvernements et les parlements des Etats membres :

i. à continuer à utiliser les possibilités des deux organes du Conseil de l'Europe pour échanger et, dans la mesure du possible, concerter leurs vues sur les négociations en cours dans le cadre de la CSCE ;

ii. to promote real dialogue in Stockholm, by ensuring that national delegations to the CDE continue to insist on militarily significant and verifiable confidence-building measures that are binding and cover the whole of Europe, with a view to giving effect and expression in concrete ways to the duty, to which the Soviet Union and her allies claim to attach great importance, to refrain from the threat or use of force in their relations with one another, and indeed with other countries, including Afghanistan ;

iii. to uphold the principle of international law that forbids one nation to invade another in order to bring about political change, which must be regarded as fundamental in all international relations, as well as welcoming the fact that the United States on 9 June 1984, together with other participants in the London Summit of Major Industrialised Countries, declared their desire to seek co-operation with all countries on the basis of respect for their independence and territorial integrity, regardless of differences between political, economic and social systems ;

iv. to encourage initiatives therefore aimed at reinforcing the political identity of Europe, both in the framework of Western solidarity and in East-West relations in general ;

v. to denounce human rights violations everywhere in the world ;

vi. to encourage the states or groups of states which do not enjoy such benefits to introduce a system of supervision and appeal comparable to the European Commission and Court of Human Rights ;

vii. to express their acute and urgent concern about the fate of the Sakharovs and of others, less well-known or unknown, who share their fate ;

viii. to intensify European co-operation in the various specialised fields of activity included within the general terms of reference of the Council of Europe, and particularly in the educational, cultural, economic, environmental, legal and scientific fields ;

ix. to improve co-ordination of their positions on problems arising from East-West trade, in particular with regard to preferential treatment, debt service problems and the consequences of the transfer of technologies ;

ii. à favoriser un dialogue véritable à Stockholm, en faisant en sorte que les délégations nationales à la CDE maintiennent leur pression pour que soient prises des mesures de confiance d'importance militaire réelle, vérifiables, contraignantes et s'appliquant à toute l'Europe, en vue de donner effet et expression par des moyens concrets à l'obligation, à laquelle l'Union Soviétique et ses alliés affirment attacher un grand prix, de s'abstenir de recourir à la menace ou à l'emploi de la force dans les relations internationales, y compris d'ailleurs avec les pays tiers dont l'Afghanistan ;

iii. à soutenir le principe de droit international qui interdit à toute nation d'en envahir une autre pour imposer des changements politiques et qui doit être considéré comme fondamental dans toute relation internationale, tout en se félicitant que les Etats-Unis, le 9 juin 1984, ensemble avec les autres pays participant au Sommet de Londres des pays les plus industrialisés, se soient déclarés prêts à la coopération avec tous les pays, dans le respect de leur indépendance et de leur intégrité territoriale, indépendamment des différences entre systèmes politiques, économiques et sociaux ;

iv. à encourager en conséquence les initiatives tendant à renforcer l'identité politique de l'Europe, tant dans le cadre de la solidarité occidentale que dans les relations Est-Ouest en général ;

v. à dénoncer les violations des droits de l'homme partout dans le monde ;

vi. à inciter les Etats ou groupes d'Etats qui en sont dépourvus à se doter d'un système de contrôle et de recours comparable à la Commission et à la Cour européennes des Droits de l'Homme ;

vii. à exprimer dans l'immédiat leur vive préoccupation quant au sort des époux Sakharov et de tous ceux, moins connus ou inconnus, qui le partagent ;

viii. à intensifier la coopération européenne dans les divers domaines spécialisés relevant du mandat général du Conseil de l'Europe, particulièrement ceux de l'éducation, de la culture, de l'économie, de l'environnement, du droit et de la science ;

ix. à procéder à une meilleure coordination de leurs positions sur les problèmes liés au commerce Est-Ouest, notamment en ce qui concerne le traitement préférentiel, les problèmes du service de la dette et les conséquences du transfert des technologies ;

x. to develop economic and industrial co-operation with Eastern European countries on a basis of mutual benefit, thus seeking to overcome problems arising from the differences in Eastern and Western economic systems ;

17. Decides to continue and intensify its existing contacts at parliamentary level with European non-member countries, with a view to setting up efficient forums and mechanisms for dialogue aiming at improved mutual knowledge and co-operation in the interests of *détente* and the construction of Europe in the widest sense ;

18. Instructs its Legal Affairs Committee and its Committee on Relations with European Non-Member Countries to carry out a study of the situation of human rights and the right to free movement of persons, and to report back to it as soon as possible.

x. à développer la coopération économique et industrielle avec les pays d'Europe de l'Est sur une base d'intérêt mutuel, en s'efforçant ainsi de surmonter les problèmes découlant des différences entre les systèmes économiques de l'Est et de l'Ouest ;

17. Décide de poursuivre et d'intensifier ses contacts existants au niveau parlementaire avec les pays européens non membres, en vue d'établir des cadres et des mécanismes efficaces de dialogue visant à une meilleure connaissance réciproque et à une coopération au service de la détente et de la construction de l'Europe au sens le plus large ;

18. Charge ses commissions des questions juridiques et des relations avec les pays européens non membres d'effectuer une étude sur la situation des droits de l'homme et du droit à la libre circulation des personnes, et de lui faire rapport le plus tôt possible.





# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

26 July 1985  
ADOC5445.N  
[GREF.NM]

Doc. 5445

## PARLIAMENTARY ASSEMBLY

### R E P O R T

on the situation of the Jews of the Soviet Union (1)

(Rapporteur: Mr HUGOSSON)

AMERICAN  
ARCHIVES

#### I. DRAFT RESOLUTION

presented by the Committee on Relations with  
European Non-Member Countries (2)

The Assembly,

1. Recalling its Resolution 412 (1969) on the situation of the Jews in European non-member countries, its Recommendations 632 (1971), 722 (1979), 778 (1976) and its Resolutions 679 (1978), 740 (1980) and 795 (1983) on the situation of the Jews in the Soviet Union;

---

(1) See Doc. 4936 and Resolution 795 (1983).

(2) Unanimously adopted by the committee on 2 July 1985

#### Members of the committee:

MM. Hugosson (Chairman), Atkinson, Blaauw (Vice-Chairmen),  
Bogaerts, Bonalumi, Burger (Alternate: Konen), Cardia, Edwards,  
Fossen, Hassler, Jäger, Nørgaard, Loulis, Martinez, Matraja,  
Neumann, Power, Probst, Rubbi (Alternate: Amadei), Sager, Sen,  
Verdan, Sigurdsson.

NB: The names of those who took part in the vote are underlined  
Secretary of the committee: Mr Hartig.

5.254  
01.44

2. Noting that the Soviet Union has adhered to many international conventions and agreements, as well as the Helsinki Final Act, which guarantee freedom of emigration and cultural expression;
3. Recalling the Universal Declaration on Human Rights which guarantees personal freedom, protection against arbitrary arrest and discrimination, the right to independent and impartial tribunals and the freedom of religion and freedom of movement and the right to change nationality;
4. Recalling the guarantees protecting the rights of minorities contained in the Soviet Constitution, and the obligations of the Soviet Union under the International Convention on Civil and Political Rights which stipulates everyone shall be free to leave any country, including his own;
5. Concerned over the precariousness of the situation of the Jews of the Soviet Union, notably their difficulties to exercise their religion and culture including studies of the Hebrew language;
6. Alarmed over the continued harassment, trials and imprisonment of Jews seeking permission to emigrate to Israel or other countries;
7. Noting with concern the continued anti-Semitism in many areas of Soviet life;
8. Noting therefore that the Jews in the Soviet Union are an oppressed cultural minority and recognising this situation as a case for international concern;
9. Noting that since 1968 more than 260,000 Jews living in the Soviet Union have left the country but regretting that since 1979 when over 51,000 Jews were permitted to emigrate, the annual figure of emigration has been reduced and was limited in 1984 to a number of 896;
10. Recalling that more than 350,000 Jews have expressed their wish to leave the Soviet Union but have not obtained exit permits,
11. Calls upon the Soviet Government:
  - i. to allow the Jews in the Soviet Union to live free of discrimination, and to enjoy the right to exercise their Jewish religion, their cultural traditions and to teach and learn the Hebrew language;
  - ii. to cease the diffusion of anti-Jewish propaganda;
  - iii. to release all Jewish prisoners of conscience;
  - iv. to allow those Jews who want to emigrate to Israel or to other countries to do so;
12. Calls upon members of the Assembly to continue intervening with their national parliaments and with their governments to press for Soviet compliance with the demands put forward in this resolution.

II. EXPLANATORY MEMORANDUM

by Mr Hugosson

Contents

	<u>Page</u>
Introduction .....	2
A. Situation of Jews in the Soviet Union .....	2
1. Jewish Religion and Culture .....	2
2. Suppression of Hebrew Language Instruction Among Jews .....	3
3. Anti-Semitism .....	4
4. New Legislation .....	4
5. Renewed Activism Among Soviet Jews .....	5
B. Emigration .....	5
1. Legal Aspects of Soviet Jewish Emigration .....	5
2. Halting of Jewish Emigration .....	7
3. Visa Process .....	9
4. Refuseniks .....	10
5. Prisoners .....	11
C. International Activity on Behalf of Soviet Jews .....	11
D. Conclusions .....	12
Appendix I .....	13
Appendix II .....	15

## Introduction

1. The most recent report submitted to the Assembly on the subject of Soviet Jewry (Doc. 4936) which was prepared by my predecessor Ms A Gradin and submitted by me in January 1983 (and which included developments through June 1982), concluded that the policy of Soviet authorities regarding Jewish emigration and Jewish culture was unacceptable and that a culture was being made to disappear in spite of internationally guaranteed human rights. The doors of Jewish emigration from the USSR were closing tightly. As the present report indicates, in all these respects the situation of Soviet Jewry has not improved since 1982, on the contrary there are signs that the situation has become worse. Emigration last year was cut down to merely 896 Soviet Jews; police repression of Jewish activists has been intensified, especially since July 1984, as has the suppression of Jewish culture in the broadest sense of the term, and an anti-Semitic campaign, thinly disguised as anti-Zionism, is intensifying in the Soviet media.

2. The precariousness of the situation of the Jews of the Soviet Union arises from the painful dilemma which confronts them: in the USSR they are denied the possibility of living as Jews free of fear and discrimination and, as a result of discriminatory measures and policies they face great difficulties both in enjoying their culture and practising their tradition, and also in transmitting their cultural and religious heritage to their children. At the same time they are prevented from leaving the USSR. This denial of their human rights is contrary to several international human rights conventions including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights, as well as the Soviet Constitution. Soviet policies toward the Jews also fail notably to conform to the standards embodied in the Helsinki Final Act.

At the invitation of the Knesset, the Committee on Relations with European Non-Member Countries met in Jerusalem on 14 and 15 May 1985 and had a specially arranged hearing with a number of Jews who had recently emigrated from the USSR to Israel.

The first chapter of the present report deals with the situation of Soviet Jewry while the second deals with emigration.

### A. SITUATION OF JEWS IN THE SOVIET UNION

#### 1. Jewish religion and culture

3. The situation regarding Jewish religion and culture in the USSR can be summarised briefly as follows:

a. There are no Jewish schools in the USSR.

b. Virtually no books in any language are published on Jewish history and culture and importation of such books into the Soviet Union is prohibited.

c. Private seminars in Jewish history and culture have in recent years been forcibly suppressed by the Soviet authorities.

d. Regarding Jewish religion there are today fewer than 60 synagogues in the USSR, of which only five are known to have rabbis. Jews are denied, among other things, the opportunity to train clergy, to form all-Soviet or regional organisations or to publish religious bulletins or periodicals. No Hebrew Bible has been published in the USSR for over half a century and Jewish religious appurtenances such as prayer shawls, mezuzot, phylacteries, etc are virtually unobtainable. The effective ban on the study of the Hebrew language (see below), - the language of Jewish sacred books and liturgy, is a virtually insurmountable obstacle to the practice of Jewish religion.

4. The situation as a whole violates Section 27 of the International Covenant on Civil and Political Rights which provides that:

In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

as well as Article 5 of the UNESCO Convention Against Discrimination in Education.

2. Suppression of Hebrew language instruction among Jews

5. The study of the Hebrew language among Jews is subject to an unofficial though rigorously enforced ban. The few possibilities officially open for the study of Hebrew (aimed at the training of Soviet officials and of Russian Orthodox clergy) are closed to Jews. No books in Hebrew are published and no teachers are trained. Efforts on the part of Jews (mainly refuseniks) to study and teach Hebrew privately have met with resistance and suppression by the authorities.

6. Hebrew teachers have long been special targets of the authorities. The apartments of Hebrew teachers have been broken into, searched, and Hebrew and Jewish teaching material confiscated. Hebrew teachers and their students have been regularly warned by the authorities that they will face grave consequences unless they stop their Jewish studies. In recent months, however, the pressure on Hebrew teachers and cultural activists has been escalated by the authorities to the level of a determined campaign to put an end to Hebrew language study among Jews.

7. The current wave of trials was preceded by a most unsettling verdict against the Moscow Hebrew teacher Yosif Begun in October 1983 in a trial which was considered by Soviet Jews to be a trial against Hebrew culture. Begun, on trial for the third time, was sentenced to seven years in prison and five years in exile for alleged "anti-Soviet agitation and propaganda".

### 3. Anti-Semitism

8. Anti-Semitism, in the forms noted in our previous report, continues to manifest itself in Soviet society, including the exclusion of Jews from certain areas of Soviet life and discrimination against them in matters of employment, professional advancement and university admission and studies. It can be inferred from Soviet statistics that the number of Jewish students in the USSR declined by a further 10-15% between 1978/79 and 1980/81 (over and above the 40% decline in the number of Jewish students which occurred during the decade 1968-77) from 59,500 to approximately 50,000.

9. Another development is that the number of Jews serving in local Soviets in 1983 seems to have declined to less than half their number in 1967.

10. An ominous change with respect to Soviet anti-Semitism which has occurred since the last report was submitted is the intensification of the anti-Semitic media campaign and its institutionalisation through the establishment of a special body, acting as its moving spirit.

On 1 April 1983 the newspaper Pravda published a declaration by a group of Soviet Jews concerning the establishment of a voluntary organisation called the "Anti-Zionist Committee of the Soviet Public", later designated the "Anti-Zionist Committee of Soviet Public Opinion". The Jews who comprised the majority of the leadership of this organisation have long been prominently employed as apologists for Soviet policy on Jewish matters. The justification given for the establishment of the Anti-Zionist Committee was "a sharp deterioration in the international situation due to the most aggressive forces of imperialism", of which Zionism is the alleged spearhead. The Anti-Zionist Committee has issued an appeal for a massive propaganda effort for the "political unmasking of Zionism". Anti-Semitic propaganda, camouflaged as anti-Zionism, is expanding throughout the length and breadth of the Soviet Union.

The targets of this propaganda are: Zionism, which is depicted as equivalent to Nazism; Judaism, which is described as the source of the "Zionist evil" and Israel, which is depicted as a contemporary version of Nazi Germany. Some Soviet publicists have even gone so far as to accuse "the Zionists" of having helped Hitler to rise to power and of having collaborated in the implementation of the Nazi mass murder of the Jews during World War II.

### 4. New legislation

11. A potential threat to Jewish activists and one which might be expected to deter future activism, is the new legislation, enacted in early 1984 and apparently designed to discourage contacts with foreigners. These laws define as criminally punishable the transmission to foreigners of information comprising "official secrets" which, in contrast to "state secrets", is left as an open-ended and wholly undefined category. More recently legislation has appeared which makes punishable the rendering of any services to foreign tourists in violation of the "rules governing their stay in the Soviet Union". The definition of "treason" has been broadened to

enable its employment against various forms of non-conformist behaviour while the law proscribing "anti-Soviet agitation and propaganda" (Article 70 of the Criminal Code in the Russian Republic) was reinforced before Andropov's death by including within its terms the circulation not only of printed material, but also of handwritten material, photographs, records and tapes. It has also been reinforced by severely increasing the punishment for anyone deemed to have violated its terms who also has been the recipient of any form of material assistance from what are described as "foreign organisations or persons acting in the interests of such organisations".

5. Renewed activism among Soviet Jews

12. It is a striking fact that in the face of the increased repression with which the Soviet authorities have sought to eliminate the Jewish movement as a phenomenon in Soviet life, that movement, focused on emigration to Israel, has been characterised by renewed activism, especially during the past year and a half.

13. The wave of arrests of Jewish activists, beginning with the arrest of the Riga activist Zakhar Zunshain in March 1984 followed by the arrests and trials of Alexander Yakir, Alexander Kholmiansky, Yakov Levin, Yuli Edelshtein, Mark Nepomnyashchy, Yosif Berenshtein, Anatoly Virshubsky and Nadezhda Fradkova, the arrests of Dan Shapiro and Yevgeny Aizenberg, and the harsh treatment meted out to such prisoners as Yosif Begun, Anatoly Shcharansky and Yosif Berenshtein, has evoked demonstrative actions, including rotational hunger strikes, demonstrations and petitions to the Soviet authorities or appeals for help to individuals, international bodies and governments in which many activists and refuseniks have participated and publicly registered their indignation.

14. The focus of the Jewish movement on Israel has been forcefully re-emphasised by Jewish activists who have publicly rejected the positions of the Anti-Zionist Committee and of Soviet "anti-Zionist" publications. A petition to the Presidium of the Supreme Soviet demanding repatriation to Israel and not merely reunification of families was signed initially by 43 Jewish activists and subsequently by several hundred more. Furthermore, in recent months hundreds of Jewish activists have requested and been granted Israeli citizenship by the Government of Israel and have petitioned the Presidium of the Supreme Soviet, without any relationship to the status of their applications for emigration permits, to withdraw their Soviet citizenship. The Soviet Government has refused either to recognise the Israeli citizenship of these Jews or to honour their request for withdrawal of Soviet citizenship.

3. EMIGRATION

1. Legal aspects of Soviet Jews' emigration

15. The right to emigrate is enshrined in many international instruments and has been enunciated so frequently that it may properly be considered a part of customary international law. It is clearly set forth in Article 13 (2) of the 1948 Universal Declaration of Human Rights which provides that "Everyone has the right to leave any country, including his own, and to return to his country", and in

Article 12 (2) of the 1966 International Covenant on Civil and Political Rights which asserts that "Everyone shall be free to leave any country, including his own". The same principle finds expression in Article 5 (d) of the 1965 International Convention on the elimination of all forms of racial discrimination and in the 1975 Final Act of the Helsinki Conference on Security and Co-operation in Europe.

16. Through its adherence to international treaties on the subject such as the 1965 International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Civil and Political Rights the Soviet Union has recognised the right to freedom of emigration. It has also upheld on many occasions in the United Nations and elsewhere the Universal Declaration of Human Rights.

17. Official Soviet spokesmen have maintained that Soviet policy on Jewish emigration was fully in accord with the provisions of Article 12 of the International Covenant on Civil and Political Rights and the cases in which applications are rejected come within the scope of its permitted exceptions. The late Soviet President Chernenko, a year before his accession to the Soviet leadership, in an English language booklet entitled "The CPSU: Society: Human Rights" stated the Soviet position clearly:

As for emigration, the relevant Soviet legislation and rules fully accord with the International Covenant on Civil and Political Rights, which says, among other things, that the right to go abroad may be limited in certain cases where it is necessary "to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others". In some cases the permission to emigrate may be postponed until the applicant's close relatives have settled their relations, including material ones. A decision on an application for permission to emigrate may be postponed in the case of persons possessing state secrets or those who have recently undergone training in important military fields. Upon the expiry of the established time limit the application for emigration is reconsidered. We have no other causes for not allowing emigration.

18. Article 12, however, requires that freedom of emigration "shall not be subject to any restrictions except those which are provided by law". The Soviet internal legal system contains no duly promulgated laws setting forth generally applicable criteria restricting emigration. Consequently, applicants for emigration find themselves totally at the mercy of the arbitrary decision of autonomous bureaucrats whose decisions are unappealable to any judicial authority. In this situation the Soviet authorities have expanded the permissible bases for restricting the right of emigration under Article 12 beyond all reasonable bounds, especially in connection with restrictions purportedly based on national security where no Soviet law defines which jobs involve restrictions on the right of emigration or the periods in which such restrictions are to be in force.



19. Apart from these undue restrictions on the right of emigration cited in Article 12 (3) to curtail Jewish emigration, the Soviet authorities have resorted to others which are questionable according to international law. As indicated below, tens of thousands of Jews have been denied exit permits because the affidavits sent to them from Israel were from relatives deemed by the Soviet authorities to be insufficiently close. Article 12 (3) of the Covenant, however, does not limit the right of emigration only to those with relatives abroad, much less exclusively to those with so-called "first-degree relatives", as the Soviet Government currently does. Moreover, even many Jews invited by their first degree relatives in Israel are still being denied their exit permits:

20. Furthermore, the Final Document of the Madrid Follow-up Conference to Helsinki, agreed upon in September 1983, calls upon the participating states, with regard to applications for family reunification "favourably to deal with" and "to decide upon" such applications, requiring that they be decided upon "within six months".

21. Additionally, enlarging upon the language of the Helsinki Final Act, which stated that "an application concerning family reunification will not modify the rights and obligations of the applicants or of members of his family", the Madrid Final Document specifies that these rights and obligations apply to, "inter alia, employment, housing, residence status, family support, access to social, economic or educational benefits, as well as any other rights and obligations flowing from the laws and regulations of the respective participating states".

## 2. Halting of Jewish emigration

22. The last report submitted to the Assembly on the subject of Soviet Jewry (Doc. 4936, submitted in January 1983, which included developments through June 1982) noted the steady decline in the numbers of Jews being allowed to leave the Soviet Union with Israeli visas in recent years. Following the peak year of 1979, when 51,303 Jews were permitted to emigrate, in 1980, 21,472 Jews were allowed to leave. In 1981, this figure was reduced to 9,448; in 1982, to 2,692; in 1983 to 1,314; and in 1984, to a mere 896. Table I shows the annual emigration figures since 1968 while Table II gives a monthly breakdown of emigration figures since 1980 (App. I). The current monthly figures, when seen against the background of a monthly average of over 4,200 Jews leaving the USSR in 1979, indicate clearly that the mass Jewish emigration witnessed in the 1970s has been effectively terminated.

It is difficult to find a single answer to the question why the Jewish emigration from the USSR virtually has come to a stand still. Evidently a sharpened internal climate towards non-conformist behaviour of all kinds has had its effects on the number of emigrants. The relations between the Soviet Union and the United States have also been of importance. During the period of détente a generous attitude from the Soviet authorities in this regard was appreciated by the US Government and Congress. If the number of allowed Jewish emigrants is a political barometer of the relations between the superpowers there might be hope in the future for a resumption of emigration.

A third factor could be the so-called drop-out phenomenon. According to this explanation the growing percentage of Jews who during the years of emigration chose non-Israel destinations, mainly the United States, after having left the Soviet Union with exit visas for Israel, generated unwelcome pressure within the Soviet Union for emigration among minorities.

23. While it is difficult to determine the precise weight of each of the above factors in the Soviet decision to halt Jewish emigration, it is possible that all three have influenced Soviet policy. Soviet spokesmen have been quoted on a number of occasions as linking an increase in Jewish emigration with improved relations with the West in general and with the United States in particular. Thus, Sergei Kondrashin, the Soviet representative at the Madrid Conference on Security and Co-operation in Europe, was quoted as saying that "the level of détente determines the pace of 'Basket Three' implementation". More recently, according to the American report on trade talks which took place between the United States and the Soviet Union in Moscow on 8 and 9 January of this year, the Chairman of the USSR State Bank, Vladimir S Alkhimov, hinted unofficially that "if good relations were restored with the United States, 50,000 Jewish emigrés annually would be 'no problem'". It should also be noted that permitted Soviet emigrations in the past seem to have been on the basis of repatriation and family reunification. In the case of Jewish emigration, potential applicants have been obliged to submit invitations from relatives in Israel; attempts by Soviet Jews to submit applications based on invitations from relatives in the US or elsewhere have been regularly rebuffed.

The current Soviet explanation, first presented by the Anti-Zionist Committee in June 1983 and with increasing frequency since then by various Soviet spokesmen, is that the drastic decline in the number of Jews leaving the Soviet Union in recent years is due to the fact that (in the words of the Anti-Zionist Committee) "the process of reunification of families has essentially been completed" and that Soviet Jews "have ceased to succumb to the Zionist temptation".

24. At the November 1984 session of the Human Rights Committee (established under the International Covenant on Civil and Political Rights) the Soviet representative, Mr Dmitri Bykov, responding to questions regarding the report which the Soviet Government had submitted on its compliance with the terms of the Covenant reiterated the Soviet position that Jewish emigration had come to a virtual halt because the process of reunification of families had been completed and that there are essentially very few Jewish applicants for exit visas. To support this assertion the Soviet representative produced the following figures on Jewish requests for emigration in recent years.

Table I

Soviet Figures on Jewish Applicants for Exit Permits

<u>Year</u>	<u>Number of applications</u>
1980	16,832
1981	9,950
1982	5,502
1983	3,577
1984	1,780 (through 30 September)

What is immediately obvious, however, from the figures presented by Mr Bykov is that when the number of applications for 1982, 1983 and the first nine months of 1984 (totalling 10,859) is compared with the number of Jews who are known to have left the Soviet Union in the same period (4,723) one observes that more than half of the applicants, even according to Soviet figures, did not succeed in obtaining exit permits. This appears to refute the familiar Soviet position cited in our last report that 98.4% of all applicants are granted exit permits and only 1.6% are refused.

Some indication of the real level of interest in emigration among Soviet Jews may be gleaned from the number of notarised invitations sent to Soviet Jews from Israel to enable them to begin the emigration process prescribed by the Soviet authorities. Such invitations are sent only upon the request of Soviet Jews.

According to the official Israeli sources, during the period from 1968 through the end of 1984 invitations were sent to 647,245 Soviet Jews; of this number, 264,533 succeeded in obtaining exit permits and leaving the USSR. This means that approximately 383,000 Jews have not obtained the exit permits they have asked for (see Section 4 below).

3. Visa process

25. A basic change which has occurred since the last report was submitted is that the Soviet authorities are not only controlling the numbers of permitted emigrants: they are also manipulating the procedures through which Jews must pass in order to apply for permission to leave, with the object of drastically revising these procedures. This process has been evidenced by:

- i. denial of the right to apply to those whose invitations are not from "first degree relatives", defined as including a spouse, parent or child;
- ii. confiscation of invitations by mail, or their return to the sender under some spurious pretext, or their delayed delivery until five months have lapsed (the current administrative life of an invitation being six months), which effectively prevents their submission together with other required documents;
- iii. the shortening of the period of validity of invitations;
- iv. non-response to an application for an extended number of years.

26. Through such practices the entire category of refuseniks is being systematically revised. New restrictions are being introduced according to which the applications of refuseniks will not be reconsidered unless they can present every six months a whole assortment of completely new papers, together with a newly-received affidavit from Israel.

#### 4. Refuseniks

27. The number of known refuseniks (defined as a Jew whose application for an exit permit has been accepted for processing and been formally rejected and who are willing to have that fact published) has now grown to 10,000. Their situation has greatly deteriorated during the last few years. Many refusenik families find themselves in a very vulnerable position. Not only are they subject to hardship as a consequence of having been fired from their jobs upon applying for an exit permit, but they are also subject to criminal prosecution as "parasites". In this way the Soviet authorities squeeze them out of Soviet society and make them into outcasts.

28. The children of applicants are generally expelled from universities and sometimes subjected to punitive and selective conscription into the armed forces. This necessarily (as interpreted by the authorities) involves contact with secrets - which results in postponement of emigration for at least five years after the period of service.

29. Those applicants who manage to retain their jobs are subjected constantly to discrimination and humiliation, such as sharp reduction in salary, transfer to a lower position and professional isolation.

30. The scientists among the refuseniks suffer in particular because of the deleterious effect on their qualifications of prolonged unemployment, professional isolation and denial to them of library and research facilities. Scientific seminars privately organised to enable them to maintain their qualifications have been forcibly closed by the police. Some scientists (eg Alexander Paritsky, Valery Soyfer, Vladimir Melamed, Mikhail Rabinovich) have even been stripped of their academic degrees; although an international outcry appears to have halted this practice, the degrees have not been restored.

31. Other forms of harassment suffered by refuseniks include the disconnection of their telephones, interference with their correspondence, methodical police surveillance and arbitrary arrests, personal attacks.

32. Experience has shown that no effective legal recourse is available to refuseniks who suffer the above forms of harassment.

33. The long-standing efforts by the Soviet authorities to isolate the refuseniks from all sources of external support have been reinforced by a recent measure of general application to Soviet citizens, effective as of 1 October 1984, terminating the long-standing practice of allowing parcels to be sent from abroad with the exceedingly high Soviet customs duties prepaid in hard currency by the sender.

34. Perhaps the most painful aspect of the refuseniks' situation is the almost total uncertainty regarding their future. While forced to live as pariahs in a kind of limbo, they do not know when, if ever, they will be granted permission to leave. More than 3,600 individuals have now been waiting for five years or more and over 120 families have been waiting for over 10 years. It is a notable fact that the small number of Jews still being allowed to leave does not include veteran refuseniks. It is no comfort to them that the Soviet Government issued in a number of instances "final refusals" to applicants for emigration to Israel.

#### 5. Prisoners

35. Eighteen persons are presently imprisoned for activities connected with their efforts to emigrate to Israel or, in one case, to improve Jewish life in the Soviet Union. (For the relevant details of these prisoners, see Appendix II.) Two of them were re-tried and re-sentenced in 1983 to additional terms, after having previously served their sentences: 26 year-old Simon Shnirman was sentenced to a second term for "draft evasion", and veteran activist and Hebrew teacher Yosef Begun who had previously served not one, but two prison terms, was given a harsh 12-year sentence after his conviction for allegedly having conducted "anti-Soviet agitation and propaganda". The tendency to re-arrest and re-try former Jewish prisoners represents one more ominous change from the period previously reported.

36. The most recent period has seen a wave of arrests of Jewish activists - ten over the past fourteen months alone. In virtually every case the legal proceedings appear to have been characterised by manifold procedural irregularities and misapplications of the substantive law resulting in gross violations of the defendants' rights. In fact, the charges against the defendants give every appearance of having been trumped up - their real offence being their effort to secure their right to emigrate or equality of rights as Jews.

37. Unfortunately a trend towards increased harassment and outright mistreatment of prisoners has been observed involving denial of various privileges including correspondence, visits and the like, as well as incarceration in punishment cells where they suffer prolonged periods of isolation, cold and hunger.

38. Recent changes in Soviet criminal legislation have reflected a tightening of the reins of control. The administration authorities in Soviet prisons and prison camps have been given the authority, under an appropriate legal cover, to extend the terms of prisoners who are completing their defined terms of imprisonment.

#### C. INTERNATIONAL ACTIVITY ON BEHALF OF SOVIET JEWS

39. Since the previous Council of Europe report, the European Parliament has continued to manifest its interest in the situation of the Soviet Jewry through the passage of resolutions at regular intervals setting forth the denials of human rights suffered by Soviet Jews including, in particular, their right to emigrate, and calling upon the Soviet Government to rectify these violations and to cease its harassment and persecution of Soviet Jewry and the suppression of Jewish culture and religion.

40. On 15-16 March 1983 the Third World Conference on Soviet Jewry took place in Jerusalem and was attended by 1,700 delegates from 31 foreign countries, and 500 from Israel.

41. The third bi-annual meeting of the European Inter-Parliamentary Conference for Soviet Jewry convened in London on 3 July 1984 and was attended by delegations from 15 European parliaments registering deep concern at the cessation of emigration and other violations of the right of Jews, calling upon European national parliaments to act and appealing urgently to the Soviet Government.

42. The Fourth European Inter-Parliamentary Conference for Soviet Jewry, held at The Hague on 26 April 1985 reiterated these concerns, appealed again to the Soviet Government and called upon all national delegations at the Ottawa Conference of Experts on Human Rights and Fundamental Freedoms to raise the issue of Soviet Jewry as often as possible during the course of the conference.

43. On 6 December 1984 an all-party debate was held in the Irish parliament, the Dail Eireann, ending in a unanimous resolution concerning the violation of the human rights of Soviet Jews and calling on the Soviet Union to abide by its own constitution and by the Helsinki Final Accords.

D. CONCLUSIONS

44. The deteriorating situation of Soviet Jewry represents a serious human rights problem. The Soviet Government is systematically denying to the Jews of the USSR their cultural rights, such as the right to study Hebrew. Soviet Jews are subjected to discrimination in various avenues of Soviet life and to a campaign of anti-Semitic incitement. The Soviet Government has during the last years virtually closed the doors to emigration. Those Jews who have sought to leave are subjected to persecution, and the number of those sentenced to prison terms is rising alarmingly. Meanwhile, thousands of families remain divided as a result of Soviet emigration policy.

45. The above situation is unacceptable. We must persist in our efforts to make clear to the Soviet Government that the question of Soviet Jewry will remain a subject of concern to us in the Parliamentary Assembly of the Council of Europe and in our national parliaments, where we must strive to ensure that our own governments will raise this question in their bilateral contacts with Soviet representatives and in every appropriate international forum.

A P P E N D I X I

TABLE I

Statistical data on Jewish emigration from the USSR

1968-1984

<u>YEAR</u>	<u>EXIT</u>	<u>YEAR</u>	<u>EXIT</u>
1968	229	1976	14,261
1969	2,979	1977	16,736
1970	1,027	1978	28,865
1971	13,022	1979	51,303
1972	31,681	1980	21,472
1973	34,733	1981	9,448
1974	20,628	1982	2,692
1975	13,221	1983	1,314
		1984	896



TABLE II

Statistical data on Jewish emigration

Monthly exits from the USSR  
January 1980 - October 1984

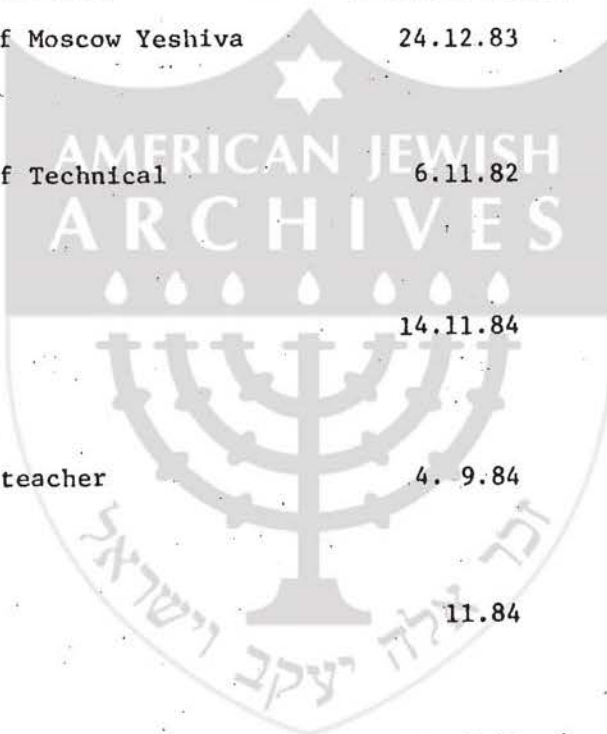
Month	1980	1981	1982	1983	1984	1985
January	2,803	850	290	81	88	61
February	3,023	1,407	283	125	90	88
March	3,049	1,249	289	101	51	98
April	2,470	1,155	288	114	74	166
May	1,976	1,141	205	116	109	51
June	1,767	866	182	102	72	
July	1,205	780	186	167	85	
August	770	430	238	130	83	
September	1,307	405	246	135	69	
October	1,424	368	168	90	29	
November	789	363	137	56		
December	889	434	176	97		
Total	21,472	9,448	2,688	1,314	750	



APPENDIX II

LIST OF JEWISH PRISONERS IN USSR

Name Date of birth City	Occupation, Marital status	Date of arrest	Charge Sentence
<u>ABRAMOV MOSHE</u> 1955 Samarkand	Rabbi, graduate of Moscow Yeshiva Single	24.12.83	Malicious hooliganism. 3 years imprisonment
<u>BEGUN IOSIF</u> 9.7.32 Moscow	Engineer, Cand. of Technical Services Married + 2	6.11.82	Anti-Soviet agitation and propaganda. 7 years imprisonment and 5 years exile
<u>BERENSHTEIN IOSIF</u> 1937 Kiev	Engineer Married + 1	14.11.84	Violent resistance to police authorities (Art. 188/1 of the UkrSSR Code). 4 years imprisonment
<u>EDELSHTEIN YULI</u> 1958 Moscow	English & Hebrew teacher Married + 1	4. 9.84	Illegal possession of drugs (Art. 224 of the RSFSR Code). 3 years imprisonment
<u>FRADKOVA NADEZHDA</u> 1947 Leningrad	Linguist Single	11.84	Parasitism. 2 years imprisonment
<u>KANEVSKY BORIS</u> 1946 Moscow	Mathematician Married	21. 6.82	Slander of Soviet state and social system. 5 years exile
<u>KHOLMYANSKY ALEXANDER</u> 1950 Moscow	Computer engineer Single	25. 7.84	Hooliganism (Est. Code, Art. 195 = RSFSR Code, Art. 206) and illegal possession of arms 1 1/2 years in prison



5.254

Name Date of birth City	Occupation Marital status	Date of arrest	Charge Sentence
<u>LEVIN YAKOV</u> 1959 Odessa	Watchmaker Single	10. 8.84	Slander of Soviet state and social system (Ukr. Code Art. 187 = RSFSR Code, Art. 190/I). 3 years in prison
<u>NEPOMNYASHCHY MARK</u> 1931 Odessa	Electrical engineer Married + 1	12.10.84	Art. 187 (1) of UkrSSR Code: dissemination of false information slandering Soviet regime. 3 years imprisonment
<u>SHCHARANSKY ANATOLY</u> 20.1.48 Moscow	Mathematician Married	15. 3.77	Treason. 13 years imprisonment
<u>SHEFER LEV</u> 1931 Sverdlovsk	Engineer Cand. of Science Single	21. 9.81	Anti-Soviet agitation and propaganda. 5 years imprisonment
<u>SHNIRMAN SIMON</u> 8.11.57 Kerch	Technician Married + 1	12. 1.83	Draft evasion. 3 years imprisonment
<u>TARNOPOLSKY YURY</u> 14.10.36 Kharkov	Chemist, Cand. of Chemical Sciences Married + 1	15. 3.83	Slander of Soviet state and social system. 3 years imprisonment
<u>VIRSHUBSKY</u>	Married	19.2.1985	Theft of State property. 2 years imprisonment
<u>YAKIR ALEXANDER</u> 1955 Moscow	Electrical engineer Single	14.6.1984	Draft evasion 2 years imprisonment



5.254

Name  
Date of birth  
City

Occupation  
Marital status

Date of arrest

Charge  
Sentence

ZUNSHAIN ZAKHAR  
1951  
Riga

Physicist  
Married

4. 3.84

Hooliganism and anti-Soviet  
agitation and propaganda.  
3 years imprisonment

FLODOROV YURI  
14.6.43  
Moscow

Divorced

15. 6.70

Treason.  
15 years imprisonment

AIZENBERG

Mechanical engineer

19.3.1985

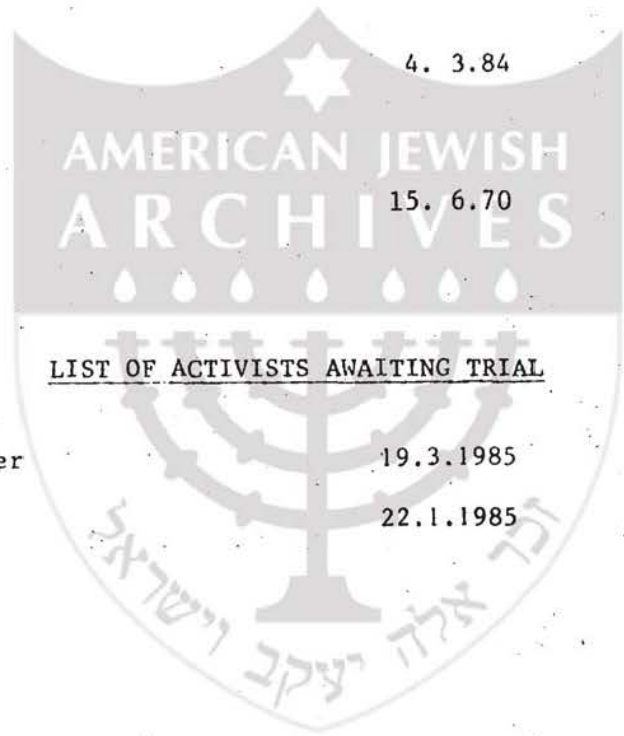
Anti-Soviet agitation and propaganda

SHAPIRO DAN  
1961  
Moscow

Philologist  
Divorced + 1

22.1.1985

Art. 190/1 of RSFSR Code:  
Anti-Soviet propaganda



# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

13 September 1985  
ADOC5456.P

Doc. 5456

## PARLIAMENTARY ASSEMBLY

### R E P O R T

on the war between Iraq and Iran (1)

(Rapporteur: Mr van den BERGH)

AMERICAN JEWISH

#### I. DRAFT RESOLUTION

presented by the Political Affairs Committee (2)

The Assembly,

1. Expressing its horror at the death and suffering, among combatants, including children, and civilians alike, caused by five years of warfare fought with particularly destructive modern weapons;

---

(1) See Doc 5228 and Reference No. 1436 of 11 May 1984, and Doc. 5407.

(2) Unanimously adopted by the committee on 11 September 1985.

Members of the committee: MM Baumel (Chairman), Steiner, van den Bergh (Vice-Chairmen), Alegre, Alemyr, Amadei, Beck, Sir Frederic Bennett, MM Berrier, Bianco, Björck, Budtz, Butty, Celikbas, Dejardin, Dupont, Ertl, Flanagan, Lady Fleming, MM Fourré, Hardy, Hengel, Hesele, Inan, Kirkpatrick (Alternate: Cuco), de Kwaadsteniet (Alternate: Blaauw), Kristjansson, Ladas, Lied, Martinez, Mendes, Noerens, Lord Reay, Reddemann, Schulte, Vecchiatti, N.... (Alternate: Papadogonas).

NB: The names of those who took part in the vote are underlined.

Secretaries of the committee: MM Massie and Palmieri

5.709

01.41

2. Considering that a number of these weapons are supplied by Council of Europe member states;
3. Considering that the current stalemate in this senselessly prolonged conflict nevertheless brings growing risks of new political destabilisation of an area through which a quarter of Europe's oil supplies transit;
4. Mindful of the threat to world peace of such a conflict, resulting from involvement of the two super-powers, whose de facto support for Iraq does not mean that their interests in the region converge;
5. Conscious of the need to exploit the potential for peace of the good bilateral relations which certain member states maintain with either or both belligerents;
6. Recognising the important position of Turkey in whose interests it is to ensure that this conflict ends and that regional stability is urgently achieved;
7. Aware of the potential of the region for encouraging or containing the spread of international terrorism;
8. Considering that the situation in the Gulf calls for discussion within the Council of Europe in the context of Resolution (84) 21 of the Committee of Ministers, on Council of Europe Action in the Political Field, whereby Governments have agreed :
  - "to consult together on international problems of common concern and, if possible, to provide member states with pointers for the development of their foreign policies;
  - to discuss events which uphold or flagrantly violate the principles and ideals on which the organisation is based, in particular human rights, with a view to taking, if possible, a common stand on such events";
9. Bearing in mind the report of its Political Affairs Committee (Doc. 5456) based, inter alia, on exchanges of view with qualified representatives of parties involved;
10. Calls upon parliaments and governments of member states to work for the earliest possible cease-fire which could result in opening negotiations aimed at achieving an honorable and lasting negotiated settlement of the conflict:
  - i. by directing their efforts to placing an embargo on all exports of arms to the countries in conflict;
  - ii. by increasing humanitarian aid to these countries;

- iii. by giving their full support to the Secretary General of the United Nations in his efforts to exploit signs of new flexibility in Tehran;
- iv. to support also the independent peace efforts of the Islamic Conference Organisation and of Turkey, active within that organisation, as well as in the Council of Europe ;
- v. to support all efforts to reach limited agreements, putting an end to the "war of the cities" and the use of chemical weapons, since these could be steps on the road towards a general ceasefire ;
- vi. to encourage the Governments of the United States and of the Soviet Union to make this conflict an issue in their bilateral talks, with a view to preventing misunderstandings and to promoting stability in the area ;
- vii. by taking the lead in making known the abhorrence for the international community to all violation of human rights and of the international humanitarian conventions governing the rules of war, and particularly those concerning chemical weapons and the treatment of prisoners.



II. EXPLANATORY MEMORANDUM

CONTENTS

Introduction	1 - 3
1. ORIGINS OF THE WAR	4
a) Iran : a revolution designed for export	5 - 7
b) Iraq's motivation for invading Iranian territory on 22 September 1980	8 - 13
2. GEOPOLITICS OF THE GULF AND ARAB WORLD AND ROLE OF REGIONAL POWERS IN SOLVING THE CONFLICT	14
a) Saudi Arabia	15 - 16
Kuwait, Oman	17 - 18
b) Jordan	19
c) Egypt	20
d) Algeria	21
e) Syria	22 - 23
f) Israel	24
3. ECONOMIC IMPLICATIONS FOR EUROPE : HER DEPENDENCE ON OIL DELIVERIES AND VULNERABILITY TO TERRORISM	
a) Economic vulnerability	25 - 32
b) Vulnerability to terrorism	33 - 36
4. ROLE OF THE SUPERPOWERS IN THE CONFLICT	
a) The United States	37 - 45
b) The Soviet Union	45 - 47
5. MILITARY SITUATION AND SOURCE OF MILITARY DELIVERIES	
a) Military situation	48 - 52
b) Sources of military deliveries	53 - 58
6. ROLE OF THE UNITED NATIONS IN THE CONFLICT	59 - 65
7. ECONOMIC AND HUMANITARIAN SITUATION RESULTING FROM THE WAR	66 - 67
a) Iran	68 - 73
b) Iraq	74 - 78
8. EUROPE'S ROLE IN SOLVING THE CONFLICT	79 - 86

## Introduction

1. No-one today could argue that the Gulf region is geographically remote, and indeed Iran and Iraq share a frontier with a Council of Europe member country, Turkey. Therefore it is wholly appropriate that our Assembly should hold a serious debate on the fifth anniversary of the outbreak of a war which has not only inflicted, and is still inflicting, cruel suffering on the belligerents, including civilian populations, which can never leave us indifferent. Also, far more important than geographical considerations is the fact that the war is taking place in a zone "where the vital interests of the two superpowers intersect and where the bulk of the world's energy reserves are concentrated" (Henry Kissinger).

2. The Political Affairs Committee expressed the wish that your Rapporteur should base his work on information gathered on the spot, but this proved impossible, not only because the Bureau felt unable to authorise it for budgetary reasons but because from March 1985, Iraq declared Iranian air space an exclusion zone. Nevertheless, the Sub-committee on the situation in the Middle East was able to hear diplomatic representations of both belligerents (Ambassador Sumaida of Iraq on 31 January 1985 in Strasbourg and Chargé d'affaires Moaiyeri of Iran on 24 June 1985, in Paris), as well as enjoying the benefit of a full briefing given to the Secretariat on my behalf in Ankara, the capital of the Council of Europe's "front-line" member state, on 5 March 1985.

3. The report which follows contains chapters on the origin of the war, geopolitics of the Gulf and Arab world and role of regional powers in solving the conflict, economic implications for Europe and her vulnerability to terrorism, role of the superpowers, military situation and source of arms deliveries, role of the U.N., economic and humanitarian consequences for the belligerents, and, finally, Europe's role in solving the conflict.

### 1. ORIGINS OF THE WAR

4. It is no doubt true, as a distinguished retired Ambassador (1) to Tehran has pointed out, that "since the dawn of human settlement the present battleground has been part of a zone where contending civilisations have met and clashed", but traditional rivalries were acutely sharpened by the nature of Ayatollah Khomeiny's revolution in Iran to an extent which made the outbreak of major hostilities virtually inevitable.

#### a) Iran : a revolution designed for export

5. The Iranian revolution shares an internationalist inspiration with earlier revolutions, undertaken by or on behalf of the underdog, those of France and Russia. The former, for example, implicitly threatened all the crowned heads of Europe when it proclaimed "guerre aux châteaux, paix aux chaumières". In the case under consideration there is a strong element of historic rivalry between Persia and the Arab world as a whole as well as the religious element. In Iran, the



revolution's supranational Islamic character was clear from the first: "the Islamic ideology of the revolution was not nationalist. Although Shi'ism has played its part in forging Iran's national identity, the revolution did not attempt to claim Shi'ism as something special to Iran. There was no need to do this because the revolution was not a revolt of Iranians against Arabs, nor of Shi'ites against Sunnis. It was essentially a revolt of Iranian Muslims against Non-Muslims foreigners. Its leaders wanted to emphasise their solidarity with other Muslims against non-Muslim domination". (2)

6. Such an upheaval was more likely to be of minority Shia, rather than the mainstream Sunni, origin because :

. Shias await the coming of the 12th and last imam (successor to the prophet Mohammed) who will institute God's law on earth ; pending this event, the authority of secular governments is considered illegitimate ;

. they believe that man is intrinsically weak and needs to be guided by a wise clerical leader ;

. their first leader (in the seventh century A.D.) Husayn, by his martyrdom, set a model for self-sacrifice.

7. Ayatollah Khomeiny's seemingly implacable animosity towards President Saddam Husain of Iraq dates from the latter's order in 1977 to expel him from the Iraqi city of Nadjaf (the site of one of Shia Islam's holiest shrines, the tomb of Ali) where he had resided and taught for 15 years. The fact that most of the Shia holy places are in Iraq (whose population is in any case 54 % Shia) no doubt encouraged Khomeiny in a belief that god-fearing Iraqis would rise up and overthrow the atheist ba'athist régime, and there were frequent inflammatory appeals from Iran to this effect before the outbreak of hostilities in September 1980.

b) Iraq's motivation for invading Iranian territory on 22 September 1980

8. The world did not generally accept the Iraqi version according to which the war started on 4 September 1980 when, in the words of Foreign Minister Tariq Aziz "the Iranians started bombarding Iraqi frontier towns and massed enormous forces with a view to preparing the invasion of Iraq in order to export their revolution". Another casus belli cited by Iraq was Iran's support for Kurdish opposition groups.

9. Five days before Iraq's armoured divisions were launched across the border, President Saddam Husain formally abrogated the 1975 border treaty with Iran : "The ruling clique in Iran", he declared, "persists in using the face of religion to foment sedition and division among the ranks of the Arab nation despite the difficult circumstances through which the Arab nation is passing. The face of religion is only a mask to cover Persian racism and a buried resentment for the Arabs. The clique in Iran is trying to instigate fanaticism, resentment and division among the peoples of this area". Iran predictably refused Iraqi demands for the restoration of Arab

sovereignty in the Shatt al-Arab and in three small islands in the Persian Gulf which the Shah had seized in 1971 (3). This territorial dispute had been left unresolved by the Treaty of Algiers of 1975.

10. Iraqi justifications of the war as defensive carry some weight but there can be little doubt that the principal Iraqi calculation was that a quick victory was possible, given the turmoil of an unestablished revolution in which Iran was plunged at the time, and reflected, in the summer of 1980, in rapidly falling oil production and living standards and the paralysing conflict in Tehran between President Bani-Sadr and the Majlis (Parliament), dominated by the Islamic Republican Party. Moreover, it is generally considered that Iraq had a growing ambition to strengthen its regional and Panarabic power position. There may also have been pressure from neighbours partly financing Iraq (such as Saudi Arabia), encouraging action to check Iran's destabilising influence.

11. Study of European history might have warned the Iraqis that nothing is more welcome than an external enemy to revolutionary leaders who can then benefit from a nationalistic reflex, as well as finding a justification for a reign of terror against all internal opposition. Ayatollah Khomeiny, too, seems to have miscalculated concerning the readiness of the Iraqi shias to rise against their rulers, just as the Iraqi leaders did with regard to the loyalty of the large Arab minority in the oil-rich Iranian province of Khuzestan into which the attack was launched.

12. Five years later Iraq's revised justification of the war (proclaimed for example by Foreign Minister Tariq Aziz in Paris, Bonn and Washington in the course of September 1984), is that her soldiers are fighting and dying not only out of patriotism but to safeguard the national frontiers and territorial integrity of the numerous Middle Eastern States which emerged from Ottoman rule after World War I, against the opposing principles of religious sectarianism, embodied by Khomeiny's Iran, which would tend to destabilise the whole region and fragment it into new entities.

13. A "respected Kuwaiti editor" has been quoted (though not named) by the press (4) at the height of Iran's spring 1984 offensive, as saying that if the Iraqi President were to be overthrown the country would be divided into three parts - a Kurdish State in the north, a Sunni one in the central region and a Shiite entity in the south.

## 2. GEOPOLITICS OF THE GULF AND ARAB WORLD AND ROLE OF REGIONAL POWERS IN SOLVING THE CONFLICT

14. It is tempting to interpret as wide endorsement for Iraq's proclaimed defensive role (see para. 12 above) such signs of Arab solidarity as the massive economic support, and attendance of 18 ministerial delegations at the extraordinary Conference of the Arab League called in Baghdad on 14 March 1984 (only Syria and Libya of the "rejection front" were absent). But such an interpretation would be too simple and, for example, ignore some important reservations, and a growing tendency to favour mediation, motivated by religious and geopolitical considerations, which can be briefly reviewed country by country.

a) Saudi Arabia

15. Saudi Arabia, as a conservative monarchy whose economic weight enables her to claim membership of the "big 3" of the Gulf, with Iran and Iraq, could not be expected to be wholly sympathetic with the radical ba'athist régime in Baghdad. Moreover, as guardians of the Holy Places of Islam, her rulers could ill afford to condemn as merely heretical a régime which gave such overwhelming emphasis to Islam. Simple prudence also would dictate avoidance of any open provocation of the new régime in Tehran. Thus the shooting down on 19 June 1984 by a Saudi F-15 of an Iranian Phantom bomber threatening shipping on the southern shore of the Gulf (in retaliation for Iraqi strikes round Kharg Island) did not result in an escalation of the conflict, because of Saudi care to present it as a "regrettable incident", as well as "legitimate act of self defence". In May 1985, the Saudi Foreign Minister, Prince Saud Al Faysal, became the first senior Saudi figure to visit Iran since the revolution of 1979.

16. As early as 26 May 1981 Saudi Arabia had assembled her smaller neighbours (Kuwait, Oman, Bahrein, Qatar and the United Arab Emirates) round her in the Gulf Co-operation Council which is, among other things, a defensive pact, totally equipped by the United States, although its individual members have differing attitudes towards the prospect of direct U.S. intervention.

17. Thus Oman is the only country to have offered land-based facilities to the American Rapid Deployment Force, although Bahrein has allowed the La Salle, flagship of the five-vessel U.S. Middle East Force, to dock.

18. In May 1984 when there seemed to be a serious risk of the conflict escalating, it was announced that Kuwait unique among the group in having full diplomatic relations with Moscow, would "no longer be opposed to foreign military intervention in the Gulf". In December 1984, the Kuwaiti authorities refused to give in to blackmail when a Kuwaiti Airlines Airbus was hijacked to Tehran. After the hijackers had murdered two American passengers, the Iranian security forces stormed the plane, but refused to extradite, and apparently did not punish those responsible. In contrast to other Arab countries, including Egypt and Jordan, fundamentalists lost ground in elections to the Kuwaiti National Assembly held in February 1985.

b. Jordan

19. Jordan's support for Iraq is no doubt the most open and unqualified in the Arab world. Not only were Jordanian volunteers encouraged to assist Iraq right from the early days of the conflict but supplies to Iraq were allowed to transit through the Jordanian Red Sea port of Aqaba. King Hussein and President Mubarak demonstrated their solidarity by visiting Baghdad together on 18 March, when the outcome of the major Iranian offensive in the South was still in the balance.

c. Egypt

20. Long before the diplomatic recognition of Egypt by Jordan in 1984, the policy of these two countries towards the Gulf War appeared to be closely coordinated, and calculated to facilitate a return of Egypt to the Arab fold, from which she had been excluded for signing the Camp David Accords. Thus President Mubarak's policy was a complete contrast with that of his predecessor whose assassination by Islamic extremists was probably not unconnected with his offer of hospitality to the exiled shah and his denunciation of Khomeiny as a "madman".

d) Algeria

21. Algeria is the only Arab country to have declared itself officially neutral in the conflict, and could thus still play an important mediation role (as was the case in the US Embassy hostage crisis of 1980). In February 1985 Algeria was mentioned, together with Saudi Arabia, Syria and France as co-sponsor of a new peace initiative, which proved as abortive as its predecessors.

e) Syria

22. Syria's traditional enmity with the rival ba'athist neighbouring régime in Iraq, also a rival for Arab leadership, explains the apparent paradox of Damascus support for Iran even if Syria shows no sign of welcoming the potentially destabilising presence in Lebanon of Iranian Revolutionary Guards and could scarcely be expected to welcome the victory of Islamic fundamentalism in the Gulf, when President Assad did not hesitate to put down the Moslem Brothers' rising in Hama three years ago, leaving an estimated 20,000 dead. Syria closed the Iraqi pipeline across her territory and has been deaf to suggestions from the Soviet Union that she should reopen it.

23. In May 1984, the Syrian Vice-President Abdel Halim Khaddam, probably encouraged by the Saudis, visited Tehran with a message from President Assad urging an end to Iranian attacks on Gulf shipping. In this he appears to have had some success. Also in the anti-Iraq camp are the "rejection front" countries Libya and South Yemen.

f) Israel

24. A final paradox in the geopolitical situation is what has been called an "objective Israel-Syrian alliance to weaken Iraq". Until recently there were indications that, by discreetly supplying American weapons and spare parts to Iran, Israel could hope to prolong the war, calculating that no moderate Arab State could tolerate an Iranian victory and ensuring the heavy mobilisation of Arab resources on a frontier distant from her own. It would appear, however, that these deliveries ceased, mainly under American pressure.

3. ECONOMIC IMPLICATIONS FOR EUROPE: HER DEPENDECE ON OIL DELIVERIES AND VULNERABILITY TO TERRORISM

a) Economic vulnerability

25. Following the London Summit of the major industrialised countries (7-9 June 1984), the British Presidency issued a statement, placing the primary emphasis on "the mounting toll in human suffering" but also mentioning the need for "respect of principle of freedom of navigation". The general tone of the statement was measured and calm. It finished by noting "that the world oil market had remained relatively stable. We believe that the international system has both the will and the capacity to cope with any foreseeable problems through the continuation of the prudent and realistic approach that is already being applied".

26. Dependency of the "big seven" Gulf oil varies greatly, ranging from 65 % for Japan, to 3 % for the United States. Answering a question from Mr Beyer de Ryke, a Belgian member of the European Parliament, EEC Commissioner Davignon stated (17 July 1984) that "in the first quarter of 1984 Gulf crude covered roughly 28.3 % of the Community's oil imports and 21.6 % of its gross consumption".

27. There was no doubt good reason for the widespread alarm following the intensification of attacks on neutral shipping, first by Iraq on tankers bound for Iran (Iraq's own exports through the Gulf having been blocked since the war started), then, in retaliation, by Iran, whose Supreme Defence Council threatened that "if the Gulf was not safe for all, it would be safe for none", together with threats to blockade the straits of Hormuz, through which one fifth of the oil supplies of the non-communist world passes. However, these threats were not generally taken seriously since the internationalisation of the conflict was plainly in Iraq's rather than in Iran's interest. Moreover, it is generally doubted whether Iran's limited strength in the air put her in a position to carry out her threat.

28. In his report to the Assembly of Western European Union in December 1984, my colleague and compatriot, Mr Blaauw, rightly pointed out that "The fall in Iranian and Iraqi exports in 1981 merely helped to avoid a collapse in prices. The war did not therefore run counter to the immediate interests of the other exporting countries but nor did it lead to higher prices". Yet, surely he is much too sanguine when he asserts that "Even though its extension to the whole Gulf and the possible closing of the Strait of Hormuz might disrupt supplies to the industrialised world and particularly to Western Europe, neither one nor the other would probably be enough to cause a very serious oil crisis."

29. In May 1984 the Maritime Insurers, Lloyds of London, raised their premiums by 150 %. Yet soon the panic subsided and premiums were again reduced. During this 3-month from April 1984, 24 ships (including 13 tankers) had been hit (5). Damage turned out to be relatively light, with only 3 tankers totally lost and loss of life in only 4 of the attacks. If 68 seamen had lost their lives at that date while some 80 ships had been it, it was largely due to the sale to Iraq by France of Exocet missiles, at a rate, calculated in

mid-October 1984 to be some 10 per week. The arrival of French Mirage F1's, with double the range of the Super-Estandards, raised the effectiveness of Iraqi airstrikes but without inducing panic in insurance circles, or preventing Iran from maintaining oil exports at the level of about 1.5 million barrels a day compared with 2.5 million before the war.

30. In contrast to France, whose very close identification with Iraq once made her interests a prime target for Iranian terrorism (see below), is the Federal Republic of Germany. For the latter, Iran constitutes her most important trading partner in the Middle East and the destination of exports which, in 1983, totalled 7.7 billion DM in value. Iran's oil exports to the Federal Republic slumped however, from 11.5 million tonnes in 1974 to 2.1 million in 1983.

31. In July 1984 Foreign Minister Genscher paid a 3-day visit to Tehran, stressing his country's neutrality in the conflict. He returned to Bonn expressing his conviction of the readiness of Tehran for political dialogue and economic cooperation with western states, and his belief that it would be gravely mistaken to "isolate this great and important country". He hoped that other European Foreign Ministers would follow his example in visiting Tehran. Some criticism had been expressed in Germany concerning his visit, including by the business weekly Handelsblatt, which called Iran "a terror régime not often matched in recent history".

32. Mr Genscher's visit to Tehran had been preceded in May by his Austrian counterpart Mr Lanc. A 3-day visit to Iran had also been undertaken in May by the Maltese Foreign Minister, Mr Alex Sciberras Trigona, leading to the signature of a note calling for Iran-Malta co-operation in the fields of politics, economics and industry, particularly shipbuilding.

33. Iran is a very important trading partner for Turkey: indeed trade with Iran is one third greater than that with Iraq (3 billion dollars worth annually, compared with 2 billion). Turkey is currently encouraging the construction of Iranian oil and gas pipelines across her territory to Mediterranean and Black Sea outlets, motivated (according to "sources" quoted in Turkish Daily News, 21 February 1985) "largely by the desire to maintain neutrality in the Iraq-Iran conflict, apart from the transit revenues that will accrue". More importantly stronger economic and political links between this region and Europe are thus being promoted.

b) Vulnerability to terrorism

34. Nationals of Council of Europe countries can be said to have been victims of one variety of international terrorism as a result of attacks on civilian shipping in the Gulf, particularly by Iraq. Thus the British Foreign Office which protested at the death of two British officers in the attack on the supertanker World Knight on 8 October 1984, was answered by the Foreign Minister Tariq Aziz to the effect that Great Britain, like Japan and West Germany "were simply funding Iraq's oil coffers", and would continue to risk attack as long as they did so. Ambassador Sumaida, speaking before the Sub-committee

in January 1985, denounced European tendencies to be neutral towards his own country, which welcomed all peace initiatives, and Iran which refused them with the utmost intransigence.

35. French interests and embassies, though to a lesser extent than those of the United States (see below), have been singled out for suicide-terrorist attacks by pro-Iranian groups though recently efforts by both sides to improve Franco-Iranian relations have been noticeable.

36. The Iranian reaction to the hijacking to Tehran of an Air France plane in August 1984 was deeply ambivalent. Fortunately this accident ended without loss of life, and the French chargé d'affaires thanked the Iranian authorities for their "cooperative attitude". This did not however prevent the Iranian Head of State, Hodjatoslam Ali Khamenei, from seizing the opportunity to declaring that western countries, like France and the United States, were "the leaders of world terrorism" and would themselves increasingly become the target of a "wave of terrorism" because of their attitude. Reports persistently link the name of Mohsem Rafigh-Doust, Minister of Defence, with responsibility for the Pasdarauns (Guardians of the Revolution) with the shadowy "Islamic Jihad" terrorist organisation.

#### 4. ROLE OF THE SUPERPOWERS IN THE CONFLICT

##### a) The United States

37. The credibility of the United States posture with regard to the Gulf suffered from recent history, in the form of setbacks not to say humiliations, first with the Tehran Embassy hostage crisis, in the last months of the Carter Presidency, then, in February 1984, with the withdrawal of the marines of the Multinational Peacekeeping Force from Beirut. Scepticism about U.S. reliability among conservative Arabs was compounded by the fact that Iranian ideology draws much of its potency from anti-Americanism, in offering to Muslims a simplistic explanation to all their woes: the corrupting influence of the United States and its "lackey" Arab government. Yet recent events, notably the liberation, with Syrian help, of the 39 hostages from the hijacked TWA flight, have gone some way to restoring faith in U.S. diplomacy, now apparently preferred to military options; and statements from Iran have undoubtedly evolved since those of the earlier revolutionary period. Thus, the speaker of the Iranian Parliament, Hachemi Rafsanjani, visiting Damascus during the hostage crisis, condemned acts of terrorism directed against the innocent and denied any Iranian advance knowledge of the TWA hijacking.

38. At least up to the peaceful denouement of the TWA hijack crisis, President Reagan was generally perceived as being more likely than President Carter to resort to military solutions in case of an escalation of the conflict or blockade. However, the predominantly military U.S. response to threats to the gulf was inherited by President Reagan from his predecessor, who declared, in his State of the Union message of 23 January 1980, that "Any attempt by an outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States. It

will be repelled by use of any means necessary, including military force". The result was the controversial dispatch to Saudi Arabia of the four AWACS (Advance Warning Control System) planes and the creation of the Rapid Deployment Force, or as it is now called, the Central Command.

39. The Gulf States insisted from the first that such a force should be an "over-the-horizon" presence, except in periods of crisis (like May of 1984 when although their presence was unpublicised, U.S. warships were seen in Gulf waters escorting tankers). In fact the Central Command, responsible for military operations, security assistance and training of foreign forces in South West Asia, the Arabian peninsula and the Horn of Africa, has its headquarters, under Lieutenant General Robert C. Kingston, at MacDill Air Force Base in Tampa, Florida. However, as has been mentioned above, airfield and stockpiling facilities exist in Oman.

40. Public threats often serve to cover quiet behind-the-scenes negotiations, and this was the case for the TWA hijacking: according to U.S. newspapers, belonging to the Hearst group, "options" under consideration, if U.S. hostages should be transferred to Iran and killed by their "Islamic Jihad" captors, included bombing the Kharg Island terminal and even the holy city of Qom. And on 8 July 1985 President Reagan denounced Iran as being a member of a "confederation of terrorist states" (together with Libya, North Korea, Cuba and Nicaragua). But mindful of regional sensibilities, President Reagan and his Secretary of State, George Shultz, (remembering the failure of his predecessor, Alexander Haig, to impose his concept of "strategic consensus") have generally spoken and acted with commendable caution. The President has assured King Fahad of Saudi Arabia that there is no question of a U.S. intervention on land without a formal request, and Secretary Shultz has said that the U.S. would not get involved in the Gulf conflict "except in concert with Britain and France".

41. Some doubts have been expressed in the United States as to whether 3 % of America's oil needs satisfied by the Gulf States justifies such elaborate arrangements: "There seems to be an unspoken assumption that the allies cannot be expected to understand the larger issues nor even look after their own well-being" (6). However, there is wide recognition that "a prolonged and complete cutoff of Gulf oil would have a far more devastating effect than the oil embargo of 1974-75", although this view was not shared by my colleague Mr Blaauw in his already-quoted report to W.E.U.

42. U.S. prudence stops well short of neutrality in the conflict, and a fact-finding mission from the Senate foreign relations committee returned from the region in August 1984 (from a tour in which Iran was predictably not included), concluding that "U.S. airstrikes against Iranian airfields might be necessary" if there was a major threat to navigation, in the straits for example. It is likely, however, that the U.S. is interested in resuming some, at least unofficial, ties with Iran. Former Under-Secretary of State George Ball has written (7) : "America would be foolish indeed if it alienated a nation of almost 40 million people whose control of the whole Eastern littoral of the Gulf gives it enormous strategic importance. Only the Soviets would benefit from such a development".



43. This partisanship might have been irrelevant if, for the Iranian régime, the two super-powers both represented Great Satans, equally to be rejected, with America's pro-Iraqi posture in the Gulf balanced by Soviet misdemeanours in Afghanistan. Yet, in spite of Ayatollah Khomeiny's often quoted saying : "Each is worse than the other", this does not seem to be the case, to judge from an interview given by Iranian Foreign Ministers, Ali-Akbar Velayati on 2 October 1984 (8) : "Our relations with the Soviet Union are exactly what relations between two neighbours should be". These words, echoed at the Sub-Committee's hearing in Paris on 24 June 1985 of Chargé d'affaires, Moaiyeri, may reflect a realisation of what some have seen as Iran's crucial mistake of alienating the Soviet Union, the super-power with which she shares a 1000 kilometre frontier, by crushing the Tudeh party and seeking to foment Islamic revolution in Soviet Azerbaijan and Central Asia.

44. The stalemate in the Gulf war is less stable than is sometimes supposed, largely because the interests of the two superpowers do not coincide. Henry Kissinger's analysis is no doubt correct: "the U.S. interest requires a restrained, not an impotent Iran. By contrast the Soviet Union would benefit greatly if Iran emerged from the war fatally weakened and in irreparable disarray".

b) The Soviet Union

45. The Soviet Union's caution can to some extent be explained, like that of the United States, by setbacks in recent history. When the Iraqi President suppressed his country's Communist Party in 1978, undeterred by the 1972 friendship and assistance treaty with the Soviet Union, the latter felt obliged to cut off arms deliveries. And Soviet satisfaction at the fall of America's client, the Shah, was soon tempered by the new regime's ruthless suppression of the Communist Tudeh Party in early 1983. This led to a resumption of arms supplies to Iraq, including such modern and sophisticated items as T-72 tanks, MIG fighters and Scud missiles. Thus the Soviet Union has shifted its position towards Iraq, not unlike the United States which sees Iraq as more predictable than Iran. Neither superpower, however, supports Iraqi efforts to internationalise the conflict by interfering with neutral shipping.

46. There is even a further parallel (see U.S. relations with Israel) in embarrassment caused by an uncooperative ally, in this case Syria, whose President rejected a Soviet proposal that the 1,2-million barrel-a-day pipeline be reopened to take Iraqi oil across Syrian territory to the Mediterranean port of Baniyas. Soviet pressure on another ally, North Korea, to cut back arms sales to Iran have apparently been more successful. Here the parallel is with the efforts of Richard Fairbanks, the State Department's Special Negotiator for the Middle East, to persuade Western countries, including Great Britain, Italy, Spain and Portugal, not to sell arms to Iran.

47. There is even less justification for assuming that the situation in the Gulf is natural, stable or durable, when super-power relations are particularly tense, as at present. "The Kremlin is using Iraq's desperation to fulfil a long ambition to become a co-arbiter of the order of things in the Gulf" (9). The United States has always

refused to consider Soviet claims to a place at the Middle East Conference table, although it is the Soviet Union and not the United States which is the regional power in South-West Asia. This political challenge troubles American officials. They can see the Kremlin expanding its influence through support of Iraq as it has already expanded in Lebanon through support of Syria (10).

5. MILITARY SITUATION AND SOURCE OF MILITARY DELIVERIES

a) Military situation

48. The Council of Europe, whose vocation is to promote respect for human rights must above all stress the terrible human losses resulting from five years of war, taking place outside the European area, but nevertheless in countries in which Europe has a keen interest, also having a common border with a member country, Turkey (with which they share a difficult minority problem, that of the Kurds).

49. Of the two combatants Iran has the basic advantage of a much larger population (nearly 40 million compared with 14 for Iraq) and, at least until recent months, greater motivation. However, these factors have only served to increase the slaughter, since, faced by Iraq's modern weaponry the Iranians have used "human wave" tactics, in which the more or less fanaticised participants, promised Islamic martyrdom, have ranged in age from 12 or less to 60 or more.

50. The scene of the fiercest fighting is the Southern front, close to Iraq's second city and main port, Basra. Alarm was registered (also in Washington and European capitals) when the Iranian offensives of February-March of 1984 and March 1985 made progress in the swampy region of Howeisa and the Majnoon Islands. It is generally agreed that Iraqi desperation found expression in the use of mustard gas (a chemical weapon, banned by the Geneva Convention of 1925), which the Iranians claim was used on at least 20 separate occasions. The United States agreed that there was "irrefutable proof" of the use of this particularly inhuman weapon, and the Stockholm International Peace Research Institute (SIPRI), in a report published in June 1984, recalls that the UN Committee of enquiry set up for the purpose, although unable to establish formal proof, gave substantial credit to allegations that such weapons were used "at least 6 times between 26 February and 17 March 1984". There were similar allegations of their use to counter the March 1985 ("Badr") offensive, in which Iran likewise sustained very heavy losses.

51. A cruel new dimension was added by the "war of the cities", which intense efforts of the U.N. (see below) only succeeded in temporarily interrupting. Thus Iraqi planes have bombarded civilian targets in Tehran and other principal cities (including Ispahan, damaging one of the masterpieces of the world's architectural heritage, the Friday Mosque) Iran, unable to offer air cover to its own citizens, bombards Iraq's second city, Basra, with artillery, and has caused some damage in the capital Baghdad with ground-to-ground missiles, launched from Iranian Kurdistan.

52. By August 1984, the report of the US Senate Foreign Relations Committee found a "tilt in Iraq's favour", which it partly ascribed to the success of American attempt to bring about an embargo on arms supplies to Iran. The disproportion between the belligerents, whose regular armies are of a similar size (about half a million men) is particularly striking in the area of combat aircraft, of which Iraq has 500 and Iran less than 100.

b) Sources of military deliveries

53. Iraq, enjoying the relative favour of both super-powers (see Chapter 4, above), is by far the larger recipient of heavy arms, particularly from the Soviet Union and France, sales to Iraq accounting for 40 % of all French arms export in the year 1982-1983 according to SIPRI's report in June 1984. Longer-range Mirage F1 have now joined the 5 Exocet-equipped Super Etendards whose sale or "loan" in October 1983 stirred international controversy. Soviet supplies include missiles (Frog, Scud, Grad, Sam, Sagger), as well as Mig 24 helicopters and T-72 tanks.

54. The United States policy is to support those who support Iraq. This support has taken the form of supplies of Sparrow and Stinger anti-aircraft missiles, and Maverick anti-tank missiles, to Saudi Arabia. Since 1982 the US have also been training a 2000-man Jordanian rapid intervention force.

55. Some consider that the supplies received by Iran from Syria, Libya and North Korea constitute indirect aid from the Soviet Union. Israel's supplies were admitted for the first time by General Sharon, during a private visit to the United States on 16 May 1984 but Prime Minister Peres has declared to a Dutch parliamentary delegation visiting Israel in October that at present there are no arms deliveries from Israel and that in the past they have been very limited. The SIPRI report has described the war as "a godsend to the Italian arms industry", which supplies Iran, which also receives military equipment, according to Iraqi Foreign Minister, Tariq Aziz, from Belgium, Great Britain (whose justification for supplying "non lethal" naval landing craft has been criticised by the London Times as hypocritical), the Netherlands, Spain, Switzerland and Portugal. In the case of the Netherlands night-vision equipment has exported illegally by a Dutch firm, subsequently prosecuted by the Netherlands government.

56. Private arms traders are naturally also thriving on the war. Mr Hamilton Spence, managing director of Interarms in Britain (one of the world's largest private arms merchants) was quoted in The Times (6 June 1984) as saying: "The Iranians are buying everything they need, and they don't even have to pay more than the normal price for it. We don't sell arms to Iran because it is against British law, but if someone could manage a secret deal, how could the Americans know?".

57. Japan, whose very high dependency on Gulf oil (see para. 26 above), makes her the third country most interested in the conflict, refrains from selling arms to either belligerent, but has been accused by Foreign Minister, Tariq Aziz, of selling Iran hundreds of "civilian pleasure boats", later used for carrying Iranian troops through marshland into battle.

58. In an article entitled "Iranians rush to buy more missiles" the London Times reported (5 June 1985) that "Iran has told the French that it will pay cash for a system of Crotale anti-aircraft rockets but has asked the Russians to recalibrate batteries of SAM missiles to make them capable of shooting down Iraq's Russian-made MiG-23 fighters". Europe should now demonstrate its vocation to exercise a moral force in world affairs by ceasing to supply arms to belligerents, or better, replacing them with humanitarian aid.

6. ROLE OF THE UNITED NATIONS IN THE CONFLICT

59. Both the Seven Most-Industrialised Nations at their London Summit (7-9 June 1984), and the Ten (at their Brussels Summit, March 1984), specifically mentioned the United Nations role in connection with the Gulf conflict. Thus the Ten, in their communiqué "hope that each of the parties will finally agree to comply with the Security Council resolutions ... and that the U.N. Secretary General will intensify his efforts for the restoration of peace and are ready to lend him their support to this end". The Seven (in the form of the statement, already quoted, of the British presidency), encouraged "the parties to seek a peaceful and honourable settlement. We shall support any efforts designed to bring this about, particularly those of the United Nations Secretary General".

60. It was confirmed at the briefing at the Ministry for Foreign Affairs in Ankara last March, that Turkey had played an active role from the start in the Islamic Peace Committee set up by the Islamic Conference Organisation. The Chairman of this Committee until his death had been President Sekou Touré of Guinea. He had been replaced by President Jawara of Gambia, who has been mandated to visit and sound out both parties. Iran had refused since it considered the Committee not even-handed enough. Turkey is however trying hard to dissipate Iranian suspicions, so that the Chairman can carry out his mandate.

61. Primary interest of the peace-keeping function of the world body is, however, natural in such a case, although it is clear that other organisations, or for that matter individual countries, including Turkey, could play a useful role. Iraq has declared that she would welcome mediation from whatever source, and her Foreign Minister, Tariq Aziz, declared in Bonn on 12 September 1984 a "purely personal" preference for the United Nations. The problem until recent months has been that Iran has refused to accept a role for the world body, rejecting in February 1984 any discussion by it of political issues related to the war.

62. Explanation for Iranian reluctance can be found in the Security Council resolutions adopted on 30 March and on 1 June 1984. The first condemned Iranian attacks on 3 oil tankers belonging to Kuwait and Saudi Arabia in their territorial waters. The Iranian Ambassador to the UN, Said Rajai Khorassani, pointed out that out of 70 attacks on shipping in the Gulf since 1981, only these three had been attributed to Iran. The Arab Gulf states which had sponsored the text were obliged to accept at the last moment the addition of a new paragraph calling on "all states" to respect the right of free circulation, in accordance with international law.

63. In October 1983, at the time of the clandestine transfer of the 5 Super Etendards to Iraq, France sponsored Resolution 540 before the Security Council, calling for an immediate end to hostilities. France

had justified the dispatch of the planes on the grounds that, by reducing the previous imbalance in favour of Iran, the latter would be encouraged to accept a negotiated settlement.

64. It is true that a recent shift is discernible in the Iranian position. The removal of Iraq's President Saddam Husain is no longer explicitly mentioned as a precondition for negotiations, but only his "trial and punishment by an international "tribunal". A leading article entitled "Peace in the Gulf" in the London Economist (29 June 1985) has welcomed this nuance referring also to the fact that "Iran has cause for a new realism. Blocked on the ground wounded in the tanker war, it now finds its cities stung from the air"

65. The skilful and persistent efforts of the U.S. Secretary General, Mr Perez de Cuellar, who on 26 April 1984 called the Gulf conflict "the most dangerous for world peace", did bear some fruit: in June Iraq and Iran accepted a proposal that from midnight on 12 June, bombardment of civilian target should cease (unfortunately this ceasefire was broken nine months later, when the "war of the cities" was not only resumed but intensified). Moreover, on 28 June 1984, the Iranian authorities accepted the permanent presence in Tehran of 4 U.N. experts whose task it is to monitor respect for this agreement.

66. Another indication of the new readiness of Iran to work with the world body was her acceptance on 28 August 1984, after a year's negotiations, of the opening of a permanent UNHCR office in Tehran in connection with the presence on her territory of 1,800,000 Afghan refugees, on which the U.N. expected to spend more than 7 million dollars in 1984.

67. In a report on conditions in prisoner-of-war camps in Iraq and Iran, a U.N. mission, with members from Austria and Norway, criticised both countries: "harsh treatment and violence are far from uncommon", yet in neither country were prisoners "treated as badly as alleged by the government of the other country". This even-handedness was well-received in Tehran, going some way to promote acceptance of the U.N. body after it had failed to condemn Iraq by name for violation of the Conventions outlawing chemical warfare. Hopes of progress towards peace were raised when Secretary General Perez de Cuellar was received by leaders in Tehran and Baghdad in early April 1985. Unfortunately the Secretary General was pessimistic on his return and declared that he could not report progress: Iraq was prepared for immediate UN-sponsored talks for a comprehensive solution to the conflict but was opposed to partial solutions, whereas Iran wanted an end to attacks on civilian targets and shipping in the Gulf, and for Iraq to lift its declaration of a war zone in Iranian airspace. The contact group of our own Political Affairs Committee was informed by the Iranian chargé d'affaires in Paris on 24 June 1985, that agreement by Iraq to the above measures could create a climate in which peace negotiations could be envisaged.

#### 7. ECONOMIC AND HUMANITARIAN SITUATION RESULTING FROM THE WAR

68. Modern warfare, with the hideous suffering it brings, to combatants and non-combatants alike, can exert an influence, either humanising or brutalising, both in the countries participating and in interested countries and continents, like our own, especially in today's electronic "global village".

a) Iran

69. The economic situation in Iran is, because of its relative isolation, dramatically worse than Iraq's. Unemployment is reckoned to affect between 3 and 5 million Iranians, not counting the 2 million displaced by the war (or the 1.8 million Afghans, who have now become a responsibility shared with the UNHCR, see Chapter 6 above).

70. The previously fertile and industrialised frontier province of Khuzestan has been devastated, and the port of Khorramchahr, formerly with 300,000 inhabitants, has been practically razed to the ground. A special committee of the Iran Parliament estimated war damage sustained between September 1980 and March 1983 at 164 billion dollars. Oil receipts were down to 18 billion dollars in 1983, and will be substantially reduced this year due among other things to the substantial discount offered to offset increased transport and insurance costs.

71. Diplomats in Tehran have estimated the total for killed, wounded and captured at more than 600,000. Basic foodstuffs, including meat, eggs, milk, margarine, sugar, rice and cooking fat are rationed. Yet, according to reports (11), many educated Tehranis say that the political situation has improved during the past year, while the economic hardship has worsened; some restrictions are said to have eased, with less harassment of unveiled women, for example, from the Hezbollahi, or members of the Party of God.

72. In the parliament (no "rubber stamp" but a place of lively debate and a legal opposition) Speaker Rafsanjani, considered to be second only to the Imam Ayatollah Khomeiny himself in influence, seems concerned to end revolutionary excess, and has declared that "Our society must move towards moderation to some degree". A new self-critical note was struck even by the hardline Prosecutor General, Ayatollah Mussav Ardabili, who told a Friday prayer meeting in Tehran on 24 August 1984 "Five years after the revolution, we have not achieved anything for the poor, our prisons are run by corrupt officials and we have not even punished one criminal in a thousand".

73. Former President Abohassan Bani-Sadr, who in 1981 was forced to flee into exile in France, may have spoken too soon, when, in an interview on August 3 1984, he answered that "the post-Khomeiny era has already begun", because the 84 year-old Ayatollah recovered from the illness which hospitalised him in mid-July, but there is no shortage of signs that the group of religious leaders favouring relatively mild policies may be winning a power-struggle against hard-line revolutionaries. Hopeful words were spoken by Speaker Rafsanjani on 27 July: "We would be disturbed if a single Iraqi or Iranian were to be killed on our borders and we think that as far as possible this problem should be resolved without an offensive and without bloodshed" (12).

74. Leaders in both countries will need to take more account of the morale of their respective populations, which five years of war and escalation of the "war of the cities" have contributed to undermining. It is no longer appropriate to speak of total Iranian intransigence in the light of such gestures as the unilateral release at the end of April of 47 wounded Iraqi prisoners of war, though the Turkish Red Crescent. A Tehran resident has been reported (13) as commenting in connection with the frequent air-raids "For the time being the anger of people is directed against Iraq. But that could quickly change as the mullahs offer nothing but hot rhetoric".

b) Iraq

75. Paradoxically, for a country whose oil exports have been worse hit than Iran's, "in the space of four years, the Iraqi capital, which before the Gulf war, had the feel of a provincial town, has become a modern metropolis" (14). President Saddam Husain has succeeded in gaining and maintaining public support for his decision to spend billions of dollars on economic development at the beginning of the war.

76. Yet Iraq's oil exports are limited to the 750,000 barrels per day carried by the Iraq-Turkey (Kirkuk-Dortyol) pipeline. Income from this source, plus the export of refined petroleum products total some 6 billion dollars annually, while the war alone costs about 9 billion, with Arab aid amounting to some 5 billion.

77. In spite of all setbacks the prestige, indeed personalit cult, of the President, has not been dimmed. One of the sources of his success is to have avoided the mistakes of the Shah, for example, by acting in good time to assure for himself the loyalty of the large and formerly underprivileged Shi'ite community in the South. They have received considerable finance to raise their living standards and refurbish the great shrines at Najaf and Kerbala, where portraits of the leader of a secular, revolutionary socialist regime, at prayer are prominently displayed. At the same time members of the clandestine fundamentalist party Dawa (the Call) have been ruthlessly dealt with, including reportedly 600 executions since the war began.

78. The "builder of modern Iraq" has also been able to convince western governments and companies that Iraq remains an excellent investment risk because of its oil resources and in spite of the war.

79. Amnesty International reports make clear that Iraq's human rights record, although less lurid than that of post-revolutionary Iran, leaves much to be desired. However, Defence for Children, a non-governmental group set up in the wake of the 1979 UN International Year of the Child, has been allowed to visit the Al Ramadi Camp, 100 kilometers outside Baghdad, where 350 captured Iranian boy soldiers, aged between 13 and 16 are held.

8. EUROPE'S ROLE IN SOLVING THE CONFLICT

80. The European Parliament, on 18 April 1985, adopted a resolution "on the massacre of prisoners of war in Iran" (incompatible with the findings of the UN mission quoted above), but our own Assembly has rightly abstained from unilateral condemnation, although urged to do so by representatives of the exiled Iranian National Council for the Resistance. Today's priority is to explore all avenues which could lead to ending the suffering of the Iraqi and Iranian peoples without provoking fresh upheavals and new hegemonies in this particularly sensitive area of the globe.

81. The war situation can be briefly characterised as follows :

i) Massive re-equipment of Iraq, especially by the Soviet Union, together with economic backing by Arab states makes the defeat of Iraq which is looking for a negotiated solution, virtually impossible ;

ii) The regime in Iran is not on the point of collapse, and still wishes to continue the war, in spite of privations and relative international isolation, in order to punish President Saddam Husain for having dared to attack it. However, there are recent signs of a new realism and a new readiness to cooperate with the United Nations.

82. Europe's interest has, of course, a security aspect, an economic aspect and above all, for the Council of Europe, a humanitarian aspect. The first paragraph of the preamble of our organisation's Statute reads : "Convinced that the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation". The Gulf War gives the European organisations the opportunity to demonstrate the complementarity which is currently striven for. Western European Union considered the important security aspects at its December 1984 part-session on the basis of a report by my colleague and compatriot, Mr Blaauw. And Mr Peter Barry, Foreign Minister of Ireland, when Chairman in Office of the Council of the European Communities, told the inaugural session of the re-elected European Parliament in July 1984, that "the pursuit of a comprehensive and lasting settlement of Middle East problems, including the Iraq-Iran war, would remain an overriding concern to the Community over the next six months".

83. Our Assembly should fully support the statement on the Middle East (Iran-Iraq conflict) adopted by the Ministers for Foreign Affairs of the Ten Community Countries, supporting the efforts of the U.N. Secretary General and urging "Iran and Iraq to agree upon an immediate ceasefire and to start a negotiating process with a view to achieving a peaceful solution which is honourable and acceptable to both sides. In the meantime, the Ten call again upon Iraq and Iran to comply with the commitments made under the agreement concluded in June 1984, under the aegis of the UN Secretary-General, to refrain from bombing civilian targets. The Ten draw the attention of both countries to the profound humanitarian concerns raised by this and other aspects of the conflict, such as the treatment of prisoners of war. They condemn the



use of chemical weapons, wherever and whenever it occurs. The Ten emphasise that the Geneva Conventions, and the other rules of international law, must be fully and unconditionally respected".

84. Commissioner Davignon (replying to written question No. 142/84 by European Parliament member, Beyer de Ryke), estimated that "the net shortfall within the Community if the Strait (of Hormuz) were sealed completely, would be around 800,000 barrels per day". He continued : "The existing Community legislation provides for a series of measures to combat oil supply difficulties, ranging from consultation and coordination to trade-monitoring and curbs on consumption, depending on the gravity of the situation". Clearly there must be political and economic co-operation among European states, whose form should depend on the way the war develops. A blockade of the Gulf does not for the moment seem likely, but a sudden escalation can never be excluded.

85. Political and humanitarian considerations rather than economic and military ones, are, however, paramount for the Council of Europe, whose membership includes countries, as we have seen above, whose governments are in a good position to influence Iraq (France), Iran (Federal Republic of Germany) or both (Turkey), and it is urgent that all European influence should be rapidly brought to bear first to secure a ceasefire and end the war, also to limit the risk of increased super-power involvement, which could at any time degenerate into super-power confrontation, with frightening consequences for the region and for world peace.

86. Priority guidelines should be :

- to call for an immediate end to arms deliveries to the belligerents (the argument of the need to achieve "balance" no longer applies). this is also justified by the relevant passage in the Lisbon Declaration on "North-South : Europe's role" (15) :
- to pursue a policy of strict impartiality, for example, in denouncing violations of human rights (of which there are regrettably very many by both sides). This principle implies hearing both sides which was not the case, for example, where the U.S. Senate Foreign Relations Committee and WEU were concerned ;
- to give full support, especially given the signs of new flexibility in Tehran, to the U.N. Secretary General in his mediation attempts, on which he could be invited to address the Assembly or at least to brief the Chairman, when the expected meeting in connection with the situation in Cyprus takes place. Support should also be given to the efforts of the Islamic Conference Organisation ;
- to encourage the governments of the United States and of the Soviet Union to make this conflict an issue in their bilateral talks, with a view to preventing misunderstandings and to promoting stability in the area.

87. Our Assembly can draw encouragement in debating this subject from Resolution (84) 21 (on Council of Europe's action in the political field), adopted by the Committee of Ministers on 21 November 1984, in which the governmental organ of the Council of Europe identifies objectives of political dialogue (which the parliamentary organ has every intention of supporting and stimulating), to include :

"- consultation together on international problems of common concern and, if possible, to provide member states with pointers for the development of their foreign policies ;

- discussion of events which uphold or flagrantly violate the principles and ideals on which the organisation is based, in particular human rights, with a view to taking, if possible, a common stand on such events".

Both of these objectives seem relevant where the Gulf War is concerned.

5.709



NOTES

1. Sir Anthony Parsons (The Times, 2 June 1984)
2. Edward Mortimer, Faith and Power : The Politics of Islam
3. Edward Mortimer, op.cit.
4. "Gulf States reported reluctant to take U.S. offers of new military co-operation" by David B. Ottaway in International Herald Tribune of 24 April 1984
5. "Low Gulf losses please insurers", by Michael Bailey, The Times, 10 October 1984
6. William Pfaff, "U.S. and the Gulf - Something's missing", International Herald Tribune, 7 June 1984
7. "To protect supply, set up an association of the Gulf's oil clients", International Herald Tribune, 26 May 1984
8. "U.S. Must Beware Shortsighted Gulf Policy", International Herald Tribune, 4 February 1985
9. "Iran reasserts support for 'oppressed'" by Elaine Sciolino, International Herald Tribune, 3 October 1984
10. "U.S. should consider Soviet view of the Gulf", by Stephen Rosenfeld, International Herald Tribune, 5 June 1984
11. "Only would-be martyrs abound as war shortages mark Tehran life" by Phil Davison, International Herald Tribune, 29 March 1984
12. "Iran : the first clear cracks" by Edward Mortimer and Hazhir Teimourian, The Times, 9 August 1984
13. "The Ayatollah is Coming Down to Earth" by Amir Teheri, International Herald Tribune, 3 June 1985
14. "L'Irak dans le piège de la guerre", by Jean Gueyras, Le Monde, 5 April 1984
15. "19. Rising military expenditure absorbs a large volume of resources which could be put to constructive use both within the industrial nations and in the Third World. European countries should support stronger international action for an effective and balanced worldwide detente in the interests of peace and with a view to an overall and verifiable decrease in armaments expenditure.

The countries of Europe should forcefully support comprehensive studies of the nature of the links between the arms race and the constraints on the development of the world economy, and to evaluate the concrete ways and means of reallocating resources to alternative uses".

PARLIAMENTARY ASSEMBLY  
OF THE  
COUNCIL OF EUROPE

13 March 1980

Doc. 4506

**MOTION FOR A RESOLUTION**  
**on the situation of the Jewish minority in Syria**  
**and on the situation of the Arab population in**  
**Lebanon under control of Syrian forces<sup>1</sup>**

presented by Mr VOOGD and others

The Assembly,

1. Recalling Written Declaration No. 77 of 31 January 1979, on the situation of the Jews in Syria;
2. Gravely concerned by the fact that, despite the declarations made by the Syrian authorities, the situation of the Jews in Syria is constantly deteriorating and the elementary right to free emigration is still denied to them — thus transforming them into defenceless hostages;
3. Noting with indignation that the Syrian Government, through its behaviour towards the Jews living on its territory, systematically violates the International Charter on Civil and Political Rights of 1966, to which it adhered on 21 April 1969;
4. Bearing in mind with deep concern the numerous reports about the perilous position of the Christian Arab population and other elements of Arab population in Lebanese territories under control of Syrian forces,
5. Decides, in accordance, with Rules 27, 43 and 45 of the Assembly's Rules of Procedure:
  - a. to establish a special committee with a limited number of members to report to the Assembly — after studies *in situ* of Syrian practices towards the Jewish community in that country and towards the Lebanese Christian Arab population under control of Syrian forces;

1. Transmitted for consultation to the Political Affairs Committee and to the Legal Affairs Committee (Standing Committee, 17 March 1980).

ASSEMBLÉE PARLEMENTAIRE  
DU  
CONSEIL DE L'EUROPE

13 mars 1980

Doc. 4506

**PROPOSITION DE RÉSOLUTION**  
**relative à la situation de la minorité juive en**  
**Syrie et à la situation de la population arabe du**  
**Liban assujettie au contrôle des forces syri-**  
**ennes<sup>1</sup>**

présentée par M. VOOGD et plusieurs de ses collègues

L'Assemblée,

1. Rappelant la Déclaration écrite n° 77 du 31 janvier 1979, sur la situation des juifs en Syrie;
2. Gravement préoccupée par le fait que, malgré les déclarations des autorités syriennes, la situation des juifs en Syrie ne cesse de se détériorer et que le droit élémentaire à la libre émigration leur est toujours refusé, ce qui les réduit à l'état d'otages sans défense;
3. Notant avec indignation que par son comportement à l'égard des juifs vivant sur son territoire, le Gouvernement syrien viole systématiquement la Charte internationale de 1966 sur les droits civils et politiques, à laquelle il a adhéré le 21 avril 1969;
4. Considérant avec une grande inquiétude les nombreux rapports qui font état de la situation périlleuse dans laquelle se trouvent la population arabe chrétienne et d'autres éléments de la population arabe dans les territoires libanais dont les forces syriennes assurent le contrôle,
5. Décide, conformément aux articles 27, 43 et 45 du Règlement de l'Assemblée:
  - a. de créer une commission spéciale, à composition réduite, chargée de faire rapport à l'Assemblée — après avoir étudié sur place les pratiques de la Syrie vis-à-vis de la communauté juive de ce pays et vis-à-vis de la population arabe chrétienne se trouvant sous le contrôle des forces syriennes au Liban;

1. Transmis à la commission des questions politiques et à la commission des questions juridiques pour consultation (Commission Permanente, 17 mars 1980).

b. to authorise the special committee to appoint a sub-committee to deal with such parts of the investigation as assigned to it by the committee; and

c. to invite the special committee to carry out its work effectively so that a report can be presented to the Assembly before the end of the 32nd Session.

b. d'autoriser cette commission spéciale à nommer une sous-commission chargée de procéder à toute enquête que lui confierait la commission; et

c. d'inviter la commission spéciale à mener ses travaux de manière à pouvoir soumettre un rapport à l'Assemblée avant la fin de la 32<sup>e</sup> Session.

*Signed:*      *Signé:*

Voogd, Portheine, Cornelissen, van den Bergh, Lambiotte, Adriaensens, Lagneau, van Waterschoot, Gessner, Mende, Reddemann



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

### DECLARATION REGARDING INTOLERANCE — A THREAT TO DEMOCRACY

*(Adopted by the Committee of Ministers on 14 May 1981  
at its 68th Session)*

The Committee of Ministers of the Council of Europe,

1. Convinced that tolerance and respect for the dignity and intrinsic equality of all human beings are the very basis of a democratic and pluralistic society ;
2. Profoundly disturbed by the resurgence of various forms of intolerance ;
3. Reaffirming its determination to safeguard the effective political democracy referred to in the Preamble to the Convention for the Protection of Human Rights and Fundamental Freedoms ;
4. Recalling that human rights and fundamental freedoms are the very foundation of justice and peace throughout the world ;
5. Bearing in mind that the Convention for the Protection of Human Rights and Fundamental Freedoms has successfully afforded effective international protection, without discrimination, to everyone within the jurisdiction of the Contracting States ;
6. Recalling that, in accordance with the United Nations International Convention on the Elimination of All Forms of Racial Discrimination and following the Committee of Ministers Resolution (68) 30 of 31 October 1968, on measures to be taken against incitement to racial, national and religious hatred, several member states have either adopted new legislation or reinforced existing legislation against acts inspired by racism ;
7. Welcoming the adoption by the Consultative Assembly of Resolution 743 (1980) on "the need to combat resurgent fascist propaganda and its racist aspects" ;
8. Considering that the best way of countering all forms of intolerance is to preserve and consolidate democratic institutions, to foster citizens' confidence in those institutions and to encourage them to take an active part in their operation ;
9. Convinced of the vital part played by education and information in any action against intolerance, whose origin frequently lies in ignorance, source of incomprehension, hatred and even violence,
  - I. Vigorously condemns all forms of intolerance, regardless of their origin, inspiration or aims, and the acts of violence to which they give rise, especially when human lives are at stake ;
  - II. Rejects all ideologies entailing contempt for the individual or a denial of the intrinsic equality of all human beings ;
  - III. Solemnly recalls its unswerving attachment to the principles of pluralistic democracy and respect for human rights, the cornerstone of membership of the Council of Europe, as well as to the Convention for the Protection of Human Rights and Fundamental Freedoms, the essential instrument in the effective exercise of these rights ;

IV. Decides :

i. to reinforce efforts, at national and international levels, and particularly in the framework of the Council of Europe, to prevent the spread of totalitarian and racist ideologies and to act effectively against all forms of intolerance ;

ii. to take, with this objective in mind, all appropriate measures and to implement a programme of activities including, in particular, the study of legal instruments applicable in the matter with a view to their reinforcement where appropriate ;

iii. to promote an awareness of the requirements of human rights and the ensuing responsibilities in a democratic society, and to this end, in addition to human rights education, to encourage the creation in schools, from the primary level upwards, of a climate of active understanding of and respect for the qualities and culture of others ;

V. Agrees that member states will make every effort so that the principles enounced above prevail within other international organisations ;

VI. Appeals to all institutions, movements and associations and to all political and social forces to contribute towards a sustained effort against the threat to democracy represented by intolerance.



# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

AREC1024.P

Provisional edition

## PARLIAMENTARY ASSEMBLY

RECOMMENDATION 1024 (1986) (1)

on the European response to international terrorism

---

The Assembly,

1. Outraged by the wave of murders and massacres perpetrated by various terrorist organisations in several countries, in particular the simultaneous attacks carried out at the airports of Rome and Vienna on 27 December 1985;
2. Recalling its unqualified condemnation of terrorism, which denies democratic values and human rights;
3. Emphasising again that democratic states must combat terrorism while respecting democratic principles and the rights and freedoms guaranteed in their constitutions as well as in the Statute of the Council of Europe and the European Convention on Human Rights;
4. Noting with concern the growing evidence that terrorist organisations receive substantial logistic, political and financial support, relayed, in particular, by certain states - Libya, Syria and Iran, among others - in open contradiction with the obligations resulting from membership of the international community;
5. Convinced that co-operation between the member states and the world's other pluralist democracies is the primary condition for effective prevention and suppression of all forms of terrorism;
6. Anxious for a speedy and successful conclusion to the efforts being made at intergovernmental level to set up within the Council of Europe framework an ad hoc political body open to all Ministers who in their national governments are responsible for matters relating to the problems of terrorism and international organised crime;

- 
- (1) Assembly debate on 28 and 29 January 1986 (22nd, 23rd, 24th and 25th sittings)  
See Doc. 5518, report of the Political Affairs Committee.  
Text adopted by the Assembly on 29 January 1986 (25th sitting).



7. Urging all member states of the Council of Europe to fully implement existing international agreements and, in so far as they have not yet done so, to ratify such important conventions as:

the European Convention on Extradition,  
the European Convention on the suppression of terrorism,  
the European Convention on the control of the acquisition and possession of firearms by individuals,  
the European Convention on mutual assistance in criminal matters,  
and others;

8. Having decided to consider in greater detail, at its next part-session, the Council of Europe action to improve co-operation between member states on the lines of this recommendation;

9. Recommends that the Committee of Ministers:

- a. introduce as a matter of urgency new forms of co-operation between their relevant authorities, and especially between police forces and intelligence services:
  - i. to expose and publicly denounce states which assist terrorism in any way;
  - ii. to forestall any attack by stepping up checks and circulating information;
  - iii. reinforce penal sanctions for all those responsible for terrorist acts;
- b. take action in all international forums, particularly in the United Nations, within the CSCE framework and through more intensive Euro-Arab dialogue, and in the light of the proposal made by President Mubarak to the Assembly on 28 January 1986 to secure the participation of as many states as possible in the battle against terrorism, and in the political and economic isolation and moral condemnation of states which support it;
- c. consider together and, where possible, take all measures whether diplomatic, political or economic to deter and retaliate against states recognised as being responsible directly or indirectly for assistance to terrorism.

PARLIAMENTARY ASSEMBLY  
OF THE  
COUNCIL OF EUROPE

THIRTY-FIFTH ORDINARY SESSION

RESOLUTION 804 (1983)<sup>1</sup>  
*on the situation in the Middle East*

The Assembly,

1. Recalling its Resolution 728 (1980), on the situation in the Middle East, and its Resolutions 776 (1982) and 783 (1982), on the Lebanese crisis ;
2. Considering the conclusions of the Assembly's fact-finding mission to Lebanon, Jordan, Syria and Israel ;
3. Having taken note of the Final Declaration on the International Conference on Palestine held in Geneva from 29 August to 7 September on the initiative of the General Assembly of the United Nations ;
4. Expressing its keen emotion at the tragedy which the Lebanese people is suffering and its profound indignation at the events which have made thousands of victims among the population ;
5. Recalling its attachment to the unity, integrity and sovereignty of an independent, multiconfessional and democratic Lebanon ;
6. Believing that there is the most pressing need for a return of peace in Lebanon, in order to prevent the loss of thousands of human lives and the spread of intercommunity conflict and to end a confrontation which threatens peace in the world ;
7. Convinced that the solution of the Lebanese problem necessitates a double approach, on the one hand, to put an end to external intervention, while promoting an immediate return to peace, national reconciliation and the respect of human rights for all and, on the other, the preparation of

1. *Assembly debate* on 30 September 1983 (16th and 17th Sitings) (see Doc. 5130, report of the Political Affairs Committee).

*Text adopted by the Assembly* on 30 September 1983 (17th Sitting).

ASSEMBLÉE PARLEMENTAIRE  
DU  
CONSEIL DE L'EUROPE

TRENTE-CINQUIÈME SESSION ORDINAIRE

RÉSOLUTION 804 (1983)<sup>1</sup>  
*relative à la situation au Proche-Orient*

L'Assemblée,

1. Rappelant sa Résolution 728 (1980), relative à la situation au Proche-Orient, et ses Résolutions 776 (1982) et 783 (1982), relatives à la crise libanaise ;
2. Considérant les conclusions de sa mission d'information qui s'est rendue au Liban, en Jordanie, en Syrie et en Israël ;
3. Ayant pris connaissance de la déclaration finale de la Conférence internationale sur la question de la Palestine, tenue à Genève du 29 août au 7 septembre à l'initiative de l'Assemblée générale des Nations Unies ;
4. Exprimant sa vive émotion devant la tragédie que vit le peuple libanais et sa profonde indignation face aux événements qui ont entraîné des milliers de victimes dans la population ;
5. Rappelant son attachement à l'unité, à l'intégrité et à la souveraineté d'un Liban indépendant, pluriconfessionnel et démocratique ;
6. Estimant qu'un retour à la paix au Liban s'impose avec la plus grande urgence, tant pour préserver des milliers de vies humaines que pour éviter toute extension du conflit intercommunautaire et pour mettre fin à une confrontation qui menace la paix mondiale ;
7. Convaincue que la solution du problème libanais doit être recherchée dans une double approche, d'une part par l'arrêt des interventions extérieures, la pacification immédiate, la réconciliation nationale et le respect des droits de l'homme pour tous et, d'autre part, par la préparation

1. *Discussion par l'Assemblée* le 30 septembre 1983 (16<sup>e</sup> et 17<sup>e</sup> séances) (voir Doc. 5130, rapport de la commission des questions politiques).

*Texte adopté par l'Assemblée* le 30 septembre 1983 (17<sup>e</sup> séance).

free elections based on institutional reforms guaranteeing the rights of each community and the democratic, representative functioning of the state, all this to take place under United Nations supervision ;

8. Considering that, both at home and abroad, the Lebanese state needs immediate political and material aid ;

9. Considering absolutely necessary the departure of all foreign forces from Lebanon—and first of all Syrian and Israeli forces—and avoiding that the Lebanese crisis should increasingly become a focal point in the confrontation between the two superpowers ;

10. Noting that, although some progress towards a return to normal in Lebanon is conceivable independently of an overall solution to the Middle East conflict, the final consolidation of peace in the region will depend on the just solution of the problem of the Palestinian people living in the territories occupied by Israel since 1967 or elsewhere in the world ;

11. Referring to the principal conclusions of its Resolution 728 (1980), namely :

i. the affirmation of the right of the state of Israel and its neighbours to existence, security and independence ;

ii. the inadmissibility of the acquisition of territories by force, and the recognition of the right of self-determination of the Palestinian people, two fundamental elements in the political settlement of the Arab-Israeli conflict ;

iii. the condemnation of Israel's settlement policy in the occupied territories, which compromises the chances of achieving a just and lasting peace ;

iv. the need for the religious dimension as well as political factors to be taken into account in defining the future status of Jerusalem ;

12. Reiterating its numerous anxious appeals for greater contributions to international humanitarian bodies such as UNWRA, UNHCR, WHO and ICRC, which deal with the problems facing both refugees and local inhabitants in the region ;

13. Noting that the PLO appeared to the members of the Assembly's fact-finding mission to be the sole legitimate representative of the Palestinian

d'élections libres fondées sur une réforme institutionnelle qui soit de nature à garantir les droits de chaque communauté et le fonctionnement démocratique et représentatif de l'Etat, tout cela sous le contrôle des Nations Unies ;

8. Considérant que l'Etat libanais a besoin, au plan interne comme dans ses relations extérieures, d'une aide immédiate, tant politique que matérielle ;

9. Estimant absolument nécessaire le départ de toutes les forces étrangères qui occupent le Liban — et par priorité les forces syriennes et israéliennes — en évitant que la crise libanaise ne devienne de plus en plus un abcès de fixation de la confrontation entre les deux superpuissances ;

10. Notant que, si un certain progrès vers un retour à la normale de la situation au Liban peut être envisagé indépendamment de la solution globale du conflit du Proche-Orient, l'affermissement définitif de la paix dans la région dépendra de la juste solution du problème du peuple palestinien vivant dans les territoires occupés par Israël depuis 1967 ou ailleurs dans le monde ;

11. Se référant aux principales conclusions de sa Résolution 728 (1980) :

i. l'affirmation du droit à l'existence, à la sécurité et à l'indépendance de l'Etat d'Israël et des Etats voisins ;

ii. le refus d'admettre l'acquisition de territoires par la force et la reconnaissance du droit à l'autodétermination du peuple palestinien, deux éléments fondamentaux du règlement politique du conflit israélo-arabe ;

iii. la condamnation de la politique d'implantation de colonies israéliennes dans les territoires occupés qui compromet les chances d'aboutir à une paix juste et durable ;

iv. la prise en considération des dimensions religieuses autant que des exigences politiques lors de l'élaboration du futur statut de Jérusalem ;

12. Renouvelant ses multiples appels angoissés en faveur de l'accroissement des contributions versées aux organismes humanitaires internationaux, tels que l'UNRWA, le HCNUR, l'OMS et le CICR, qui prennent en charge les problèmes des réfugiés et des populations de la région ;

13. Prenant acte du fait que l'OLP est apparue aux membres de la mission d'information de l'Assemblée comme l'unique représentant légitime du

people, and that this makes all the more regrettable external pressures to bring the PLO under the control of Syria or others, to the detriment of the organisation's unity, its very identity, its prestige and efficacy,

14. Welcomes the cease-fire of 26 September, which it hopes will not be put in question, and appeals to the governments and national parliaments of member states to instigate European initiatives to foster peace, national reconciliation and the reconstruction of Lebanon, and facilitate a fair and lasting peace in the Middle East within the framework of the United Nations resolutions and with guarantees for the security of all the peoples and states of the region, within secure and internationally recognised boundaries including the state of Israel and a possible future independent Palestinian state ;

15. Considers that the Committee of Ministers of the Council of Europe should undertake concerted steps to mediate with a view to putting an end permanently to the conflict in Lebanon and contributing to the country's political, institutional and material reconstruction, and to encourage the opening of balanced negotiations in the Middle East ;

16. Invites all its members to foster public awareness in the member states both of the sufferings of the Lebanese communities and the Palestinian people, and of the prerequisites for establishing a just and lasting peace in the Middle East ;

17. Urges the relevant member states not to contemplate any withdrawal from the Lebanon of any elements of the Multinational Force until reliable measures have been taken to ensure the physical protection of Palestinian and other refugees remaining in that country.

peuple palestinien, et de ce que cela rend d'autant plus regrettables les pressions extérieures pour inféoder l'OLP aux intérêts de la Syrie ou d'autres, au détriment de l'unité de l'organisation, de son identité même, de son prestige et de son efficacité,

14. Se félicite du cessez-le-feu du 26 septembre, en espérant qu'il ne sera pas remis en question, et fait appel aux gouvernements et aux parlements nationaux des Etats membres pour qu'ils suscitent des initiatives européennes pouvant contribuer à la pacification, à la réconciliation nationale et à la reconstruction du Liban, ainsi qu'à la recherche d'une paix juste et durable au Proche-Orient dans le cadre des résolutions des Nations Unies et avec des garanties de sécurité pour tous les peuples et Etats de la région derrière des frontières sûres et internationalement reconnues, y compris l'Etat d'Israël et un éventuel futur Etat palestinien indépendant ;

15. Estime que le Comité des Ministres du Conseil de l'Europe devrait entreprendre une initiative concertée de médiation en vue de mettre fin définitivement aux combats au Liban et de contribuer à la reconstruction politique, institutionnelle et matérielle de ce pays, et de favoriser l'ouverture de négociations équilibrées au Proche-Orient ;

16. Invite tous ses membres à sensibiliser l'opinion publique des Etats membres sur les drames vécus par les communautés libanaises et le peuple palestinien, ainsi que sur les conditions nécessaires à l'établissement d'une paix juste et durable au Proche-Orient ;

17. Demande instamment aux Etats membres concernés de ne pas envisager de retirer du Liban des éléments de la Force multinationale avant que des mesures présentant toutes garanties aient été prises pour assurer la protection physique des réfugiés palestiniens et autres encore présents dans ce pays.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

### DECLARATION REGARDING INTOLERANCE — A THREAT TO DEMOCRACY

*(Adopted by the Committee of Ministers on 14 May 1981  
at its 68th Session)*

The Committee of Ministers of the Council of Europe,

1. Convinced that tolerance and respect for the dignity and intrinsic equality of all human beings are the very basis of a democratic and pluralistic society ;
2. Profoundly disturbed by the resurgence of various forms of intolerance ;
3. Reaffirming its determination to safeguard the effective political democracy referred to in the Preamble to the Convention for the Protection of Human Rights and Fundamental Freedoms ;
4. Recalling that human rights and fundamental freedoms are the very foundation of justice and peace throughout the world ;
5. Bearing in mind that the Convention for the Protection of Human Rights and Fundamental Freedoms has successfully afforded effective international protection, without discrimination, to everyone within the jurisdiction of the Contracting States ;
6. Recalling that, in accordance with the United Nations International Convention on the Elimination of All Forms of Racial Discrimination and following the Committee of Ministers Resolution (68) 30 of 31 October 1968, on measures to be taken against incitement to racial, national and religious hatred, several member states have either adopted new legislation or reinforced existing legislation against acts inspired by racism ;
7. Welcoming the adoption by the Consultative Assembly of Resolution 743 (1980) on "the need to combat resurgent fascist propaganda and its racist aspects" ;
8. Considering that the best way of countering all forms of intolerance is to preserve and consolidate democratic institutions, to foster citizens' confidence in those institutions and to encourage them to take an active part in their operation ;
9. Convinced of the vital part played by education and information in any action against intolerance, whose origin frequently lies in ignorance, source of incomprehension, hatred and even violence,
  - I. Vigorously condemns all forms of intolerance, regardless of their origin, inspiration or aims, and the acts of violence to which they give rise, especially when human lives are at stake ;
  - II. Rejects all ideologies entailing contempt for the individual or a denial of the intrinsic equality of all human beings ;
  - III. Solemnly recalls its unswerving attachment to the principles of pluralistic democracy and respect for human rights, the cornerstone of membership of the Council of Europe, as well as to the Convention for the Protection of Human Rights and Fundamental Freedoms, the essential instrument in the effective exercise of these rights ;

IV. Decides :

i. to reinforce efforts, at national and international levels, and particularly in the framework of the Council of Europe, to prevent the spread of totalitarian and racist ideologies and to act effectively against all forms of intolerance ;

ii. to take, with this objective in mind, all appropriate measures and to implement a programme of activities including, in particular, the study of legal instruments applicable in the matter with a view to their reinforcement where appropriate ;

iii. to promote an awareness of the requirements of human rights and the ensuing responsibilities in a democratic society, and to this end, in addition to human rights education, to encourage the creation in schools, from the primary level upwards, of a climate of active understanding of and respect for the qualities and culture of others ;

V. Agrees that member states will make every effort so that the principles enounced above prevail within other international organisations ;

VI. Appeals to all institutions, movements and associations and to all political and social forces to contribute towards a sustained effort against the threat to democracy represented by intolerance.



# COUNCIL OF EUROPE CONSEIL DE L'EUROPE

ADDRESS BY MR MARCELINO OREJA,  
SECRETARY GENERAL OF THE COUNCIL OF EUROPE  
AT THE OPENING SITTING OF THE MEETING OF THE WORLD JEWISH CONGRESS  
COMMEMORATING THE END OF THE SECOND WORLD WAR

Council of Europe - Strasbourg, 16 May 1985

Mr President, Ladies and Gentlemen,

It is an honour for the Council of Europe to act as host to your conference and a personal privilege to welcome you to the headquarters of the Council of Europe, which was the first post-War European institution. This evening's gathering in this place of reconciliation and co-operation is more than just a commemoration : it is a symbol of faithfulness to our democratic principles and of hope for the future. As a Spaniard I feel impeded to mention the contribution made by the sephardic communities to Spanish culture, to the mediterranean world and to Europe ; Toledo and the spirit of Maïmonides are still fresh in our memories.

The whole ethic of the Council of Europe and the basic principles embodied both in our Organisation's Statute and in the European Convention on Human Rights reflect the lesson that we all learned from the tragic events that Europe suffered from the 1920s until 1945. The establishment of the Council of Europe reflected the resolve of the governments and peoples of Europe to uphold in our societies the irreversibility of democracy, the rule of law and fundamental freedoms and also our shared determination to join forces and build a free Europe founded on law, proof for ever against destruction by totalitarian instinct and schemes for enslaving the individual and the masses.

Democratic Europe, which is alas, only part of Europe, has come a very long way since 1945. When we were discovering the horrors of the concentration camps over 40 years ago, our political systems and our economies were in ruins, and our consciences and our memories - and without memory it is impossible to build a future - were faced with the challenges of a new era, when we were emerging from "Nacht und Nebel", who could have thought that one day we would find ourselves here together, side by side, shoulder to shoulder, no longer as rival sovereign states but as partners working together to create freedom and democracy in which we can all share. Yet this fantasy has now become a reality.

Being here with you, I cannot resist the temptation to remind you that one of the founding fathers of the State of Israel said that "a Jew who did not believe in miracles was not a realistic Jew". Given the history of democratic Europe, I think we can now apply this statement to all Europeans.

The historic reconciliation between Europeans, of which Strasbourg and our European institutions are symbols, is something of a miracle, yet it is also a victory for lucidity and reason. What we have to do together is precisely to safeguard the achievements of this revolution brought by reason and to see that they bear fruit for the benefit of as many people as possible. We cannot overlook the fact that the world's democracies are a minority making their way out of an ocean in which men are still struggling, sometimes for survival and often to assert their most elementary rights. We must not forget that democracy is a great privilege, but a fragile one, and we must have the daily conviction that to preserve democracy in one part of the world is the task of one and all, of individual and governments alike. It calls for vigilance, but also creative imagination and, for the matter, faith on the part of each one of us.

So it is not by chance that your Conference is meeting today at the headquarters of the Council of Europe, for the World Jewish Congress is regularly involved in our work through the consultative status granted to it many years ago. We have every reason to welcome this co-operation, which among other things enabled us to organise together a Conference on Intolerance



at the European Youth Centre. We also value the active interest which your Congress takes in all our parliamentary and intergovernmental work on human rights and the protection of minorities, whether it concerns intolerance, racism, anti-Semitism or the situation of Jews in the Soviet Union or anywhere else in the world where their communities are still being persecuted or silenced.

Lastly, I should like to say how pleased I am that so many distinguished delegates are attending the Conference we are inaugurating this evening. The presence here together of representatives of the Jewish communities in Western Europe and certain East European countries is both a sign of unity and a source of hope. The fact that so many European, Israeli and American delegates from such different religious and political backgrounds are taking part in your proceedings, augurs well for the success of your gathering and for its international repercussions.

Mr President, Ladies and Gentlemen, strengthened by our individual memories and our collective memory we are resolved that no civilisation of our making shall forget or deny its past. Henceforth we must go forward and combine our efforts at all levels, in a spirit of tolerance, mutual respect and peace, so that future generations are not inculcated with the contempt that led Europe into its past tragedies.

Strasbourg Cathedral has its "Europe" window, and on the front of the Synagogue de la Paix are inscribed these words of the prophet Zechariah, "Not by might, nor by power, but by my spirit." It is the struggle by Europeans for their unification in a pluralist democratic society that is the most striking victory of the spirit in post-War Europe. Thank you for demonstrating the true dimension of this victory by your presence here this evening.

**COUNCIL  
OF EUROPE**



**CONSEIL  
DE L'EUROPE**

**DIRECTORATE OF PRESS AND INFORMATION  
FOR INFORMATION**

**DIRECTION DE LA PRESSE ET DE L'INFORMATION**

I (85) 103  
30.12.85

**COUNCIL OF EUROPE CONDEMNS VIGOROUSLY TERRORISTS**  
**CRIMINAL ATTACKS IN ROMA AND VIENNA**

DECLARATION OF THE CHAIRMAN OF THE COMMITTEE OF MINISTERS, THE PRESIDENT OF THE PARLIAMENTARY ASSEMBLY AND THE SECRETARY GENERAL OF THE COUNCIL OF EUROPE

With the attacks against the El Al offices at the airports of Rome and Vienna international terrorism has struck once more in Europe and claimed numerous victims.

The Council of Europe, which is firmly attached to respect for human rights and the principles of democracy, condemns vigorously these blows against human lives and extends its profound sympathy to the victims, their next of kin, and the authorities of the countries concerned.

The Council of Europe reaffirms the determination of the democracies of Europe to continue to combat together, until it is finally eradicated terrorism in Europe and the world.

\*\*\*\*\*

Text of the telegram sent by the Secretary General of the Council of Europe to the Italian Prime Minister and the Austrian Federal Chancellor :

"On behalf on the Chairman of the Committee of Ministers and of the President of the Parliamentary Assembly as well as on my own behalf, I would like to express to you my sympathy and feelings of solidarity further to the criminal attacks, and reiterate our solidarity in the fight against international terrorism."

Marcelino OREJA

*The 21 Council of Europe member States:*

Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, United Kingdom

*Les 21 Etats membres du Conseil de l'Europe :*

Autriche, Belgique, Chypre, Danemark, France, République Fédérale d'Allemagne, Grèce, Islande, Irlande, Italie, Liechtenstein, Luxembourg, Malte, Pays-Bas, Norvège, Portugal, Espagne, Suède, Suisse, Turquie, Royaume-Uni

ISRAEL

1. Parliamentary Assembly

Israel has had observer status with the Assembly since 1957.

Mr Abba Eban, Minister for Foreign Affairs, attended sittings of the Assembly on several occasions (September 1967, October 1971).

- 1 October 1973: the Prime Minister, Mrs Golda Meir, addressed the Parliamentary Assembly.
- 10 October 1979: The Minister for Foreign Affairs, Mr Moshe Dayan, addressed the Parliamentary Assembly during the debate on the Middle East.
- An Israelian parliamentarian, Mr Weiss, took part in the debate on the role of women in political life at the first part of the 37th session of the Parliamentary Assembly (26 April 1985);
- the following Assembly committees have held meetings in the Knesset building, in Jerusalem.

The Committee on Agriculture (1976, 1985), the Committee on Science and Technology (1977), the Committee on Regional Planning and Local Authorities (1978), the Committee on Economic Affairs and Development (1979) and the Committee on Culture and Education (1984), the Committee on Relations with Non-Member States (1985).

Israel has been represented at a number of conferences, colloquies and parliamentary hearings organised by the Parliamentary Assembly, including:

- 3rd, 4th and 5th seminars on international voluntary service (Strasbourg 4-8 November 1968; 2-6 November 1968; 5-9 November 1973);
- 4th Parliamentary and Scientific Conference: "Science and Parliament" (Florence 12-14 November 1975);
- Conference on the development of democratic institutions (Strasbourg 21-23 April 1976);
- Colloquy on the Conservation of the living resources in the north-east Atlantic and the Mediterranean Sea (Malta 26-28 October 1977);
- Colloquy on energy and the environment (Strasbourg 24-25 November 1977);
- Round Table on data processing in parliamentary work (Strasbourg 18-19 May 1978);

- An Israeli expert contributed to the parliamentary hearing on the underwater cultural heritage in Paris on 2 March 1978:  
(Dr Elisha Linder, Centre for Maritime Studies, University of Haifa.)
  - European Parliamentary Hearing: "Fast-breeder reactors: economic aspects and safety" (Brussels 18-19 December 1979);
  - Conference on "The defence of democracy against terrorism in Europe: tasks and problems" (Strasbourg 12-14 November 1980);
  - European Parliamentary Hearing: "Innovation, competitiveness and political decision-making; economic and social effects of advanced technologies: (The Hague 24-25 March 1981);
  - 5th Parliamentary and Scientific Conference: "Technology and democracy: impacts of technological change on European society and civilisation" (Helsinki 3-5 June 1981);
  - Colloquy on the concept of democracy (Strasbourg 23-25 March 1983);
  - Strasbourg Conference on parliamentary democracy (Strasbourg 4-6 October 1983);
  - 6th Parliamentary and Scientific Conference (Tsukuba, Japan, 3-6 June 1985);
- II. Standing Conference of Local and Regional Authorities of Europe
- Israel has attended the conference proceedings since 1960.
  - The Minister of the Interior, Mr J Burg, addressed the 9th session of the conference (September 1972).
  - Conference of the Regions of the Mediterranean Basin (Marseilles 27-29 March 1985).
- IV. Accession to Council of Europe Conventions and Agreements (1)
- European Convention on the international classification of patents for invention (including annex as amended) (18 April 1966).
- Israel denounced this convention on 12 September 1975; the denunciation took effect on 7 October 1975 when the Strasbourg Agreement on the international patent classification came into force.
- European Convention relating to the formalities required for patent application (29 April 1966)

---

(1) The date of accession is given in brackets.

- European Convention on extradition (27 September 1967)
- European Convention on mutual assistance in criminal matters (27 September 1967)
- European Convention on the equivalence of diplomas leading to admission to universities (7 October 1971)
- European Agreement concerning programme exchanges by means of television films (16 January 1978)
- Agreement on the exchange of war cripples between member countries of the Council of Europe, with a view to medical treatment (19 January 1979).

VI. Other conferences, seminars and colloquies

Field 2: Social problems

- Israeli independent experts took part in the first and second European Population Conferences (Strasbourg 30 August - 6 September 1966; Strasbourg 31 August - 7 September 1971).
- Seminar on "the implications of a stationary or declining population in Europe" (Strasbourg 6-10 September 1976).

Field 4: Youth

Israel has taken part in a number of seminars organised at the European Youth Centre by non-governmental youth organisations:

- "Participation in mass communications - reality and theory of participation in radio and TV in Europe and the Third World" (World Organisation of Young Esperantists - TEJO: Strasbourg 24 April - 1 May 1983)
- "A conservative and christian democrat strategy for the North-South dialogue" (Democrat Youth Community of Europe - DEMYC; Strasbourg 3-8 June 1983)
- Training seminar in conjunction with the European Regional Office of the World Organisation of the Scout Movement (Strasbourg 22-29 June 1983)
- "Social services in the 1980s" (Democrat Youth Community of Europe - DEMYC; Strasbourg 19-26 February 1984).
- "The problems of child maltreatment and the convention on children's rights" (International Falcon Movement - Socialist Educational International - IFM-SEI; Strasbourg 2-9 June 1985.
- "Scouting and ecology" (World Organisation of the Scout Movement - European Regional Office - SCOUTS; Strasbourg 21-28 April 1985.

Field 6: Environment

- European Conference on nature conservation (Strasbourg February 1970)

Field 8: Legal co-operation

- Israel was represented at the Conference of Directors of criminological research institutes [now called: Criminological Research Conference] from the 7th session (Strasbourg 1969) to the 11th (Strasbourg 1974) and again at the 14th (Strasbourg 1980) and 15th (Strasbourg 1982) sessions
- Israel also took part in six criminological colloquia organised by the Council of Europe (Strasbourg 1973, 1975, 1977, 1979, 1981 and 1983).

VII. Specialised Council of Europe centres, funds and foundations

1. European Information Centre for Nature Conservation

Israel takes part in the centres activities and receives its publications "Naturopa" and "Newsletter".

2. European Youth Centre and European Youth Foundation

- European Youth Centre (EYC):

Israeli nationals taking part in activities at the European Youth Centre numbered four in 1979, four in 1980, two in 1981, one in 1982, six in 1983 and two in 1984.

- European Youth Foundation (EYF):

The European Youth Foundation gives financial support to a number of activities in states which are not members of the Council of Europe. For example in 1980, the foundation supported the following event in Israel (1):

- Kfar-Hamacabia 31 August - 5 September: "Scouting for adolescents", organised by the European Regional Office of the World Organisation of the Scout Movement (SCOUTS) (55,000).
- 20-26 October 1984: "Community development at local level" organised by the European Regional Office of the World Organisation of the Scout Movement (80,000).

---

(1) The figure in brackets indicates the amount of the grant awarded by the European Youth Foundation, in French francs.

USA

I. Parliamentary Assembly

- Since 1950 there have been exchanges of views between the Assembly and the delegation from the United States Congress; this has nearly been a yearly event since 1965.
- The Deputy United States Secretary of State took part in the Assembly's debates in May 1971, and the personal representative of the United States Secretary of State in May 1973;
- Members of the Sub-Committee on relations with international organisations (Committee on Economic Affairs and Development) visited the States Department and the Congress (March 1982);
- Members of the Political Affairs Committee went to Washington and had talks with members of the States Department and of the Congress (March 1982).

It has been decided to entrust a member of the Congress with relations with the Parliamentary Assembly.

- Regular contacts are made with the Commission for Agriculture.
- Parliamentary delegations have taken part in the debates on:

1. The activities of OECD:

in January 1974, October 1975, September 1980, October 1982 and January 1985.

2. the results of the Conference on Security and Co-operation in Europe (CSCE) in the general policy debates of the Parliamentary Assembly: in April 1977.

3. Relations between Europe and the USA (January 1985).

The USA was also represented at a number of conferences, colloquies and parliamentary hearings organised by the Parliamentary Assembly of the Council of Europe, including:

- 3rd, 4th and 5th "Science and Parliament" Conferences (Lausanne 11-14 April 1972; Florence 12-14 March 1975; Helsinki 3-5 June 1981);
- Colloquy on the changing population structures in Europe and rising social costs (Berlin, November 1975);
- Conference on the development of democratic institutions (Strasbourg 21-23 April 1976);
- 3rd to 7th Seminars on international voluntary service (Strasbourg 4-8 November 1968; 2-6 November 1970; 5-9 November 1973; 8-12 November 1976; 25 October 1979);

- Colloquy on "Energy and Environment" (Strasbourg 24-25 November 1977);
- Colloquy on the conservation of the living resources in the North-East Atlantic and the Mediterranean Sea (Malta 26-28 October 1977);
- Conference on "The defence of democracy against terrorism in Europe: tasks and problems" (Strasbourg 12-14 November 1980);
- Colloquy on "Europe and Latin America: the challenge of human rights" (Madrid 16-18 October 1981);
- The US National Coalition on Television Violence (Mr T Radecki) made a written submission to the Committee on Culture and Education hearing on violence, Assisi September 1982 (Doc. 5013)

The Legal Affairs Committee has been represented at the Conference on social and economic rights in western democracies, organised by the International Institute for Human Rights and the Aspen Institute for Humanistic Studies (New York), on 5-6 November 1981. USA was represented by 10 participants.

- 9th European Parliamentary Hearing: "The use of live animals for experimental and industrial purposes" (Strasbourg 8-9 December 1982);
- Colloquy on the concept of democracy (Strasbourg 23-25 March 1983);
- Strasbourg Conference on Parliamentary Democracy (Strasbourg 4-6 October 1983). The USA is a member of the Steering Committee and of the Contact Group of the conference;
- 6th Parliamentary and Scientific Conference (Tsubuka, Japan, 3-6 June 1985).

### III. Committees of experts

#### Field 1: Human rights

- Steering Committee for Human rights (CDDH):
  - . Ad hoc Committee of Experts to exchange views on the draft Convention against torture (CAHTT);
  - . Ad hoc Committee of Experts to exchange views on human rights in relation to development (CAHDD).

#### Field 3: Education, culture and sport

- Council for Cultural Co-operation (CDCC):
  - . Project Group No. 1: "Preparation for life"



Field 5: Public health

- European Health Committee (CDSP):
  - . Committee of Experts on blood transfusion and immunohaematology (SP-HM);
  - . Select Committee of Experts on automation and quality control in blood transfusion services (SP-R-GS);
  - . Select Committee of Experts on histocompatibility (SP-R-HS).

Field 8: Legal co-operation

- European Committee on Legal Co-operation (CDCJ):
  - . Committee of Experts on international trade law (CJ-CI);
  - . Committee of Experts on the most-favoured-nation clause (CJ-NF);
  - . Committee of Experts on state succession (CJ-SE);
  - . Committee of Experts on data protection (CJ-PD);
  - . Committee of Experts on legal data-processing (CJ-IJ);
  - . Committee of Experts on reproduction and recording of documents (CJ-RE);
  - . Committee of Experts on tax law (CJ-FI);
  - . Committee of Experts on public international law (CJ-DI);
  - . Ad hoc Committee of Experts on genetic engineering (CAHGE).
- Ad hoc Committee of Experts for the protection of animals (CAHPA)

Field 9: Partial Agreement

- Public Health Committee (Partial Agreement) (CD-P-SP)
  - . The USA was represented at the 6th meeting (October 1982) of the Permanent Correspondents of the Pompidou Group (P-PG);
  - . Committee of Experts on epidemiology (PPG-EPID).

IV. Accession to Council of Europe conventions and agreements

The USA ratified the Convention on the Transfer of Sentenced Persons on 11 March 1985.

V. Conferences of specialised Ministers

The USA attended the following Ministerial conferences as a "distinguished guest":

- 9th, 11th, 12th and 14th sessions of the Standing Conference of European Ministers of Education (Stockholm June 1975; The Hague June 1979; Lisbon June 1981; Brussels May 1985).

VI. Other conferences, seminars and colloquies

The Secretary General of the Council of Europe organised a conference on "Relations between Western Europe and the USA" (Strasbourg 29-30 June 1981); this was followed by a debate on the same subject in the Parliamentary Assembly on 5 October 1981.

Field 1: Human rights

- 2nd, 3rd, 4th and 5th international colloquies on the European Convention on Human Rights (Vienna 18-20 October 1965; Brussels 30 September - 3 October 1970; Rome 5-8 November 1975; Frankfurt 9-12 April 1980);
- Colloquy on human rights of aliens in Europe (Funchal 17-19 October 1983).

Field 2: Social problems

- 1st, 2nd and 3rd European Population Conferences (Strasbourg 30 August - 6 September 1966; Strasbourg 31 August - 7 September 1971; Strasbourg 21-24 September 1982) [independent experts].

Field 3: Education, culture and sport

- An American consultant attended the Symposium on modern languages in adult education (RTuschlikon, Switzerland May 1971);
- Symposium "Environment participation and quality of life" (Venice March 1977);
- Symposium on Education (Porto September 1977);
- 13th Council of Europe Teachers Seminar on "The training of teachers of the children of migrant workers: cultural values and education in a multi-cultural society" (Donaueschingen 19-24 October 1981);
- 17th Council of Europe Teachers Seminar on "Teaching about the USA in secondary schools in Western Europe" (Donaueschingen 25-30 October 1982);
- Workshop on training in energy planning (Grenoble 6-9 September 1982).

- Conference: "Teaching and learning about each other: the USA and Western Europe (Washington, USA, November 1984).
- "European workshop on cardiovascular toxicology" (Kuopio, Finland, 18 June 1985).

Field 4: Youth

The USA has taken part in a number of seminars organised at the European Youth Centre by non-governmental youth organisations:

- "A conservative and Christian-Democrat strategy for the North-South dialogue" (Democrat Youth Community of Europe - DEMYC; Strasbourg 3-8 June 1983);
- "North-South dialogue - liberal and radical strategy" (International Federation of Liberal and Radical Youth - IFLRY; Strasbourg 3-10 July 1983);
- "Education for non-violence" (European Co-ordination Bureau for International Youth Organisations - ECB; Strasbourg 2-9 October 1983);
- "The role of women in SCI" (Service Civil International - SCI; Strasbourg 23-30 October 1983).
- "Racism and xenophobia" (International Federation of Liberal and Radical Youth - IFLRY; Strasbourg 17-23 February 1985).
- "The violation of trade union rights: a European concern?" (European Trade Union Confederation - ETUC; Strasbourg 11-18 April 1985).

Field 5: Public health

- Multidisciplinary symposium on drug dependence (Strasbourg 20-24 March 1972)

Field 6: Environment

- European Conference on nature conservation (Strasbourg February 1970)
- European programme of pilot projects: symposia at Bologna (October 1974) and Krems (April 1975)
- Congress on the European architectural heritage (Amsterdam October 1975)

Field 8: Legal co-operation

- 7th, 11th, 12th and 13th Conferences of Directors of Criminological Research Institutes (Strasbourg 1969, 1974, 1976 and 1978)  
(now called: Criminological Research Conference)

- 2nd Criminological Colloquy: "Means of improving information on crime" (Strasbourg November 1975)
- 5th Criminological Colloquium: "Trends in Crime: comparative studies and technical problems" (Strasbourg 23-25 November 1981)
- 6th Criminological Colloquium: "Historical research on crime and criminal justice" (Strasbourg 21-23 November 1983)
- 4th Conference of Deans of Law Faculties (Strasbourg October 1976)
- 3rd, 4th and 5th Symposium on Legal Data Processing in Europe (Oslo, July 1975; Stockholm, June 1977; Vienna, May 1979).
- 1st, 2nd, 3rd and 4th Colloquies on the use of computers in the field of criminal justice (The Hague 23-25 October 1984; Brussels 13-15 October 1980; Strasbourg 3-4 November 1982; Stockholm 3-5 September 1984).
- 14th Colloquy of European Law (Lisbon 26-28 September 1983).

Field 9: Partial Agreement

- Meeting on "Development of administrative monitoring systems for the assessment of public health and social problems related to drug abuse" (Strasbourg 9-10 December 1982)
- Symposium on "Personnel dealing with drug addicts and problems related to drug addiction" (Strasbourg 20-23 September 1983)
- Symposium on "The care of hard-core addicts" (Strasbourg 14-16 March 1983)

VII. Specialised Council of Europe centres, funds and foundations

1. European Information Centre for Nature Conservation:

The USA provided a substantial amount of documentary material for the 1976 Campaign for the conservation of wetlands. The publications "Naturopa" and "Newsletter" are sent to the USA.

2. European Youth Centre and European Youth Foundation:

a. European Youth Centre (EYC):

American nationals taking part in the activities of the European Youth Centre numbered seven in 1979, six in 1980, 23 in 1981, six in 1982, 12 in 1983 and two in 1984.

b. European Youth Foundation (EYF):

The European Youth Foundation gives financial support to a number of activities taking place in countries which are not members of the Council of Europe. For instance, in 1980 the Foundation supported the following activity in the USA (1):

- Washington - New York 1-7 December:

"Europe/United States relations" organised by the European Union of Young Christian Democrats (EUYCD) (50,000).

VII. Fellowships

1. Training in the public health field

Participation since February 1984 (2) in the Study Group for the co-ordinated blood transfusion research programme - 1984 (SP-COORD-TR).



- 
- (1) The figure in brackets indicates the amount of the grant awarded by the European Youth Foundation, in French francs.
- (2) Scientific participation not taken in charge by the Council of Europe.

# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

AREC1024.P

Provisional edition

## PARLIAMENTARY ASSEMBLY

RECOMMENDATION 1024 (1986) (1)

on the European response to international terrorism

The Assembly,

1. Outraged by the wave of murders and massacres perpetrated by various terrorist organisations in several countries, in particular the simultaneous attacks carried out at the airports of Rome and Vienna on 27 December 1985;
2. Recalling its unqualified condemnation of terrorism, which denies democratic values and human rights;
3. Emphasising again that democratic states must combat terrorism while respecting democratic principles and the rights and freedoms guaranteed in their constitutions as well as in the Statute of the Council of Europe and the European Convention on Human Rights;
4. Noting with concern the growing evidence that terrorist organisations receive substantial logistic, political and financial support, relayed, in particular, by certain states - Libya, Syria and Iran, among others - in open contradiction with the obligations resulting from membership of the international community;
5. Convinced that co-operation between the member states and the world's other pluralist democracies is the primary condition for effective prevention and suppression of all forms of terrorism;
6. Anxious for a speedy and successful conclusion to the efforts being made at intergovernmental level to set up within the Council of Europe framework an ad hoc political body open to all Ministers who in their national governments are responsible for matters relating to the problems of terrorism and international organised crime;

---

(1) Assembly debate on 28 and 29 January 1986 (22nd, 23rd, 24th and 25th sittings)

See Doc. 5518, report of the Political Affairs Committee.

Text adopted by the Assembly on 29 January 1986 (25th sitting).

E 89.433

01.33

7. Urging all member states of the Council of Europe to fully implement existing international agreements and, in so far as they have not yet done so, to ratify such important conventions as:

the European Convention on Extradition,  
the European Convention on the suppression of terrorism,  
the European Convention on the control of the acquisition and possession of firearms by individuals,  
the European Convention on mutual assistance in criminal matters,  
and others;

8. Having decided to consider in greater detail, at its next part-session, the Council of Europe action to improve co-operation between member states on the lines of this recommendation;

9. Recommends that the Committee of Ministers:

- a. introduce as a matter of urgency new forms of co-operation between their relevant authorities, and especially between police forces and intelligence services:
  - i. to expose and publicly denounce states which assist terrorism in any way;
  - ii. to forestall any attack by stepping up checks and circulating information;
  - iii. reinforce penal sanctions for all those responsible for terrorist acts;
- b. take action in all international forums, particularly in the United Nations, within the CSCE framework and through more intensive Euro-Arab dialogue, and in the light of the proposal made by President Mubarak to the Assembly on 28 January 1986 to secure the participation of as many states as possible in the battle against terrorism, and in the political and economic isolation and moral condemnation of states which support it;
- c. consider together and, where possible, take all measures whether diplomatic, political or economic to deter and retaliate against states recognised as being responsible directly or indirectly for assistance to terrorism.

PARLIAMENTARY ASSEMBLY  
OF THE  
COUNCIL OF EUROPE

THIRTY-FIFTH ORDINARY SESSION

RESOLUTION 804 (1983)<sup>1</sup>  
*on the situation in the Middle East*

The Assembly,

1. Recalling its Resolution 728 (1980), on the situation in the Middle East, and its Resolutions 776 (1982) and 783 (1982), on the Lebanese crisis ;
2. Considering the conclusions of the Assembly's fact-finding mission to Lebanon, Jordan, Syria and Israel ;
3. Having taken note of the Final Declaration on the International Conference on Palestine held in Geneva from 29 August to 7 September on the initiative of the General Assembly of the United Nations ;
4. Expressing its keen emotion at the tragedy which the Lebanese people is suffering and its profound indignation at the events which have made thousands of victims among the population ;
5. Recalling its attachment to the unity, integrity and sovereignty of an independent, multiconfessional and democratic Lebanon ;
6. Believing that there is the most pressing need for a return of peace in Lebanon, in order to prevent the loss of thousands of human lives and the spread of intercommunity conflict and to end a confrontation which threatens peace in the world ;
7. Convinced that the solution of the Lebanese problem necessitates a double approach, on the one hand, to put an end to external intervention, while promoting an immediate return to peace, national reconciliation and the respect of human rights for all and, on the other, the preparation of

1. *Assembly debate* on 30 September 1983 (16th and 17th Sitings) (see Doc. 5130, report of the Political Affairs Committee).

*Text adopted by the Assembly* on 30 September 1983 (17th Sitting).

ASSEMBLÉE PARLEMENTAIRE  
DU  
CONSEIL DE L'EUROPE

TRENTE-CINQUIÈME SESSION ORDINAIRE

RÉSOLUTION 804 (1983)<sup>1</sup>  
*relative à la situation au Proche-Orient*

L'Assemblée,

1. Rappelant sa Résolution 728 (1980), relative à la situation au Proche-Orient, et ses Résolutions 776 (1982) et 783 (1982), relatives à la crise libanaise ;
2. Considérant les conclusions de sa mission d'information qui s'est rendue au Liban, en Jordanie, en Syrie et en Israël ;
3. Ayant pris connaissance de la déclaration finale de la Conférence internationale sur la question de la Palestine, tenue à Genève du 29 août au 7 septembre à l'initiative de l'Assemblée générale des Nations Unies ;
4. Exprimant sa vive émotion devant la tragédie que vit le peuple libanais et sa profonde indignation face aux événements qui ont entraîné des milliers de victimes dans la population ;
5. Rappelant son attachement à l'unité, à l'intégrité et à la souveraineté d'un Liban indépendant, pluriconfessionnel et démocratique ;
6. Estimant qu'un retour à la paix au Liban s'impose avec la plus grande urgence, tant pour préserver des milliers de vies humaines que pour éviter toute extension du conflit intercommunautaire et pour mettre fin à une confrontation qui menace la paix mondiale ;
7. Convaincue que la solution du problème libanais doit être recherchée dans une double approche, d'une part par l'arrêt des interventions extérieures, la pacification immédiate, la réconciliation nationale et le respect des droits de l'homme pour tous et, d'autre part, par la préparation

1. *Discussion par l'Assemblée* le 30 septembre 1983 (16<sup>e</sup> et 17<sup>e</sup> séances) (voir Doc. 5130, rapport de la commission des questions politiques).

*Texte adopté par l'Assemblée* le 30 septembre 1983 (17<sup>e</sup> séance).



free elections based on institutional reforms guaranteeing the rights of each community and the democratic, representative functioning of the state, all this to take place under United Nations supervision ;

8. Considering that, both at home and abroad, the Lebanese state needs immediate political and material aid ;

9. Considering absolutely necessary the departure of all foreign forces from Lebanon—and first of all Syrian and Israeli forces—and avoiding that the Lebanese crisis should increasingly become a focal point in the confrontation between the two superpowers ;

10. Noting that, although some progress towards a return to normal in Lebanon is conceivable independently of an overall solution to the Middle East conflict, the final consolidation of peace in the region will depend on the just solution of the problem of the Palestinian people living in the territories occupied by Israel since 1967 or elsewhere in the world ;

11. Referring to the principal conclusions of its Resolution 728 (1980), namely :

i. the affirmation of the right of the state of Israel and its neighbours to existence, security and independence ;

ii. the inadmissibility of the acquisition of territories by force, and the recognition of the right of self-determination of the Palestinian people, two fundamental elements in the political settlement of the Arab-Israeli conflict ;

iii. the condemnation of Israel's settlement policy in the occupied territories, which compromises the chances of achieving a just and lasting peace ;

iv. the need for the religious dimension as well as political factors to be taken into account in defining the future status of Jerusalem ;

12. Reiterating its numerous anxious appeals for greater contributions to international humanitarian bodies such as UNWRA, UNHCR, WHO and ICRC, which deal with the problems facing both refugees and local inhabitants in the region ;

13. Noting that the PLO appeared to the members of the Assembly's fact-finding mission to be the sole legitimate representative of the Palestinian

d'élections libres fondées sur une réforme institutionnelle qui soit de nature à garantir les droits de chaque communauté et le fonctionnement démocratique et représentatif de l'Etat, tout cela sous le contrôle des Nations Unies ;

8. Considérant que l'Etat libanais a besoin, au plan interne comme dans ses relations extérieures, d'une aide immédiate, tant politique que matérielle ;

9. Estimant absolument nécessaire le départ de toutes les forces étrangères qui occupent le Liban — et par priorité les forces syriennes et israéliennes — en évitant que la crise libanaise ne devienne de plus en plus un abcès de fixation de la confrontation entre les deux superpuissances ;

10. Notant que, si un certain progrès vers un retour à la normale de la situation au Liban peut être envisagé indépendamment de la solution globale du conflit du Proche-Orient, l'affermissement définitif de la paix dans la région dépendra de la juste solution du problème du peuple palestinien vivant dans les territoires occupés par Israël depuis 1967 ou ailleurs dans le monde ;

11. Se référant aux principales conclusions de sa Résolution 728 (1980) :

i. l'affirmation du droit à l'existence, à la sécurité et à l'indépendance de l'Etat d'Israël et des Etats voisins ;

ii. le refus d'admettre l'acquisition de territoires par la force et la reconnaissance du droit à l'autodétermination du peuple palestinien, deux éléments fondamentaux du règlement politique du conflit israélo-arabe ;

iii. la condamnation de la politique d'implantation de colonies israéliennes dans les territoires occupés qui compromet les chances d'aboutir à une paix juste et durable ;

iv. la prise en considération des dimensions religieuses autant que des exigences politiques lors de l'élaboration du futur statut de Jérusalem ;

12. Renouvelant ses multiples appels angoissés en faveur de l'accroissement des contributions versées aux organismes humanitaires internationaux, tels que l'UNRWA, le HCNUR, l'OMS et le CICR, qui prennent en charge les problèmes des réfugiés et des populations de la région ;

13. Prenant acte du fait que l'OLP est apparue aux membres de la mission d'information de l'Assemblée comme l'unique représentant légitime du

people, and that this makes all the more regrettable external pressures to bring the PLO under the control of Syria or others, to the detriment of the organisation's unity, its very identity, its prestige and efficacy,

14. Welcomes the cease-fire of 26 September, which it hopes will not be put in question, and appeals to the governments and national parliaments of member states to instigate European initiatives to foster peace, national reconciliation and the reconstruction of Lebanon, and facilitate a fair and lasting peace in the Middle East within the framework of the United Nations resolutions and with guarantees for the security of all the peoples and states of the region, within secure and internationally recognised boundaries including the state of Israel and a possible future independent Palestinian state ;

15. Considers that the Committee of Ministers of the Council of Europe should undertake concerted steps to mediate with a view to putting an end permanently to the conflict in Lebanon and contributing to the country's political, institutional and material reconstruction, and to encourage the opening of balanced negotiations in the Middle East ;

16. Invites all its members to foster public awareness in the member states both of the sufferings of the Lebanese communities and the Palestinian people, and of the prerequisites for establishing a just and lasting peace in the Middle East ;

17. Urges the relevant member states not to contemplate any withdrawal from the Lebanon of any elements of the Multinational Force until reliable measures have been taken to ensure the physical protection of Palestinian and other refugees remaining in that country.

peuple palestinien, et de ce que cela rend d'autant plus regrettables les pressions extérieures pour inféoder l'OLP aux intérêts de la Syrie ou d'autres, au détriment de l'unité de l'organisation, de son identité même, de son prestige et de son efficacité,

14. Se félicite du cessez-le-feu du 26 septembre, en espérant qu'il ne sera pas remis en question, et fait appel aux gouvernements et aux parlements nationaux des Etats membres pour qu'ils suscitent des initiatives européennes pouvant contribuer à la pacification, à la réconciliation nationale et à la reconstruction du Liban, ainsi qu'à la recherche d'une paix juste et durable au Proche-Orient dans le cadre des résolutions des Nations Unies et avec des garanties de sécurité pour tous les peuples et Etats de la région derrière des frontières sûres et internationalement reconnues, y compris l'Etat d'Israël et un éventuel futur Etat palestinien indépendant ;

15. Estime que le Comité des Ministres du Conseil de l'Europe devrait entreprendre une initiative concertée de médiation en vue de mettre fin définitivement aux combats au Liban et de contribuer à la reconstruction politique, institutionnelle et matérielle de ce pays, et de favoriser l'ouverture de négociations équilibrées au Proche-Orient ;

16. Invite tous ses membres à sensibiliser l'opinion publique des Etats membres sur les drames vécus par les communautés libanaises et le peuple palestinien, ainsi que sur les conditions nécessaires à l'établissement d'une paix juste et durable au Proche-Orient ;

17. Demande instamment aux Etats membres concernés de ne pas envisager de retirer du Liban des éléments de la Force multinationale avant que des mesures présentant toutes garanties aient été prises pour assurer la protection physique des réfugiés palestiniens et autres encore présents dans ce pays.

DEPARTMENT OF STATE  
BRIEFING PAPER

The Council of Europe

Founded in 1949, the Strasbourg-based Council of Europe (COE) was Europe's first post-war political organization. Delegates from sixteen countries and observers from ten others, attending the May 1948 "Congress of Europe" in The Hague, had called for a united Europe, and in particular for a European Assembly and a Charter and Court of Human Rights. These proposals were developed by the European Movement, an unofficial organization set up after The Hague Congress. They were submitted to the governments of Belgium, France, Luxembourg, the Netherlands, and the United Kingdom that earlier in 1948 had formed the Brussels Treaty Organization.

In March 1949, Denmark, Ireland, Italy, Norway and Sweden were invited to join the Brussels Treaty Organization countries in preparing a constitution for the new organization. On May 5, 1949, ministers from ten countries met in London to sign the statute of the Council of Europe. There was unanimous agreement that, to symbolize post-war European reconciliation, the new organization should be headquartered in the French Rhineland city of Strasbourg.

Although membership in the Council of Europe has expanded to twenty-one states, the organization's basic objectives remain the same: to work for greater European unity and cooperation, to improve living conditions and develop human values, and to uphold the principles of pluralistic democracy and human rights. Any European country can become a member if it accepts these principles. But should a country cease to abide by them, it can be expelled by the other members.

Traditionally, the main areas of the Council of Europe activity have been human rights, legal, economic and social affairs, education, youth, health and environment, and local and regional authorities. Perhaps best known for its unique supranational system of human rights safeguards (the Commission and Court of Human Rights) and its contributions to harmonizing European laws and policies (over 100 inter-governmental conventions), the COE also seeks to promote political consultations and dialogue both within Europe and vis-a-vis the rest of the world.

The United States follows developments in the Council of Europe closely, and participates in an increasing range of its activities. At the invitation of the COE, the U.S. sends experts or observers to participate in a wide range of inter-governmental meetings and conferences. As the result of this type of participation, the United States signed its first Council of Europe inter-governmental convention (on the repatriation of prisoners in foreign jails) in 1983 and ratified it in 1985. Similarly, members of Congress are regularly invited to participate in the Assembly's annual debate on the activities of the OECD, and ad hoc consultations with visiting Executive Branch officials are always welcomed.

The growing breadth and depth of U.S. interest in, and cooperation with, the Council of Europe is a reflection of both the COE's increasing initiatives in areas of importance to the U.S., and its openness to participation by non-member democratic states in many of its activities. In addition to facilitating this participation, the United States Consulate General in Strasbourg, which serves as the principal liaison with the unofficial representative to the COE, assists and promotes the development of US/COE relations by regularly representing U.S. interests to and reporting on significant actions and activities of the Council of Europe.



1741d  
7/24/85

MTT

PROPOSED AGENDA

AND

DISCUSSION TOPICS FOR MEETING WITH MARCELINO OREJA

FOR HOWARD I. FRIEDMAN

PROPOSED AGENDA

1. Introduction by Howard Friedman and identification of guests
2. Oreja address
3. Discussion on the topics listed below

DISCUSSION TOPICS\*

A. Middle East

1. For the most part, the Council parallels Jewish views on the Middle East.
2. Israel enjoys observer status in the Parliamentary Assembly of the Council but not at the Committee of Ministers, the more important body of the Council.
  - a. As a non-European nation, Israel is hereby granted great privilege.
  - b. No Arab nation enjoys this right.
  - c. It is the Committee of Ministers that decides issues, drafts resolutions, makes recommendations and prepares conventions and charter agreements. The Parliamentary Assembly is largely deliberative.
  - d. Israel would like to participate in the activities of the Committee, particularly so it could influence conventions and charters.
3. The Council is committed to Israel's security, but also seeks a balance in the Middle East.
  - a. Support the formation of a Palestinian state.
  - b. Position closely parallels that of Mitterand: a greater European role in the peace process is desirable as long as balance maintained.
  - c. Oreja formerly held the position that Israel must return its territories and recognize the PLO as a condition for establishing diplomatic relations with Spain. Since becoming Secretary General of the Council, he has altered his position, issuing statements in support of Israel and Spanish-Israeli relations. We may want to acknowledge his new position.
4. The Council has shown a significant sensitivity to the Palestinian refugee problem.

- a. Council continues to refer to Palestinians as "refugees."
- b. Council distinguishes between Palestinian refugees in Gaza and those in Lebanon. (See attached report on Lebanese Refugees for further information.)

B. Terrorism

1. The Council has passed resolutions condemning terrorism and advocating adherence to international conventions on terrorism.
2. Terrorism is one of the major items that Mubarak addressed in his speech before the Council in January 1986 (attached).

C. Human Rights

1. Human Rights is a major agenda item of the Council.
  - a. Address individual cases in their court.
  - b. Maintain directorate of human rights.
  - c. Pass resolutions supporting human rights internationally.
2. Participate in Conferences on Security and Cooperation in Europe (Helsinki).
3. Address the issue of Soviet Jewry. Israel has brought up cases of Soviet Jewry at Parliamentary Assembly.

D. Latin America

1. The Council actively seeks to promote democracy in Latin America. (See attached agenda of colloquy as an example of their work.)

E. East-West Relations

1. As a general guideline, the Council favors detente.
2. East-West relations concerns the Council less than some of the other issues.

F. Spain

1. Oreja cannot advocate national positions or commit himself to national concerns while serving as Secretary General.
2. A young man, he has a significant future ahead in Spanish politics as he was active in the past, and he does travel quite frequently to Spain, keeping abreast of issues there and maintaining contacts.
3. Oreja would probably vote for an extension on NATO i.e. against the Spanish referendum, being opposed to his own government and a member of the major conservative opposition party, Alianza Popular, headed by Manuel Fraga.

\*Based on information provided by Nives Fox, Director, AJC European Office  
Prepared by Susan Rothblatt, Program Assistant, International Relations

Biographic Note: Marcelino Oreja  
Council of Europe Secretary General

Marcelino Oreja Aguirre, Secretary General of the Council of Europe (COE), was Minister of Foreign Affairs 1976-1980 in the first government of democratic transition in Spain. In 1977, Oreja was a senator at the Constituent Assembly and was elected to the Spanish lower house from the Basque country, running on the Union of the Center Party ticket. Having resigned from the Parliament to be Governor General of the Basque country in 1980, he left that office in 1982 to run for Parliament again and was reelected. An important figure in Spanish Center-Right politics, Oreja is a member of the Spanish delegation to the Parliamentary Assembly of the Council of Europe.

Oreja will be COE Secretary General until October 1989. Mr. Oreja, who was born in Madrid in 1935, and who has degrees in law and diplomacy from universities in Spain, Germany and the Netherlands, is married and has two children. He speaks Spanish, French, English and German.

Under his leadership, the Council of Europe (which has the world's most effective international human rights machinery) has been moving further than ever before into cooperation and coordination of its 21 democratic member states' foreign policies across a broad spectrum of subjects. The focus has been particularly strong on counter-terrorism, on the spread and nurturing of democratic principles and practices throughout the world; and on ways to combat drug trafficking and drug abuse. Oreja is personally interested in promoting such cooperation and coordination in the Council of Europe forum on Latin American affairs (especially the Contadora process) and on the human rights aspects of East-West relations. He is also anxious to draw the United States - at the administration and Congressional levels - into the process, via regular consultation.



DIRECTORATE OF PRESS AND INFORMATION

DIRECTION DE LA PRESSE ET DE L'INFORMATION

EMBARGO UNTIL DELIVERY  
CHECK AGAINST DELIVERY

D (86) 2  
28.1.86

ADDRESS

BY

AMERICAN JEWISH  
HIS EXCELLENCY MOHAMMED HOSNI MUBARAK  
PRESIDENT OF THE ARAB REPUBLIC OF EGYPT

BEFORE

THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL  
OF EUROPE.

(Strasbourg - January 28, 1986)

The 21 Council of Europe member States:  
Austria, Belgium, Cyprus, Denmark, France, Federal Republic of  
Germany, Greece, Iceland, Ireland, Italy, Liechtenstein,  
Luxembourg, Malta, Netherlands, Norway, Portugal, Spain,  
Sweden, Switzerland, Turkey, United Kingdom

Les 21 Etats membres du Conseil de l'Europe:  
Autriche, Belgique, Chypre, Danemark, France, République  
Fédérale d'Allemagne, Grèce, Islande, Irlande, Italie,  
Liechtenstein, Luxembourg, Malte, Pays-Bas, Norvège, Portugal,  
Espagne, Suède, Suisse, Turquie, Royaume-Uni



Mr. Speaker,  
Ladies and Gentlemen, Distinguished Members of the Parliamentary Assembly  
of the Council of Europe,

Allow me at the outset, to express my warm thanks and appreciation to your  
good selves and to all the friendly European peoples for affording me the opportunity  
to meet with you and exchange views on issues of mutual concern which are crucial  
to man at this important historic juncture where all peoples are confronted by  
aggravating challenges and mounting difficulties and hazards, and where individuals  
and communities alike are gripped by a feeling of anxiety and fear of the future, at a  
time when man has attained an unparalleled level of scientific advancement and  
technological progress.

I also wish to convey to you warm greetings of friendship and fraternity from  
all and every Egyptian; rather from each and every Arab and Moslem whatever his  
country. The people I have the honour to represent before you and the nation to  
which I belong by my thoughts and feelings look forward to strengthening the ties  
binding them to the peoples of the European Continent and enhancing the dialogue with  
them in a way that transcends the traditional formulas to which we are accustomed  
and goes deep down to the very roots of fundamental issues. For this dialogue  
to be fruit, it should be conducted through an atmosphere of candor and sincerity; together  
with a common awareness of the gravity of the historic responsibility and the  
dimensions of the perils facing us all in the North, in the South, in the East and in the  
West.

*It is with a deep sense of satisfaction and appreciation that we view the accomplishments achieved by the countries of the European Continent in the 20th century. For such achievement is indeed part of the common heritage of mankind. It marks a significant addition to earlier achievements by the human community in ages past in the different parts of the world, since our march is indivisible; rather, it is made up of successive interconnected links where all and every one of us contributes, to the best of his ability, to the domain afforded him by the international and local conditions he lives in.*

*Meanwhile, it is with admiration that we view the accomplishments of the Council of Europe since its establishment in May 1949, which was the first European political organization to emerge following World War II. It continued to grow and expand until it included 21 countries with a total population of more than 385 million people. More important still, is probably the fact that the Council was not established for the mere achievement of political gains or economic benefits for the member states, but the main object of its formation was to enhance the commitment of those states to the principles of the adherence to the rule of law, their respect for human rights and the fundamental freedoms of man, as well as the consolidation of the democratic concepts in the various political and social institutions. Therefore, it was natural that the European citizen should become the pivot of the Council's activities and the point of departure of its action. This was clearly reflected in your adoption of the European convention on Human Rights, The European Cultural Agreement, the Agreement for the Preservation of the Environment, the Agreement on the Legal Status of Immigrant Labour and other treaties directly affecting man's life in this part of the world. As Jesus Christ has said, "Man does not live of bread alone".*

(3)

Mr. Speaker,

The close ties binding the peoples of the European Continent and those of the Middle East and South of the Mediterranean are not confined to the interwoven economic interests and the interrelated issues of security, stability and prosperity in these regions. Rather these ties extend to the promotion of similar concepts and basic values, even though on surface there may seem to be wide disparity between those values and concepts, since the origin of the European civilization is based on the principles derived from the Judeo-Christian tradition and the inherited Greco-Roman Legacy. It is indisputable that Islam has left its clear print on European thought as well, and thereby on European civilization, since the seventeenth century, through various channels recorded in the annals of history. Moreover, the civilization of our region has derived its spirit and basic concepts from the three divine creeds together with the rich heritage of the Pharaonic period in Egypt, the Babylonian civilization in Iraq and the Phoenician Age, East of the Mediterranean and in North Africa. Interaction continued in all ages between these civilizations and the European civilizations.

If we speak of Egypt's role in particular, in linking civilizations and cultures, and in enriching their heritage of fine values and noble principles which remained ever prevalent through the centuries we would find that Pharaonic Egypt was the first human community ever to adopt the concepts of equality and fraternity among all peoples. Those concepts were cemented in the age of Monotheism beginning

with the era of Ikhnaton. Such progressive thought continued to grow and flourish, reaching its peak under the School of Alexandria which prospered in the year 300 B.C. and shouldered the responsibility of preserving the Greek scientific and philosophic heritage. Even before that time, eminent Greek men of thought such as Puthagoras and Plato came to Egypt and joined Heliopolis University in quest of knowledge. It was no wonder therefore, that neo Platonism was born in Egypt, out of that ever-flowing source of thought and the freedom of research and study.

It was logical, that the emergence of democratic tradition should coincide with that grand intellectual renaissance within a framework that does not differ much from our contemporary frameworks. In the Ptolemic Age, a representative council was established in Alexandria and was invested with great powers and responsibilities in a manner unknown at the time.

Since the dawn of Christianity, Egypt has contributed generously to religious thought and the philosophic trends which emanated from it. The Egyptians were the first to establish monastries, with a comprehensive school of thought centered on the doctrines of asceticism and the renunciation of temporal affairs. It was from Egypt that the doctrine of "gnosticism" emerged, leaving behind an enormous heritage of religious and philosophic thought in the various parts to which Christianity spread in the Middle East and Europe.

(5)

With the advent of Islam, the sublime human concepts prevalent at the time were enhanced and a long stride forward was taken in consonance with the teachings of Islam which repudiate discrimination on the basis of ethnic origin or ancestry, and judge one's status according to his deeds and the good he renders, when prior to that, his status was determined by his ancestry.

"There is no grace of an Arab over a foreigner, but through piety" says the Honourable Hadith.

"Lo! the noblest of you, in the sight of Allah, is the best in conduct." The Holy Koran says.

Islam has, moreover, forbidden discrimination among people on the ground of their creed, and has further deepened the concept of equality among people before God; it is this very same concept which furnished the basis of equality before the law.

When Al-Azhar University was established in Egypt more than one thousand years ago, it became a bastion of the freedom of thought and a beacon of science and knowledge, spreading its light to all and every part of the Islamic World and the European Continent. For, the governing factor in all those ages was the belief that the Mediterranean should never form a barrier between countries in the north and those in the south. Rather, it should be a lake across which

With the advent of Islam, the sublime human concepts prevalent at the time were enhanced and a long stride forward was taken in consonance with the teachings of Islam which repudiate discrimination on the basis of ethnic origin or ancestry, and judge one's status according to his deeds and the good he renders, when prior to that, his status was determined by his ancestry.

"There is no grace of an Arab over a foreigner, but through piety" says the Honourable Hadith.

"Lo! the noblest of you, in the sight of Allah, is the best in conduct." The Holy Koran says.

Islam has, moreover, forbidden discrimination among people on the ground of their creed, and has further deepened the concept of equality among people before God; it is this very same concept which furnished the basis of equality before the law.

When Al-Azhar University was established in Egypt more than one thousand years ago, it became a bastion of the freedom of thought and a beacon of science and knowledge, spreading its light to all and every part of the Islamic World and the European Continent. For, the governing factor in all those ages was the belief that the Mediterranean should never form a barrier between countries in the north and those in the south. Rather, it should be a lake across which

*intellectual and commercial exchanges flow along with the creative interaction among individuals and communities on the hand, and thoughts and interests on the other hand.*

*A glance at modern history would reveal that Egypt was the first country in the region to form a parliamentary council in the modern sense of the word, namely the consultative assembly established in 1866. It was not a mere coincidence that its establishment should coincide with the flourishing of democratic and liberal thought and with Egypt's prominent role in the struggle against slavery in Africa.*

*When the U.N. first came into existence following World War II, Egypt was in the vanguard of those who championed the cause of Human Rights and the struggle against Apartheid and racial discrimination and the liquidation of colonialism. Eminent Egyptian jurists participated actively in the drafting of the Universal Declaration on Human Rights, the Covenant of Political and Civil Rights and the Covenant of Social Rights. On the other hand, Egypt has adhered to all international agreements whose purpose is to strengthen the commitment to the principles of freedom, equality and respect for human rights.*

*Hence, it was only natural that the democratic practice in contemporary Egypt would flourish and reaffirm the rights of citizens. It lead to the establishment of a political system that guarantees the participation of the people in the decision*

(7)

making process. This emanates from a firm commitment to the axiom that all powers rest with the people alone. It is through the creative interaction among the different opinions that reality emerges. No one has the right to impose his opinion, or dictate his decision, or curb the options available to the masses. It is my firm belief that freedom and democracy form the only guarantee for achieving the balance between the interests of the individual and those of the society as well as solving the existing contradictions in the society in a rational and peaceful manner. While the democratic practice may sometimes lead to negative phenomena which impede the national effort and jeopardise the stability which is a prerequisite to development, the solution of these problems does not lie into resort to the imposition of restrictions and forfeiting fundamental freedoms. Rather, the answer lies in reinforcing the democratic thought and rationalizing the democratic practice. This is what makes the Egyptian democratic experiment a shining model before all the peoples of the Third World.

Mr. Speaker,

Dear Friends,

I have no doubt you agree with me that this meeting should not pass as a mere matter of form confined to the delivery of speeches and the raising of slogans. Rather it should be an opportunity to hold a true dialogue that would continue in the future, on all issues which preoccupy our mind and interest our peoples, with a view to bringing our concepts and thoughts closer, whenever...



possible, and acquainting ourselves with the prospects for joint steps to be taken by both sides for the promotion of co-operation between them for the benefit of the entire world community and to contribute to the safeguard of the future of mankind against the grave hazards facing it.

Now, I suggest that I examine with you very briefly three major issues with a view to contributing to the enrichment of our common perception and take it to new horizons in the coming years :

**The First Issue** is our shared responsibility in the service of the cause of peace.

**The Second Issue** is the required formula for dealing with World economic problems.

**The Third Issue** is the charting of a new policy to come to grips with terrorism.

**First : The Peace Process :**

I hardly need, in this context, to dwell at length on the solid relationship between security and stability in the Arab region on the one hand and the maintenance of peace and welfare in Europe on the other. This is an established historic and geographic fact that has become one of the principles of strategic studies. I have but to refer to the following points :

We view peace in a comprehensive and integrated manner that does not stop at certain geographical or political boundaries. To us, peace is the peace of the world as a whole. It is no longer admissible that any one of us should believe he could establish solid peace in the region where he lives or where his vital interests lie, in isolation from other areas in the world. Therefore, we are highly interested in the current talks aimed at curbing the arms race and disarmament. We welcome every step conducive to the eradication of the outbreak of a devastating nuclear war. We are a people who, like you, have suffered from the horrors and devastation of war. Not to mention that our commitment to peace stems from a deep-rooted, cultural, religious and moral heritage and is not merely prompted by our interests and the profit and loss balance sheet.

Hence, Egypt's bold initiative to open a new chapter in the Middle East, by striving to establish a comprehensive peace and bring about a grand historic reconciliation between the Arab countries and Israel is based on respect of the rights and legitimate interests of both parties, commitment to repudiate aggression and renouncing expansionist designs, the concepts of supremacy and illusions of domination and hegemony.

While Egypt takes leading strides along that path, we find her in the vanguard of the powers which endorsed the "Nuclear Non-Proliferation Treaty", the first country to call for the Middle East and Africa to be declared a nuclear-free zone, and supported the establishment of a peace zone in the Indian Ocean.

Probably, the question which sets itself today in a pressing manner and rightly too in many a European capital is; What can Europe do to enhance and accelerate peace efforts ? Since we consider such question to be legitimate and constructive, here I am putting before you my concept of an effective European role in the coming stage :

1. There is dire need of an effective European role for it is not in the interest of peace in the area to isolate the European peoples from settlement efforts. The European peoples are those most affected by the course of events in the Middle East. Again, Europe is the most perceptive of all foreign powers of the impact of development in the area and is the one that understands most the factors governing the course of history in it.

From the practical point of view, we believe that an active European role is the best guarantee against the polarization of forces inside the peace Conference, which could undermine the entire peace efforts.

2. What is required is not the issuance of additional statements and declarations, since the European position regarding major issues under consideration has become well defined and known to a great extent. Thus, there is no need for any quantitative addition to this stance. What is need is the qualitative development of that position.

3. *Any talks of an earnest role to be assumed by any party in the current stage should be based on contributing to an agreement on the holding of an international peace conference, with the participation of all parties concerned, including the P.L.O., the sole legitimate representative of the Palestinian people. When we speak of an international conference, we mean a real conference where negotiations are conducted among the parties directly involved in the conflict and where the outside parties can play a conciliatory role with a view to bridging the gap and facilitating the conclusion of an agreement.*
4. *Efforts towards holding the international conference should be focussed simultaneously on both substantive and procedural aspects. As to substance, we believe that Europe should focus on the principle of negotiation with the aim of achieving peace without any pre-conditions on the basis of equality regarding the rights of both parties and the necessity of an equilibrium between Israel's right to exist and the right of the Palestinian people to self-determination. In this way alone can peace be just and eligible, to be lasting and stand firmly in the face of the crises and difficult trials which would inevitably come its way in the future.*
5. *On the other hand, we find that the European family should participate in such conference and that the P.L.O. should be afforded an equal opportunity to take part, in co-ordination with other Arab countries participating in the conference, particularly the Kingdom of Jordan.*

( 12 )

6. *I believe that the countries of the European continent can play an active role in preparing for the convening of the conference through the formation of a group whose task would be to contact the parties concerned and try to reconcile their views on issues still blocking agreement on the holding of the conference. It gives without saying that such role will not result in curbing any role assumed by other parties, since the gates are open before all endeavours. Again, co-ordination among these roles is always possible.*

*Hence, the European community would be able to contribute effectively to the revival of the peace process and to end the stalemate which jeopardises our interests and dissipates our hopes for a comprehensive settlement before it is too late.*

*Permit me to add that the commitment to the cause of peace in the Middle East calls for additional efforts exerted towards the termination of the war raging between Iran and Iraq. It is a war whose continuation and escalation are totally unjustified. Furthermore, this war is fraught with hazards for all parties, even those who believe they can reap some profits out of the continuation of that war and the fanning of its flame.*

(13)

This war, with the complications it has brought about, together with the deplorable events plaguing brotherly Lebanon and other Arab countries, have probably blurred the image of the Islamic world and the Arab world in the minds of many of our friends in the different parts of the world; for they are unable to reconcile this deplorable reality with the presence of strong factors of cohesion and integration within those two families. These factors are, most certainly, stronger than those which prompted the European countries to unify their ranks and their movement in the post war period.

To explain this regrettable situation, not to say to justify it, we have to take into consideration two facts :

**First :** That Europe has reached this level of coordinated stands and policies and unified institutions after devastating wars and bloody disputes, some of which went on for a hundred year. The trend toward unity and the priority given to the factors of harmony and agreement over those factors of repulsion and disaccord forged ahead after the peoples had perceived, from recurring events, the perils of the pursuit of conflicts and a recourse to violence in order to settle disputes.

**Second:** Much of the reality, facing the Islamic world and the Arab nation is attributed to the remnants of the colonialist era which are still present in new forms. There is nothing inherent in the Islamic culture and the Arab civilization that may motivate such reality.

( 14 )

*I was keen to indulge in these points prompted not by finding excuses for justification or defence of this reality, but to bring to your kind attention the errors of assuming that matters will continue as they actually are today, in both the Arab and Islamic domains, and to stress the importance of dealing with those two nations on the basis that the conditions prevalent at present will never be able to stop the course of history or impede the natural course of events. History has its rules, its governing factors and its logic.*

*I cannot end my talk on peace without referring to the despotic conditions gripping brotherly peoples, struggling in the southern part of our African continent. While we record with appreciation and recognition the rejection of all the European peoples of the policy of racial discrimination and Apartheid practised by the racist regime in Pretoria, I wish to state before you, in all frankness, that the need is still there for a more decisive stand against these practices which are a violation of the fundamental rights of man and a derogation of the dignity of mankind everywhere.*

**The Second Issue :** *How to deal with existing economic problems:*

*Here, I wish to state that our point of departure should be admitting that we all, to some degree or other, suffer from the recession still prevalent in world economy. There is no doubt that what we constantly keep in mind is the fact that, in the world of today, where interests overlap and are interconnected, and where mutual interdependence has reached a level unprecedented before, it has become difficult for any*

(15)

country, or group of countries, whatever its resources or potential, to overcome the recession all alone, and restore its ability to score high growth rates in a constant and progressive way that would rid it of unemployment. Developments in world economy in the past five years stand witness to this view. Hence, it is no longer rewarding that some countries should try to come out of the recession by imposing restrictions on international trade, on the movement of capital or on labour.

Furthermore, economic studies, recently conducted, have pointed out that the difficulties surrounding development efforts in the Third World countries curb, quite clearly, the growth rates in the industrialised countries. This is revealed by the prospects of growth until the year 1995, foreseen by the O.E.C.D.. We, in the Third World, are burdened by the continuous recession in the undustrialised countries in the form of a sharp drop in the prices of raw materials and mounting obstacles to our manufactured exports, a fact which drains our potential to meet our debts.

Therefore, we believe it is imperative to treat the problem of the debts of the Third World in a way that would ensure the continuation of development. For, without progressive development, we cannot, in the best of cases, but defer the problem of the ability to service the debt. Moreover, rationalization of the economic performance while development is halted or declining to the same level of population growth, imposes on our peoples unbearable sacrifices. It also brings about an



atmosphere of social political instability, a fact that makes resumption of the development process, in the foreseeable future, a matter of extreme difficulty.

It has been proved almost impossible for countries of the Third World to allocate huge sums of money in their budget for the settlement of debts, at a time when the actual interest rate has jumped to a level never experienced in the past. We should also bear in mind the depleting resources of foreign currency in those countries, as a result of the deterioration in the prices of raw materials and restrictions on their industrial exports.

We trust that the radical solution to this problem lies in achieving an accepted formula through mutual consent between the two parties to link export revenues to debt-servicing installments. Again, the condition of the least developed and poorer countries calls for particular consideration, prompted by the necessity for writing off part of the public debts borne by these countries confronted by the hazards of famine and lack of the minimum food requirements for their people.

The Third and Last Issue I wish to put before you is the phenomenon of mounting terrorism on the international level and the necessity for the adoption by the international community of a strict and effective policy to encounter it.

(17)

What urges me to raise this issue for discussion from this rostrum, is my conviction that this phenomenon constitutes a grave threat not only to the safety of the international community, but to the civilization established by man throughout the centuries. It is a violation of the principles unanimously agreed upon by all divine revelations and legal orders alike.

I am also prompted to discuss this phenomenon with you by the fact that your distinguished Council has taken the initiative of concluding the 1977 European Agreement Combatting Terrorism, which reveals your special concern over this deplorable phenomenon that has aggravated, with its evils spreading in recent years.

We do know that the international community has covered some ground in its confrontation of this menace, by signing international agreements, mainly the Tokyo Agreement signed in 1963, the 1970 The Hague Agreement, the 1971 Montreal Agreement and the International Agreement on Combatting Hostage Taking signed in 1979. The United Nations has also taken the initiative of adopting several measures in this context, the latest being the General Assembly Resolution on December 9, 1985, the Security Council Resolution No.579 adopted unanimously on December 17, 1985 and the Statement made by the President of the Security Council on December 30, 1985, following the attacks on Rome and Vienna airports.

Yet, it is only fair to admit that there are several loopholes in the international mechanism for confronting that phenomenon, either because of the existing shortcoming in the agreements signed so far and their inability to deal with the new forms of terrorism such as the hijacking of ships and their passengers, or because of the fact that only a few countries have ratified those agreements, or because of the blurred image before some peoples as to the true goals of the campaign launched against terrorism.

To face this situation, I would like to propose some guidelines I propose to you as we consider the issue of terrorism, then I would put before you my concept of an approach to deal with terrorism in the months ahead.

The first of these guidelines to adhere to is to avoid confusing the terrorist acts which we denounce and condemn everywhere, and national liberation movements which are compelled at a certain stage to resort to armed struggle in order to end occupation of the national land and enable peoples to practise their basic right to self-determination, as recognised by the 1949 Geneva Convention and the International Agreement on the Combat of Hostage Taking which excluded from the sphere of terrorism: acts committed during armed conflicts, including those waged by peoples against colonial domination, foreign occupation and racist regimes, as those peoples exercise their right to self-determination, as provided for in the United Nations Charter and the Declaration of the Principles of International Law on Friendly Relations and co-operation among States.

*The Second of these guidelines is that our concern to combat and condemn terrorist acts should never be extended to passing generalizations on peoples and distorting their image in the minds of others; for, it is in the interest of the international community to isolate those small groups which take terrorism as a profession and admit it openly.*

*In this context, I would like to emphasize that it is a grave error to level the accusation of terrorism against the Palestinian people or against a given religious sect. Again, it is a flagrant injustice to say that the terrorist phenomenon has originated in a certain geographic region. I wish to add, that the P.L.O. has proved its commitment to the principles of international legitimacy when it issued the Cairo Declaration on November 7, 1985, clearly discriminating between terrorist acts and resistance of foreign occupation.*

*Having talked of the basic precautions when confronting the terrorist phenomenon, I wish to proceed to bring before you Egypt's concept regarding the practical approach acceptable to attain this goal. I also wish to begin this brief presentation by recalling that Egypt was in the vanguard of the countries that have endorsed all the international agreements previously referred to, and has always been in the forefront to co-operate with the other countries showing particular concern for the combat of terrorism.*

*The proposed approach can be summed up in the convening of an international conference under the auspices of the U.N. to reconsider all international agreements pertaining to international terrorism, with a view to concluding a more comprehensive international convention to combat and deter terrorism.*

The proposed agreement should cover all aspects related to terrorism, together with the required co-operation among the States to confront and deter terrorism. Such co-operation would include the exchange of information among the organs concerned, coping with terrorist schemes, as well as with the individuals and groups involved, the training of special units for combatting terrorism and terrorists, the provision of equipment used in such combat, and co-operation for the arrest of terrorists, their extradition, subsequent investigation and putting them on trial. This co-operation should also cover the collective measures to be taken against the countries that assist, instigate, train and shelter terrorists. That all should be undertaken in a way which would ensure that deterrent measures are not invested with a nature hostile to a national group or to a group of countries, or stemming from a certain political bias: Rather they should be bound by one single factor: the line of conduct followed by those governments vis-a-vis terrorism.

For such conference to bear fruit, it should be preceded by intensive contacts and consultations from which the peoples in the various continents of the globe would attain the real objectives of this move, and would be convinced that the intention is not to form a new grouping that would be hostile to their legitimate aspirations.

It is imperative that the international move in this direction be collective and comprehensive, where no single country or a particularly regional or political group would impose an opinion or move in isolation from the rest of the other countries, so that we might afford this new confrontation ample international approval and endorsement.

*If we should succeed in this endeavour, we would have saved mankind a tragic plight that threatens its stability and jeopardises its security and safety and would have opened a new promising chapter heralding greater hope for all peoples and peace-loving forces.*

*Dear friends,*

*There were a time when the Poet Kipling said "Oh, East is East and West is West, and never the twain shall meet till earth and sky stand presently at Lord's great Judgment Seat".*

*Nevertheless, I feel as I talk to you from this rostrum, that it is high time that East and West should meet around one objective, common causes and interwoven interests, since the challenge facing us is to be or not to be, to climb together the steps of ascension and progress, or face collectively the hazards of annihilation and collapse.*

*I do not imagine we have a choice between this and that, because perseverance is the people's will and the road to tomorrow. Moreover, pursuit of the rehabilitation of the land is the sacred mission which no one of us could abandon or betray.*

*It is imperative that we fulfill this mission through dialogue rather than confrontation, in peace, and not through war and violence, with faith that we are all partners and companions on the same road and not enemies ripped by strife, swayed by contradictions and drained by wars.*

*I look into the far horizon and, through the dark clouds, see the raise of light and the heralds of hope. I see the forces of peace and progress forging ahead in their triumphant march hoisting the banners of freedom and rectifying the position of man in the course of history.*



41  
277 2003 - 1000 -

# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

7 January 1986  
ADOC5507.R

Doc. 5507

## PARLIAMENTARY ASSEMBLY

### REPORT

on the situation of the Palestine refugees (1)

(Rapporteur: Mr EIJSINK)

#### I. DRAFT RECOMMENDATION

presented by the Committee on Migration, Refugees  
and Demography (2)

The Assembly,

1. Having regard to its Recommendations 520 (1968), 566 (1969), 658 (1972) and 901 (1981), on the situation of the Palestine refugees, and noting that the situation is steadily worsening on account of:

- (1) See Doc. 4583 and Recommendation 901 (1980).
- (2) Adopted by the committee on 17 December 1985 by 12 votes to 0 and 1 abstention.

Members of the committee: Mr Dejardin (Chairman), Mrs Andersson, Mr Grimaldos (Vice-Chairmen), Mrs Akrita, MM Altug, Baunsgaard, Blaauw, Böhm, Mrs Bøsterud, MM Crespo, Eijsink, Enders, Foschi, Mrs Francese, MM Galley, Gama, Gassner, Grussenmeyer, Hatzigakis, Mrs Hennicot-Schoepges, Mr Hochmair, Sir Russell Johnston, MM Killilea, Marques (Alternate: Vazquez), Morris, Andreas Müller, Ozarslan, Mrs Persson, MM Psillides, Riesen, Mrs Staels-Dompas.

NB: The names of those who took part in the vote are underlined.

Secretary of the committee: Mr La Porta.

7.066  
01.54



*Lebanon*  
*Bent*  
*Lebanon*  
*in 1984*

- i. the considerable loss of human life among the refugees as a result of the fighting in Lebanon;
- ii. enormous material damage and, above all, the departure of many survivors from the refugee camps of Sabra, Chatila and Borj el-Barajneh in Lebanon;
- iii. the expulsion of refugees working in the Gulf states;
- iv. the continuation of the Israeli policy of settlement in the Gaza and West Bank territories up to 1984;
- v. the departure for Europe of a growing number of refugees traumatised by the camp war or forced to leave by the authorities of residence;

2. Observing:

- i. that the above-mentioned conflicts as well as those which occurred in Jordan in 1969-70 illustrate clearly the dire consequences of superimposing military objectives on the humanitarian purpose of the camps;
- ii. that the hostilities in Lebanon and the expulsions of Palestinians working in certain Gulf states are causing an influx of Palestine refugees into Europe, among whom there may be terrorists;
- iii. that the exercise of the right of the Palestinian people to self-determination is compromised for the future by the growing exodus of refugees;
- iv. that continued action by the partisan militias in Lebanon as well as other militias may give rise to further bloodshed by provoking a legitimate reaction of self-defence on the part of the refugees;
- v. that the Israeli policy of settlement in the Gaza and West Bank occupied territories, which was conducted up to 1984, is a real provocation that can only fuel extremist tendencies within the Arab world, particularly the para-military activities in the camps;
- vi. that the outstanding humanitarian work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is running into considerable difficulties in Lebanon and in the occupied territories of Gaza and the West Bank;

X

3. Considering:

*Security of Israel*

- i. that the termination and even the alleviation of the tragic situation of the refugees depend on a comprehensive political solution being worked out for the future of the Palestinian people and the security of the state of Israel;
- ii. that Council of Europe member states are directly concerned on account of their participation in the work of UNRWA as well as the actual or potential consequences of the situation in the Middle East,

4. Recommends that the Committee of Ministers invite the governments of member states:

*reports Minister  
Bamber  
on 1/27*

- a. to bring pressure to bear on the parties directly involved with a view to a comprehensive political solution being worked out for the Palestinian problem in accordance with the relevant United Nations resolutions;
- b. to support the Jordano-Palestinian agreement in the search for such a solution;
- c. to call for an end to the military utilisation of the refugee camps in Lebanon and for a halt to the process of establishment of Israeli settlements on the West Bank and the Gaza Strip;
- d. to review the work of UNRWA in Lebanon and in the Gaza and West Bank occupied territories;
- e. to promote a ministerial conference on the problem of the reception and possible return of the Palestine refugees having regard to Assembly Recommendation 1016 (1985) on living and working conditions of refugees and asylum-seekers.



SUMMARY

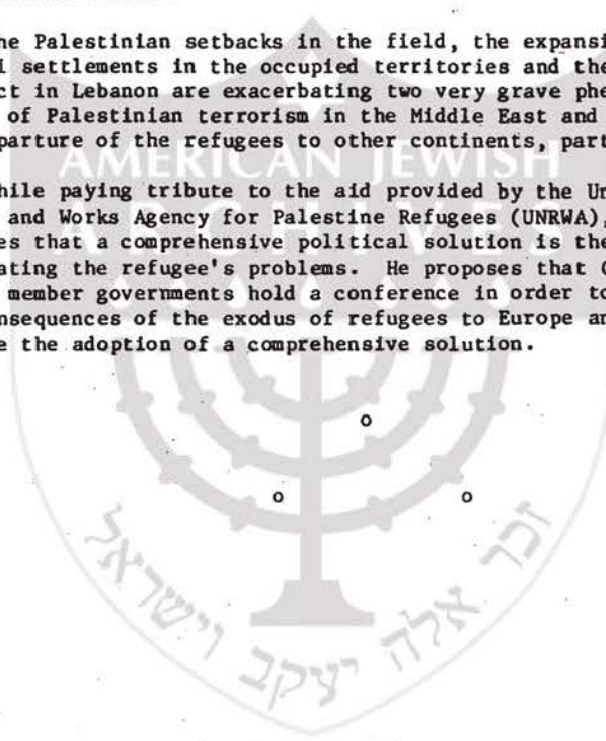
Some forty years after the problem of the Palestine refugees first arose, it may be seen that their situation has worsened with the passage of time. The conflicts between the PLO and certain refugee-camp countries (Jordan and Lebanon) as well as between Arab countries and Israel have caused heavy human and material losses among the Palestinians and an increase in the number of refugees as a result of the conquest and occupation of further territories by Israel.

The Rapporteur points out that the refugee camps have played an important part in the Palestinian armed resistance, which, for a while, created a state within a state in Jordan and Lebanon to the extent of provoking reactions from the host countries with dire consequences for the refugees. Animosity is still smouldering in Lebanon between the PLO, which has retained control of certain camps, and the Amal forces.

The Palestinian setbacks in the field, the expansion of the Israeli settlements in the occupied territories and the latent conflict in Lebanon are exacerbating two very grave phenomena, viz the spread of Palestinian terrorism in the Middle East and in Europe and the departure of the refugees to other continents, particularly Europe.

*need comprehensive political solution*

While paying tribute to the aid provided by the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), the Rapporteur stresses that a comprehensive political solution is the only means of eliminating the refugee's problems. He proposes that Council of Europe member governments hold a conference in order to provide for the consequences of the exodus of refugees to Europe and jointly promote the adoption of a comprehensive solution.



II. EXPLANATORY MEMORANDUM  
by Mr Eijsink

TABLE OF CONTENTS

	<u>Page</u>
A. INTRODUCTION .....	2
B. PURPOSE AND ROLE OF UNRWA .....	2
C. DUAL NATURE OF THE CAMPS .....	3
D. THE PALESTINIAN REVOLUTION: A STATE WITHIN A STATE ....	5
a. In Jordan .....	5
b. In Lebanon .....	6
E. ARMED STRUGGLE; A HANDICAP FOR INTERNATIONAL HUMANITARIAN ASSISTANCE TO THE REFUGEES .....	8
F. AID TO THE PALESTINIAN REFUGEES: A DILEMMA .....	9
G. PROSPECTS OF AN EXODUS TO EUROPE .....	11
H. WHAT POLICY SHOULD BE ADOPTED TOWARDS THE PALESTINE REFUGEES? .....	12
I. CONCLUSION .....	14
 <u>APPENDIX I</u> - Extracts from the Report of the Commissioner-General of UNRWA (1 July 1983 - 30 June 1984)	
Table 1     Number of registered persons .....	15
Table 2     Distribution of registered population .....	16
Table 3     Recurrent costs .....	17
Table 4     Non-recurrent costs .....	18
Table 5     Detailed statement of income Contributions from Governments of Council of Europe Member States and the Holy See, Israel, Finland and San Marino .....	19
Table 6     Statement of income for the Lebanon Emergency Relief Programme .....	20
Table 7     Summary of income .....	21
<u>APPENDIX II</u> - Extracts from publication "UNRWA 1985" .....	22

A. INTRODUCTION

1. The Parliamentary Assembly has been concerned for many years about the situation of the Palestine refugees, in particular because of the historical role that Europe has played in this region. In order to contribute to solving the problems of these refugees, the Assembly has periodically approached the member governments to promote the work of UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East).

2. UNRWA, which relies on voluntary government contributions is often inadequately funded to meet the scale of the needs to which it must respond, as is shown in Lord McNair's report for the period 1979-80 (Doc. 4583); the situation was equally critical in 1983-84, and in the current year as well (we will return to this point); but we should state at the outset that the available budgetary data for 1985 were collected before the fighting in May in the three camps of Sabra, Chatila and Bourj el-Barajneh.

3. It seems to me that after 40 years, the time has come to reconsider the refugee problem in its global context and to judge UNRWA's work accordingly, instead of analysing its operational aspects as has been done in the past.

B. PURPOSE AND ROLE OF UNRWA

4. In order to enable the reader to reflect at this point upon substantive problems which, in our opinion, have not been dealt with sufficiently, we thought it preferable to place a synopsis of descriptive data on the number and geographic location of the camps and the budgetary resources and activities devoted to them in the appendix rather than in the body of the report.

5. We are purposely confining this first part to a brief recapitulation of the forms of UNRWA aid (already described in the previous report by Lord McNair, Doc. 4583) so as to better highlight what we regard as obstacles to improving the refugee situation.

6. In order to better identify the complex problems confronting us when it comes to dealing with the human aspects of the refugee situation, let us restate the definition of the role and terms of reference of the Agency on which member states rely for practical action. In this connection let us quote paragraphs 4 and 6 of the United Nation's report covering the period 1 July 1983 to 30 June 1984.

7. "UNRWA has become an established institution in its area of operations and plays a central role in the lives of the Palestine refugees registered with it. Most of them depend on it socially and emotionally, a fact that has emerged clearly during the past two years. To the Palestine refugees, UNRWA is not only an agency which provides valued services. It is also, and above all, the symbol of international commitment to their welfare and to a just resolution of their plight".

8. "Thus, from the very outset, the mandate of UNRWA has been linked to the political dimension of the Palestine question. Pending a political solution, the Agency has periodically been requested to continue its services to the refugees. Because of the refugees' perception of UNRWA as a token of international commitment to their cause, and because of the nature of the services it renders, in particular to hundreds of thousands of Palestine refugee schoolchildren, the Agency has become an important factor in the overall Middle East political context. It promotes stability".

9. The main thrust of UNRWA's efforts is concentrated on the refugee camps, despite the fact that their inhabitants are in the minority, ie 35.23% or 763,773 out of 2,034,314 (a minority, but an important one numerically). The reason for this is clear: the camps, apart from offering refuge to the most destitute, have also been the scene of bloody fighting, in particular in Jordan and Lebanon.

10. Havens for those who have survived the war and at the same time battlefields, the camps raise a number of questions: What is their purpose? How is community life directed and organised in them? By examining these questions we shall be able to judge the Agency's difficulties in the current strife.

C. DUAL NATURE OF THE CAMPS

a. Theoretical functions of the refugee camps

11. The definition of this function is closely linked to the refugee status established by the 1951 Geneva Convention, which has been adopted throughout the world.

12. In principle, the refugees must respect the laws of the host country and refrain from using the territory of their host country as a base for subversive activity; in return, they have the right to protection against all forms of aggression or persecution.

13. The protection of the refugees is a prerequisite to any achievement under a policy to improve their living conditions, whether with regard to housing, access to employment, occupational training or schooling for children. Such conditions can only develop in peaceful circumstances. Otherwise, the camps do not shelter refugees but prisoners of war, even if a certain percentage of them are civilians.

b. Actual functions of the camps

14. After the resistance of Jordanian troops and Palestinian commandos had repulsed the assault by the Israeli army on Karameh (March 1984), massive Palestinian resistance developed; at the instigation of the Fatah, an operation was undertaken to propagate a

revolutionary movement in the Palestinian communities, both within the camps and elsewhere. These camps gradually became "secure bases" (1), ie areas under the complete control and authority of the revolutionaries. In this way the Palestinians came to feel a sense of belonging to one and the same people. Refugees in 1948, they have no longer described themselves as such since 1967. A survey conducted among 234 Palestinian students, who were asked the question "Who are you?", yielded the following results: 52% - Palestinian, 12% - an Arab, 15% - a student and 7% - a commando. No-one replied "a refugee" (2).

15. The fedayeen seem to have won large numbers of followers outside the student population for an armed struggle. All persons old enough to hold a weapon have received military training.

16. But it should be borne in mind that military training is only one aspect of the education of young people. Schooling aims both to "strengthen the children's commitment and loyalty to Palestine and to broaden their knowledge of Palestine's history and geography [and of] the strategy and tactics of the Zionist enemy" (3).

17. Europe has reaffirmed on numerous occasions the right of the Palestinians to their own territory. All cultural and social initiatives to strengthen the sense of belonging to a single people are fully in keeping with this aim.

18. But the military use of the refugee camps is contrary to their theoretical purpose, as is material assistance to persons registered as refugees but who in fact do not regard themselves as such. Moreover, the registered refugees are not the only inhabitants: "... houses and other buildings constructed and occupied or otherwise used by refugees (or others), for some of which the Agency might at most have given some assistance at the time they were constructed. It should be noted, too, that some camps contain large numbers of persons who are not registered refugees or even registered camp inhabitants" (4).

- 
- (1) Article 3 of the Lebanese-Palestinian (3 November 1969) agreement illustrates this concept: "Creation of a Palestinian armed struggle command unit (CLAP) in the camps. The CLAP units will attend to arms distribution and limitation".
  - (2) "Socialisation of potential freedom fighters; the Palestinian experience", Yasumasa Kuroda (University of Hawaii, 1973).
  - (3) Fatah No. 4 - 10 November 1969 - Beirut.
  - (4) Report of the Commissioner General of the Agency, 1 July 1983 - 30 June 1984, paragraph 135.

19. Another important contradiction that has had disastrous consequences on the very cause of the Palestinians in Jordan and Lebanon has been the incompatibility between the sovereignty of the host state and the sovereignty of the Palestinian revolution in the camps.

D. THE PALESTINIAN REVOLUTION: A STATE WITHIN A STATE

a. In Jordan

20. In 1969, following a number of assaults carried out by Palestinian commandos against Israelis in the occupied territories, relations worsened between the Hachemite throne and the PLO. King Hussein saw two serious dangers in the development of an "armed struggle" that was not co-ordinated with his own military authorities: an attack on his own authority - which is particularly vulnerable because people of Palestinian origin account for the largest group numerically in the Jordanian population - and a danger to the safety of the kingdom, which suffered heavy Israeli reprisals.

21. The situation worsened in 1970 and was marked by clashes between Jordanian troops and commandos, an assassination attempt on the king, and on 17 September outright war between 55,000 Jordanian soldiers and 40,000 fedayeen. Broad perimeters were drawn and barriers erected around the camps and the various PLO organisations. The conflict, having spread with the intervention of Iraq and Syria on the side of the Palestinians and the mobilisation of the United States and Israel in support of the Hachemite throne (leading to the retreat of the Syrians and the Iraqis), ended in an agreement with neither victors nor vanquished, leaving 3,440 dead and 10,840 wounded among the Palestinian civilian population, not including resistance losses.

22. Jordan took advantage of the internal crises in a number of Arab countries to conduct a war of attrition against the fedayeen and gradually took control of all the refugee camps. On 17 July 1971 the fedayeen lost Jordan, their main base.

23. Besides the high loss of human life, the evacuation of the fedayeen to this sensitive area encouraged Israel in her policy of occupying the Gaza strip and the West Bank. This policy has been stepped up considerably in the past years.

24. On the West Bank, some 105 settlements had been created by the end of 1982, including 62 after Menahem Begin came to power in 1977.

25. In November 1982 David Levy, the Israeli Vice-Premier, announced that 6,000 lodgings were being built on the West Bank and that 3,000 others would be built in 1983. Between 25,000 and 30,000 Israelis have already settled on the West Bank in addition to some 90,000 in East Jerusalem and the surrounding hills.

26. At the instigation of Michael Dekel, former deputy minister of Agriculture, 20,000 hectares of land seized by the Israeli army were given to developers. Residential centres are being built by private contractors who can obtain land at one-eighth the price they would pay in Israel.

6.758



b. In Lebanon (1)

27. Very soon after the Six-Day War, resistance movements sprang up in the camps, won the support of the vast majority of Lebanese Muslims and created divisions between the Lebanese communities which had existed since the country became independent in 1943.

28. As Prime Minister, Rashid Karami said on 24 April 1969: "Some people want the fedayeen to be present in Lebanon and operate from our territory ... and others regard the fedayeen activity as a threat to Lebanon ...". This division later led to various and increasingly serious conflicts between the communities. At first, the Palestinian resistance took advantage of the situation. Appearing as the spearhead of Arab nationalism, it had support both in Lebanon and outside and made its presence increasingly felt, eventually causing the Lebanese factions hostile to it to develop a more hardline position and making course changes by friendly factions inevitable once political disagreements appeared about the aims of peace plans examined by the Arab League or proposed by the common adversary.

29. The massacres perpetrated in the camps of Sabra and Chatila by the Christian militias in September 1982 and by the Shi'ite militias in these camps and in that of Bourj el-Barajneh in May 1985 are a vivid illustration of the difficulty of reconciling the sovereignty of a state and that of the fedayeen in refugee camps used as bases for armed struggle.

30. The statement by Mr Nabih Berri, the Amal leader, was particularly significant in this context (Le Monde, 22 May 1985) "I shall be clear: there will be no repeat of the Palestinian farce in the south (...). No-one will again be allowed to fight until the last combatant in the south (...). I tell you quite plainly: it is out of the question to return to the situation existing before 1982. I say this on behalf of all those who, by fighting Israel, are fighting the strategy that has been followed before and has brought the Hebrew state into the heart of Lebanon. We will not allow such a repetition, and if the (Palestinian) struggle is to continue, it must be carried on everywhere, starting with the West Bank (...).

Our brothers in the camps should know that all Arafat has done for them is to pave the way for their massacre in order to exploit them from one capital to the next. ... As throughout Lebanese territory, security in the camps must be the task of the lawful forces of Lebanon. In West Beirut and in the southern suburbs, that lawful force is the sixth army brigade" (of Amal).

31. To complete the picture, it is also important to bear in mind the part played by Syria's hegemonic ambitions in exacerbating the Lebanese-Palestinian conflict. Six months before supporting the

---

(1) The situation of the Lebanon is the subject of a report prepared by Mr Dupont on behalf of the Political Affairs Committee.

Shi'ites, Syria used Palestinian dissidents against loyalists faithful to Yasser Arafat in the battle of November 1983, which was fought in the fortified camps of Nahr el Bared and Baddawi and in Tripoli.

32. The militarisation of the Lebanese camps as from 1982 can be broken down into the three following phases:

- June-August 1982: the Battle of Beirut.

The main victims were civilians killed in Lebanon by the Israeli army. In West Beirut alone, 6,775 persons were killed and 29,912 wounded between 4 June and 15 August, ie before the Israeli troops marched into that part of the capital and before the massacres of September. More than 80% of the victims were civilians: only 1,100 combatants were killed and 1,844 wounded (UNICEF statistics).

On 2 September 1982, the newspaper Al Nahar gave estimates of 825 killed and 30,103 wounded for the whole of Lebanon.

On 5 September, General Eytan said that the Israeli army had destroyed "only" 350 houses and buildings during the siege of Beirut.

- September 1982: the massacres in Sabra and Chatila.

There has never been a definitive, exact count of the number of victims of this tragedy, mainly civilians of all ages. Mass graves were dug hurriedly. People were taken away. Some bodies were removed by relatives or carried off by unknown persons. According to the Lebanese Civil Defence, 1,500 Lebanese and Palestinians were massacred. A Lebanese Red Cross report speaks of 328 bodies "counted". The Israeli press quotes the figure of 470 dead, including 109 Lebanese.

- May-June 1985: massacres in Sabra, Chatila and Bourj el-Barajneh.

According to the International Herald Tribune of 6 June 1985, the Red Cross evacuated 93 wounded Palestinians from the Bourj el-Barajneh camp and, according to a police statement, 500 persons were killed and 1,500 wounded in the Sabra camp.

33. A cease-fire was arranged and an agreement reached recognising that neither Damascus nor its Shi'ite allies in Lebanon had managed to impose their control over the refugee camps.

34. "The future of the Palestinian camps in Beirut was decided at the Damascus meeting of Lebanese Muslim leaders on 8 and 9 July; however no plans have been disclosed. Sabra camp is estimated 30 % destroyed, and approximately half of the camp population is believed to have returned. UNRWA will distribute cash to refugees in order that they may rebuild their own homes. Rumours persist that there will be attempts to drastically reduce the Palestinian camp population in Beirut, Sidon and Tyre. This will not happen without further battles.

One indicator of this possibility is the delivery of 50 tanks to Amal from Syria, which at the very least is a warning to the Palestinians not to disrupt efforts to restore order in Beirut, and at worst is a reminder to Arafat that the Palestinians are effectively held hostage and that the refugees in the camps will feel the brunt of Assad's anger should Arafat succeed in making any significant political advances that further isolate Syria in the region. (1)

35. Fierce fighting resumed in Borj el Barajneh on 3 September for nine days, the Palestinians being bombarded by both Amal's Russian-made T54 tanks and US-made tanks of the Shi'ite 6th brigade of the Lebanese Army. Damage to the camp was greater than during the May/June "War of the Camps". On 9 September a spokesman for the Palestinian National Salvation Front based in Damascus said that the attacks were part of a policy "to end once and for all the Palestinian presence in the refugee camps of Beirut". On 10 September there was a lull in the fighting following a Syrian-sponsored cease-fire, but despite the attempted deployment of observer teams with representatives of Amal, Palestinians and the Syrian security forces, the camps remained effectively under siege. On 7 October there was renewed fighting at Sabra and Chatila camps. The fighting was not prolonged but the situation remains tense and the Palestinian population both frightened and disillusioned." (1)

36. Syria, with the agreement of the head of the Druses, the Muslims, Walid Jumblatt and other Lebanese political allies, succeeded in making the Palestinian forces in Damascus (and not the Yasser Arafat faction, which is in the majority) the legitimate spokesmen of the Palestinians in Lebanon. Consequently, the relative victory in the field by the pro-Arafat Palestinians was offset by a political defeat that will have direct and indirect consequences at several levels: the restrictive attitude of the Lebanese with respect to residence permits for certain refugees on their territory, the effort to repair and rebuild the camps badly damaged in the fighting (in particular Chatila) and, lastly, the speeding up of the process of occupation of the territories controlled by Israel, which cannot help but profit from the weakening of the enemy.

E. ARMED STRUGGLE; A HANDICAP FOR INTERNATIONAL HUMANITARIAN ASSISTANCE TO THE REFUGEES

37. In certain cases, the material damage caused by the fighting in Lebanon and the occupied territories left the housing and communal amenities in even worse condition. Resources are inadequate for repairs and reconstruction, and the local authorities sometimes create obstacles, as they are doing in Lebanon, where the Palestinians are no longer welcome.

---

(1) Extracts from Bulletin No.7 of "Lebanon information processing service"

38. Paragraphs 22 and 23 of the 1984 report of the Commissioner-General of UNRWA are relevant in this connection: "Since the autumn of 1983, supplementary cash grants have been given to refugees whose shelters had been damaged or destroyed as a result of the invasion. The programme was expanded to cover those whose shelters were damaged or destroyed as a result of fighting or bombing in the Beqa'a Valley, the north and the Beirut area or as a result of demolition in the south. By the end of June 1984, the Agency had paid out almost LL 34 million in cash grants to 15,058 refugee families. It should be reiterated that, although this programme has an important practical value and has boosted the morale of the refugee community, it still leaves many refugees unsatisfactorily housed, particularly as it cannot be applied to refugees living outside camps or to those who were living in camps but whose homes were destroyed before 1982, as for example in Nabatieh, where local opposition to reconstructing the camp continues".

"The Government of Lebanon has recently indicated that it should be asked for specific authority before shelters are reconstructed, though such reference is not required if only repairs are made. This introduces a qualification to the assurances given by the Director-General for the Administration of the Affairs of Palestine Refugees on 1 March 1983, and confirmed by the then Prime Minister of Lebanon on 17 May 1983 at a meeting with the Commissioner-General, that UNRWA may restore the refugee camps to the state they were in before the Israeli invasion".

39. Even UNRWA's buildings were seriously damaged, both training centre offices and schools. Expenditure on repairs and reconstruction and renting temporary facilities has placed a heavy burden on UNRWA's budget.

40. In such circumstances, a certain number of conclusions are inevitable after 40 years of efforts which, although laudable, were doomed to failure, at least with regard to UNRWA's objectives, ie to ensure the refugees' well-being and find a just resolution to their situation. Can it really be claimed, in the general political context of the Middle East, that the Agency has become an important factor for stability?

41. The context being a political one, the solutions are political and therefore beyond UNRWA's means, since it can neither control the camps nor prevent them from being used for military purposes.

F. AID TO THE PALESTINIAN REFUGEES: A DILEMMA

42. In view of the enormous waste that has gone on over so many years, are not UNRWA's efforts to assist the inhabitants of camps which are guerilla strongholds tantamount to encouraging an armed struggle that endangers the very existence of a people, either through considerable loss of life or through the dispersal of the survivors elsewhere than in the Middle East, and particularly Europe? (We shall return to this exodus in the last part of our report).

43. The Rapporteur is aware that this question may prompt a sharp reaction and, logically, the following objection: where else can the Palestinian people prepare their struggle? They do not have their own territory. Do you really believe that territory can be conquered without armed struggle?

44. This calls for two basic remarks: since the creation of popular bases for armed struggle in 1967-68, the results have been disastrous, even without irreversible defeats. Even more serious, such results were predictable in spite of numerous imponderables. "The Cairo documents" (1) reveal Nasser's doubts concerning the success of guerilla warfare in the Middle East: the population density was too low anywhere in the region for the guerillas to move about among the population; secondly, they did not have real havens - areas out of reach of the enemy - as was the case in Algeria and Vietnam; and as the terrain is not hilly and the areas involved are small, the enemy troops could penetrate the defences very easily and bring in reinforcements quickly.

In addition to these favourable conditions, Israel had vast superiority in both troops and weapons.

45. But goals that were unattainable on the battlefield might have been achieved to a certain extent at political level.

In 1965 Bourgiba, speaking in the Akabat Jaber Camp (Jordan), said that "enthusiasm, self-denial and indifference to death must be combined with a shrewd and far-sighted command. ... If we perceive that our forces cannot drive the enemy into the sea, we must not ignore this fact". He criticised the policy of "all or nothing", noting that it had led to defeat (at the time). "We have constantly refused to recognise the existence of the Jews and we have scoffed at their accomplishments while overestimating the strength and capacity of the Arab armies". Once back in Tunis, the "Supreme Combatant" had suggested applying the United Nations resolution on the partition of Palestine to resolve the Palestinian problem.

46. Almost 30 years later (February 1983), at the 16th Palestinian National Council, Issam Sartouli, Yasser Arafat's adviser on international affairs and the initiator of the Israeli-Palestinian dialogue, told those who called the siege of Beirut a victory for the Palestinians that "another two or three victories like that and the next Palestinian National Council will be meeting on the Fiji Islands, if they will have us". He was assassinated on 10 April 1983 by the Palestinian Group of Abou Nidal who called him a traitor and took refuge in Bagdad and Damascus.

---

(1) Flammarion, Paris 1972, p. 245.

47. This sentence illustrates well the phenomenon of rejection that is crushing the Palestinians, with consequences, as we indicated in paragraph 34, not only for the fedayeen but also for the refugees, given the intermingling in the camps.

48. This phenomenon of rejection is most acute in Lebanon, which is going to become the source of a flow of Palestine refugees towards Europe. Consequently, for some of the refugees, the process of uprooting from the soil of their ancestors will take on even more tragic proportions.

49. Before addressing the next chapter, it should be pointed out that Palestinian refugee status depends entirely on documentation established by the receiving countries, and not on registration of the individuals concerned with UNWRA. Once in possession of such documentation, Palestinians are recognised as refugees, conforming to the Geneva Convention, and have the right to obtain asylum in Europe or elsewhere if driven from their receiving countries. If their documents are withdrawn, or not renewed by the receiving countries, then their situation becomes extremely delicate.

#### G. PROSPECTS OF AN EXODUS TO EUROPE

50. The information given in this report is drawn from a study by Petra Weyland for the Churches Committee for Migrant Workers in Europe.

In view of the dangers (including that of murder) run by the Palestinians in Lebanon, particularly in its areas of operation, UNRWA was compelled to make a statement pointing out that it was only competent to assist the Palestinians, whereas their protection was the responsibility of the host countries. UNRWA could not provide protection to the Palestinians in Lebanon. Experience shows that the Lebanese authorities are not prepared to grant them protection either.

51. Moreover, the Lebanese authorities have decided to renew travel documents only for Palestinians who came directly to Lebanon in 1949 and registered with UNRWA; this excludes well-to-do Palestinians who came to Lebanon at that time but did not see fit to register, and Palestinians who arrived in waves after the Suez crisis in 1956, the Six-Day War in 1967 and the Black September attacks in 1970. The number of Palestinians in this situation, whose documents the Lebanese authorities have refused to renew, is high. The situation is particularly critical for those who work in the Gulf states with papers issued by the Lebanese authorities (nearly 100,000 Palestinians in Kuwait and 70 to 100,000 in the United Arab Emirates).

52. Following the bombing in Kuwait in December 1983, the authorities there expelled large numbers of illegal workers, setting off a real panic among those Palestinians whose travel documents were no longer valid. Unable to return to Lebanon, the Palestinians began to emigrate towards Europe.

53. In Lebanon itself, the Palestinians claim that they are not protected in UNRWA areas of operation. According to certain reports, 600 Palestinian homes have been burned, and there has been one murder every day. This situation has prompted Palestinians with illegal or forged papers to depart for Europe. There they may be refused entry, and as they do not have permission to return to the Gulf states or Lebanon, they find themselves in a situation in which it is difficult to say what international protection they should have. Outside the Middle East they are no longer under the "concern" of UNRWA, and responsibility for them does automatically in principle shift to the UNHCR. To date, the problem has not yet been examined at United Nations level. It should be tackled as a matter of urgency.

H. WHAT POLICY SHOULD BE ADOPTED TOWARDS THE PALESTINE REFUGEES?

54. As we have demonstrated, providing humanitarian aid through UNRWA which goes primarily to the camps used as guerilla strongholds is tantamount to indirect involvement in political and, above all, military activities that have damaging consequences for the aid recipients. Should one bury one's head in the sand and be party to a solution that causes harm? As the camps in Lebanon are at the centre of an explosive situation, should not some of the contributions from the member states be made only on condition that the fedayeen accept their neutral status?

If this cannot be done, perhaps these resources should be diverted to Palestine refugees in Europe, who are in a situation that conforms to the principles of the 1951 Geneva Convention or to other host governments for refugee housing, education and health projects.

55. But a deliberate policy with regard to the Palestinian refugees seeking asylum in Europe may fail to achieve the desired results, mainly by reason of public fears and misgivings.

56. Misgivings about refugees in general - the economic crisis and the impression that the number of people seeking asylum is increasing sharply - creates a feeling of rejection among the native population.

57. The fears arise more specifically where the Palestinian refugees are concerned. Terrorist acts committed at various places in Europe (Larnaca, Rome etc) rightly or wrongly give rise to the idea that an influx of Palestinian refugees, possibly including terrorists, may lay the foundations of armed resistance as a deterrent against reprisals.

58. By ceasing to contribute to the work of UNRWA, we encourage the exodus of Palestinian refugees to Europe and help to erode the justification for their demands.

By opening our gates to the Palestinian refugees we may be exposing the citizens of the host countries to sometimes mortal danger.

If we try to avert that risk by closing our frontiers, we contravene the Geneva Convention of 1951 when the refugees carry documents made out by the country of first asylum. Where that is not the case, because the documents have been withdrawn or simply not renewed, we help to aggravate the problem of refugees "in orbit". Refusing entry to refugees with documents also exacerbates that problem.

59. Such a situation certainly qualifies for description as a vicious circle. The only hope is to find a political solution, failing which the human problems remain unsolved.

60. The political solution must be a comprehensive one. It is impossible to deal with the subject within the scope of this report. Let us simply say that the Jordano-Palestinian agreement offers a good basis for negotiation.

Europe must commit itself more fully to the search for that solution. In view of the exodus of Palestinian refugees to Europe, the responsibility of western Europe and the potential role devolving on it are even more significant.

61. Since it is impossible to predict where the refugees will choose to go, all our states must a priori feel concerned and attempt to find concerted solutions.

The tragic situation of the "refugees in orbit" (1) is a good illustration of lack of co-operation at the European level.

62. In our opinion, the member states ought to work together in order to:

1. bring pressure on the parties directly concerned to find a political solution entailing:
  - an end to the use of the camps by the fedayeen for military purposes;
  - a halt to the process of Israeli occupation of the West Bank and Gaza Strip territories, a real provocation which can only fuel extremist tendencies inside the Arab world;
  - provision of capital for the development of modern housing outside the camps, among the local population (see para 35),

and

2. undertake, if the first condition is met, to maintain or even increase their aid to refugees living in the Middle East, and especially their efforts to alleviate the humanitarian aspects of the problem.

---

(1) Rejected by one country after another.



63. In the meantime, the member governments ought to institute reception arrangements for the Palestinians seeking asylum in Europe, co-ordinating them carefully in advance, and draw up programmes for their return home, as part of their concerted endeavours and in desirable negotiations with the Middle East states concerned.

64. In our view, the concerted efforts of our member states should take as their starting-point a ministerial conference to consider not only the overall political problem but also the problems of the Palestinian refugees.

#### I. CONCLUSION

65. It is clear, in our opinion, that the struggle for the Palestinian cause has been considerably weakened since the deterioration of the situation in the Lebanon, which was caused to a certain extent by the effects of the position of strength held by the PLO before 1980. Anarchy was perhaps latent in a multi-confessional society such as the Lebanon; but the misuse of power by the PLO acted as the detonator.

66. In the countries where the governments had earlier or have recently taken control of the camps, the situation of the refugees has improved considerably, particularly through the remarkable work of the UNRWA (see Appendix II), although it cannot be said that the neutralisation of the camps has been a factor in the weakening of the Palestinian cause. The wars have on each occasion increased the number of refugees and, even worse, have caused an exodus (particularly towards Europe) which according to certain forecasts will continue to grow.

67. The increasing number of refugees is not the only consequence of the fighting. Terrorism is another, as it is the last resort of those who have lost so much that they have nothing left to lose. From now on it can be expected to grow and spread geographically. There can be no realistic hope of halting it.

68. The opportunity of settling the Israeli-Palestinian conflict (missed in 1949) has, with the creation of the UNRWA, led to the institutionalisation of the problem of the refugees, which - some people hoped - could thus be contained or even solved.

Today as in the past a comprehensive political solution seems the only way to end the problem of the refugees.

APPENDIX I

EXTRACTS FROM THE REPORT OF THE COMMISSIONER-GENERAL  
OF UNRWA (1 July 1983- 30 June 1984)

**Table 1**  
**Number of registered persons a/**  
**(as at 30 June each year)**

Field	1950	1955	1960	1965	1970	1975	1980	1984
Lebanon	127 600	100 820	136 561	159 810	175 958	196 855	226 554	256 207
Syrian Arab Republic	82 194	88 330	115 043	135 971	158 717	184 042	209 362	235 019
Jordan	506 200	502 135	613 743	688 089	506 038	625 857	716 372	781 564
West Bank	-	-	-	-	272 692	292 922	324 035	350 779
Gaza Strip	198 227	214 701	255 542	296 953	311 814	333 031	367 995	410 745
<b>Total</b>	<b>914 221 b/</b>	<b>905 986</b>	<b>1 120 889</b>	<b>1 280 823</b>	<b>1 425 219</b>	<b>1 632 707</b>	<b>1 844 318</b>	<b>2 034 314</b>

a/ These statistics are based on UNRWA's registration records which are updated continually. The number of registered refugees present in the Agency's area of operations, however, is almost certainly less than the population recorded. The Agency's budgeted expenditure is based not on the registration records but on the projected numbers of beneficiaries of its services. In 1983/1984, about 348,000 refugees enrolled in education or training programmes, 1.7 million were eligible for health care and 97,213 destitute persons received special hardship assistance. Additionally, temporary emergency programmes were mounted for about 180,000 refugees in Lebanon and 4,350 stranded in the Egyptian sector of Rafah following the re-establishment of the border between the Sinai and the Gaza Strip.

b/ This total excludes 45,800 persons receiving relief in Israel, who were the responsibility of UNRWA until June 1952.

Table 2

Distribution of registered population  
(as at 30 June 1984)

Field	Population	Number of camps	Total camp population a/	Registered persons not in camps	Percentage of registered population not in camps
Lebanon	256 207	13	131 909	124 298	48.51
Syrian Arab Republic	235 019	10	72 416	165 355	70.36
Jordan	781 564	10	241 606	582 668	74.55
West Bank	350 779	20	90 905	261 484	74.54
Gaza Strip	410 745	8	226 937	183 808	44.75
<b>Total</b>	<b>2 034 314</b>	<b>61</b>	<b>763 773</b>	<b>1 317 613</b>	<b>64.77</b>

a/ The total camp population is made up as follows:

716,701 registered persons;

33,091 persons displaced as a result of the June 1967 hostilities and subsequent fighting in the Jordan Valley in early 1968 who are not registered with the Agency (see para. 122);

13,981 persons who are neither registered persons nor displaced persons.

Table 3

Recurrent costs  
(Thousands of United States dollars)

	<u>1985</u> <u>proposed</u> <u>budget</u>	<u>1984</u> <u>revised</u> <u>budget</u>
<b>I. <u>Education services</u></b>		
General education		
Elementary education	69 069	61 561
Preparatory education	44 590	38 716
Other activities	<u>7 097</u>	<u>6 426</u>
Subtotal	120 756	106 703
Vocational and professional training	15 879	14 040
Share of common costs from part IV	<u>15 973</u>	<u>14 049</u>
Total	<u>152 608</u>	<u>134 792</u>
<b>II. <u>Health services</u></b>		
Medical services	22 197	18 792
Supplementary feeding	12 492	11 542
Environmental sanitation	9 207	7 940
Share of common costs from part IV	<u>8 596</u>	<u>7 562</u>
Total	<u>52 492</u>	<u>45 836</u>
<b>III. <u>Relief services</u></b>		
Special hardship assistance	12 307	10 892
Relief and welfare services	4 395	3 811
Shelter	627	606
Share of common costs from part IV	<u>7 577</u>	<u>6 664</u>
Total	<u>24 906</u>	<u>21 973</u>
<b>IV. <u>Common costs</u></b>		
Supply and transport services	10 520	9 280
Other internal services	15 000	13 126
General administration	<u>6 626</u>	<u>5 869</u>
Total	32 146	28 275
Costs allocated to programmes	<u>(32 146)</u>	<u>(28 275)</u>
<b>V. <u>Other costs</u></b>		
Adjustment in provision for local staff separation benefits arising from pay increases	-	-
Adjustment in provision for local staff separation benefits payable if the Agency closes	-	-
Adjustment in provision for repatriation of local staff	-	-
Winding down of basic ration programme	<u>978</u>	<u>1 213</u>
Total	<u>978</u>	<u>1 213</u>
<b><u>Grand total</u></b>	<u>230 984</u>	<u>203 814</u>

Table 4

Non-recurrent costs  
(Thousands of United States dollars)

	1985 proposed <u>budget</u>	1984 revised <u>budget</u>
<b>I. <u>Education services</u></b>		
General education		
Elementary education	12 173	11 091
Preparatory education	1 975	1 503
Other activities	<u>53</u>	<u>116</u>
Subtotal	14 201	12 710
Vocational and professional training	2 378	1 618
Share of common costs from part IV	<u>699</u>	<u>481</u>
Total	<u>17 278</u>	<u>14 809</u>
<b>II. <u>Health services</u></b>		
Medical services	1 143	811
Supplementary feeding	241	179
Environmental sanitation	1 245	1 071
Share of common costs from part IV	<u>376</u>	<u>260</u>
Total	<u>3 005</u>	<u>2 321</u>
<b>III. <u>Relief services</u></b>		
Special hardship assistance	45	108
Relief and welfare services	530	580
Shelter	783	596
Share of common costs from part IV	<u>338</u>	<u>241</u>
Total	<u>1 696</u>	<u>1 525</u>
<b>IV. <u>Common costs</u></b>		
Supply and transport services	545	516
Other internal services	704	443
General administration	<u>164</u>	<u>23</u>
Total	1 413	982
Costs allocated to programmes	<u>1 413</u>	<u>(982)</u>
	-	-
<b>V. <u>Other costs</u></b>		
Adjustment in provision for local staff separation benefits arising from pay increases	5 000	9 278
Adjustment in provision for local staff separation benefits payable if the Agency closes	-	3 000
Adjustment in provision for repatriation of local staff	250	250
Lebanon Emergency (continuation)	<u>-</u>	<u>106</u>
Total	<u>5 250</u>	<u>12 634</u>
<b><u>Grand total</u></b>	<u>27 229</u>	<u>31 289</u>

Table 5

Detailed statement of income  
(1 May 1950-31 December 1984)

(United States dollars)

## I. Contributions from Governments of Council of Europe Member States and the Holy See, Israel, Finland and San Marino.

Contributor	For the period 1 May 1950 to 31 December 1982	1983		1984 <sup>a/</sup>		Grand Total
		1983	Cash	In kind and associated cash	Total	
Austria	1 256 471	132 000	132 000	-	132 000	1 520 471
Belgium	133 336 841	367 625	317 000	-	317 000	14 001 466
Cyprus	18 263	2 010	2 000	-	2 000	22 273
Denmark	23 396 253	2 640 226	2 701 000	-	2 701 000	28 737 479
Finland	3 504 032	315 516	539 000	-	539 000	4 358 548
France	34 780 713	1 193 700	1 036 000	131 000	1 167 000	37 141 413
Germany, Federal Republic of	65 550 148	3 455 981	3 509 000	-	3 509 000	72 515 129
Greece	918 498	50 000	55 000	-	55 000	1 023 498
Iceland	191 439	9 500	9 000	-	9 000	209 939
Ireland	1 894 090	268 560	296 000	-	296 000	2 458 650
Israel	10 962 991	219 422	-	261 000	261 000	11 443 413
Italy	6 768 902	1 220 391	1 455 000	-	1 455 000	9 444 293
Luxembourg	504 563	7 716	6 000	-	6 000	518 279
Malta	8 100	936	1 000	-	1 000	10 036
Netherlands	20 343 093	2 093 020	1 585 000	-	1 585 000	24 021 113
Norway	32 112 436	7 688 429	7 672 000	-	7 672 000	47 472 865
Portugal	22 000	15 000	15 000	-	15 000	52 000
San Marino	14 085	5 198	3 000	-	3 000	22 283
Spain	10 476 133	1 000 000	1 000 000	-	1 000 000	12 476 133
Sweden	96 938 418	7 914 065	7 555 000	-	7 555 000	112 407 483
Switzerland	32 273 720	4 417 900	812 000	3 214 000 <sup>b/</sup>	4 026 000	40 717 620
Turkey	305 759	20 000	20 000	-	20 000	345 759
United Kingdom	200 062 452	7 757 500	7 256 000	-	7 256 000	215 075 952
Holy See	127 965	12 500	15 000	-	15 000	155 465

<sup>a/</sup> The figures represent confirmed and expected pledges, rounded off in thousands of dollars<sup>b/</sup> Commodities at donor's valuation.

6.758

Table 6

Statement of income for the Lebanon Emergency Relief Programme  
(6 June 1982-31 March 1984)  
(United States dollars)

I. Contributions from Governments

	1 9 8 2			1 9 8 3			1984 (1.1-31.3)			1982-84
	Cash	In kind and associated cash	Total	Cash	In kind and associated cash	Total	Cash	In kind and associated cash	Total	Grand Total
Argentina	-	25 000	25 000	-	-	-	-	-	-	25 000
Australia	575 445	-	575 445	-	479 505	479 505	-	-	-	1 054 950
Austria	34 818	-	34 818	-	-	-	-	-	-	34 818
Belgium	-	-	-	-	625 000	625 000	-	-	-	625 000
Canada	758 120	-	758 120	-	-	-	-	-	-	758 120
China	20 000	-	20 000	-	-	-	-	-	-	20 000
Denmark	1 032 041	-	1 032 041	-	-	-	-	-	-	1 032 041
Egypt	50 000	-	50 000	5 000	-	5 000	-	-	-	55 000
Finland	531 124	-	531 124	-	-	-	-	-	-	531 124
France	-	-	-	-	359 712	359 712	-	-	-	359 712
Germany, Fed. Rep. of	392 157	-	392 157	-	56 872	56 872	-	120 000	120 000	569 029
Greece	-	145 000	145 000	5 000	-	5 000	-	-	-	150 000
Iceland	18 200	-	18 200	-	-	-	-	-	-	18 200
India	19 890	-	19 890	-	-	-	-	-	-	19 890
Italy	335 000	2 389 640	2 724 640	-	247 843	247 843	-	-	-	2 972 483
Japan	-	-	-	937 403	1 822 727	2 760 130	-	-	-	2 760 130
Netherlands	650 523	-	650 523	-	-	-	-	-	-	650 523
New Zealand	17 984	-	17 984	-	-	-	-	-	-	17 984
Norway	584 163	-	584 163	-	-	-	-	-	-	584 163
Saudi Arabia	2 915 452	-	2 915 452	-	-	-	-	-	-	2 915 452
Senegal	5 000	-	5 000	-	-	-	-	-	-	5 000
Sweden	1 353 357	294 610	1 647 967	-	-	-	-	-	-	1 647 967
Switzerland	211 966	322 067	534 033	-	-	-	-	-	-	534 033
Thailand	1 000	-	1 000	-	-	-	-	-	-	1 000
United Kingdom of Great Britain and Northern Ireland	-	1 850 274	1 850 274	-	-	-	-	-	-	1 850 274
Ireland	-	-	-	-	-	-	-	-	-	-
United States of America	16 500 000	-	16 500 000	-	500 000	500 000	-	-	-	17 000 000
Yugoslavia	-	7 813	7 813	-	-	-	-	-	-	7 813
	26 006 240	5 034 404	31 040 644	947 403	4 091 659	5 039 062	-	120 000	120 000	36 199 706

Table 7

V. Summary of Income

	1 9 8 2			1 9 8 3			1984 (1.1-31.3)			1982-84
	Cash	In kind and associated cash	Total	Cash	In kind and associated cash	Total	Cash	In kind and associated cash	Total	Grand Total
Governments	26 006 240	5 034 404	31 040 644	947 403	4 091 659	5 039 062	-	120 000	120 000	36 199 706
Intergovernmental organization	88 000	3 082 973	3 170 973	57 200	1 061 583	1 918 783	-	-	-	5 089 756
United Nations agencies	-	2 158 644	2 158 644	7 500	109 977	117 477	341	-	341	2 276 462
Non-governmental and other sources	490 823	3 594 290	4 085 113	6 766	2 192 115	2 198 881	55	69 760	69 815	6 353 809
Pledges not paid and subsequently written off	-	256 921	256 921	-	-	-	-	-	-	256 921
	26 585 063	14 127 232	40 712 295	1 018 869	8 255 334	9 274 203	396	189 760	190 156	50 176 654

6.758



A P P E N D I X I I

EXTRACTS FROM THE PUBLICATION: UNRWA 1985

## **Rising toll in Lebanon**

Each new development in the drama of Lebanon was another turn of the screw that added to the suffering of the 263,000 Palestine refugees living there. During the year, UNRWA's field office in Lebanon reported more than 800 violent deaths, more than 2,500 woundings, 500 arrests, 27 kidnappings and nine disappearances. Because the refugees were also hit by an ailing economy, UNRWA started training them in income-generating skills, but work had to be suspended because of the security situation.

**BEIRUT** Refugee camps in the Beirut area came under fire by Amal militiamen in June and July 1984 and again in May and June 1985. UNRWA gave emergency rations to many thousands of refugees who fled the camps during the fighting, often sheltering in places scarcely fit for human habitation.

**THE SOUTH** Fighting erupted in the Saida area in March 1985, and it engulfed the two neighbouring Palestine refugee camps, forcing about 40,000 refugees to flee and wreaking widespread damage upon their homes. UNRWA maintained an emergency relief and health programme for some weeks, with staff working from trucks and temporary offices.

**THE NORTH** Heavy fighting between factions disrupted operations in the Tripoli area in July and August 1984 and a number of Palestine refugees were wounded at Beddawi camp. UNRWA schools had to close for a week.

**SERVICES** Agency staff kept most services going most of the time in Lebanon, often in the face of danger. UNRWA relief services staff delivered emergency rations to the tens of thousands of families sheltering from successive battles in different parts of the country; UNRWA health workers left their clinics and formed mobile health teams to follow the streams of displaced refugees; UNRWA teachers and pupils alike shared the hardship of the rest of the refugee population, and reopened the schools whenever the shooting died down. Main routes were often closed to UNRWA supply trucks, which had to make difficult detours over tortuous mountain roads. British information consultant Alec Collett was kidnapped near Beirut on 25 March while on a writing assignment for UNRWA, and has not been seen since. U.N. Secretary-General Javier Perez de Cuellar and UNRWA's Commissioner-General are among those who have appealed for his release. In mid-May the Deputy Director of UNRWA Affairs in Lebanon was abducted in the Beirut area by armed men; he was released 37 hours later.

## More children in school

The number of Palestine refugee children attending UNRWA's 640 schools climbed once again, reaching an enrolment of 345,844 in October (an increase of 3,599 over the previous year), with 10,163 teachers. Another 100,896 refugee pupils were known to be enrolled in private and government schools.

**SHIFT WORK** While UNRWA's policy has been to accept all eligible children who seek schooling, it has never had enough money to construct the number of school buildings that so many children would normally require. For this reason it has had to run two shifts a day in many places, with two schools sharing one building. About three-quarters of all children now attending an Agency school have to alternate between morning and afternoon shifts in a shared school building. Double-shifting of this kind is not good for the child's development and it creates yet another problem for the mother—particularly if she has children on different shifts, which often happens.

**CONSTRUCTION** The effect of triple shifting, with an added evening shift, is even worse, and UNRWA uses what funds it can find to build new classrooms to avoid it. Special contributions from the Government of Canada helped to expand the school construction programme in 1983 and 1984; and in May 1985 the Arab Gulf Programme for United Nations Development Organizations (AGFUND) granted UNRWA funds to construct two schools in the West Bank which will replace cramped and unsuitable rented classrooms. During the review period UNRWA built seven schoolhouses and started work on another six; and it added 75 rooms of different kinds to existing schools.

**TRAINING** The vocational training programme has produced some 32,500 skilled tradesmen so far. This year there were 3,812 training places. To meet changing labour market demand, UNRWA augmented its existing courses this year with new ones, financed by the OPEC Fund, for electronics technicians, dental hygienists and medical secretaries.

**TEACHERS** Monitoring of market needs showed that there had been an over-supply of elementary school teachers, and this year's intake at UNRWA's three teacher training centres was reduced to 1,166 compared with 1,340 in the previous year. It is intended to make a corresponding increase in the number of technical and vocational training places so that the overall capacity is not reduced. There was an enrolment of 748 for in-service training of working teachers, organised by the Agency's Institute of Education.

**SCHOLARSHIPS** For the 1984-85 academic year, UNRWA awarded 353 scholarships to Palestine refugees for study at Arab universities. Of these, 271 were for continuation of existing scholarships held by students with satisfactory records of achievement, and 82 were new.

## Growing demand for health care

Palestine refugees made more calls on free UNRWA medical services last year (4.6 million attendances, compared with 3.7 million the previous year). This was apparently because worsening economic conditions left them with less money for private doctors.

They were able to obtain treatment and advice at 124 health centres (98 run by UNRWA, 25 by governments and one by a voluntary agency). To back up these facilities, UNRWA had a network of 30 dental clinics, three central health laboratories and 24 clinical laboratories. For in-patient treatment refugees were sent to government or private hospitals. Continuously rising costs meant that UNRWA had to pay more for hospital treatment in all fields.

Medical experts in the Middle East have noted a growing need for mental health care of Palestine refugee children. UNRWA held a meeting on the subject with the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) in Geneva in March, devising a strategy which includes observing and influencing behavioural patterns, and the training of health personnel in the mental health care of young refugees.

**IMMUNISATION** Young children attending UNRWA's maternal and child health clinics are routinely immunised against tuberculosis, diphtheria, tetanus, whooping cough, poliomyelitis and measles, and they get boosting shots when they enter school. At schools and clinics, UNRWA health staff show them how to avoid disease by practising personal and food hygiene. There was a decrease this year in respiratory tuberculosis, whooping cough, poliomyelitis, diarrhoeal diseases and trachoma. But there were more reported cases of measles, conjunctivitis, infectious hepatitis, typhoid fever, brucellosis and chicken pox.

**MOTHERS AND CHILDREN** The 98 health units, backed up by specialists and participating hospitals, keep a check on the health of pregnant refugee women and of children. There are extra rations and iron folate tablets for expectant mothers and powdered milk for the 75,000 children aged between six months and three years.

**ENVIRONMENT** In the camps where a third of the refugees live, health workers kept epidemics at bay by providing drinking water, maintaining drainage systems, removing refuse and controlling disease-carrying insects and rodents. UNRWA gave money and technical support to refugees building their own pathways, drains, sewers and latrines to improve the environment in 33 camps.

**NUTRITION** The Agency gave midday meals to 39,974 children attending its supplementary feeding centres, as well as to sick adults and the destitute, and there was a special diet for children suffering from diarrhoea or malnutrition.