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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 F)

1. The present report is submitted in pursuance of General Assembly resolution 42/160 F of 8 December 1987, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decision;

"2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Arab Golan;

"3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Arab Golan are null and

* A/43/150.

void and constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

"4. Strongly condemns Israel for its attempts to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Arab Golan, and calls upon it to desist from its repressive measures against the population of the Syrian Arab Golan;

"5. Call once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

"6. Requests the Secretary-General to report to the General Assembly at its forty-third session on the implementation of the present resolution."

2. In order to fulfil his reporting responsibility under the resolution, the Secretary-General, on 5 February 1988, addressed to the Permanent Representative of Israel to the United Nations a note verbale, in which he requested 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, the Acting Permanent Representative of Israel replied that the position of his Government on the resolution had been the subject of a letter by the Permanent Representative of Israel dated 29 December 1981, addressed to the Secretary-General, which had been included in the Secretary-General's report of 31 December 1981 (S/14821, para. 3).

4. In light of paragraph 5 of the resolution, the Secretary-General, on 5 February 1988, also addressed notes verbales to the Permanent Representatives of all other Member States, in which he referred to his reporting responsibility under the resolution and requested them to inform him of any measures their Governments had taken or envisaged taking in implementation of the resolution. The replies received from Botswana, Burkina Faso, Ghana, Hungary, Turkey, the Union of Soviet Socialist Republics and Viet Nam are reproduced in the annex to the present report.

ANNEX

Replies received from Member States

BOTSWANA

[Original: English]

[23 February 1988]

1. Since Botswana has no relations of any kind with the State of Israel its respect for and compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War as applicable to the Palestinian and other Arab territories is beyond reproach.
2. Botswana does not recognize any of the legislative or administrative measures effected by Israel in the occupied Arab territories.

BURKINA FASO

[Original: French]

[10 May 1988]

True to its principles and to its commitments, Burkina Faso gives its total support to the provisions of the resolutions [42/160 A to G], which demonstrate the determination of the international community to put an end to the sufferings inflicted by Israel on the populations of the Arab and Palestinian territories illegally occupied by it.

GHANA

[Original: English]

[4 March 1988]

1. As a party to the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Republic of Ghana has always observed unreservedly the relevant provisions of the Convention regarding the occupied Arab territories, including Jerusalem. Consequently, Ghana has always voted in favour of all United Nations resolutions pertaining to the agenda item in question.
2. Ghana wishes to take this opportunity to restate unequivocally that it has no formal links with the State of Israel.

HUNGARY

[Original: English]

[2 June 1988]

1. For long decades the Hungarian People's Republic has invariably maintained the position regarding the situation in the Middle East, including the Palestinian question as the key issue, that a just and lasting settlement of the crisis calls for the withdrawal of Israeli troops from the Arab territories, among them those of Palestine, which were occupied in 1967. It is necessary to guarantee the exercise by the Palestinian people of its right to self-determination as well as the independent existence and development of all States in the region within secure borders. The conditions for progress lie in efforts to find a comprehensive settlement, in the joint quest of honest and just peace based on the principles of equality and equal security as well as on the Charter of the United Nations and the norms of international law.

2. An international conference held with the participation of all parties concerned under the auspices of the United Nations could be the most suitable forum for reaching a settlement.

3. The Government of Hungary urges that an international peace conference be convened and its preparation be started as early as possible. It is convinced that a just and lasting solution to the Middle East problem, including the Palestinian question, and the enjoyment by the Palestinian people of its rights can only be ensured within the framework of such a comprehensive settlement.

4. At the forums of the United Nations, including the Committee on the Exercise of the Inalienable Rights of the Palestinian People, of which Hungary is a founding member, the representatives of Hungary come out for the recognition of the rights of the Palestinian people, voted for resolutions on violations of the human rights of Palestinians in occupied territories and condemned the oppressive Israeli methods of changing the status of demographic structure of occupied territories, the violations by Israel of the provisions of the Geneva Convention of 1949.

5. Since December 1987, when the movement of civil disobedience emerged in the occupied territories and Israel resorted to gross measures to quell it, the Government and the Ministry for Foreign Affairs of the Hungarian People's Republic have repeatedly stated their relevant positions, voicing their concern about the situation which has arisen in the Israeli occupied Arab territories and condemning the brutal treatment by Israeli troops of the civil population, which has claimed a heavy toll of human lives.

6. On 22 April 1988, the spokesman of the Ministry for Foreign Affairs of the Hungarian People's Republic expressed the views of Hungary in the following statement:

"For more than 100 days the Palestinian people has been waging a mass protest movement in the Arab territories occupied by Israel. On several

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occasions, international public opinion and different forces of social progress, including representatives of Hungarian society, have raised their voices against the armed aggression of Israel against the unarmed Palestinian population, which has resulted in a heavy death toll, but the bloody events continue despite the general concern of world public opinion. The gross violations by the Israeli Government of the norms of international law and of human rights and the worsening conditions of life in occupied territories impel Palestinians to go to the streets even at the risk of their lives to express their protest day after day. The situation caused by the perpetuation of armed Israeli aggression against the mass protest movement of the Palestinian population in occupied territories poses a grave threat to international peace and security. Consequently a just and lasting solution of the Middle East crisis, the Palestinian question, brooks no further delay. The early convening of an international peace conference with the participation of all the parties concerned, including the PLO, and the exercise of the inalienable national rights of the Palestinian people are absolutely necessary."

TURKEY

[Original: English]

[11 July 1988]

1. Turkey has always denounced the occupation by Israel of the West Bank and Gaza Strip after the 1967 Arab-Israel war and the declaration of Jerusalem as part of the Israeli territory and its capital. On this matter, Turkey has supported every resolution condemning Israel adopted within the framework of the United Nations.
2. The Government of Turkey, as well as Turkish public opinion and the Turkish press, has been following with deep concern the developments that are taking place in the occupied Arab territories since 8 December 1987.
3. In a statement that was reiterated on different occasions, the Turkish Government has expressed its concern over the developments in the occupied Arab territories and has denounced the arbitrary and extremely harsh measures taken by Israel to suppress the uprising in the region. The Israeli Government officials have been asked in Ankara and in Tel Aviv to end these practices. They have been reminded of their responsibilities under international treaties and they were called upon to give up their practices that violate the human rights.
4. Turkish public opinion has reacted strongly to the practices violating the human rights of the Palestinian people, to the opening of fire by the Israeli soldiers, to the beating up and burying alive of Palestinian civilians. In Turkey, meetings of solidarity with the Palestinian people were held where Israel's attitude and practices violating the human rights were vigorously condemned.
5. The political parties represented in the Turkish Grand National Assembly published a declaration on 17 March 1988 condemning the acts of violence that

violate the human rights of Palestinians living in Arab territories under Israeli occupation. This declaration stated the following: "Conscious of our respect and responsibility for humanity, we remind Israel of the necessity to fulfill its obligations under the international treaties".

6. The explanations given above make it clear that, in particular, the human rights dimension of the Israeli practices taking place in the occupied territories has provoked a reaction at every level of Turkish public opinion.

7. The Israeli practices violating the human rights of the Palestinians have been condemned by the Turkish people, Government and Parliament, so as to apply indirect pressure on Israel forcing it to respect human rights and, for the same purpose, the Turkish Government expressed its position directly to the Israeli authorities.

UNION OF SOVIET SOCIALIST REPUBLICS

[Original: Russian]

[6 July 1988]

1. The Soviet Union firmly condemns Israel's illegal actions against the Palestinian population of the occupied territories and its systematic violation of the norms of international legality and of General Assembly and Security Council resolutions.

2. The USSR believes that Israel's massive violations of human rights and the repression and terror perpetrated against the peaceful population of the occupied territories are a gross violation of the Geneva Convention of 12 August 1949 relative to the Protection of Civilian Persons in Time of War, and fully shares the General Assembly's conclusion that Israel's grave breaches of that Convention are "war crimes and an affront to humanity".

3. The Soviet Union believes it necessary to draw attention to resolution 605 (1987) adopted by the Security Council on 22 December 1987, which states that Israel's policies and practices in the occupied territories are bound to have grave consequences for the endeavours to achieve comprehensive, just and lasting peace in the Middle East.

4. The Soviet Union supports Security Council resolution 607 (1988) of 5 January 1988, in which the Council again called upon Israel to abide by its obligations arising from the Geneva Convention. However, as is being shown by the course of events, Israel is still refusing to bring its policies and practices into line with the norms of international law.

5. The Soviet Union confirms that, strictly fulfilling the provisions of the 1949 Geneva Convention and heeding the call of the General Assembly, it does not recognize any changes carried out by Israel in the occupied territories and does not undertake any actions which might be used by Israel in the interests of its policy of annexation and colonization of those territories.

6. The USSR is in solidarity with the struggle of the Palestinian people to secure their inalienable rights, including the right of self-determination, and calls for an immediate end to terror and repression against the Palestinian population of the occupied territories, Israel's unconditional respect of fundamental human rights, and its strict observance of the provisions of the 1949 Geneva Convention.

7. The national uprising of Palestinians in the occupied West Bank and Gaza Strip demonstrated the utter futility of Israel's attempts to perpetuate the results of its aggression by means of armed force. The rise of the Palestinian national movement has created a qualitatively new situation in respect of the settlement of the Arab-Israeli conflict. The problem of a Middle East settlement and its pivotal aspect, the question of Palestine, must be taken up without delay. To that end it is necessary to bring about an end to Israel's occupation of the Palestinian and other Arab lands and allow the Palestinians the possibility of freely determining their future and choosing the form of their state structure.

8. The Soviet Union is convinced that the only forum which can really achieve mutually acceptable solutions in regard to all aspects of a settlement is an international conference on the Middle East under the auspices of the United Nations with the participation of all the parties directly concerned, including the PLO, and the permanent members of the Security Council. There is not and cannot be any way of defusing the Middle East conflict other than the political way. The renunciation of the use of force, and of attempts to secure a settlement while failing to balance the interests of all parties without exception, will open the way towards the establishment of a reliable and just peace in the Middle East.

VIET NAM

[Original: English]

[11 April 1988]

The Government of the Socialist Republic of Viet Nam vigorously protests and resolutely demands that Israel desist forthwith from all acts of suppression, terror and racial discrimination against the civilian population in the Palestinian and Arab territories occupied since 1967, including Jerusalem. The Government of Viet Nam is of the view that all kinds of assistance that can help Israel continue its policy of aggression, annexation and colonization against the Arab peoples must be severely condemned and stopped at once. The Vietnamese Government and people strongly support the just struggle of the Palestinian and other Arab peoples for the realization of their fundamental national rights and the recovery of occupied Arab territories.
