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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 42/160 A)

1. The present report is submitted in pursuance of General Assembly resolution 42/160 A of 8 December 1987, 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. Deplores the Israeli subsequent arbitrary detention or imprisonment of hundreds of Palestinians, and demands that the Government of Israel, the occupying Power, rescind its action against the detainees and imprisoned Palestinians and release them immediately)

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

* A/43/150.

2. On 5 February 1900, the Secretary-General **addressed a note verbals 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 7 July 1988, **thr** Acting Pormanent Representative of **Israel** replied **as** followr :

“The **reasons for Israel's rejection** of resolution 42/160 A have *been* stated **before, but in view of the resolution's** unconcealed bias, **it** must **be** noted that detention and imprisonment in **Judea, Samaria** and Gaza are legal **measures taken against terrorism** and violence,

“It **is** Israel's duty under international law to **maintain** public order and **security in** these **areas**. *This* duty **is** carried out in conformity with international law and with the utmost regard **for** the **preservation of** the rule of law and the **protection of human rights in keeping** with the **humanitarian provision8 of the Geneva Conventions**. Due **process** of law is **guaranteed also** by allowing **detainees** and **prisoners** to petition Israel's High **Court of Justice**. **Delegates** of the International **Committee of** the Red Cross (ICRC) are authoriard regularly to visit prisons and detention **centres** where they can **interview in complete** privacy **any** prisoner **or** detainee they choose.”