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REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE **ISRAELI**
PRACTICES AFFECTING THE HUMAN RIGHTS OF **THE** POPULATION
OF THE OCCUPIED **TERRITORIES**

Report of the Secretary-General

(in pursuance of General Assembly resolution **41/63 A**)

1. The present report is submitted in pursuance of General Assembly resolution **41/63 A** of 3 December 1986, the operative part of which reads as follows:

"The General Assembly,

"...

'1. Calls upon Israel to release all **Arabs** arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories;

"2. Notes the initial release of Palestinian prisoners on 20 May 1985;

"3. Distresses the **Israeli** subsequent arbitrary detention or imprisonment of hundreds of Palestinians;

"4. Demands that the Government of Israel, the occupying Power, rescind its action against the detainees and imprisoned Palestinians and release them immediately;

"5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-second session on the implementation of the present resolution."

* A/42/150.

2. On 23 January 1987, the Secretary-General addressed a note **verbale** to the Permanent Representative of Israel to the United Nations, in which he requested, in **view of his** reporting responsibility **under the resolution, that the Permanent Representative** inform him of any steps which the Government of Israel had taken or envisaged taking in **implementation** of the relevant provisions of **the** resolution.
3. On 17 June 1987, the Permanent Representative of **Israel** replied as follows:

"The **position** of the Government of Israel on **General Assembly resolution 41/63 A** was set out in the **statement** made by Israel's representative in the Special Political **Committee** on 8 November 1985 (S/PC/40/PV.27) and on 13 November 1986 (A/SPC/41/SR.27).

"Operative paragraph 1 of resolution 41/63 A **calls** upon Israel to release all Arabs **arbitrarily** detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories'.

"The Government of Israel **explicitly** reject⁶ this paragraph. At least 1 person imprisoned by Israel undergoes a **fair** trial and their criminal guilt has been **established** beyond a reasonable doubt in a court of law. **Equating** them with those seeking political redress not only **emphasizes** the extent to which the General Assembly has fallen victim to the contorted **language** of **extremists**, but **also** undermines the rule of **law** and justice,

"In light of these facts, the Government of Israel continues to view resolution 41/63 A as unwarranted and completely **void** of **substance**. As such it should be dropped from the General Assembly's agenda."
