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

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the twenty-first report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, which was submitted to him in accordance with paragraphs 19 and 20 of Assembly resolution 43/58 A of 6 December 1989. This report should be considered together with the Special Committee's periodic report (A/44/352), which was transmitted to the members of the Assembly on 13 July 1989.

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LETTER OF TRANSMITTAL

25 August 1909

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories has the honour to transmit to you herewith its twenty-first report, prepared in accordance with General Assembly resolutions concerning the Special Committee and, in particular, resolution 2443 (XXIII) of 19 December 1968, by which the Special Committee was established, and resolution 43/58 A of 6 December 1988, the latest resolution by which the General Assembly renewed its mandate.

This report covers the period from 26 August 1985, the date of the adoption of the twentieth report of the Special Committee, to 25 August 1989. The report is based on oral information received by the Special Committee through testimonies of persons having first-hand experience of the human rights situation in the occupied territories, as well as written information gathered from various sources. Written information concerning the period from 26 August 1988 to 31 March 1989 is reflected in the periodic report which the Special Committee presented to you on 7 June 1989 (A/44/352) in accordance with paragraphs 19 and 20 of General Assembly resolution 43/58 A.

From among these oral and written sources of information, the Special Committee has included in its reports relevant excerpts and summaries. For the purpose of collecting oral testimonies the Special Committee again organised hearings that were held in Damascus, Amman and Cairo. The Special Committee continued to monitor statements by members of the Government of Israel reflecting the policy of that Government in the occupied territories and reports on measures taken to implement that policy. The Special Committee further noted the letters addressed to you and to the President of the Security Council during the period of this report relating to the mandate of the Special Committee, circulated as documents of the General Assembly and the Security Council, and received information from organisations and individuals on various aspects of the situation in the occupied territories.

In carrying out its mandate, the Special Committee benefited from the co-operation of the Governments of Egypt, Jordan and the Syrian Arab Republic and from the co-operation of Palestinian representatives. The Government of Israel has continued to ignore requests for co-operation addressed to it.

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General of the United Nations
New York

In preparing its report the Special Committee has attempted to put before you a composite picture of the reality in the occupied territories as it affects the human rights of the civilian population. By this letter the Special Committee wishes to draw your attention to a number of aspects that deserve particular mention.

The information contained in the present report reflects the further deterioration, as a result of 20 months of continuous violence and unrest in the occupied territories, of an already grave human rights situation.

The uprising of the Palestinian population against occupation, motivated by an accumulation of harassment, humiliation and frustration, stems from the annexation policy implemented by the Government of Israel since 1967, which has brought along an unprecedented level of violence and unrest in the territories.

The period under consideration has been marked by a further increase in the frequency and intensity of daily incidents, provoking the death of hundreds of civilians of all ages caused by gun-fire, beating, electrocution, burning, gas inhalation or other causes. Several thousand Palestinians, including very young children, women and old people, have been injured in clashes that have occurred practically every day and in several localities, mostly in the context of widespread demonstrations, stone-throwing and the throwing of petrol bombs, transport and commercial strikes, and raids by security forces in order to carry out scores of arrests, collect taxes, remove Palestinian flags and impose curfews or seal off entire areas, sometimes for prolonged periods. Israeli settlers have taken an increasingly active part in this scheme of repression by creating vigilante intervention forces and waging raids of "retaliation and intimidation" against Palestinian villages. Other serious infringements of fundamental rights and freedoms have included a noticeable increase in the deportations of Palestinians from the occupied territories, which have taken place repeatedly in violation of relevant provisions of the Fourth Geneva Convention, severe limitations imposed on the freedom of expression, of association and of worship and the prolonged closure of educational institutions.

The military justice system in force in the occupied territories has further deteriorated. It neither provides detained Palestinians with adequate legal guarantees nor ensures the right to a fair trial. Several thousands of arrested Palestinians, among them minors and women, continue to be imprisoned, often in prolonged administrative detention in the occupied territories, or even inside Israel itself; they are denied humane prison conditions! their situation is aggravated by the great increase in the number of detainees, and they endure serious physical and psychological hardships often resulting in riots and hunger strikes that are severely repressed,

The Special Committee has endeavoured, within the constraints and self-restrictions imposed by the financial situation of the United Nations, to provide in its periodic report (A/44/352) and the present twenty-first report a faithful picture of the situation of human rights in the occupied territories.

In view of the grave circumstances prevailing in the occupied territories, the Special Committee is concerned that the international community has thus far not been able to adopt effective measures to protect the human rights of the civilian population. It reiterates its sincere hope that the present report may contribute to further mobilising the international community in the search of a solution that would alleviate the plight of the civilians in the occupied territories and secure the full enjoyment of their rights and freedoms.

Accept, Sir, on behalf of my colleagues and on my own behalf, the assurances of our highest consideration.

Daya R. PERERA

Chairman of the Special Committee to
Investigate Israeli Practices Affecting
the Human Rights of the Population
of the Occupied Territories

I. INTRODUCTION

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories was established by the General Assembly in resolution 2443 (XXIII) of 19 December 1968. By that resolution, the Assembly decided to establish the Special Committee, composed of three Member States; requested the President of the Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to co-operate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter) and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.

2. The Special Committee is composed as follows; Mr. Daya R. Perera, Permanent Representative of Sri Lanka to the United Nations, Chairman; Mr. Alioune Sene, Ambassador of Senegal in Bern and Permanent Representative of Senegal to the United Nations Office at Geneva; and Mr. Dragan Jovanic, Yugoslavia.

3. Since October 1970, the Special Committee has submitted 20 reports. 1/ These reports were discussed in the Special Political Committee, which then reported to the General Assembly. 2/ On the recommendation of the Special Political Committee, the Assembly adopted resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 A and B (XXVIII) of 7 December 1973, 3240 A to C (XXIX) of 29 November 1974, 3525 A to D (XXX) of 15 December 1975, 31/106 A to D of 16 December 1976, 32/91 A to C of 13 December 1977, 33/113 A to C of 18 December 1978, 34/90 A to C of 12 December 1979, 35/122 A to F of 11 December 1980, 36/147 A to G of 16 December 1981, 37/88 A to G of 10 December 1982, 38/79 A to H of 15 December 1983, 39/95 A to H of 14 December 1984, 40/161 A to G of 16 December 1985, 41/63 A to G of 3 December 1986, 42/160 A to G of 8 December 1987, and 43/58 A to G of 6 December 1988.

4. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D, 32/91 B and C, 33/113 C, 34/90 A to C, 35/122 C, 36/147 C, 37/88 C, 38/79 D, 39/95 D, 40/161 D, 41/63 D, 42/160 D and 43/58 A.

II. ORGANIZATION OF WORK

5. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General. 3/ Mr. Daya Perera continued to be Chairman.

6. The Special Committee held the first of its series of meetings from 3 to 6 January 1989 at Geneva. At those meetings the Special Committee reviewed its mandate consequent upon the adoption by the General Assembly of resolution 43/58 A. By that resolution, the General Assembly requested the Special

Committee, pending early termination of Israeli occupation, to continue to investigate Israeli policies and practices in the Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories and to report to the Secretary-General as soon as possible and whenever the need arises thereafter, and to submit regularly periodic reports to the Secretary-General on the present situation in the occupied Palestinian territory.

7. In order better to comply with the specific request, contained in paragraph 20 of General Assembly resolution 43/58 A, to submit periodic reports on the situation, the Special Committee decided to transmit to the Secretary-General, after its second series of meetings, a periodic report updating information contained in its twentieth report (A/43/694), which has since been submitted to the General Assembly (see para. 19 below).

8. The Special Committee decided to continue its system of monitoring information on the occupied territories and, in reference to paragraph 21 of resolution 43/58 A, to pay special attention to information on treatment of civilians in detention. The Special Committee examined information on the situation in the occupied territories. It also had a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate. The Special Committee took note of several letters addressed to it by the Permanent Representative of Jordan to the United Nations Office at Geneva on matters related to its report.

9. On 6 January 1989, the Chairman of the Special Committee addressed a cable to the Secretary-General appealing to him to bring to the Israeli authorities the expression of deep concern of the Special Committee in view of the illegal deportation from the occupied territories of 13 Palestinians. The Special Committee also decided upon the organization of its work for the year. It agreed to address itself to the Governments of Egypt, Jordan and the Syrian Arab Republic with a view to seeking their co-operation in the implementation of its mandate. The Special Committee also agreed to address itself to the Observer for Palestine and to the International Committee of the Red Cross. Finally, the Special Committee decided that at its next series of meetings it would undertake hearings in the area for the purpose of recording relevant information or evidence.

10. On 6 January 1989, the Special Committee addressed a letter to the Secretary-General seeking his intervention in an effort to secure the co-operation of the Government of Israel.

11. On 6 January 1989, the Special Committee addressed a letter to the Permanent Representative of Egypt, Jordan and the Syrian Arab Republic to the United Nations Office at Geneva in which it requested their co-operation and informed them of the intention of the Special Committee to conduct hearings in their respective countries.

12. Similar letters were addressed to the Observer for Palestine and to the International Committee of the Red Cross.

13. The Governments of Egypt, Jordan and the Syrian Arab Republic subsequently responded to the Special Committee, reconfirming their readiness to continue co-operating with the Special Committee.

14. The Special Committee held a series of meetings at Geneva (22-23 May 1989), Damascus (24-27 May 1989), Amman (28 May-1 June 1989) and Cairo (2-7 June 1989). At these meetings, the Special Committee examined information on developments occurring in the occupied territories between November 1988 and March 1989. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate. The Special Committee took note of several letters addressed to it by the Permanent Representative of Jordan and by the Permanent Observer for Palestine on matters related to its report. At Damascus, Amman and Cairo the Special Committee heard testimonies of persons just returned from or living in the West Bank, the Gaza Strip and the occupied Syrian Arab Golan concerning the situation in those territories.

15. At Damascus the Special Committee was received by the Minister of State for Foreign Affairs, Mr. Nasser Ghaddour. It also conducted consultations with Mr. Dia El-Fattal, Deputy Minister for Foreign Affairs, and Mr. Hani Habib, Director, International Organizations Department, Ministry for Foreign Affairs. During its stay in the Syrian Arab Republic the Special Committee visited the town of Quneitra, where it met with Mr. Smail Said, Deputy-Governor of Quneitra Province.

16. At Amman, the Special Committee was received by the Minister for Foreign Affairs, Mr. Marwan Al Qassim. The Special Committee was presented with a report on the situation in the occupied territories prepared by the Department of Occupied Territories Affairs of the Ministry for Foreign Affairs. During its stay at Amman the Special Committee met with Sheikh Sayeh, President of the Palestinian National Council, as well as other members of the Palestinian National Council. The Special Committee also met with Mr. Zuhdi Seed, Director-General of the Department of Occupied Territories Affairs of the Palestine Liberation Organization, who presented the Special Committee with a number of reports and statistics on the situation in the occupied territories. The Special Committee also received from the Departments of Economic Affairs and of Education and Higher Studies of the Palestine Liberation Organization a series of reports and statistics on that situation.

17. At Cairo the Special Committee was received by the Minister of State for Foreign Affairs, Mr. Boutros Boutros Ghali. It also met with Mr. Emad el Kadry, Director, Department for Palestine Affairs, and Mr. Ibrahim Yousri, Director, Legal Department, of the Ministry of Foreign Affairs. During its stay in Cairo, the Special Committee also visited the Palestinian Red Crescent Hospital where it met Dr. Fathi Arafat, Chairman of the Palestinian Red Crescent.

10. The Special Committee also examined and completed its periodic report (A/44/352) updating information contained in its twentieth report (A/43/694). It decided that oral evidence and any further information relevant to its mandate would be reflected, together with its conclusions, in the present report of the Special Committee.

19. On 7 June 1989, the Chairman of the Special Committee transmitted to the Secretary-General its periodic report (A/44/352) covering the period from 26 August 1988, the date of the adoption of the twentieth report (A/43/694), to 31 March 1989. This report was based on written information gathered from various sources among which the Special Committee had selected relevant excerpts and summaries which were reflected in the report.

20. On 14 July 1989, the Chairman of the Special Committee addressed a cable to the Secretary-General appealing to him to bring to the Israeli authorities the expression of deep concern of the Special Committee in view of the illegal deportation from the occupied territories of eight Palestinians,

21. The Special Committee met again at Geneva from 21 to 25 August 1989. At these meetings, the Special Committee examined information on developments occurring in the occupied territories from April to August 1989. It had before it a number of communications addressed to it by Governments, organizations and individuals in connection with its mandate, as well as records of testimonies collected during its previous series of meetings. The Special Committee took note of several letters addressed to it by the Permanent Representative of Jordan on matters related to its mandate. It examined and completed on 25 August 1989 the present report.

III. MANDATE

22. The General Assembly, in its resolution 2443 (XXIII) entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

23. The mandate of the Special Committee, as set out in the above resolution and subsequent resolutions, was "to investigate Israeli practices affecting the human rights of the population of the occupied territories".

24. In interpreting its mandate, the Special Committee determined that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement Forces of 18 January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974, the demarcation of the areas under occupation was altered as indicated in the maps attached to those agreements. The areas of Egyptian territory under Israeli military occupation were further modified in accordance with the Treaty of Peace between the Arab Republic of Egypt and the State of Israel, which was signed on 26 March 1979 and which came into force on 25 April 1979. On 25 April 1982, the Egyptian territory remaining under Israeli military occupation was restituted to the Government of Egypt in accordance with the provisions of the aforementioned agreement. Thus, for the purposes of the present report, the territories to be considered as occupied territories are those remaining under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank, including East Jerusalem, and the Gaza Strip;

(b) The persons covered by General Assembly resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities. However, the Committee notes that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants of the occupied territories:

(c) The "human rights" of the population of the occupied territories consisted of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories, the pillaging of the archaeological and cultural heritage of the occupied territories, and interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the case of "policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not they were in implementation of a policy, reflected a pattern of behaviour on the part of the Israeli authorities towards the civilian population in the occupied areas.

The geographical names employed in the present report reflect the usage in the original source and do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

25. Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

(a) The Charter of the United Nations,

(b) The Universal Declaration of Human Rights;

(c) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 4/

(d) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; 5/

(e) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954; 6/

(f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land; 7/

(g) The **International** Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. **g/**

26. The Special Committee **has** also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, the General Assembly, the Security Council, the **Economic** and Social Council **and the** Commission on Human Rights, as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organisation, the World Health **Organization** and the International Labour Organisation,

IV. INFORMATION AND EVIDENCE RECEIVED **BY** THE SPECIAL COMMITTEE

27. In the course of carrying out its mandate, the Special Committee **has** relied on the **following sources:**

(a) The testimony of persons with first-hand knowledge of the situation of the population **in the occupied territories;**

(b) Reports in the Israeli press of pronouncements by responsible persons in the Government of **Israel;**

(c) Reports appearing in other news media, including the Arab language press **published** in the occupied territories in Israel and the international **press;**

The Special Committee also received written statements from the Governments of **Jordan** and the Syrian Arab Republic and from the Observer for Palestine. The Government of Jordan and the Observer for Palestine have provided the Special Committee with various monthly and other reports on the situation **in the** occupied territories. The Government of the Syrian Arab Republic has provided the Special Committee with information on the situation in the occupied Syrian Arab Golan. In addition, the Special Committee received written information from intergovernmental organisations such as relevant **specialized agencies** and regional organisations, as well as non-governmental organisations and individuals on the situation in the occupied territories.

28. The Special Committee undertook a series of **hearings** in Damascus, Amman and Cairo during its meetings from 22 May to 7 June 1969. At **these** meetings, the Special Committee heard the testimony of persons having a first-hand knowledge of the human rights situation existing in the occupied territories. These testimonies are contained in documents A/AC.145/RT.507-518, and are reflected below.

29. The Special Committee has taken particular care to rely on information appearing in the Israeli press that has not **been** contradicted by the Government of Israel or that is commonly considered as reliable by the Government.

30. In **the** course of carrying out its mandate, the Special Committee has taken note of information reaching it through a variety of **sources**, such as individuals, organisations and Governments. At its meetings, **the** Committee had **before it** several communications addressed to it directly or referred to it by the

Secretary-General from sources inside the occupied territories, as well as from several parts of the world. Where necessary, the Committee has followed up information contained in these communications.

31. The following paragraphs contain a summary of the information examined by the Special Committee divided as follows:

- (a) General situation;
- (b) Administration of justice, including the right to fair trial;
- (c) Treatment of civilians;
- (d) Treatment of detainees;
- (e) Annexation and settlements;
- (f) Information concerning the occupied Syrian Arab Golan.

32. This information has been divided into oral evidence and written information. In order to comply with restrictions on the volume of documentation now enjoined upon United Nations reports, the Special Committee has endeavoured to present this information under the most compact and concise form possible. Oral evidence, for which a full record of testimonies is available in documents A/AC.145/RT.507 to 518, has been condensed to a general indication of the contents of such records. The report also attempts to summarize written information. This information is reflected in more detail in documents of the Special Committee, which are available on file at the Secretariat.

A. General situation

1. General developments and policy statements

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 8-46)).

33. On 3 April 1989, the Co-ordinator of activities in the territories, Shmuel Goren, met, for the first time since the beginning of the uprising, with representatives of all the religious organizations in the Gaza Strip. Following the meeting in Gaza it was announced that the civil administration intended to release hundreds of Palestinian detainees held in IDF detention facilities in the southern part of Israel. Promises were also made to the Arab religious officials that more families would be given reunion authorizations, and that Israel Defence Force (IDF) forces would try to refrain from entering mosques - unless they were involved in disturbances of the peace. (Jerusalem Post, 3 April 1989; Ha'aretz, 4 April 1989)

34. On 16 April, it was reported that new means to disperse demonstrations in the territories had been presented at a current security meeting held recently in the

Gaza Strip. The new means included a small glider ' at would fly over areas where disturbances were taking place and would provide reports to the IDF, and a tear-gas rocket that may be launched from a travelling car. (Ha'aretz, 16 April 1989)

35. On 24 April, figures compiled by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) showed that at least 24,977 Palestinians have been injured and 442 killed in clashes with Israeli soldiers from the start of the intifadah on 9 December 1907 through 15 April 1989. The breakdown of casualties was the following: Gaza Strip, 18,000 injured (36 per cent of them children aged 15 and under) and 131 killed (19 per cent children); West Bank, 6,799 injured (14 per cent aged 15 and under) and 311 killed (14 per cent children). The figures, comprising only those reported or made known to UNRWA but including non-refugee Palestinians, include injuries from gunshots, beatings, rubber bullets and tear-gas administered by the Israeli army. (Al-Fajr, 24 April 1989)

36. On 1 May, Defence Minister Rabin was reported to have declared at the weekly cabinet meeting that the IDF would not take more severe military measures to suppress the uprising, unless it was "in order to achieve political objectives". (Ha'aretz, 1 May 1989)

37. On 4 May, settlers declared their intention to shoot at and injure stone-throwers (see also para. 261). (Attalia, 11 May 1989)

38. On 4 May, several reports by international humanitarian bodies indicated a marked increase in death casualties among Palestinian children killed by IDF troops. The situation is particularly alarming in the Gaza Strip where many of the victims include children aged 5 and 6. The Swedish Save the Children organization indicated that the shooting of children was not a result of mistakes or accidents. It accused IDF soldiers of purposely firing at children and youngsters. Another report by the Canadian Middle East Centre for Culture and Education showed that 107 children aged under 17 were killed during the 14 months of the uprising. Most of them were shot and hit in the head, chest or stomach. (Attalia, 4 May 1989)

39. On 12 May, figures concerning casualties linked with the uprising were made public by a new organization called "Betzelem" - Israeli Information Centre on Human Rights in the Occupied Territories. It was reported that since the start of the uprising until the end of April 1989, 423 Palestinians were killed by security forces or Israeli civilians. These included 392 who were shot with live ammunition, including plastic bullets; 15 were children under 12 and 59 youths aged 13 to 16; 31 were killed as a result of beatings, electrocution, burns and other injuries not due to the use of live ammunition; and three were children under 12 and two were aged 13 to 16. In addition, 70 Palestinians died shortly after being exposed to tear-gas. These included 27 babies. During the same period four IDF soldiers and nine Israeli civilians, including three babies, were killed in incidents linked to the uprising. In April 1989 alone 33 Palestinians were killed - a marked increase in comparison with March 1989 (21 killed), February 1989 (17 killed) and January 1989 (19 killed). (Ha'aretz, 12 May 1989)

40. On 15 May, the Deputy Chief of Staff, Ehud Barak, revealed, in a declaration given to the High Court of Justice the IDF standing instructions on the use of

plastic bullets. He said that before firing these bullets a soldier must take six requirements into consideration: that all other means must be exhausted before the bullets were fired; that before firing at a person, a warning shot must be fired into the air; that a commander present at the scene must give the order to fire; that the soldier must weigh carefully the decision to fire and that fire must be aimed carefully below the knee. If the nature of the terrain prevents accurate shooting the soldier should not fire, and the fire must be aimed only at a particular individual. Special care must be taken to avoid others when firing, especially women and children under 16. Barak said that since the IDF started using plastic bullets nine months earlier, 154 Palestinians were killed in the territories, including 61 from plastic bullet shots, as compared with 204 previously, a drop of 25 per cent in the death rate. (Ha'aretz, Jerusalem Post, 16 May 1989)

41. On 27 May, some 2,500 Israelis and 1,000 Palestinians held "peace meetings" organised by Peace Now in six West Bank localities. The meetings were arranged in co-operation with local activists. (Ha'aretz, Jerusalem Post, 28 May 1989)

42. On 10 June, Defence Minister Rabin revealed in an interview to the military radio station that the capacity of IDF detention facilities would be increased shortly from the present 8,500 to over 10,000 detainees. At present, 8,500 detainees or prisoners were being held in IDF detention facilities, in addition to over 4,000 convicted terrorists being held in prisons. Mr. Rabin said that, in order to further calm down the violence in the territories, more means were needed for "selective punishment of activists". Expulsion of inciters was, in principle, a good example for such a selective punishment, but at present, over nine months of legal proceedings could pass before someone was expelled, with the result that the desired effect was lost. (Ha'aretz, 11 June 1989)

43. On 14 June, the Israeli Information Centre on Human Rights in the Occupied Territories released data on the number of persons killed in the territories since the beginning of the uprising until mid-June 1989. According to the data approximately 20 per cent of those killed were under 16 years of age. Some 425 Palestinians were killed by gunfire (including plastic bullets), shot by the security forces or by Israeli civilians. They included 17 children under 12 and 68 aged 13 to 16. Another 32 were killed by beatings, electrocution, burning and other causes and over 70 others, including nearly 30 babies, died shortly after being exposed to tear-gas. (Ha'aretz, 15 June 1989)

44. On 19 June, it was announced that Southern Region Commander Aluf (Maj.-Gen) Yitzhak Mordekhai was to replace Aluf Amram Mitsna as Central Region Commander. The new Southern Region Commander would be the present head of Manpower Branch in the General Staff, Aluf Matan Vilnai. (Jerusalem Post, 20 June 1989)

45. On 21 June, it was reported that Defence Minister Rabin had asked the Justice Minister and the Attorney-General to devise the legal means to implement several new punitive measures to help the IDF and the security services deal more effectively with continued violence in the territories. Mr. Rabin specifically asked Justice Minister Dan Msridor to find the "legal solution" to permit the expulsion, within 72 hours to one week, of "central figures taking part in

incitement, organisation and participation in violence", to be able to demolish or seal houses without appeal and to extend administrative detention terms from 6 months to one year. On 23 June 1989, it was reported that the Justice Ministry strongly objected to some of these measures. (Jerusalem Post, 21, 23 June 1989)

46. On 5 July, it was reported that new regulations for opening fire at suspects had recently been introduced in the territories. Chief of Staff Dan Shomron told the Knesset Foreign Affairs and Defence Committee that Palestinians in the territories who went out on the streets with their face masked could now be fired at in case they ignored an order to halt. According to one report the new regulations were, for the time being, applicable only in the Gaze Strip and were intended to deter masked youths who have recently been confiscating and destroying permits given to Arab workers to travel to Israel for their jobs. (Ha'aretz, Jerusalem Post, 5 July 1989)

47. On 10 July, the IDF spokesman issued data on the number of casualties among the Palestinian population since the beginning of the uprising. According to the data, which were up to date for 4 July 1989, 417 Arabs were killed and 6,912 injured (the Israeli Information Centre on Human Rights put the figure of Arabs killed at 406, and the Associated Press agency at 482). The IDF spokesman gave the following data for the period from December 1987 to June 1989 (until 4 July 1989). In the West Bank: the IDF suffered 7 dead and 778 injured Jewish settlers - 9 dead and 601 injured, Palestinians - 263 dead and 4,650 injured. In the Gaza Strip: IDF - 477 injured; Jewish settlers - 53 injured; Palestinians - 154 killed and 2,262 injured. Some 160 houses were demolished in the West Bank and 67 in the Gaza Strip; 68 houses were sealed in the West Bank and 34 in the Gaza Strip. Some 53 Palestinians were expelled and 5 others had expulsion orders issued against them. A total of 8,355 Palestinians were at present being detained! 1,766 of them were convicted prisoners and 1,429 were detained pending their trial; 3,433 persons were detained until the end of the legal proceedings and 1,815 were administrative detainees. According to data issued by the Israel Human Rights Centre the number of Palestinians killed in the territories since the start of the uprising was 486, including two persons shot to death on 9 July 1989. These figures included Palestinian6 killed by Israeli civilians. Some 452 of them were killed by live or plastic bullets - including 21 children under 12 years of age and 71 children aged 12 to 16; 32 were killed as a result of beating, electrocution or other causes. The figures did not include persons who died as a result of inhaling fear-gas since the link between gas inhalation and death had not been proven beyond doubt. According to "Associated Press", in addition to 482 Palestinians killed by troops and Israeli civilians, 70 others were killed by other Palestinians, mostly on suspicion of collaborating with Israel. Palestinian sources added in their figures several dozen people killed in unclear circumstances, mostly as a result of strong exposure to tear-gas. (Ha'aretz, 10 July 1989)

48. On 2 August, it was reported that, according to statistics published the previous day by the Israeli Information Centre on Human Rights in the Occupied Territories, "Betzelem", 509 Palestinians had been killed by Israeli soldiers and civilians since the start of the uprising in December 1987; 477 of them were killed by live ammunition and plastic bullets - including 23 children aged up to 12, and 76 aged between 13 and 16; 32 others were killed by other causes, such as beatings,

burns or electrocution. Over 70 others died shortly after exposure to tear-gas, including some 30 babies. In the month of July alone 32 Palestinians were killed, compared with 20 in June. During the same period 10 Israeli civilians, including three infants, and five soldiers were killed in incidents related to the uprising. (Ha'aretz, Jerusalem Post, 2 August 1989)

49. On 2 August, it was reported that Palestinian activists in popular committees in several towns and villages in the northern West Bank had been keeping a network to collect information on alleged collaborators with Israel. For that purpose they reportedly set up at least two centres of interrogation operating in Nablus. In other localities, many alleged collaborators were kidnapped and intensely interrogated for several days in secret "popular committee," hiding places. According to the report, interrogation of suspected collaborators was accompanied by violence and death threats if the interrogated informed the security authorities about their interrogation. (Ha'aretz, 2 August 1989)

50. On 3 August, the High Court of Justice rejected a petition of the Association for Civil Rights in Israel, which challenged use by the IDF of plastic bullets. The president of the Supreme Court, Justice Meir Shamgar, and Justices Moshe Beisky and Eliyahu Matza ruled that there was no legal flaw in the IDF policy. They added that they did not find anything in the material that was submitted to them indicating that illegal orders had been given in connection with the use of plastic bullets. They concluded that the use of fire arms in circumstances which justified such a use "according to the principles of law, could not constitute a reason for intervention by the High Court of Justice". (Ha'aretz, Jerusalem Post, 4 August 1989)

51. On 17 August, it was reported that the IDF Central Region Command was considering new ways and methods to suppress violence connected with the uprising. Among the new means the following were mentioned: Shooting at masked persons, in the framework of the "procedure to arrest a suspect" (a method that was introduced in the Gaza Strip one month earlier); resorting to harsher collective punishment in cases of terrorist acts involving the use of fire-arms (such as sealing the street, shops and alleys in Ramallah where a petrol bomb was thrown at a car of Israeli tax-collectors); and imposition of night curfews on towns and villages where violent activities were carried out after night-fall - as was done in Jenin recently, and in many Gaza Strip localities, for extended periods of time. (Ha'aretz, 18 August 1989)

2. Incidents linked with the uprising of the Palestinian population against the occupation

Oral evidence

52. Most witnesses testified on the dramatic conditions prevailing in the territories as a consequence of the uprising. Many referred to their personal experience, often involving wounding by bullets, tear-gas or beating, during clashes with members of armed forces or settlers, and resulting in several cases in severe injuries.

"We were taking part in a peace march in honour of one of the martyrs. The army was trying to attack the city but it was unable to do that because of the crowds. So the helicopters came and they started to drop gas bombs and stones, and to fire bullets. I was one of those who fainted. A large number of people lost consciousness. I remained unconscious for about 12 hours. When I woke up I found difficulty in breathing, my nose was running, my face was hurting and my body felt very weak. That was how I felt. I remained like that for a month." (Ms. Ahlam Mohamed Said, A/AC.145/RT.510)

"... That night a large number of the army came to our town. We don't know how many there were because there were very many. They started arresting many of the young men. They took about 15 of them who were asleep in their houses. In other parts of the town the families woke up and heard the noise, and every mother, when hearing the neighbours being attacked by the police, woke up her children and told them to run away. For example, my mother ran from the house where I used to live, which is about 200 m. away from the old house. She woke me up so that I could run away. When we ran away we found that the whole town was surrounded by the army wherever you went you were faced by army men. So we had to defend ourselves, because we knew we were facing death. Women, children, young girls, the old, the elderly, all of them came out to defend the young men. Of course, there were skirmishes with the police. We started showering them with stones, and from the first stone that hit, they started firing live ammunition. This was 3.30 a.m., when we had the skirmishes with the army; it was still dark. It continued until 5 o'clock in the morning. In the morning, when we started counting, we found we had lost three martyrs and there were 25 wounded. We tried to take the wounded to hospital but we found that the army was camped about 1 km outside the town and they started firing at the cars that were carrying the wounded. In the end the Red Cross intervened and we were able to have ambulances come to take the wounded to hospital." (Mr. Muphid Nearat, A/AC.145/RT.510)

"The army withdrew and the settlers started coming towards the village at about a quarter of ten to eleven. When the settlers walked into the village, they fired at the water tank on the roof of a house. They went to another house; they entered through the eastern door and pointed their guns at the owner of the house. He asked them why they were doing that. One of them lowered his rifle and fired, wounding him in the leg with two dum-dum bullets which exploded. They also fired on another person, again aiming at the legs, in order to break them. Another house had a glass enclosed verandah which they broke, and they also destroyed a car parked near the house. Another group of settlers wounded a 14 year-old boy. He received a bullet in the side of his stomach, which came out at the other side, and the doctor who treated him said that the bullet damaged the liver of the young man." (Anonymous witness, A/AC.145/RT.512)

"Fourteen soldiers came and attacked the house. They started breaking things. They broke the television set and the furniture and the windows. I asked them why they were doing this. One of the soldiers hit me in the back with his gun. When he did this, I pushed him and he fell to the ground. Then another soldier came to the assistance of the first one and he fired at me." (Miss Judeh Saleh, A/AC.145/RT.514)

53. Testimonies relating to the incidents linked with the uprising of the Palestinian population against the occupation may be found in documents A/AC.145/RT.507 (Dr. Hani Habib); A/AC.145/RT.509 (Dr. Samir Salameh Khalil); A/AC.145/RT.510 (Ms. Ahlam Mohamed Said, Mr. Abdel Nasser Mahmud, Mr. Hekmat Jaber, Mr. Muphid Nearat, Mr. Omar Basha); A/AC.145/RT.512 (two anonymous witnesses); A/AC.145/RT.512/Add.1 (Mr. Walid Said Muatapha, Mr. Zuhdi Saed); A/AC.145/RT.513 (Mr. Usama Sayeh); A/AC.145/RT.514 (Ms. Amal Ousman Mustapha, Miss Judeh Saleh, Mr. Hanan Loubadeh); A/AC.145/RT.515 (six anonymous witnesses); A/AC.145/RT.516 (an anonymous witness); A/AC.145/RT.517 (two anonymous witnesses) and A/AC.145/RT.518 (Mr. Hafes Toukan),

Written information

(Information on this subject covering the period from 26 August 1989 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 47-50)).

54. During the period covered by the present report, the Special Committee continued to receive communications from various sources, as well as a considerable amount of reports from various newspapers, providing information on the overall situation resulting from the uprising of the Palestinian population against the occupation. According to these reports, civilian deaths have continued to occur on a wide scale. In a communication transmitted by Amnesty International dated 26 May 1989 entitled "Israel and the Occupied Territories: Extrajudicial Executions - Atwah Lutfi Umar Hireallah", Amnesty International expressed its grave concern about information suggesting that Mr. Hirsallah, aged 26, was the victim of an extrajudicial execution after troops had ambushed him in the West Bank village of Deir Ibzi near Ramallah on 27 February 1989. (See also "Administration of justice", para. 85 below.)

55. Numerous serious incidents, occurring practically every day and in several localities were reported during the same period. These incidents, which included violent clashes between Palestinians and Israeli forces in various areas of the occupied territories, and resulted in several hundred cases of deaths, also provoked severe injuries by live, rubber, "improved rubber" (metal marbles covered with rubber) and plastic bullets, burns provoked by exploding or flammable objects, tear-gas and beatings and affecting all categories of civilians, including very young children. Many clashes occurred between Palestinians and settlers who waged anti-Arab demonstrations and organised arsons and retaliation raids after stone-throwing incidents (see also "Settlers' activities"). Clashes also occurred between civilians and "demolition teams" coming to demolish illegally-built houses. Other incidents included wide-spread demonstrations, commercial or general strikes by the Palestinian population, petrol bombs throwing; raids on many localities and villages by IDF soldiers, border policemen and paratroopers in order to carry out scores of arrests, collect taxes, or remove Palestinian flags and graffiti; attacks on suspected collaborators; the imposition of curfews and closing off of villages and sometimes entire areas, for periods of varying durations (see also "Collective punishment").

56. In view of the frequency of such incidents, which, if listed extensively would have taken up considerable space, only a few examples among the most serious are cited below in order to illustrate the situation in that regard.

57. 13 April 1989 - A very serious clash took place at dawn in the village of Nahalin near Bethlehem, when a border police unit that had raided the village to carry out arrests was attacked by local youths throwing stones and other objects at them. The border police unit reacted by opening fire. Four youths were killed (see table) and at least 13 others were injured, including four seriously. Arab sources put the number of injured at 35. Many others were injured from tear-gas. According to villagers, during the week preceding the raid border policemen regularly harassed and provoked the villagers, insulting them and exposing themselves in front of women. On the day preceding the raid there was a clash

between border policemen and local youths. According to eyewitnesses in the village once the raid, which went on for half an hour, was over, a dispute broke out between IDF officers and the border police unit concerning the way the operation was conducted. Villagers also said that the border policemen had shot tear-gas, rubber bullets and live ammunition without provocation, firing continuously and sniping from the upper floor of a building. Men in civilian clothes were also seen firing. Several persons were shot as they rushed to tend to the wounded. Central Region Commander Amram Mitsna appointed a team of senior officers to investigate the incident. The inquiry was being conducted by a brigadier-general, a colonel and a border police commander. On 30 April 1989, unofficial reports on the findings of the inquiry indicated that the border police unit involved in the raid had "lost control and fired excessively", "Border police troops violated IDF orders for firing at demonstrators". The findings of the inquiry were presented to the Chief of Staff and were to be made public later in the week. (Ha'aretz, Jerusalem Post, 14, 16 and 30 April 1989; Al-Fajr, 17 April 1989; Attalia, 20 April 1989)

58. 25 and 26 April 1989 - Three persons were killed (see table) and almost 80 were injured, most of them in the Gaza Strip, over the two days of the Jewish Passover holiday. The worst clashes occurred in Shati camp and in Sabre neighbourhood. A two-year-old child, Siham al-Hadad, was injured in the head in Sajai'ya. Violent clashes were also reported in several West Bank localities and in Particular in Tulkarem and the nearby camp. (Ha'aretz, Jerusalem Post, 27 April 1989)

59. 5 and 6 May 1989 - Fierce clashes were reported in the Gaza Strip during the weekend. According to UNRWA sources they were the fiercest and bloodiest since the beginning of the uprising. Four were killed (see table) and over 150 injured. The worst clashes were reported in Nuseirat camp, but clashes were reported in almost all the camps and towns of the Gaza Strip. Violent clashes were also reported in several West Bank localities, despite widespread preventive curfews on most of the towns and camps. (Ha'aretz, 7 May 1989; Attalia, 11 May 1989; Al-Fajr, 15 May 1989)

60. 19 and 20 May 1989 - A very serious clash occurred in Shabura neighbourhood in Rafah when hundreds of local residents attacked an IDF patrol with stones and iron bars. The area had been under curfew for 14 days running and residents complained of severe food shortage and of widespread arrests in Rafah. The troops opened fire, killing five persons and injuring 14 others. The disorders spread to Jabaliya, where one person was killed (see table). Six persons were shot and injured in clashes in the West Bank. Troops carried out raids on villages and arrested wanted youths. An Israeli sergeant and three members of a Palestinian cell were killed, and three Israeli soldiers were injured, one critically, in an armed clash which took place on the night of 18 May 1989 near Beit Ula, in the Hebron area. The IDF demolished five houses in Idna and Nuba, which belonged to the cell members. The security authorities reportedly forced Ataf Najajra from Nabal in to bury the bodies of the three Arab gunmen. (Ha'aretz, Jerusalem Post, 21 May 1989; Al-Fajr, 22 May 1989)

61. 8, 9 and 10 June 1989 - A general strike was observed in the West Bank to mark the beginning of the nineteenth month of the uprising, and the Gaza Strip remained under curfew. In violent clashes over the Jewish holiday of Shavuot and the weekend three Palestinians were killed (see table) and some 70 were shot and injured. The most violent clashes were reported in Gaza Strip camps. (Ha'aretz, Jerusalem Post, 11 June 1989)

62. 16 and 17 June 1989 - In violent clashes over the weekend four Palestinians were killed (see table) and at least 22 were shot and injured. The worst clash occurred in Rafah when troops opened fire at youth⁶ who attacked them with rocks and iron bars. Following the clash the area was placed under curfew. Troops continued raiding West Bank villages. (Ha'aretz, Jerusalem Post, 18 June 1989)

63. 18 June 1989 - Several serious clashes were reported in the West Bank and the Gaza Strip. Three Palestinians were killed (see table) and some 30 other⁶ were injured. An ambulance driver from Nablus was shot in the chest by troops and seriously injured as he arrived to evacuate persons injured in an earlier incident. In Gaza, a group of unidentified assailants opened fire at a civil administration officer slightly injuring him and killing a local resident (see table). The body of an Israeli settler, Frederick Steven Rosenfeld, aged 48, from Ariel, was found in a deserted area between Burkin and Salfit. He had been stabbed to death. The army imposed curfew in the area and launched extensive searches. (Ha'aretz, Jerusalem Post, 19 June 1989)

64. 23 and 24 June 1989 - A general strike was observed in the Gaza Strip and a partial strike was reported in the West Bank in response to a call by the Hamas movement. Troops carried out numerous raid⁶ on villages and arrested many wanted persons, mostly former administrative detainees. Several raid⁶ led to violent clashes. (Ha'aretz, Jerusalem Post, 25 June 1989)

65. 4 July 1989 - A general strike was observed in the Gaza Strip called by the Islamic Jihad. Several stone throwing incident⁶ were reported in the Hebron area. A Kiryat Arba settler was injured in the head. Four people, including a girl aged 4, were wounded in Rafah, and six others in Jabaliya and Gaza. Balata remained under curfew. Security forces in the West Bank carried out a massive arrest operation, detaining some 200 persons suspected of membership in the "popular committees" and "shock committees", regarded as the organizing force behind the uprising. Nearly 100 arrests were made in the Ramallah area alone, including 40 senior activists in Ramallah itself. Arrests were also made in El-Bireh, Kadoura and Kalandiya camp, and in other major West Bank towns - Hebron, Bethlehem, Jenin and Kalkilya. (Ha'aretz, Jerusalem Post, 5 July 1989)

66. 6 July 1989 - A resident of Nuseirat camp in Gaza, named as Abd al-Hadi Suleiman Ghneim, aged 25, seized the steering wheel of an Egged bus going from Tel Aviv to Jerusalem, causing the bus to leave the road and crash into a ravine. As a result 14 passengers were killed and 27 were injured, 7 seriously. Ghneim was injured and hospitalized. Few other incident⁶ were reported. (Ha'aretz, Jerusalem Post, 7 July 1989)

67. 7 and 8 July 1989 - Many violent clashes were reported over the weekend in Rafah and elsewhere in the Gaza Strip. Six were injured, four seriously, including a boy aged 12 who was shot in the head. Several people were injured in clashes in the West Bank. A soldier was injured by a stone thrown in Gaze. In Jerusalem and in other places in Israel Arabs were attacked by Jews in retaliation for the Egged bus attack. There were several stone throwing incidents at Arab cars. (Ha'aretz, Jerusalem Post, 9 July 1989)

68. 10 July 1989 - In a series of violent clashes three Palestinians were shot dead and 17 others were injured, 11 in the West Bank. Most of the casualties occurred during raids and operations initiated by the security forces. An IDF spokesman reported that the security forces had killed an armed Arab in the Mt. Hebron area over the weekend. More attacks were reported on Arabs in Israel. Responsibility was claimed by "Kach" activists. Two Israeli bus passengers were injured from stones thrown at buses in the Tel Aviv area and in Beersheba. (Ha'aretz, Jerusalem Post, 11 July 1989)

69. 17 July 1989 - Serious clashes were reported in the evening in the Gaza Strip when troops were trying to enforce curfews; 15 persons were injured, including two children aged 8 and 9, and a youth aged 17 who was critically wounded in the head. Several people were shot and injured in the West Bank. A general strike was observed in the Gaza Strip. Anti-Arab incidents and stone throwing were reported in Can Yavne following the murder of local resident Zalman Shlein. (Ha'aretz, Jerusalem Post, 18 July 1989)

70. 25 July 1989 - Nineteen Palestinians were shot and injured in clashes in the territories, four of them in Hussan, near Bethlehem, during a raid. In Gaza a woman aged 65, Fatma Badawan, died of a heart attack when troops burst into her home searching for stone throwers. Security forces apprehended three wanted youths after a shoot-out in Nablus in which the three were injured. Ziad Sami an-Najar, aged eight, of Khan Yunis was seriously injured in the stomach. (Ha'aretz, Jerusalem Post, 26 July 1989)

71. 8 August 1989 - One person was killed in violent clashes in the village of Burkin (see table) and 16 were injured in several clashes in the territories. According to Burkin villagers, clashes erupted when Israeli soldiers dressed as Arabs had entered the village in a car with West Bank number plates. Raids were carried out in several villages in the Jenin area. In Kafr Dan several villagers were severely beaten by troops. Curfews were in force in Tulkarem and Nur Shams camps and in Jabaliya and Khan Yunis camps in the Gaza Strip. There were reports of attacks on villagers by suspected collaborators who were protected by soldiers posted nearby. An Israeli settler infant, Itai Hamtzani (18 months), from Ariel, was shot and killed by soldiers on the trans-Samaria road. His father, travelling in a car, opened fire at soldiers he mistook for Arabs. The soldiers returned fire, hitting the boy and injuring his father and the three and a half year old brother. (Ha'aretz, Jerusalem Post, 9 August 1989)

72. 9 August 1989 - Extremely violent clashes took place in the Shati camp, Gaza, during the entire day and evening. Two were killed (see table), three were seriously injured and another 25 were slightly injured, including four women and a

12-year-old boy, Mahmud Abu-Hoda. The riots started when youths started stoning an IDF post inside the camp. Other serious clashes were reported in Hebron and in other places in the West Bank, where a general strike was observed. A 10-year-old boy was shot and seriously injured in Tulkarem camp. A youth was injured in Fawar camp near Hebron. (Ha'aretz, Jerusalem Post, 10 August 1989)

73. 11 and 12 August 1989 - In a weekend of violence five suspected collaborators or persons accused of "immoral behaviour" were killed, and troops shot and killed a three-year-old girl (see table) and shot and wounded 18 others. Serious clashes, involving injuries, were reported in Bethlehem (one youth seriously injured), Beit Furik (a 19-year-old man seriously injured), Yatte (a 14-year-old boy seriously injured) and Balata (a four-year-old boy injured). In clashes in the Gaza Strip, nine residents were shot and injured, including two aged 52 and 58. Three villagers from Tamun were injured when a bomb went off. A 15-year-old boy from Yamun village, Nasser Hassan Abahara, died of natural causes as he was escaping from soldiers. Sources in the Jenin hospital confirmed the cause of the death was heart failure. (Ha'aretz, Jerusalem Post, 13 August 1989)

74. 16 August 1989 - A second day of a general strike and a serious escalation in violence were reported in the West Bank. The worst clashes occurred in Nablus and nearby Asker camp. Troops fired many bullets, injuring four, two seriously: Nasser Kniri, aged 20, and Najla Anadi, aged 14 (who later died of her wounds - see table). Several other children and youths, including girls, were injured when the confrontation continued in the evening. In Nablus, Said a-Dahil, aged 15, was injured in the head. Other people were shot and injured in Kabatiya and Beit Fajar, where riots broke out after the civil administration demolished five houses that had been built without a permit. Six people, including a 40-year-old woman, were injured in clashes in the Gaza Strip. Two settlers from Kiryat Arba were slightly injured when their car overturned after being stoned in Halhul. In Jenin a curfew was in force for the fifth consecutive day. In Tulkarem and Nur Shams camps curfews were lifted after two weeks. Clashes with troops erupted immediately following the lifting. (Ha'aretz, Jerusalem Post, 17 August 1989)

75. 21 August 1989 - A general strike was observed in the territories and many violent clashes were reported. Three people were killed in the West Bank (see table) and a dozen were shot and injured - several seriously. Two Rafah residents, Saber Shamili, aged 30, and Aid el-Kader Bashti, aged 55, were seriously injured by unidentified people for suspected collaboration. Violent clashes involving injuries caused by shooting were reported in Takua, A-Ram, Dahiyat al-Barid (in Jerusalem), Beit Iba, near Nablus, where Mahmut al-Khatib, aged 17, was seriously injured, and Tulkarem camp where several children were shot and injured. In connection with an incident in Bethlehem on 19 August 1989 in which Radi Salah, 21, was shot and killed by soldiers posing as tourists, another youth injured in the same incident, Sharif Zawahara, aged 19, told an Israeli lawyer that he had been shot in the leg from a distance of two meters by one of four "tourists" who had stepped out of two shops (and opened fire at masked youths who had stoned an army patrol). Zawahara said he was then grabbed by the collar and shot in the other leg. Soldiers hit him with a helmet and arrested him. After being beaten again he was taken to hospital. An IDF spokesman said that an autopsy performed on Amjad Jibril's body, and a reconstruction of events in the area, showed that he was

not killed by the security forces, According to autopsy findings at the Abu-Kabir forensic institute, Jibril had been shot at close range with a 9 mm bullet, most probably fired from a pistol. Jibril's father petitioned the High Court of Justice against reinterment of the body until it was examined by a pathologist chosen by the family, (Ha'aretz, Jerusalem Post, 22 August 1989)

76. 22 August 1989 - The escalation in violence reportedly continued as three more people were shot and killed in clashes (see table), Violent clashes were reported in Tulkarem (where a youth aged 19 was injured when soldiers riding a commandeered Arab car opened fire after it was stoned), Zawiya, Barta'a, Deir el-Balah and Gaza, where a seven-year-old boy, Baraka al-Masri, of Beit Hanun, and a 55-year-old merchant were shot and injured. Three local youths in Jabaliya who were collecting magnetic ID cards from residents were shot and injured in unclear circumstances. (Ha'aretz, Jerusalem Post, 23 August 1989)

77. The following table provides details concerning Palestinians killed between 1 April and 25 August 1989 in the occupied territories, and the circumstances of their death as reported in various newspapers. The following abbreviations of the names of newspapers are used in the table:

AF Al-Fajr
AT Attalia
H Ha'aretz
JP Jerusalem Post

Date	Name and age	Place of residence	Remarks and source
1 Apr. 1989	Akram Mustafa al-Yassini, 23	Eiearia, East Jerusalem	Killed by a bullet in the heart during a violent clash, when he was allegedly about to throw a large rock at a soldier. (H, JP, 2 Apr. 1989; AT, 6 Apr. 1989; AF, 10 Apr. 1989)
1 Apr. 1989	Awad Farah Amar, 23	Hebron	Died in hospital of wounds sustained two days earlier when he was allegedly shot by local settlers. The Judea Region Police was investigating the case. (H, JP, 2 Apr. 1989; AT, 6 Apr. 1989; AF, 10 Apr. 1989)

Date	Name and age	Place of residence	Remarks and source
3 Apr. 1989	Muhammad Ismail al-Baba, 20	Al-Amari camp	Killed by a bullet in the heart by troops during a clash, (H, 4 Apr. 1989; AT, 6 Apr. 1989; AF, 10 Apr. 1989)
6 Apr. 1989	Salem Ismail Mubarak, 26	Ta' amra village near Bethlehem	Died in hospital of wounds sustained a week earlier, during Land Day, when a border policeman chasing a group of youths shot him. (H, JP, 7 Apr. 1989; AF, 10 Apr. 1989; AT, 13 Apr. 1989)
9 Apr. 1989	Ahmad Muhammad Daoud, 63	Hebron	Killed by a bullet in the heart by troops during a clash in Kaytun neighbourhood, allegedly after trying to attack a soldier with a pitchfork, (H, JP, 10 Apr. 1989; AT, 13 Apr. 1989; AF, 17 Apr. 1989)
9 Apr. 1989	Mahmud Diab Noaman Nabhan, 13	Jabaliya village, Gaza Strip	Killed by a plastic bullet in the heart by troops after dozens of youths threw petrol bombs at soldiers. (H, JP, 10 Apr. 1989; AT, 13 Apr. 1989; AF, 17 Apr. 1989)
10 Apr. 1989	Khaled Yussef Shawish, 20	Jerusalem	Shot and killed by an unidentified Jewish assailant dressed with IDF uniform and armed with a sub-machine gun. (H, JP, 11 Apr. 1989; AT, 13 Apr. 1989)

Date	Name and age	Place of residence	Remarks and source
10 Apr. 1989	Jamil Kamel Jamil Natshe, 22	Hebron	Killed by troops who opened fire at masked youths who stoned them. (JP, 11 Apr. 1989; H, 12 Apr. 1989; AT, 13 Apr. 1989; AF, 17 Apr. 1989)
13 Apr. 1989	Fuad Yussef Najajra, 15; Subhi Mahmud Shakarna, 22; Mohammad Hssan Shakarna, 23; Riad Mohammed Ghayada, 28	Nahalin village near Bethlehem	Killed by border police during a serious clash following a raid carried out at dawn. The border policemen opened fire after being ambushed and attacked by dozens of stone-throwing youths. (H, JP, 14 Apr. 1989; AF, 17 Apr. 1989; AT, 20 Apr. 1989)
13 Apr. 1989	Deoud Nasr Keraka, 18	Bethlehem	Died in hospital of wounds sustained during a clash with troops on 6 April 1989. (H, JP, 14 Apr. 1989; AF, 17 Apr. 1989; AT, 20 Apr. 1989)
14 Apr. 1989	Bassel Mahmud Ba'ara, 19	Nablus	Killed by troops during a clash at Ras el Amud neighbourhood. (H, JP, 16 Apr. 1989; AF, 17 Apr. 1989; AT, 20 Apr. 1989)
14 Apr. 1989	Maher Nadi Shalbak, 13	Jenin	Died in hospital of wounds sustained on 8 April 1989 during a clash with troops. (H, JP, 16 Apr. 1989; AF, 17 Apr. 1989; AT, 20 Apr. 1989)

Date	Name and age	Place of residence	Remarks and source
15 Apr. 1989	Imad Karaka, 22	Dheisheh camp	Shot and killed in his house by troops during a curfew. The incident was being investigated. (H, JP, 16 Apr. 1989: AT, 20 Apr. 1989; AF, 24 Apr. 1989)
16 Apr. 1989	Muhammad Raba 'i, 10	Samu 'a, south of Hebron	Killed by troops during a stone-throwing incident. (H, JP, 17 Apr. 1989; AT, 20 Apr. 1989; AF, 24 Apr. 1989)
16 Apr. 1989	Nasser Kassas, 15	Dhaisheh camp	Shot and killed by troops as he stepped out of his house during a curfew. The incident was being investigated, (H, JP, 17 Apr. 1989; AT, 20 Apr. 1989; AF, 24 Apr. 1989)
16 Apr. 1989	Khalil al-Astal (or Salim Khalil), 22	Khan Yunis	Was killed by troops after allegedly trying to stab a soldier with a knife while resisting arrest. (H, JP, 17 Apr. 1989; AT, 20 Apr. 1989; AF, 24 Apr. 1989)
17 Apr. 1989	Rafida Khalil Abu Laban, 13	Dheisheh camp	Killed by troops during a funeral procession for a youth killed in the camp earlier. (H, JP, 18 Apr. 1989; AT, 20 Apr. 1989; AF, 24 Apr. 1989)

Date	Name and age	Place of residence	Remarks and source
17 Apr. 1989	Fares Salha, 56	Jabaliya	Died in hospital of wounds sustained on 27 March 1989, when he was severely beaten by troops. The death was being investigated. (H, JP, 18 Apr. 1989; AT, 20 Apr. 1989; AF, 24 Apr. 1989)
17 Apr. 1989	Riyad Hassan Salama, 13	Jabaliya	Shot and injured by troops during clashes that erupted following news of Fares Salha's death. Died in hospital of loss of blood, (H, JP, 18 Apr. 1989)
18 Apr. 1989	Nadira Boulous, 43	Nablus	Stabbed to death by masked youths. Was allegedly suspected of collaboration with Israel. (H, JP, 19 Apr. 1989)
18 Apr. 1989	Kamal Iyad, 18, and his mother Rebecca, 45	Zeitun neighbourhood, Gaza	Killed by unidentified assailants. Were allegedly suspected of collaboration with Israel. (H, JP, 19 Apr. 1989)
20 Apr. 1989	Ibrahim Mahmud Abu-Shahma, 17	Khan Yunis	Shot by troops after throwing a petrol bomb at them. Died on his way to hospital. (H, JP, 21 Apr. 1989; AF, 24 Apr. 1989; AT, 27 Apr. 1989)
21 Apr. 1989	Muslem Muhammad Shahin, 40	Irtas village	Beaten to death by masked assailants. Was allegedly suspected of collaboration with Israel. (H, JP, 23 Apr. 1989)

Date	Name and age	Place of residence	Remarks and source
21 Apr. 1989	Walid Nejajra, 23	Nahlin	Died in hospital of wounds sustained on 13 Apr. 1989 during a serious clash with border policemen. (H, JP, 23 Apr. 1989; AF, 24 Apr. 1989; AT, 27 Apr. 1989)
22 Apr. 1989	Mahmud I smail Abu Daka, 20	Bani Suheila village, Gaza Strip	Shot by troops during a clash and later died in hospital. (H, JP, 23 Apr. 1989; AT, 27 Apr. 1989)
22 Apr. 1989	Ahmed al-Batu, 35	Jaba', near Jenin	Killed in nearby Zababdeh village after he shot at a villager. Was allegedly suspected of collaboration with Israel. (H, 24 Apr. 1989)
24 Apr. 1989	Amjed Mamani, 20 or 25	Deir Sudan near Ramallah	Killed during a raid on the village. Troops reportedly opened fire at three fleeing suspects who failed to obey calls to stop. (H, JP, 25 Apr. 1989; AT, 27 Apr. 1989; AF, 1 May 1989)
25 Apr. 1989	Khaled Mussa Irmalat, 24	Rafah	Killed in unclear circumstances. According to Arab sources, he was shot by soldiers as he was waiting for a taxi. An IDF spokesman said no soldiers' shooting was involved in the incident. (AT, H, JP, 27 Apr. 1989; AF, 1 May 1989)
26 Apr. 1989	Isam Cmar Hassan, 8	Tulkarem camp	Shot dead by troops dispersing demonstrators. (AT, H, JP, 27 Apr. 1989; AF, 1 May 1989)

Date	Name and age	Place of residence	Remarks and source
26 Apr. 1989	Amal Mahmud Hussein, 17	Shati camp	A girl. Was shot in the head when troops dispersed demonstrators. (AT, H, JP, 27 Apr. 1989; AF, 1 May 1989)
26 Apr. 1989	Sharif al-Khatib, 16	Sabra neighbour-hood, Gaza	Killed by troops during a clash. (AT, H, JP, 27 Apr. 1989; AF, 1 May 1989)
26 Apr. 1989	Azam Fathallah al-Kadi, 21	Nablus	Killed by masked assailants for alleged collaboration with Israel. (H, JP, 27 Apr. 1989; AF, 1 May 1989)
26 Apr. 1989	Faik Sabri Arar, 40	Ras-Attiya village, near Kalkilya	Killed by masked assailants for alleged collaboration with Israel. (H, JP, 27 Apr. 1989)
26 Apr. 1989	Fayez Barbakh, 51 (or Mahmud Abu-Marhaban)	Khan Yunis	Killed by masked assailants for alleged collaboration with Israel. (H, JP, 27 Apr. 1989)
26 Apr. 1989	Omar Hassan Zakut	Bureij camp	Killed at Ketziot detention camp by another inmate for alleged collaboration with prison authorities. (H, JP, 27 Apr. 1989)
27 Apr. 1989	Ali Said al-Gharbali, 32	Sajai'ya Gaza	Killed by troops during a clash. (H, JP, 28 Apr. 1989; AF, 1 May 1989; AT, 4 May 1989)
27 Apr. 1989	Ashraf Samir Id, 15	Tel-Sultan, Rafah	Killed by troops during a clash. (H, JP, 28 Apr. 1989; AF, 1 May 1989; AT, 4 May 1989)

Date	Name and age	Place of residence	Remarks and source
27 Apr. 1989	Imad Muhammad Harbiya, 20	Askar camp, near Nablus	Killed by troops during a clash. (H, JP, 28 Apr. 1989; AF, 1 May 1989; AT, 4 May 1989)
20 Apr. 1989	Kamal Saleh Abu Zant, 43	Nablus	Killed by an assailant for alleged collaboration with Israel. (H, JP, 30 Apr. 1989)
29 Apr. 1989	Nader Naim Da'na, 16	Hebr on	Died in hospital of wounds sustained the previous day, when a settler opened fire at stone-throwers. The settler, from Kiryat-Arba, was detained. (H, JP, 30 Apr. 1989; AT, 4 May 1989)
1 May 1989	Samer Muhammad Mere'i , 9	Tulkarem camp	Died in hospital of wounds sustained on 26 April 1989 when troops opened fire at demonstrators. (H, 2 May 1989; AT, 4 May 1989; AF, 8 May 1989)
1 May 1989	Ahed Ramini Zaidan, 30	Ramin , near Tul karem	Stabbed to death by unidentified assailants for alleged collaboration with Israel. (H, JP, 2 May 1969; AF, 8 May 1989)
4 May 1989	Taysir Na'asan, 27	Mughayir, near Ramallah	Shot by unidentified assailants for alleged collaboration with Israel. (JP, 5 May 1989)
4 May 1969	Ahmad Hushiyeh, 21	Yatta	Shot by troops when he ran an IDF roadblock in a stolen car. The incident occurred at the Nehusha junction, on the Green Line, south of Hebron . (JP, 5 May 1989; AY, 8 May 1909; AT, 11 May 1989)

Date	Name and age	Place of residence	Remarks and source
5 May 1989	Milad Anton Shahin , 13	Bethlehem	Killed by troops during a clash with violent demonstrators. (H, JP, 7 May 1989; AT, 11 May 1989; AF, 15 May 1989)
5 May 1989	Hsssan Ghanen (or Hassan Marub Haidak), 27	Khan Yunis	Stabbed to death by unidentified assailants for alleged collaboration. (H, JP, 7 May 1989)
6 May 1989	Muhammad Abdallah Zakut, 40, and Muhammad Ra'id Mu'nis, 20	Nuseirat camp, Gaza Strip	Killed by troops during a violent confrontation. (H, JP, 7 May 1989; AT, 11 May 1989; AF, 15 May 1989)
6 May 1989	Id Salamu Sa'ud, 23	Khan Yunis	Shot in the chest and killed in unknown circumstances. An IDF spokesman said he was not aware of the death. (H, JP, 7 May 1989; AT, 11 May 1989)
7 May 1989	Mahmud Deif Allah Al Arja, 23	Rafah	Died after being exposed to tear-gas fumes. (AT, 11 May 1989)
10 May 1989	Abd al-Fatah Shahin , 29	Salfit	Killed by troops during a clash. (AT, H , JP, 11 May 1989; AF, 15 May 1989)
10 May 1989	Muhammad Sami al-Liftawi , 17	Kadura, Ramallah	Killed by troops during a demonstration. (AT, H, JP, 11 May 1989; AF, 15 May 1989)
10 May 1989	Faiz Ismail Mussa , 24	Khader, near Bethlehem	Killed by troops as he was about to throw a petrol bomb at them. (H, JP, 11 May 1989; AF, 15 May 1989; AT, 18 May 1989)

Date	Name and age	Place of residence	Remarks and source
11 May 1989	Salmi Abu Kaff, 17	Hebron	Killed by troops during a clash in Wadi Haniya area. (H, JP, 12 May 1989; AF, 15 May 1989; AT, 18 May 1989)
11 May 1989	Khaled Jadallah, 17	Sheikh Radwan, Gaza	Killed by troops when he violated a curfew. (H, JP, 12 May 1989; AF, 15 May 1989; AT, 18 May 1989)
12 May 1989	Muhammad al-Akra, 24	Sheikh Radwan, Gaza	Killed by troops shooting at curfew violators. The IDF reported no troops had been operating in the area of the incident. (H, JP, 14 May 1989; AT, 18 May 1989)
13 May 1989	Hassan Odeh, 60	Kaf r Thilth	Stabbed to death by masked youths for alleged collaboration. (H, JP, 14 May 1989; AT, 18 May 1989; AF, 22 May 1989)
14 May 1989	Ibrahim Abdel Hafiz Nasif, 29; Nimr Ghaleb Nimr Al Harim, 15	Salfit	Killed in a car accident involving an Israeli military vehicle. (AT, 18 May 1989; AF, 22 May 1989)
15 May 1989	Fadel Ahmed Hamadi, 40	Khan Yunis	Killed by troops during a clash. (H, 16 May 1989; AT, 18 May 1989; AF, 22 May 1989)
15 May 1989	Muhammad Jibrin, 45	Jenin	Died in hospital of wounds sustained a fortnight earlier, when soldiers allegedly beat him on the head. The IDF rejected the allegation. (H, 16 May 1989; AT, 18 May 1989; AF, 22 May 1989)

Date	Name and age	Place of residence	Remarks and source
15 May 1909	Aisha Abu-Shawish, 50	Khan Yunis	Stabbed to death for suspected collaboration. (JP, 16 May 1989)
15 May 1989	Husam Shaker, 18	Khan Yunis	Strangled to death by unknown persons. His body was found tied to a telephone pole. (JP, 16 May 1989)
15 May 1989	Ahmed Ibrahim Al Fakawi, 19	Khan Yunis	Stabbed to death. (AT, 18 May 1989; AF, 22 May 1989)
16 May 1989	Yassin Nihad al-Nabulsi, 21	Nablus	Killed by troops during a clash, (H, 17 May 1989; AF, AT, 18 May 1989)
16 May 1989	Yasser Mahmud Fahmi (or Darini), 13	Beit Luhiye, Gaza Strip	Killed by troops during a clash in Jabaliya camp. (H, 17 May 1989; AF, AT, 18 May 1989)
16 May 1989	Mohammed Ali Jaber	Araba	Died from wounds sustained three days earlier when an Israeli policeman shot at him. (AT, 18 May 1989)
17 May 1989	Omar Yussuf Bayar, 42	Jalkamus village	Shot in the centre of Jenin when the driver of an Israeli truck fired at stone throwers. (AT, H, JP, 18 May 1989; AF, 22 May 1989)
17 May 1989	Ala Omar Jibril, 15	Askar camp	Killed by troops during a clash. (H, JP, 18 May 1989; AF, 22 May 1989)
18 May 1989	Umran Jib al-Umayer, 20	Jama' in village	Killed by troops during a clash. (H, JP, 19 May 1989; AF, 22 May 1989)

Date	Name and age	Place of residence	Remarks and source
18 May 1989	Ali Mahmud Azghari, 18	Dhsisheh camp	Died in hospital of wounds sustained during a clash on 10 May 1989. (H, JP, 19 May 1989; AF, 22 May 1989)
18 May 1989	Mohamed Hussein Abu Ghula, 22	Nuoairat camp, Gaea Strip	Killed by troops during clashes, (JP, 19 May 1989; AF, 22 May 1989)
19 May 1989	Ali Abdullah Hussein, 18	Khader	Died in hospital of wounds sustained in a clash on 10 May 1989. (JP, 19 May 1989; AF, 29 May 1989)
19 May 1989	Nuzmi Abu Khatla, 12, Jihad Ibrahim a-Shimali, 17, Ahmad Arran, 17, Shafik Abu Lule, 23, Abd Abu Sha'er, 31, Fatima al Hamayda, 50	Shabura neighbourhood, Ref ah	Killed by troops during violent clashes which broke out after 15 days of consecutive curfew, as residents attacked troops in protest against the refusal by the authorities to allow distribution of flour and cooking gas. (H, JP, 21 May 1989; AF, 22 May 1989)
21 May 1989	Haitham Ali Arikat, 16	Abu Dis	Killed by troops during a clash. (H, JP, 22 May 1989; AF, 29 May 1989)
21 May 1989	Issam Hamed Akel, 18	Nuseirat camp	Killed by troops during a clash. (H, JP, 22 May 1989; AF, 29 May 1989)
22 May 1989	Abd al Aziz Zabadi, 42	Hartha village, near Dura	Killed by a stone thrown at his car near Kiryat-Gat, southern Israel. The stone was thrown from a moving car. (H, JP, 23 May 1989)

Date	Name and age	Place of residence	Remarks and source
22 May 1989	Walid Mis tapha Ibrahim Hussein	Dur Al Kari	Died in hospital after having been severely beaten by Israeli soldiers on 18 May 1989, (AF, 29 May 1989)
24 May 3989	Walid Darwish, 39	Beit Jala	Killed by unidentified assailants for alleged collaboration and drug-dealing. (JP, 25 May 1989)
25 May 1989	Khaled Atawneh, 20	Jabal iya camp	Killed by troops during fierce clashes, (H, JP, 26 May 1989r AF, 29 May 1989; AT, 1 June 1989)
28 May 1989	Imad Zughayer, 18	Hebron	Died in hospital of wounds sustained in a clash with troops on 17 May 1989. (H, JP, 29 May 1989; AT, 1 June 1989)
28 May 1989	Hussein Abu-Odeh, 37	Khan Yunis	Killed by four masked youths for alleged collaboration, (H, 29 May 1989)
29 May 1989	Ibtisam Buziyeh, 16	Kifl Herith village near Nablus	Killed when settlers coming from the tomb of Joseph Yeshim entered the village and opened fire at people and property. Several settlers were arrested. (H, JP, 30, 31 May 1989; AT, 1 June 1989)
29 May 1989	Issam Odeh, 25	Tal village near Nablus	Killed by settlers as he drove his tractor. IDF spokesmen said no troops had been in the area. (JP, 30 May 1989; AT, 1 June 1989)

Date	Name and age	Place of residence	Remarks and source
31 May 1989	Ahmed Abd al-Rahman Khatab, 20	Khan Yunis camp	Killed by troops during a clash, (AT, H, JP, 1 June 1989; AF, 5 June 1989)
31 May 1989	Mahmud al-Farjani, 16	Khan Yunis camp	Died in hospital from injuries sustained on 14 May 1989. (AT, H, JP, 1 June 1989; AF, 5 June 1989)
31 May 1989	Mahmud Ibrahim Nawas (18)	Nuseirat camp	Died in hospital from head injuries sustained the day before, when he was hit by a metal-marble. (AT, H, JP, 1 June 1989)
1 June 1989	Khaled Mustafa Hitsallah, 17	Yabed, near Jenin	Killed by unidentified persons. Was known as a collaborator with the security services. (H, JP, 2 June 1989)
2 June 1989	Eyman Mansur Sbeih, 18	Kafr Ra'i, near Jenin	Shot by troops during a clash following an attack on the house of a suspected collaborator, (H, 4 June 1989)
4 June 1989	Yussuf al-Naba' in, 20	Sabra neighbourhood in Gaea	Shot by troops during a clash. (H, JP, 5 June 1989)
4 June 1989	Khaled al-Natur, 22	Silwad	Died in hospital of injuries sustained on 28 May 1989 during a clash with troops. (H, JP, 5 June 1989)
6 June 1989	Jamal Hafez Suleiman, 22	Bait Lahiya, in the Gaza Strip	Shot by troops during a clash. (H, JP, 7 June 1989)
6 June 1989	Salem al-Atawna, 14	Nuseirat camp, the Gaza Strip	Died in hospital of injuries sustained on 5 June 1989 during a clash with troops. (JP, 7 June 1989)

Date	Name and age	Place of residence	Remarks and source
7 June 1989	Samir Abu Ras, 30	Nablus	Was killed with hatchet blows by unidentified assailants for alleged collaboration with Israel, (H, JP, 8 June 1989)
8 June 1989	Taleb Yamin , 55	Neblus	Died in hospital of injuries sustained on 1 June 1989 when unidentified persons shot him in the head for alleged collaboration with Israel. (JP, 11 June 1989)
8 June 1989	Sayel Sawalha, 48	Asira A-Shimaliya	Killed by an unidentified assailant. Was known as a "middleman" between the authorities and local residents, (JP, 11 June 1989)
11 June 1989	Ghaleb Samihna, 11	Neblus	Shot by troops during a clash. (H, JP, 11 June 1989)
9 June 1989	Riad Salhab, 23	Bethlehem	Shot by troops during a clash near Manger Square. (H, JP, 11 June 1989)
10 June 1989	Shihadi Ziad Rabah Awad, 8	Jabaliya camp, the Gaze Strip	Shot by troops after youths violated a curfew and attacked a patrol with stones and iron bars. (H, JP, 11 June 1989)
11 June 1989	Muhammad Said Lubbad, 16	Jabaliya camp	Died in hospital of injuries sustained the previous day during clashes with troops. (H, JP, 12 June 1989)
11 June 1989	Musa Sham'a, 17	Jabaliya camp	Died in hospital of injuries sustained the previous day during clashes with troops. (JP, 13 June 1989)

Date	Name and age	Place of residence	Remarks and source
14 June 1989	Hasan Ashur, 35	Sheikh Radwan, Gaoa	Killed by unidentified persons for alleged collaboration with Israel . (JP, 15 June 1989)
15 June 1989	Zuhdi al-Imam, 52	Khan Yunis	Was stabbed to death in Rafah for alleged collaboration with Israel. (JP, 16 June 1989)
16 June 1989	Walid Abu Ubeid , 22, Amin Nasser, 29, Ahmed Abu Awn, 17	Raf ah	Killed by troops during clashes. (H, JP, 18 June 1989)
17 June 1989	Akram al-Hanuni, 21	Khan Yunis	Shot by troops during clashes. (H, JP, 18 June 1989)
18 June 1989	Salah Ra'id al-Bahsh, 17	Nablus	Killed by troops after allegedly refusing to show his identity card and hitting a soldier before running away. The soldiers opened fire after he ignored an order to stop. (H, JP, 19 June 1989)
18 June 1989	Mahdi Jamus , 19	Nablus	Shot by troops during a clash. (JP, 19 June 1989)
18 June 1989	Salah Mahmud al-Makadmeh, 50	Gaza	Shot by unidentified assailants who opened fire at an Israeli officer working at the Gaza civil administration. (H, JP, 19 June 1989)
20 June 1989	Samir Mahmud Ali, 19	Gaza	A prisoner in Ketsiot detention camp. Killed by another inmate for alleged collaboration. (H, JP, 21 June 1989)

Date	Name and age	Place of residence	Remarks and source
20 June 1989	Fawzi al Ma'adi , 30	Khan Yunis	Stabbed to death by unidentified assailants for alleged collaboration. (H, JP, 21 June 1989)
21 June 1989	Haesan Baker Shar'ub, 55	Kira village, near Nablus	Shot in the head by an unidentified assailant for alleged collaboration. (H, JP, 22 June 1989)
22 June 1989	Abdel Rauf Hamed , 23	Silwad , near Ramallah	Shot by troops during a raid on the village as he allegedly tried to escape from soldiers. (H, JP, 23 June 1989)
23 June 1989	Aziz Hamis Arar, 20	Karawa Bani Zeid near Ramallah	Killed in unclear circumstances during a clash between settlers and Palestinians. Eleven settlers were detained for questioning. (H, JP, 25 June 1989)
23 June 1989	Mohammad Jadallah, 22	Shati camp	A prisoner in Ketzio detention camp. Was strangled to death by another inmate for alleged collaboration. (JP, 25 June 1989)
23 June 1989	Ayman al-Muhtaseb, 25	Hebron	Shot by troops during a clash after Friday prayers. (JP, 25 June 1989)
25 June 1989	Yussuf Abdul Karim al-Farra, 28	Khan Yunis	Shot by troops during a clash, (H, JP, 26 June 1989)
25 June 1989	Nidal Salhub, 21	Nablus	Killed by unidentified persons for alleged collaboration. (H, JP, 26 June 1989)

Date	Name and age	Place of residence	Remarks and source
26 June 1989	Sabah al Kadi Kana'an, 30	Nablus	Killed by unidentified persons for alleged collaboration. (H, JP, 27 June 1989)
27 June 1989	Tarek Salah Awed, 17	Idna	Died in hospital of injuries sustained on 24 June 1989 during a clash with troops. (H, JP, 28 June 1989)
27 June 1989	Mahmud Sa'id, 18	Sajai'ya, Gaza	Died of beatings by Gaza residents who suspected him of collaboration. (H, 28 June 1989)
27 June 1989	Muhammad Abu Jala, 24, Ali al-Qassas, 30	Mughazi camp, Nuseirat camp	Both detainees at the Ketziot detention camp. Killed by another detainee "in an act of revenge". (H, JP, 28 June 1989)
28 June 1989	Muhammed Ahmed Hassan Abu Nasser, 38	Jabaliya camp, Gaza	Killed by troops during a clash. Was a member of the Democratic Front (DFLP) and led the group that kidnapped United States citizen Chris George several days earlier. (H, JP, 29 June 1989)
2 July 1989	Khalil Awed al-Butran, 12	Idna, near Hebron	Shot by troops during a raid on the village. (H, JP, 3 July 1989)
4 July 1989	Ismail Wa'el al-Kur, 20	Nuseirat camp	Shot by troops during a violent clash. (H, JP, 5 July 1989)
5 July 1989	Khaled Mahmud Hamada, 20	Beit Lid village in "Samaria"	Died in hospital of injuries sustained the previous week when he was shot by troops during a raid. (H, 6 July 1989)

Date	Name and age	Place of residence	Remarks and source
5 July 1989	Jamil Hasan al-Kadumi, 32	Nablus	Killed by unidentified persons for suspected collaboration with Israel. (H, JP, 6 July 1989)
6 July 1989	Aiman Badran, 12	Askar camp	Shot by troops and later died of his wounds in hospital. (H, 7 July 1989)
6 July 1989	Awani Sawalha, 30	Nablus	Died in hospital of wounds sustained on 10 June 1989 when troops shot at him as he was trying to evacuate injured persons in an ambulance he was driving. (H, 7 July 1989)
6 July 1989	Hussam Ahmed Hamad, 18	Khan Yunis	Died in hospital of wounds sustained two days earlier when troops shot him during a violent clash. (H, JP, 7 July 1989)
7 July 1989	Ismail al-Harush, 51	Yatta	Shot and killed by unidentified persons for alleged collaboration. (H, JP, 9 July 1989)
7 July 1989	Ali Hamad Ashtiya	Salem near Nablus	The village Mukhtar, Died wounds sustained the previous day when unidentified persons shot him in the head, presumably for suspected collaboration (H, 9 July 1989)
8 July 1989	Iyad Zaki Abu Halwan, 18	Raf ah	Shot by troops during a violent clash. (H, JP, 9 July 1989)
8 July 1989	Ahmad Yahya, 45	Kafr a-Ra'i, near Jenin	Killed by unidentified persons for alleged collaboration. (H, JP, 9 July 1989)

Date	Name and age	Place of residence	Remarks and source
8 July 1989	Muetafa Sa'ad, 42	Sajai'ya, Gaza	Killed by unidentified persons for alleged collaboration. (H, JP, 9 July 1989)
8 July 1989	Jawal Nasser Shamek, 31	Gaza	Killed when the car he was driving near Netivot, southern Israel, was hit by a rock thrown from an Israeli car. He was hit in the head and later died of his injuries in hospital. (H, JP, 9 July 1989)
9 July 1989	Aiman Jamil Hamad, 20	Ramin, near Nablus	Shot and killed by troops during a violent clash. (H, JP, 10 July 1989)
9 July 1989	Fayez Taher Yussef, 21	Ma'dama, near Nablus	Shot and killed by troops, (H, JP, 10 July 1989)
10 July 1989	Yasser Abu Kutaish, 17 (or Abu Ghosh)	Beituniya	Shot by security forces when he refused to obey an order to stop in the centre of Ramallah. He had been wanted for four months. (H, JP, 11 July 1989)
10 July 1989	Raja Muhammad Saleh, 17	Na'alín	Shot by troops during a demonstration which followed Abu Kutaish's funeral. (H, JP, 11 July 1989)
10 July 1989	Rami Mustafa al-Tarifí, 15	Bureij camp	Shot by troops during a violent clash. (H, JP, 11 July 1989)
10 July 1989	Mahyub Musa Shuman, 15	Khirbat Abu-Fallah, near Ramallah	Died in hospital of injuries sustained the previous day when troops opened fire during a raid on the village. (H, JP, 11 July 1989)

Date	Name and age	Place of residence	Remarks and source
10 July 1989	Aiman Awadallah, 13	Rafah	Died in hospital of injuries sustained the previous day when troops opened fire during a violent clash. (H, JP, 11 July 1989)
11 July 1989	Shaker Mabmud Hasun , 28	Zeitun, Gaza	Shot and killed by three unidentified persons, presumably for suspected collaboration. (H, 12 July 1989)
12 July 1989	Muhammad Majed Abu-Hamadiya. 16	Hebron	Shot by troops after he was seen throwing stones at a bus. (H, 13 July 1989)
13 July 1989	Riad Salem Ali Shakra, 18	Khan Yunis camp	Shot by troops after he attacked an IDF patrol with knives and axes together with another masked youth. (H, JP, 14 July 1989)
14 July 1989	Mahmud al-Masri, 26	Shabura, Rafah	Killed by unidentified persons for alleged collaboration. (H, 16 July 1989)
15 July 1989	Muhammad Yussef Khader, 60	Kalkilya	Killed by unidentified people for alleged bad morals and collaboration. (H, 16 July 1989)
15 July 1989	Nasser Subhi Mussa , 18	Khan Yunis camp	Shot by troops during a violent clash. (H, JP, 16 July 1989)
15 July 1989	Sha'er Abu Hay, 14	Jabaliya camp	Shot by troops during a violent clash. (H, JP, 16 July 1989)
16 July 1989	Hussein Muhammad Shahin , 39	Daraj, Gaza	Stabbed to death by dozens of persons for alleged collaboration. (H, JP, 17 July 1989)

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Date	Name and age	Place of residence	Remarks and source
18 July 1989	Bassem Faruk al-Jaabari, 14	Khan Yunis camp	Shot by troops during a violent clash. (H, JP, 19 July 1989)
19 July 1989	Iyad Abd al-Fatah al-Babli, 12	Rafah camp	Died in hospital of injuries sustained during a clash with troops on 8 July 1989. (H, 20 July 1989)
19 July 1989	Samir al-Akras, 17	Beit Lid village	Shot by troops during a raid on the village. (H, 20 July 1989)
19 July 1989	Khader Ali Jazara	Jenin camp	Shot by troops after he attacked a border policeman. He had been wanted by the security services. (H, 20 July 1989)
20 July 1989	Tarek Imran, 17	Burin, near Nablus	Shot by troops during a raid on the village. (H, JP, 21 July 1989)
24 July 1989	Hamed Yussuf Arada, 22	Arraba village near Jenin	Shot by troops during a violent clash. (H, JP, 25 July 1989)
24 July 1989	Rizk Jundiya, 44	Sajai'ya	Shot and killed by unidentified persons, presumably for suspected collaboration. (H, JP, 25 July 1989)
25 July 1983	Fawzi Ismail al-Lidawi, 20	Shabura, Raf ah	Died in hospital of injuries sustained the previous day during a violent clash with troops. (H, JP, 26 July 1989)
25 July 1989	Bachir Salem	Sajai'ya	Murdered by his cousin, Abd el-Ghani Saleh Sauda , for alleged collaboration. (H, 27 July 1989)

Date	Name and age	Place of residence	Remarks and source
27 July 1989	Muhammad Safuri, 21	Tulkarem camp	Shot by troops during a violent clash. (H, JP, 28 July 1989)
27 July 1989	Ali Faluhs, 79	Gaze	Killed when a border police jeep ran over him in the city's main street. (H, 28 July 1989)
27 July 1989	Khaled Abadin, 23	Khan Yunis	Killed by unidentified persons for alleged collaboration. (H, JP, 28 July 1989)
28 July 1989	Walid Barud, 23	Shati camp	Killed by unidentified persons for alleged collaboration and immoral conduct. (H, JP, 30 July 1989)
29 July 1989	Iyad Abdallah Nofal, 17	Ras Karkar	Shot by troops during a raid. (H, JP, 31 July 1989)
30 July 1989	Ahmed Abd elFatah Ghenem, 18	Beit Lid	Died in hospital of injuries sustained on 15 June 1989 during a clash with troops. (H, JP, 31 July 1989)
30 July 1989	Faruk Muhammad Ata, 25	Tulkarem camp	Died in hospital of injuries sustained on 3.5 July 1989 during a clash with troops. (H, JP, 31 July 1989)
30 July 1989	Kamel J el-Sulam al-Nimnim, 30	Shati	Beaten to death by unidentified persons for alleged collaboration. (H, JP, 31 July 1989)
30 July 1989	An unidentified Gaza Strip resident		Shot and killed by a settler from Rafiah-Yam, named as David Shetiv., after the settler's car was stoned near Beit Lahiya. The settler was detained. (H, JP, 31 July 1989)

Date	Name and age	Place of residence	Remarks and source
31 July 1989	Sultan Abu Musalam , 12	Balata camp	Shot by troops during a clash. Military sources said he was about to drop a brick from a roof top on a border policeman, (H, JP, 1 Aug. 1989)
31 July 1989	Mahmud Yassin al-Faraj , 15	Bureij camp	Shot by troops during a violent clash. (H, JP, 1 Aug. 1989)
1 Aug. 1989	Jamil Muhammad Shehadeh, 30	Jabaliya, Gaza	Killed by unidentified people for alleged collaboration. (H, JP, 2 Aug. 1989)
4 Aug. 1989	Ziad el-Bane, 28, Ahmed al-Jeish , 32	Gaza City Bureij, Gaza	Both inmates in the Ketziot detention camp, killed by another inmate, Mahmud Izat Ali Sha'aban, who confessed to the act. (H, JP, 6 Aug. 1989)
4 Aug. 1989	Abdallah Nimer Darwish (or Ahmed Hassan Hamad), 39	Zibad village	His body was found near the village of Zibad, south of Tulkarem. He was choked to death. The killing was reportedly motivated by suspicions that he was a collaborator. (H, JP, 6 Aug. 1989)
6 Aug. 1989	Fayez Ayeshe Nasr, 12 (or Payee al-Nidr, 15)	Jabaliya, Gaza	Shot by troops during a clash with stone throwers. (H, JP, 7 Aug. 1989)
6 Aug. 1989	Munis Faris , 16	Khan Yunis	Died in hospital of head wounds received in a clash with troops on 2 August, (JO, 8 Aug. 1989)
7 Aug. 1989	Naji Abu Asi , 25	Khan Yunis	Died in hospital of stabbing wounds received the previous day by unidentified masked men for alleged collaboration. (H, JP, 8 Aug. 1989)

Date	Name and age	Place of residence	Remarks and source
8 Aug. 1989	Muhammad Alawna (or Masada), 20	Burkin, near Jenin	Killed by troops during a raid, (H, JP, 9 Aug. 1989)
9 Aug. 1989	Bawi Abu-Barak	Raf ah	Killed in unclear circumstances. His body, bearing marks of violence, was discovered in a depot belonging to UNRWA. (H, JP, 13 Aug. 1989)
9 Aug. 1989	Yussuf Raj Salameh, 8, and Ali Muhammad Khalil (or Ziad Mahmud Banyat), 23	Shati camp, Gaza	Both were killed by troops during a violent clash. (H, JP, 10 Aug. 1989)
9 Aug. 1989	Nidal Ibrahim Misk, 20	Hebron	Believed to have been killed by settlers who were travelling in a bus that was attacked by stone throwers. The case was under investigation. (H, 10 and 11 Aug. 1989)
10 Aug. 1989	Samer Nazih Kamal	Nablus	Beaten to death by unidentified people for alleged "immoral behaviour" and use of alcohol. (H, JP, 13 Aug. 1989)
10 Aug. 1989	Muhammad Tawfik Hassan, 16	Bizariya village, near Nablus	Killed by troops during a clash. (H, 11 Aug. 1989)
12 Aug. 1989	Buthana Adib Hadji, 3	Khan Yunis camp	A baby girl, she was killed when troops opened fire at stone throwers. (H, JP, 13 Aug. 1989)
12 Aug. 1989	Jamal Ata al-Khatib, 30	Bidya village	A teacher murdered by masked men for alleged co-operation, (H, JP, 13 Aug. 1989)

Date	Name and age	Place of residence	Remarks and source
12 Aug. 1989	Mr. Shid Hussein al-Kneiri, 55	Askar camp	Killed by four masked men in the centre of Nablus. Was known to be a collaborator, (H, JP, 13 Aug. 1989)
12 Aug. 1989	Mus taf a Abu Bsharashi (or Abu Hajar), 32	Nuseirat, Gaza	His body was found in his car. Had been shot in the head. Was known to be a collaborator. (H, JP, 13 Aug. 1989)
13 Aug. 1989	Fayez Abu Ubeid, 13	Raf ah	Died in hospital of injuries caused by steel marbles sustained on 12 August during a clash with troops. (JP, 14 Aug. 1989)
15 Aug. 1989	Ahmed Abd el-Halek Ayub, 23	Far'a camp	Died in hospital of injuries sustained the previous day during a clash with troops. (H, JP, 16 Aug. 1989)
16 Aug. 1989	Shadi Dsrwish, 25	Beit Jala	Was killed by security personnel who spotted him, armed with a sub-machine-gun, near Idora in Mount Hebron. He was wanted since May 1989, when he escaped from Hebron jail where he was detained on suspicion of several security offences. (H, JP, 18 Aug. 1989)
18 Aug. 1989	Abd el-Rahim Awad, 62	Lakef village, near Tulkarem	The local mukhtar. Was shot and killed by unidentified persons for alleged collaboration. (H, 20 Aug. 1989)
18 Aug. 1989	Sha'aban al-Siksik, 50	Raf ah	Shot and killed by troops during a violent clash. (H, JP, 20 Aug. 1989)

Date	Name and age	Place of residence	Remarks and source
18 Aug. 1989	Amjad Jibril, 14	Ramallah	A United States citizen. His body was discovered in El-Bireh with marks of violence. Believed to have been shot by troops during a clash. An inquiry was under way. (H, 21 Aug. 1989; JP, 20 Aug. 1989)
19 Aug. 1989	Radi Mahmud Salah , 24	Bethlehem	Was shot and killed during a clash by security personnel disguised as tourists. (H, JP, 20 Aug. 1989, 21 Aug. 1989)
20 Aug. 1989	Fayez Jawabra, 24	Arub	Was shot and killed by an alleged collaborator from Yatta, whose car was stoned in the village of Belt Umar , north of Hebron . (JP, 21 Aug. 1989)
20 Aug. 1989	Walid Salem Shamas , 15	Jabaliya, Gaza	Was shot by troops during a clash. (JP, 21 Aug. 1989)
21 Aug. 1989	Hussein Hirbawi, 14, and Wadi'a Mahmud Salah , 17	A-Ram	Both were killed by troops during a clash. (H, JP, 22 Aug. 1989; JP, 23 Aug. 1989)
21 Aug. 1989	Sami Mahmud Atawa A-Sabah, 18	Tukua village	Killed by troops or settlers after an Israeli car was stoned . The incident was being investigated. (H, JP, 23 Aug. 1989)
22 Aug. 1989	Nasser Khalil Abu-Katrina, 16	Al-Amari camp	Shot and killed in unclear circumstances, following a clash with troops. An inquiry was under way. (H, JP, 23 Aug. 1989)

Date	Name and age	Place of residence	Remarks and source
22 Aug. 1989	Naj la Adel a-Nadi, 14	Askar camp	Died in hospital of injuries sustained a week earlier during a clash with troops. (H, JP, 23 Aug. 1989)
22 Aug. 1989	Maha Awad al-Ataf, 20	al-Karara village, near Khan Yunis	Was shot by soldiers in the Deir el Balah market. The soldiers reportedly opened fire randomly into a crowd after being stoned. (H, JP, 23 Aug. 1989)
23 Aug. 1989	Iyad Abu Kamal, 18	Sheikh Radwan, Gaza	Was shot by security personnel in civilian clothes as he was confiscating IDF-issued magnetic cards, while masking his face. (H, JP, 24 Aug. 1989)
23 Aug. 1989	Jadallah al-Aker, 18	Rafah camp	Killed by troops during a clash with stone throwers. (H, JP, 24 Aug. 1989)
23 Aug. 1989	Kamal Abu Rub, 55	Jenin	Stabbed to death by a masked man, was known as a collaborator. (H, JP, 24 Aug. 1989)
24 Aug. 1989	Nasser Nabil Nasrsllah, 16	Eizariya	According to Arab sources he was beaten to death by border policeman. According to military sources he died of natural causes during a routine border police check. (H, JP, 25 Aug. 1989)

B. Administration of justice, including the right to fair trial

1. Palestinian population

Oral evidence

78. Several witnesses described various aspects Of the constraints hindering the administration of justice in the occupied territories, An anonymous witness referred to harsh conditions usually surrounding the arrest of Palestinians:

"Usually the citizen is arrested at about 1 or 2 a.m. A large number of soldiers or intelligence officers come, encircle the whole area, and then they start practising their terrorism and intimidation of children and of the inhabitants who live in the same house, or in the same building. The soldiers enter the house and start destroying everything. If there is a television set, for instance, they break it; they will mix together sugar and flour while searching for papers or documents. Then the person is arrested. They blindfold him, they tie his hands behind his back and they put him in a car. They do not say where they are taking him. Then a decree is issued by the patrol officer to detain that person for 18 days interrogation, and during that period no lawyer has the right to contact him, no matter who it is, even if it is a child." (A/AC.145/RT.511/Add.1)

79. Another witness, Mr. Abdel Hamid El Babe, recalled the circumstances of his first arrest:

"At the beginning, when I was first arrested, more than ten soldiers beat me; and I was only 16 years old. They broke one of my teeth and I had a nose-bleed and I fainted. They poured water on me. When I regained consciousness, they started to beat me again to make me confess that I had participated in demonstrations. This went on for 18 days; then I was released." (A/AC.145/RT.513)

80. An anonymous witness mentioned the difficulties that the lawyers were confronted with in the exercise of their profession;

"After 18 days, the place to which the detainee was taken is announced through the Red Cross, and then the detainee can ask for a lawyer to defend him. The lawyer may then present an application to the Military Governor of the Ramallah area, for instance, and the Military Governor may allow him to visit the detainee, but he may also refuse the application. The lawyer then tries to find out about the charges levelled against the detainee. This is an extremely difficult process, and it is also difficult to find out the date fixed for the trial. Many trials take place on the day of a strike announced by the intifadah. When the authorities know that the intifadah leaders are going to declare 5 June 1989 to be a strike day, they will schedule cases to be reviewed on that same day. On that day no citizen, no lawyer, can attend the trial. . . . They bring the detainees before the court in batches of 50, and the judge will begin by asking the general prosecutor what are the charges levelled against them. Then the discussion starts between the judge and the

general prosecutor, and the defending lawyer has no role whatsoever: he cannot defend 50 detainees in half an hour or an hour. It is not possible. Even if it is possible for him to defend one person, the Israeli authorities pay no attention to his words." (A/AC.145/RT.511/Add.1)

81. Mr. Mas'ud **Osman** Zu'aytar also referred to such difficulties while explaining the administrative detention procedure:

"... There are no clear, specific charges: they consider those charges to be confidential. The defendant is brought to court in the presence of a lawyer, but his lawyer cannot raise any legal point: all he knows is that there is a confidential file brought by the security department. All the defending lawyer can talk **about** is the social conditions, he cannot deal with any point of law. The **result** is that there is no possibility of a legal defence for the detainee." (A/AC.145/RT.507)

82. An anonymous witness stressed the arbitrary nature of the "quick justice" prevailing in **most** trials, and pointed to the practice of extracting confessions under duress:

"The CHAIRMAN: . . . When detainees are brought up in that manner, say, 50 at a time, are no charges read out individually to the suspects?

"The WITNESS (interpretation from Arabic): The indictment is read to the whole group of detainees and all the detainees will have the same charge. They are classified into stone-throwers, or participants in demonstrations, or having set fire to tyres in the street. Each group is separate and has one charge.

"The CHAIRMAN: But is there no point in the trial where the charges in respect of each person are read out to him?

"The WITNESS (interpretation from Arabic): **No.**"

...

"... Many of the confessions are extracted, of course, under torture or beatings, inhuman Israeli practices. Most confessions are refuted by the accused before the judges, but the judges do not take this into consideration. The detainees **may** say that the confession was extracted under torture, but still the judge does not accept that statement."
(A/AC.145/RT.511/Add.1)

83. One particularly preoccupying problem mentioned was the practice of arresting minors. An anonymous witness referred to his **14-year-old** son's experience in that regard:

"I was in **my** shop and **my** son was at the preparatory school. The **army** came and expelled the children from school and they went to seek refuge in a nearby house. The border guards came and took about eight children. They put

/...

them in a car and trampled on them. I saw the mark of the army boots on **my** son's neck. They were taken to the legislative council, or the headquarters of the Military Governor. There they were very severely beaten around the ears: my son was unable to hear properly for a whole month because he suffered injury to his right ear. Afterwards they summoned me by telephone. They told me to **come** and collect my son.

"I went there and I stood at the gate of the place where they had detained my son. I arrived at 11.00 **a.m.** and I had to wait at the gate until 7 **p.m.** Not one person asked **me** what I wanted. After seven hours of waiting they asked **me** if I was the father of this boy. I said yes, I entered and they took **my** identity card away and noted **my** telephone number. Then I had to go to the second floor to the headquarters of the Israeli Military Governor where they were proposing to hold a quick 'trial' of **my** son. My son still carried traces of the beating on his eyes and his shirt was bloodstained.

"They asked **my** son, 'Why were you at school?' He said, 'I was learning.' They asked him if he had been throwing stones or putting up barricades in the street. He said, 'I was not throwing stones or putting up barricades. The army took **me** from school.' They told him they were going to 'try' him very quickly. My son said he had not done anything. They told him that for each word he pronounced, they would fine him \$500. They fined him 2,000 shekels because he said he was not guilty. Every time he said so, the fine was increased by \$200, that is 3,000 Israel shekels. They issued an order that he be fined 3,000 shekels. They kept **my** 'identity card and told me to take my son home. They said that I would not get **my** identity card back until I paid the fine." (A/AC.145/RT.517)

84. Accounts of the administration of justice in the occupied territories **may** be found in documents A/AC.145/RT.507 (Mr. Ahmad Mohammad Jabar Suleiman, Mr. Mas'ud Osman Zu'aytar); A/AC.145/RT.510 (Mr. Muphid Nearat, Mr. Omar Basha); A/AC.145/RT.511/Add.1 (an anonymous witness); A/AC.145/RT.512 (an anonymous witness); A/AC.145/RT.512/Add.1 (Mr. Hassan Rahim Mohammad Dahdou); A/AC.145/RT.513 (Mr. Abdel Hamid El Baba, Mr. Jamal Abdallah Shakir Jbara); A/AC.145/RT.515 (an anonymous witness); A/AC.145/RT.517 (an anonymous witness); and A/AC.145/RT.518 (Mr. Hafez Toukan).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, **paras.** 51-74)).

85. During the period covered by the present report, the Special Committee received a number of communications from various sources **concerning** the administration of justice in the occupied territories. In a communication transmitted by Amnesty International on 19 June 1989 entitled "Israel and the Occupied Territories: Administrative Detention During the Palestinian **Intifada**" it is recalled that more than 5,000 Palestinians had been held in administrative detention since the beginning of the uprising, and that at least 1,100 were reported to be in detention by mid-June 1989. The report referred to the historical

background of administrative detention in the occupied territories, and mentioned relevant Defence Emergency regulations and Military Orders. It further described administrative detention measures taken on a large scale against all sectors of Palestinian society since the start of the uprising in December 1987. The harsh conditions of detention, in particular in the Ketxiot (Ansar 3) camp in Israel itself were also referred to. Among particular concerns expressed by Amnesty International in this regard were the broad formulation of the grounds for detention and the failure to provide sufficient reasons for detention. Such concerns were said to have become more acute since March 1988, when the **use** of administrative detention became widespread, the number of those entitled to issue administrative detention orders increased, and existing judicial safeguards were removed. Four sample cases (concerning a lawyer, a university teacher, a journalist and a human rights fieldworker) were extensively cited. In its conclusions and recommendations Amnesty International expressed the belief that the existing practice of administrative detention in the occupied territories "falls short of international human rights standards". It recommended, inter alia, that the cases of all administrative detainees currently held in Israel and in the occupied territories be urgently reviewed, and that the Israel authorities reviewed the appropriateness and necessity of maintaining the practice of administrative detention without charge or trial.

86. During that period, the Special Committee also received a considerable amount of reports from various newspapers providing information on arrests, the issuing of administrative detention orders, and the **passing** of sentences concerning Palestinians in the occupied territories. Such information included, in **most cases**, relevant details such as the date, subject or subjects, place, duration and **motive** invoked. Owing to the amount of cases involved which, if listed individually, would have taken up considerable space, only a few examples are cited below in order to illustrate the situation in that regard.

87. On 2 April 1989, the military court in **Gaza** sentenced a youth convicted of throwing stones at a soldier to two and a half years in gaol. Another youth was sentenced to one year and a half in gaol for belonging to the **popular committees**. (Ha'aretz, 3 April 1989)

88. On 5 April, 452 Palestinian prisoners from the territories were released from gaol in what was described as a goodwill gesture coinciding with the beginning of the Ramadan fast. It was reported that, following the release, 6,109 Palestinians were still being held in prison for security offences and other offences linked with the uprising: 720 were convicted, 901 were awaiting trial, 1,020 were administrative detainees and **some** 3,800 were detained until the end of the legal proceeding. (Ha'aretz, 6 April 1989)

89. On 12 April, Zaher Shreita, aged 30, was gaolled in the "**Ansar 2**" detention camp after a soldier accused him of watching soldiers through binoculars. The IDF spokesman declined to comment on the incident. (Jerusalem Post, 13 April 1989)

90. On 20 April, it was reported that, according to Israeli official sources, the number of Palestinian detainees since the beginning of the uprising reached 30,000, including administrative detainees, sentenced prisoners and those awaiting trial.

The news was reported in the Israeli Al Hemishmar newspaper. (Attalia, 20 April 1989)

91. On 18 May, it was reported that security forces had arrested **Sheikh Bassam Jarar**, from el-Bireh, considered as a leader of the Islamic Resistance Movement (Hamas). He had been freed from the Ketziot detention camp the previous month after serving six months in administrative detention. On 5 June, it was reported that **Bassam Jarar** had been placed in administrative detention. (Jerusalem Post, 18 May 1989; Ha'aretz, 5 June 1989)

92. On 18 May, it was reported that, for the first time since the opening of a military court of appeals in the territories, two appeals were lodged with the court in the Gaza Strip. They were lodged with **advocate Mahmud Abu-Hasira from Gaza**, on behalf of **Nafes Hasuna** and **Ayed Hasuna**, who had been sentenced to one year in gaol, one year suspended and a fine of NIS 1,000 (approximately \$600) for stone throwing. The appeals were against the harsh sentence. On 25 May, it was reported that the court rejected the appeals. (Ha'aretz, 18 May 1989; Jerusalem Post, 25 May 1989)

43. On 21 May, the security forces arrested 150 leading activists of the Islamic Resistance Movement (Hamas) in the Gaza Strip, including **Sheikh Ahmed Yassin**, the movement's spiritual and military leader. Yassfn, aged 52, is paralysed and confined to a wheelchair. Other well-known leaders arrested in that operation were **Dr. Mahmud A-Zahar**, a senior lecturer in the Islamic College, **Bassam Jarar**, the leading Hamas activist in the West Bank, **Dr. Awad Salah Saruna** and his three brothers. The I.F spokesman said that the detainees were suspected of assassinating collaborators and brutally imposing the laws of the uprising on the population. (Ha'aretz, Jerusalem Post, 22 May 1989)

94. On 24 May, 5 out of 21 residents of Beita against whom charges were filed in connection with the violent clash between them and a group of settlers from Eilon-Moreh, in April 1988, were convicted at the military court of **Nablus** and given harsh sentences. **Khaled Hussein Bani-Shamsa**, aged 19, was given four years' imprisonment and four years suspended sentence for attempting to stab **Roman Aldubi**, participating in an attack on **Menahem Levni** and throwing stones at the Eilon-Moreh children. **Atwa Ahmed Dweikat**, aged 23, and **Ayman Bani-Shamsa**, aged 21, were each given 21 months imprisonment and 39 months suspended, for forcing the settlers to go to Beita and hand their weapons to villagers. **Ahmed Mohammad Bani-Shamra**, aged 28, was sentenced to 18 months in prison and 41 months suspended, for similar charges; **Abd al-Karim Habaisa**, aged 22, was sentenced to two years imprisonment and three years suspended for attacking and stoning the settlers, injuring one of them. (Ha'aretz, 25 May 1989)

95. On 6 June, it was reported that a charge sheet had been filed with the military court in Gaoa against an unspecified number of activists of the "Popular Army", which was set up in southern Gaaa Strip in October 1988 and was affiliated to the **Fatah**. (Ha'aretz, 6 June 1989)

96. On 12 June, it was reported that the security establishment had decided to impose harsher penalties on persons suspected of subversive activity in the

uprising. One of the **penalties** would be the extension of administrative detention from the present six months to one year, with a possible further extension. **Some** 1,200 residents of the territories were being held in administrative detention, in addition to thousands of **others** who were being detained pending their trial. (Ha'aretz, 12 June 1989)

97. On 13 June, it was reported that four **women** from Jabaliya, including **Samira Abu Raya** - a mother of a nine-month-old baby, who were arrested on 1 June 1989, were also placed in administrative detention. According to the "Women for Political Prisoners" organization, the **women** were being detained as hostages, until their husbands and sons, who were wanted by the security forces, turned themselves in. (Ha'aretz, Jerusalem Post, 14 June 1989)

98. On 14 June, it was reported that since the beginning of the uprising, over 49,000 **Palestinians** from the territories had been detained for various periods in Israeli detention facilities. They included administrative detainees, detainees pending trial, detainees already tried and persons detained for participation in disturbances. (Ha'aretz, 14 June 1989)

99. On 18 June, the Government decided that three organisations operating in the territories were to be outlawed as "terror organizations". These were the "**Hamas**" organization, the "Islamic Jihad" and the Shiite "**Hezbollah**". As a result, the military prosecution and the Judge Advocate-General would henceforward not need to prove that a member of one of the three organizations was a member of a "terrorist organization". The burden of proof would rest with suspected members of these organizations. (Ha'aretz, 19 June 1989)

100. On 19 June, the military court in Gaza imposed sentences of unprecedented severity on five Palestinians convicted of attacking other Palestinians. Na'im Alayan and Rahuran Nasser, both aged 27 and from Gaza, were each sentenced to 15 years imprisonment - the first for throwing petrol bombs at strike violators, damaging shops and setting fire to two buses carrying workers to Irrad, and the second for manufacturing explosives that he threw at "infidels". Ibrahim Alush, aged 17, Muhammad Alush, aged 18, and Fawzi Hamuda, aged 17, all from Jabaliya, were each sentenced to eight and one half years in prison and four and one half years suspended, for harassing shopkeepers who had opened their shops on strike days. (Ha'aretz, Jerusalem Post, 20 June 1989)

101. On 26 June, it was reported that Defence Minister Rabin and Justice Minister Meridor had decided to set up joint teams of experts to consider the Defence Ministry's request for legal authorisation to impose harsher punitive measures in the territories. (Jerusalem Post, 26 June 1989)

102. On 3 July, the High Court of Justice rejected an application by Naim Issa Juha of Bethlehem against a military seizure order that was issued four months earlier on a piece of land of 700 square metres he owned. In the application, filed by advocate Felicia Langer, the land-owner argued that the seizure was illegal, that the land was planted with fruit trees and that he feared that the soldiers could harm them. The office of the State Attorney replied to the application stating that since the beginning of the uprising the IDF needed to increase its presence in

the area **significantly** and that its forces required additional stationing places. The land in question, located near the military government house in Bethlehem, was one of several such places. The president of the Supreme Court, **Justice Meir Shamgar**, ruled that a provisional seizure of land for military purposes was permitted under the "laws of the war" and under the international public law. The judges recommended in their judgement that the IDF authorities fix the duration of the seizure, pay the land-owner for the use of his land and strive to avoid any harm to the plants or to compensate the owner for any damages. (Ha'aretz, 4 July 1909)

103. On 6 July, **charge-sheets** were filed with the military court in Gaza against 79 members of popular committees and "shock forces", accused of offences against local policemen and workers and of dozens of attacks against the security forces. (Ha'aretz, 7 July 1989)

104. On 20 July, it was reported that **Najwa Bajes Salem**, aged 27, a mother of four children, from **Bittin**, was detained on 17 July 1989 after her three-year-old daughter allegedly waved a "V" sign at a passing military patrol. According to police records, the reason for the detention was incitement. She was remanded until 3 August. (Jerusalem Post, 20 July 1989)

105. On 21 July, it was reported that Palestinian lawyers had announced a one-month boycott of West Bank military courts to protest against "deteriorating working conditions". In a press conference the lawyers' representative listed a series of grievances, including the authorities' failure to inform families of detainees of the reasons of arrest and place of detention, their failure to inform lawyers of the time and place of remand hearings, strip-searches of prisoners before meetings with their lawyers, long delays between arrest and meetings with the lawyers, harassment of lawyers, including eviction from detention facilities that had been declared closed military zones, and the imposition by judges of different sentences on defendants charged with the same offences. Regarding the latter, IDF Judge Advocate-General **Amnon Strashnow** noted that verdicts could now be appealed to a military appeals court. Regarding the other complaints, he said that lawyers' working conditions had been vastly improved recently, (Jerusalem Post, 21 July 1989)

106. On 2 August, the High Court of Justice rejected an appeal by **Aluned Halil al-Jamal** of Tulkarem, who claimed that he had rented a room to a man whose son had allegedly committed security offences, and feared that as a result, his house may be demolished. The court ruled that the fact that the person who committed such offences was a tenant was not a reason for the authorities to refrain from demolishing a house. Otherwise the emergency defence regulations would lose their deterrent force. But because of the special circumstances of that particular appeal, the court ordered that the security forces only seal the house. (Jerusalem Post, 3 August 1989)

107. On 9 and 11 August, reports were published on data collected by the Israeli Information Centre on Human Rights, "Betzelem". According to these data it emerged that since the beginning of the uprising 4,215 administrative detainees had been held in facilities in the southern region and in facilities administered by the

military police. Some 243 of these detainees were serving a second or third administrative detention term. Most of the administrative detainees were held at the Ketziot camp where they were being held in tents, each accommodating 24 detainees. (Ha'aretz, 9, 11 August 1989)

108. On 10 August, the Association for Civil Rights in Israel (ACRI) petitioned the High Court of Justice, alleging that the IDF routinely failed to notify Palestinian families of the arrest of relatives and their place of imprisonment. The petition, directed against the military commanders of the West Bank and the Gaza Strip, cited several cases of Palestinians who were not informed of the detention of relatives for up to a month after the arrest. (Ha'aretz, Jerusalem Post, 11 August 1989)

109. On 11 August, it was reported that a Palestinian family of Beit Sahur had petitioned the High Court of Justice against the IDF practice of fining parents of minor children who threw stones at soldiers. The IDF regulations concern parents of children aged 9 to 15 in cases where an IDF commander had concluded, without a trial, that there was good reason to believe the child threw stones. The petitioners, Jiris Salame Al-Rashmawi, aged 63, and his wife Nihaiye, aged 43, were the parents of Salame, aged 13, who was involved in a stone throwing incident in Beit Sahur on 2 August 1989 and caught by soldiers. The boy denied having thrown stones but was nevertheless beaten. An officer released him, but first demanded that his parents deposited a returnable bond of NIS 1,000 (\$500). The petition, filed by attorneys Avraham Gal and Yoref Levy, asked the court to order the Defence Minister and the Central Region Commander to show cause why the regulations should not be cancelled. (Jerusalem Post, 11 August 1989).

110. On 13 August, it was reported that under new orders signed by the Central and Southern Region commanders, Yitshak Mordekhai and Matan Vilnai, administrative detention terms, which until then were no longer than six months, could now be imposed for one year. They could also be renewed for another one-year period. Announcing the new measure, the IDF spokesman said it was prompted "by security needs and the current situation in the territories, according to directives of the Defence Minister, with the agreement of the Justice Minister". Under the new regulations, Palestinians put in administrative detention for more than six months can have their case reviewed by a judge with a legal background at least every six months, in addition to the possibility to appeal to a military judge, which existed already. The new orders were described as part of ongoing efforts by the Defence and Justice Ministries to initiate legislation permitting tougher measures to combat the uprising in the territories. (Ha'aretz, Jerusalem Post, 13 August 1989)

111. On 15 August, the IDF Judge Advocate General, T/A (Brig. Gen.) Amnon Strashnow, said that his office would not "blindly" sign every case of administrative detention submitted for its approval, but would examine each case on its merits. (Ha'aretz, 16 August 1989)

2. Israelis

112. During the period under consideration, it was reported that a few Israelis charged with murder or ill-treatment of Arab civilians had been charged and sentenced to various terms. A few such examples are cited below:

113. On 6 April, it was reported that a Natanya magistrates' court had released on bail Ovadia Salomi, aged 37, from Masua, who was suspected of opening fire, two weeks earlier, at stone throwers at the Usarin junction, near Nablus, killing Maher Adali, aged 14 and injuring another youth. Salomi told the court he had opened fire in the air as his life was in danger. The judge decided that he should be placed in house arrest for 15 days. (Ha'arets, 6 April 1989)

114. On 11 April, it was reported that an IDF colonel, who had acted as governor of Nablus during the first months of the uprising, was recently dismissed from service by Chief of Staff Dan Shomron following a legal opinion given by the Judge Advocate-General regarding the officer's attitude to Arabs. The officer, named as A/M (Colonel) Yehuda Meir, was involved in several incidents of brutality and beating of Arabs. An inquiry was held by the Investigating Military Police on the allegations made against the officer who was a Lt. Colonel at the time. The Chief of Staff's decision came after the inquiry and the legal opinion. The officer was given the choice to leave the IDF following a disciplinary trial or to stand trial before a military tribunal. On 28 May, the Association for Civil Rights in Israel (ACRI) petitioned the High Court of Justice demanding that Meir, former military commander of Nablus, be put on trial for ordering soldiers to break the limbs of Palestinian prisoners in the village of Mawara, in 1988. On 16 July, the High Court of Justice issued an order nisi requesting the Judge Advocate-General, the IDF command and A/M (Colonel) Yehuda Meir to show cause within 15 days why A/M Meir should not be court-martialled. The order nisi was issued at the request of ACRI. The office of the State Attorney prepared a reply rejecting the applicants' argument that the decision not to court-martial A/M Meir was "extremely unreasonable". It argued that his discharging from the army, with a severe reprimand, was a sufficiently heavy penalty. (Ha'arets, 11 April 1989, 17 July 1989; Jerusalem Post, 29 May 1989, 17 July 1989)

115. On 12 April, Rabbi Moshe Levinger of Kiryat Arba had a charge-sheet filed against him with the Jerusalem district court, accusing him of killing a salesman, Kaicl Hassan Abdel Aziz Saleh, aged 42, during a stone throwing incident in Hebron on 30 September 1988. Another bullet fired by Levinger on that occasion allegedly hit Ibrahim Bali and injured him. Levinger was also charged with damaging property. Levinger was questioned but not arrested after the incident. Levinger claimed that the charges were filed against him only because of complaints by MK Yossi Sarid. On 22 May, Rabbi Levinger appeared before the Jerusalem district court on a charge of manslaughter. At the end of the session Judge Ezra Hedaya accepted Levinger's request to postpone the opening of his trial until 13 July 1989, in order to allow Attorney-General Yosef Harish to review his appeal for a stay of legal proceedings against him. On 13 July, Rabbi Levinger appeared in the Jerusalem district court without a lawyer. The judge told him he must be represented, as he was charged with the manslaughter of an Arab merchant and wounding a soldier. The judge postponed the trial to 8 August 1989. On

18 August, it was reported that the trial of Rabbi Moshe Levinger of Hebron was postponed until 28 August 1989. (Ha'aretz, Jerusalem Post, 13 April 1989; Jerusalem Post, 23 May 1989, 14 July 1989; Ha'aretz, 18 August 1989)

116. On 1 May, a Jerusalem **magistrates'** court judge, **Dalia** Kobel, ordered the release on bail of Haimm Ben Lulu from Kiryat-Arba, suspected of killing Nader Da'naban, aged 15, after **his** car was stoned in Hebron on 28 April 1989. A police inspector had told the court that the Arab boy had been killed by a ricochet and not as a result of a direct hit. In ruling that Ben Lulu should be released on a bail of NIS 25,000 (approximately **\$18,000**), Justice Kobel said there was no fear that the settler could escape, interfere with the legal proceeding or endanger public peace, and that in the light of the circumstances described by the police, there were no grounds for extending his detention by five days. (Ha'aretz, **2 May 1989**)

117. On 25 May, the Southern Command military court acquitted four soldiers of the Givati brigade and a doctor of manslaughter in the death of **Hani** El-Shami in August 1988, but convicted them of causing grievous bodily harm. The three judges said in their verdict that they were not convinced that there was a direct connection between the behaviour of the four soldiers and the cause of death. They added that the accused had exceeded orders when they beat **El-Shami**, but said that so many soldiers had beaten and kicked him that it was impossible to determine who had struck the fatal blow. Seren (Captain) David Nussam, who was the area's physician, was cleared of negligence in failing to discern signs of El-Shami's internal injuries. On 27 May, the IDF spokesman announced that the **army** would not prosecute the commander of the four soldiers. On **15 May**, the Southern Region military court sentenced three soldiers of the Givati brigade charged with having maltreated **Hani** El-Shami to prison **terms of nine months and nine months suspended**. A fourth soldier, Arie Lutzato, was sentenced to six months in gaol and six months suspended. Execution of the sentencing was delayed upon request of the lawyer of two of the defendants, who informed the court that he would appeal to the military court of appeals. The southern region military prosecutor announced that the office of the Judge Advocate-General was to instruct that the investigation into the death of **El-Shami** was to be reopened, and that it would consider putting on trial the senior officers who gave the "patently illegal" orders to beat **El-Shami** after he was arrested in his home. On 22 June, it was reported that the four soldiers had lodged an appeal with the military court of appeals both against the verdict and against the sentence. On 26 June, it was reported that Judge Advocate-General T/A (Brigadier) **Amnon** Strashnow decided to reopen the investigation into El-Shami's death. He reportedly asked the president of the military court of appeal to appoint a judge-investigator to conduct the investigation. (Ha'aretz, Jerusalem Post, **26, 28 May 1989, 16, 18, 22, 26 June 1989**)

118. On 2 June, it was reported that the Judge-Advocate of the Southern Command, A/M (Colonel) Shmuel Moyal, recommended to close the inquiry file against an officer - a major - suspected of having fired two shots at an injured Arab detainee. The incident occurred in December 1988 in Ansar 2 detention camp in Gaza, when an Arab detainee attacked two soldiers with a knife. Two other soldiers shot at him and injured him. The **major** then arrived on the scene, shot at the detainee who was lying, heavily bleeding, on the floor, and killed him. According

to Judge-Advocate Moyal, the shooting by the **officer** was justified since the detainee **was** still holding a knife and constituted a danger to the soldiers. (Ha'aretz, 2 June 1989)

119. On 9 July, the police **told** the Jerusalem magistrates' court it could not provide evidence to sustain the murder charge attributed to **Meir** Berg, aged 43, **from** Pesagot settlement, who was arrested following an incident in which a villager from Karawat **Bani Zeid** was killed. The police told the court that Berg **was** now suspected **of** causing death **out** of negligence, and consented that he be released on bail. The judge ordered that the suspect **be** released on bail, (Ha'aretz, 10 July 1989)

120. On 9 August, the trial was opened at the Southern Command military court of an IDF **officer**, a lieutenant, **of the** Givati brigade, on charges of causing the death of a Rafah resident by firing a plastic **bullet** not in keeping with the open fire rules. The incident occurred on 13 November 1988 while the town was under **curfew**. The officer saw a group of youths **fleeing**, and as one **of** them crouched down he feared that the life **of** his soldiers was in danger and opened fire **from** a distance of 60 metres, not according to the rules **for** arresting a suspect, killing Tarek **Atallah Zaid Samadre**. The **officer** pleaded not guilty and **the** trial was postponed to a later date. (Ha'aretz, 10 August 1989)

C. Treatment of civilians

1. General developments

(a) Harassment and physical ill-treatment

Oral evidence

121. Several witnesses testified about the plight of civilians and the daily harassment and threats to physical integrity and security they were enduring as a result of the uprising. References were made to the general climate of violence, fear and humiliation prevailing in the occupied territories:

"In the city where I live there have been many inhuman harassments. At night, over the period of a whole week, six or seven days, from sunset to dawn some cars used to be driven around the houses with the sirens going, so that families could not get to sleep. They also used loudspeakers to insult the inhabitants, using obscene language. My younger brother, who is 22 year6 old, was returning from work; he rang the bell of his home, but there was a patrol touring the city looking for a young man who had done something or other. They seized my brother and beat him up, although he was not the man they were looking for. They beat him and injured him so that for a whole week he could not walk. Very frequently those patrols invade the houses without any warrant. They jump over the wall and enter the house to search it. Sometimes ten people would come into the apartment and search it, breaking the furniture and go out again, behaving in an unacceptable manner towards the inhabitants. " (A/AC.145/RT.508/Add.1)

"I was arrested several times in my car. They would force me to stop, get out and clean the streets. They would make me carry burning material in my bare hands. Once I had my son with me, when he was only three years old. I was taking him to Jenin and I was stopped by the army. They told me to get out and wanted to force me to remove the burning tyres. My son started screaming, he was afraid for me. I told the soldiers, 'Please leave my son alone, he doesn't understand.' They started beating me and humiliating me and my son started screaming more and more, so I told them, 'I don't care if you are going to shoot me. Shoot me, but I am going to take my son away. '" (Mr. Muphid Nearat, A/AC.145/RT.510)

"... I remember that once we were sleeping at home, and after my young son left the house we found somebody knocking at the door. I opened the door and found that they had caught my son. They bad him by the hair, they hit him, and they threw him down on the ground. His mother was screaming. We presented a complaint to the Military Commander. A neighbour was also hit and they left him for dead; they threw him down in the road and then they dragged his body - they thought he had died - and threw him on an empty piece of land nearby. They got a big stone and they hit him on the head with it, because he had told them when they entered his house that he was going to complain because they had buried him alive. He was one of the people who had been buried alive with others from the same village." (Anonymous witness, A/AC.145/RT.512)

/...

122. Reference was made to the harassment of minors and more generally to the grave psychological insecurity suffered by children as a result of daily confrontation with violence and humiliation;

"Life has been steadily deteriorating, it goes from bad to worse. People live in terror, in fear, all the time. Many times we are beaten by the Jews, by the Israeli army. At the beginning we just used to see them in the street, beating people they met in the street; but later they began to attack the houses. They break into houses and drag people out and beat them. You see your children's bones being broken. I have a son, a daughter and my wife, and all three of them have had bones broken. My wife went out to see her son who was crying because of the beating, and they broke both her hands. She went out of the house to try to get her son back. First they hit our son, so my wife went out to try to get him back, so they broke her hands.

"Mr. JOVANIC (Yugoslavia); What caused them to attack your son? How old is he?

"The WITNESS (interpretation from Arabic); He is eight years old. He was participating in a demonstration with other young people' Some people came to tell us that the Jews had taken our son and had broken his bones." (Anonymous witness, A/AC.145/RT.515)

"... The children are growing up in an atmosphere of fear and terror, feeling that at any time the occupation army many come to take their father away or beat him in front of them. It is considered a great insult for an Arab citizen to be beaten in front of his children. No man likes to be insulted or humiliated in front of his wife and children."

...

"... Naturally the impact of Israeli violence on our children is very clear and apparent. I do not deny that there is aggressiveness in those children, the inevitable result of what they are exposed to, the persecution, the beatings, and the barbarity they witness every day, seeing their brothers and their parents being beaten and their bones being broken. It is normal for those children to react. The simplest reaction for the child is to throw a stone at the person practising that violence. Such an impact on a child is very difficult to erase: It becomes very deeply imprinted on a child's mind." (Anonymous witness, A/AC.145/RT.516)

123. The difficulties regarding the treatment of people injured during clashes were also mentioned:

"Sometimes a young man bleeds to death, when they prevent the ambulances from coming to collect the injured. A man might be bleeding in front of the ambulance driver, but that driver would not be allowed to take him to hospital." (Anonymous witness, A/AC.145/RT.516)

'... When somebody is wounded they will not allow an ambulance or a doctor to take him to hospital. They will leave him there until he dies in the street.' (Anonymous witness, A/AC.145/RT.517)

124. Many witnesses referred to the use of gas and its harmful effects on the health of the civilians. Dr. Samir Salameh Khalil, a paediatrician, stated in this regard

"We know that these gases were used in a manner contrary to the instructions on the canister: they are used inside houses, hospitals and mosques, which means that the concentration of gas is much higher than it would be in the open. Experiments by the manufacturers have shown that a reasonable concentration of gas will cause temporary discomfort in the tissues of the mouth, nose and eyes. It will cause tears and force the demonstrator to leave the place where the gas is concentrated. But in closed areas the concentration is extremely high and there have been many martyrs who died in their own houses, especially children and old people." (A/AC.145/RT.509)

125. Mr. Abdel Hamid El Baba, from Al 'Amari refugee camp, who was recently expelled from the occupied territories, gave the following reply when asked about memories of his life in the refugee camp;

"The thing that I remember was just before I was deported. There were three helicopters which dropped hundreds of gas bombs on to the refugee camp. The children could not breathe. I saw dozens of children screaming in the streets, suffocating from the tear-gas bombs, because the helicopters were dropping hundreds of tear-gas bombs which led to asphyxiation in the camp. The space of the camp is very small, and on that day more than 1,000 gas bombs were dropped on the camp. This led to the asphyxiation of dozens of children and to the miscarriage of many women, as well as the death of an old man, who was 60 years old, all as a result of the tear-gas. All this was under the pretext that the refugee camp was staging a violent demonstration. This was a very painful sight for me, to see the children screaming before suffocating, and they didn't know what to do. If it had been shooting, maybe the children could have run away from the bullets, but because the gas was very concentrated, it formed a cloud over the refugee camp. From outside the camp you could not make out the houses. That sight was very painful to me." (A/AC.145/RT.513)

126. Accounts of the harassment and physical ill-treatment of civilians in the occupied territories may be found in documents A/AC.145/RT.508/Add.1 (an anonymous witness); A/AC.145/RT.509 (Dr. Samir Salameh Khalil); A/AC.145/RT.510 (Ms. Ahlam Mohamed Said, Mr. Abdel Nasser Mahmud, Mr. Hekmat Jaber, and Mr. Muphid Nearat); A/AC.145/RT.511 (Mr. Husni Al Ashab); A/AC.145/RT.512 (an anonymous witness); A/AC.145/RT.513 (Mr. Abdel Hamid El Baba, Mr. Jamal Abdallah Shakir Jbara); A/AC.145/RT.514 (Ms. Amal Ousman Mustapha, Ms. Labibah Helub, Ms. Judeh Saleh); A/AC.145/RT.515 (six anonymous witnesses); A/AC.145/RT.516 (an anonymous witness); A/AC.145/RT.517 (two anonymous witnesses); and A/AC.145/RT.518 (Mr. Hafez Toukan).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 92-109)).

127. During the period covered by the present report, the Special Committee received a number of communications from various sources concerning physical ill-treatment of civilians. In one of these communications transmitted by Amnesty International and dated 22 May 1989 reference was made to reports of four separate incidents of beatings that took place in the West Bank in March and April 1989 concerning Fibmi Husaya Dawud Ishtayyeh, **Sami Al-Kilani**, **Ra'ad Ahmad Mustafa Adwan** and Nidal Dawish Qabi. In this communication Amnesty International provided detailed information about these four incidents, and expressed its grave concern at daily reports from the occupied territories of **beatings** of Palestinians in the custody of the **Israeli Defence Force and Border Police**.

128. On 3 April, it was reported that three **entrances** to the **Casbah** area of Hebron would be permanently blocked shortly after settlers were reported of being attacked by Arabs in the Casbah. (Ha'aretz, 3 April 1989)

129. On 9 April, it was reported that residents of Batir, south-west of Jerusalem, alleged that troops who enforced a curfew in the village a week earlier had beaten handcuffed youths, had ordered a night-time blackout, had broadcast verbal abuse over loudspeakers and had thrown tear-gas and rocks into homes, causing extensive damage. The allegations have been categorically denied by the unit commander in the area. He acknowledged that during violations of the curfew tear-gas canisters were used and it was possible that a canister fell inside a home, but this was not done on purpose. (Ha'aretz, Jerusalem Post, 9 April 1989)

130. On 17 April, it was reported that attorney Lea Tsemel alleged in a letter to the legal adviser of the Central Region Commander that soldiers had shot at a youth from Awarta, near Nablus, Ma'an Yahya **Awad**, without any justification, hit him in the eye and later delayed his transfer to hospital for over three hours. She wanted to know the identity of the soldiers who opened fire, and whether an inquiry into the incident had been held. (Ha'aretz, 17 April 1989)

131. On 20 April, an Israeli peace activist, Hillel **Bardin**, alleged that border policemen ill-treated residents of **Jebel Mukabar** neighbourhood in East Jerusalem following a clash on 18 April. According to Palestinian sources, police broke the arms of two brothers, **Ali Muhammad Srur**, aged 45, and Ahmed Srur, aged 43, and beat a 17-year-old girl. (Jerusalem Post, 21 April 1989)

132. On 21 April, soldiers at the Askar camp allegedly rounded up a group of local men and forced them to "stand guard" for hours to prevent disturbances. An IDF spokeswoman said such action was against standing orders, and that the report was being checked. (Jerusalem Post, 23 April 1989)

133. On 25 April, it was reported that residents of East Jerusalem, Ramallah, Bethlehem and **Beit-Jala** complained over the past few days that their watches had been smashed by border policemen and IDF soldiers because they were set according

to "the summer time in the State of Palestine", ordered in a recent leaflet by the leadership of the uprising. (Jerusalem Post, 25 April 1989)

134. On 4 May, it was reported that a non-commissioned officer involved in an incident in which soldiers in Ramallah used a Palestinian boy as a human shield against stone throwing, was reprimanded at a disciplinary hearing. The incident was filmed by a foreign television crew. (Jerusalem Post, 4 May 1989)

135. On 5 May, it was reported that the IDF and the border police were looking into allegations by the family of a Kalkiliya businessman, Wafa al-Shanati, that border policemen had thrown a large quantity of garbage and human excrement into the family's water tank. (Ha'aretz, 5 May 1989)

136. On 25 May, it was reported that Nablus residents continued to complain about systematic brutality by soldiers in the town. According to eyewitnesses, soldiers in observation posts, principally in the Kasba area, were shooting at various targets "out of boredom". There were also many cases of soldiers beating residents for no apparent reasons, causing in some cases injuries necessitating hospitalization. (Ha'aretz, 25 May 1989)

137. On 5 June, it was reported that the Air Force would compensate four Palestinian boys wounded in November 1988 by exploding flares they handled in the areas of Tamun and Tubas. The flares were reportedly dropped by planes during manoeuvres and several Palestinian children and youths were wounded in a series of unexplained explosions. It was reported that pilots had received instructions to avoid a recurrence of such incidents, and that local residents would be warned not to handle abandoned ammunition. (Ha'aretz, Jerusalem Post, 5 June 1989)

138. On 2 July, Knesset member Dedi Zucker sent letters to the Defence Minister, the Minister of Justice and the Attorney General, requesting that a meeting be held to discuss the steep increase in the number of injured persons in the territories in the past three months. According to data gathered by Knesset member Zucker, based on the registry of hospitalization in hospitals in the territories, 463 persons were hospitalised with injuries caused by IDF shots (live ammunition, plastic bullets and rubber bullets), during the month of April 1989; 1,335 persons were hospitalised with such injuries in May and 1,010 in June. A quarter of the injuries were reportedly in the head and chest. Sixty per cent were caused by live bullets. One third of the injured persons were children under 15. (Ha'aretz, 3 July 1989)

139. On 6 July, it was reported that the security forces had refused to return the body of Mohammad Abu Nasr of Jabaliya to his family or to tell where he was buried. Abu Nasr was shot and killed on 28 June 1989. An IDF spokesman said that "according to regulations, the security forces do not tell a family where the body of a terrorist is buried". (Jerusalem Post, 6 July 1989)

140. On 7 July, border police allegedly forced residents of Beit-Safafa, south of Jerusalem, to extinguish burning tyres with their hands and feet, and beat other residents, including Muhammad Muse Salman who needed hospital treatment. In another development, Nablus residents reported that troops in the town and in the

nearby village of Zawiya had been beating residents, forcing them to bark like dogs (in Karum Ashur neighbourhood in Nablus) and cutting off fruit trees. (Ha'aretz, Jerusalem Post, 11 July 1989)

141. On 27 July, it was reported that Gaza residents had been complaining that IDF soldiers had, over the past few days, confiscated their cars, probably in order to enter refugee camps unnoticed, and that they later returned them badly damaged. One car owner, Jamil Ibrahim of Gaza, alleged that soldiers had first confiscated his ID card, and when he went to the military government house to get it back, his car was taken and he was sent home. When he asked why his car was taken he was beaten, His car had still not been returned to him. (Ha'aretz, 27 July 1989)

142. On 1 August, it was reported that Jeunal Radwan, aged 29, of Rafah camp, was in the Shifa hospital, Gaza, after soldiers had allegedly scrapped off, with a sharp tool, a tattoo on his arm showing a Palestinian flag and a "V" sign. The soldiers also allegedly beat him severely inside the clinic. Radwan submitted an affidavit to a lawyer representing the Israeli human rights group "Betzelem". On 7 August, an IDF spokesman said the matter was being examined. (Ha'aretz, 8 August 1989, Jerusalem Post, 1 August 1989)

143. On 9 and 11 August, reports were published on data collected by the Israeli Information Centre on Human Rights, "Betzelem". According to these data, 9,740 Palestinians had been hospitalized in the Nablus district since the beginning of the uprising, with injuries caused by shooting, beating or tear-gas. These figures constituted about 5 per cent of the entire population of the district, which was approximately 200,000. The same source pointed out that many injured people were refusing to register themselves or be hospitalised, and the real number of injured people could therefore be higher. On the other hand, it was noted that hospitals in the Nablus district also served the population of other West Bank districts, such as Tulkarem, Jenin and Kalkilya. (Ha'aretz, 9, 11 August 1989)

144. On 12 August, a delegation of 30 Arab and Jewish public figures visited the "al-I ttihad" hospital in Nablus. The hospital personnel alleged that the security forces had been harassing them, bursting into operating rooms during operations, and hindering their activities during curfews. A member of the delegation said that four shepherds, aged 13 to 17, from the Tamun region, were hospitalised with serious burning injuries after an incendiary object had allegedly been thrown at them by IDF soldiers, four days earlier. On 14 August, it was reported that an IDF spokesman had commented on the allegations made by the delegation. He said that no IDF troops were staying in the Tamun area on the date of the incident, and that the youths had, in all likelihood, played with dangerous objects that had fallen in the area. He denied that the hospital personnel were being harassed during curfews and said they had special permits, issued by the civil administration, enabling them to travel freely. The spokesman added that the security forces did not enter hospitals unless there was a suspicion of a serious crime having been committed, and then they entered accompanied by civil administration officials and in any case they never entered operating rooms. (Ha'aretz, 13 and 14 August 1989)

(b) Collective punishment

Oral evidence

145. Several accounts were made of the repression suffered by a group of people or whole community as a form of collective punishment, by way of demolishing houses, enforcing curfews, imposing economic or other forms of sanctions,

146. Many witnesses referred to the practice of house demolitions used as a collective sanction, Ms. Ahlam Mohamed Said stated:

"I have seen many houses being demolished, and their owners were not there. We used to go to these houses and try to get people's belongings out. Sometimes they would open the gas tap, so that any little flame could cause an explosion and fire in the whole house. They used to break the glass, tear the books, anything they saw they destroyed, cars and other things.

"Mr. SENE (Senegal) (interpretation from French): I am not speaking of looting but of the actual demolition of the houses,

"The WITNESS (interpretation from Arabic)! Yes, they use explosives, they would place explosives in the houses to destroy them completely, sometimes even before the owners could get their belongings out of the house. The Red Cross used to supply such people with tents, put them beside the house so that they were at least able to sleep in the tents. It was not just one or two or three houses,

"Mr. SENE (Senegal) (interpretation from French) : How many houses like that have you seen this year?

"The WITNESS (interpretation from Arabic)! I have seen three houses like that, but I don't remember the dates on which those houses were demolished,

"Mr. SENE (Senegal) (interpretation from French)! And the reason why those houses were demolished?

"The WITNESS (interpretation from Arabic) : The participation of their owners in demonstrations, nothing else. They regarded this as treason and that they had violated the law, " (A/AC.145/RT.510)

1.47. An anonymous witness said in that connection!

"... If there is a house, the occupation authorities will claim that the young man who threw the stone was an inmate of that house and without any interrogation they will demolish that house merely on the suspicion that the young man was an inmate of that house. So the owner of the house finds themselves without a roof, homeless ." (A/AC.145/RT.511/Add.1)

148. Mr. Hafez Toukan, the mayor of Nablus, also mentioned this problem:

"At the end of February and the beginning of March this year there was a series of attacks on the old part of Nablus. The occupation forces blew up a number of buildings of archaeological interest, one of them dating from 500 years ago. The amount of dynamite used in those incidents was such as to demolish surrounding houses as well." (A/AC.145/RT.518)

149. Mr. Abdel Jawad Saleh described in the course of his testimony the planning schemes restricting the building of houses by Palestinians in certain areas and stated:

"These Israeli planning schemes place thousands of homes under the constant threat of Israeli bulldozers, since only Israeli civil and military authorities have the power to approve or deny building permits for Palestinians. This is in violation of standing laws and regulations ascribing such planning authority to village and municipal councils, before being changed, in contravention of international law, to serve Israel's expansionist policies.

"Consequently, when a permit is denied, most of the time unjustifiably, Palestinians are forced to build their homes without it, taking the risk, since they have no other choice. Sometimes houses built legally, under permits from the local municipal or village councils but which were built prior to Israeli plans, are found to be in prohibited zones prescribed by those plans, which are kept secret from the Palestinian population." (A/AC.145/RT.508)

150. He referred to the psychological motives behind the policy of house demolitions:

"The demolitions have left thousands of Palestinians homeless refugees on their own land, depriving them of their greatest asset and the accumulation of a lifetime of hard work. Even if the family has the resources to rebuild their home, the Israeli authorities usually prevent reconstruction, for the land on which the demolished house was built is either confiscated or declared a 'closed area'. This type of collective punishment is used against Palestinians, not merely as a punitive measure for resisting the occupation, but also as one of the means of creating 'favourable' conditions for their mass expulsion or 'transfer'. The psychological and material impact of the destruction of one's own home and its ramifications, including the loss of hope for a normal future, feelings of being uprooted, of helplessness and uncertainty, is devastating. The Israeli authorities are contemplating the destruction of the indomitable will of the Palestinians which challenges Israeli measures aimed at depriving them of the means of survival in their homeland." (A/AC.145/RT.508)

151. Reference was also made to difficulties resulting from the enforcement of prolonged curfews:

"In Gaza there are some eight refugee camps where the living conditions are terrible. Most of the camps suffer from repeated curfews, lasting a week or ten days at a time. Jabaliya suffers most in this respect, together with Khan Yunis and Rafah, especially the Shabura area. During a curfew, life comes to a standstill, no-one can go to *work*, and since the curfew *can* last for quite a long time, people cannot go out to buy food. Anyone who tries to go out may be shot or arrested. People can only go to work for a few days each month." (Anonymous witness, A/AC.145/RT.517)

"The occupation authorities are trying to create a feeling of instability among the people. They encourage their collaborators to set up roadblocks on the main roads, they will impose a curfew and during the curfew a shop is ransacked. No civilian could do that during a curfew: the only people who can move freely during a curfew are Israelis or someone who has special permission to do so. In that way Israel is trying to create suspicion and antagonism among the population." (Anonymous witness, A/AC.145/RT.517)

152. Various economic sanctions were also referred to, such as bans on the export of products from the occupied territories, restrictions imposed on the import of currencies from abroad, the uprooting of trees as a means of reprisal, or the imposition of heavy taxes:

"... the Israeli authorities have banned the export of citrus fruit to Jordan, which used to be a major source of income for Gaza. That of course had a very grave effect on the economy".

...

"... As for the assistance sent from Palestinians abroad, the Israeli authorities have issued a decree limiting the import of currency from abroad. Formerly, the amount permitted was \$5,000 or 2,000 Jordanian dinars; *n o w* only \$300 *a r e* permitted to be sent from any country abroad to the occupied territories." (Anonymous witness, A/AC.145/RT.517).

"... I f a young man throws a stone at a military vehicle, and if he was hiding among olive trees, *f o r* example, the Israeli military forces will come and uproot all the trees in the whole area, *a v e n* 500 or 600 might be uprooted because there was a young man who threw a stone at a military car." (Anonymous witness, A/AC.145/RT.511/Add.1)

"... Twelve thousand fruit trees have been uprooted. In addition to the important question of environmental and climatic effects, there is also the question of the high economic value, particularly where olive trees are concerned. One olive tree is valued at \$200 to \$250." (Mr. Yussef Abdel Haq, A/AC.145/RT.513)

"Very high taxes have been imposed on us. Even those persons who have paid their taxes for 1987 and 1988 may be told that they had still to pay taxes for 1985: all those taxes would be imposed at once, enormous sums, and this is inconceivable. If the person concerned does not pay that tax, he is unable to travel and he may be arrested at any time on the pretext that he has not paid those taxes." (Anonymous witness, A/AC.145/RT.516)

153. Other forms of collective punishment were mentioned in some testimonies. Mr. Yussef Abdel Haq, from the Economic Department of the Palestine Liberation Organisation, stated in that regard!

"... As a form of collective punishment, they cut off the electricity and water to some populated areas such as Harat es Sheikh in Hebron, Salim village in Nablus and another village in Jerusalem. The electricity and water were cut off for more than 40 days." (Anonymous witness, A/AC.145/RT.513)

154. An anonymous witness referred to the introduction of special working permits for the Palestinian citizens:

"... It happened in one of the settlements. I don't know the name of the settlement, but probably it was the Ariel settlement. The Arab workers have to carry some badge, indicating that they are 'foreign' workers, and consequently they were being treated as such." (A/AC.145/RT.516)

155. Another anonymous witness referred to yet another measure of collective punishment:

"They have tried another measure. They decided to change all the car licence plates. That means that before you can have the plate it has all to go into the computer, they have to see from the information whether you have any traffic fines to pay: if so, they may confiscate the car. If they find any other information, for example, if you have a relative who has been imprisoned, your sister, your father, then they will not renew the car plates; on the contrary, they will imprison you and torture you." (A/AC.145/RT.517)

156. Accounts of the measures of collective punishment imposed on the civilian population may be found in documents A/AC.145/RT.507 (Dr. Hani Habi); A/AC.145/RT.508 (Mr. Abdel Jawad Saleh); A/AC.145/RT.510 (Ms. Ahlam Mohamed Said); A/AC.145/RT.511/Add.1 (an anonymous witness); A/AC.145/RT.512/Add.1 (Mr. Walid Said Mustapha); A/AC.145/RT.513 (Mr. Yussef Abdel Haq); A/AC.145/RT.514 (ME. Labibah Helub); A/AC.145/RT.515 (an anonymous witness); A/AC.145/RT.516 (an anonymous witness); A/AC.145/RT.517 (three anonymous witnesses); and A/AC.145/RT.518 (Mr. Hafez Toukan),

Written information

(Information on this subject covering the period from 26 August 1968 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 110-152)).

157. During the period under consideration, the Special Committee received reports from various newspapers providing information on various forms of collective punishment imposed on the civilian population in contradiction with the provisions of the Fourth Geneva Convention. The Special Committee also received various communications from the Government of Jordan mentioning, inter alia, repeated incidents such as the uprooting of olive trees, the demolition of houses, the imposition of curfews, or other acts of aggression against civilians. The reporting period witnessed a considerable amount of measures of collective punishment, implemented in three main ways: the demolition of houses; the imposition of curfews or sealing off certain areas; and the imposition of economic sanctions. Owing to the frequency of these cases, which, if listed individually, would have taken up considerable space, only a few examples are cited below in order to illustrate the situation in that regard.

(i) Demolition of houses

158. On 2 May, it was reported that the family of Attia Khalil Mustafa, from **Kalkilya**, said that their home had been demolished by the IDF by mistake and demanded to receive compensation or else they would petition the High Court of Justice. The house was demolished on 16 January 1989. The reason given in the demolition order was that Khalil Mustafa's two step-brothers, Atta and Muntser, had been **charged** with throwing stones at an Israeli car on 17 December 1988, and that the two had lived in the house. According to the family, the two suspects lived in the father's house and not in the brother's house that was demolished. (Ha'aretz, 8 May 1989)

159. On 11 May, the Supreme Court upheld the **IDF's** right to demolish houses in the territories in reaction to petrol bombings, even in cases when **the** bombs caused no damage. The court reportedly upheld demolition orders on three houses and the sealing of another. (Jerusalem Post, 12 May 1989)

160. On 15 May, troops demolished and sealed 12 homes belonging to families of men arrested on suspicion of killing alleged collaborators. The demolitions were carried out during a general strike marking the Gregorian calendar anniversary of Israel's independence. Houses were demolished in Akabat Jaber camp, near Jericho, Nablus, Balata camp, **Arub** camp and Deir **Nizam**, near Ramallah. (Ha'aretz, Jerusalem Post, 16 May 1989)

161. On 13 June, the IDF demolished four homes and sealed seven others in the West Bank, following the arrest of over 50 Palestinians suspected of attacking alleged collaborators and soldiers. (Ha'aretz, Jerusalem Post, 14 June 1989)

162. On 18 June, it was reported that troops had demolished and sealed nine houses in the **Gaza** Strip over the weekend. The houses of the families of **Maswan** Isa, aged 24, Nasser Muttaluk, aged 23, and **Jamal Allam**, aged 26, were demolished after the three were suspected of planting explosives and throwing petrol bombs. Three homes were demolished in Khan Yunis for being illegally built and three homes were sealed in Zeitun neighbourhood, **Gaza**, because a member of each family was suspected of taking part in the killing of an alleged collaborator in the area. (Ha'aretz, Jerusalem Post, 18 June 1989)

163. On 17 July, security forces demolished the homes of Nihad Yussuf Jundiya and Muhammad Hamdiya after the two had confessed to the murder of Israeli civilian Zalman Shlein, of Gan Yavne. Some 40 people reportedly lived in the two houses, situated in Sajai'ya, Gaza. (Jerusalem Post, 18 July 1989)

164. On 30 July, the High Court of Justice ruled that Palestinians whose homes were to be demolished were entitled to apply to the High Court against the demolition. The decision reportedly marked the first time the High Court had principally restricted the army on a security-related issue since the start of the uprising. The decision was given in response to an application by ACRI. In its unanimous decision, the High Court ruled that there was "no justification, legal or otherwise, pertaining to irreversible results after the fact, that we would refuse to hear arguments against actions by the authorities". Nevertheless, the High Court said the IDF could demolish a home immediately if there were "operational military needs". The ruling also said that the IDF was permitted to seal homes immediately, since the sealings were reversible. (Ha'aretz, Jerusalem Post, 31 July 1989)

165. On 1 August, security forces handed six Jabaliya camp residents orders informing them of the intention to demolish their homes. This followed a ruling by the High Court of Justice several days earlier that the security forces should give people whose homes were slated for demolition a chance to appeal against the decision. The six persons concerned were reportedly suspected of membership in "shock committees", and had all been arrested one month earlier. They were Muhsein Abu Rukma, Anwar Abu-Habel, Rafik Hamduna, Ahmed Naji, Iman Abed and Mustafa Abu al-Ate. (Ha'aretz, 2 August 1989)

166. On 9 August, it was reported that a petition signed by 350 public figures was sent to Defence Minister Pabin, protesting the decision to seal the apartment of Henriette Tamas, located above the apartment of Industry Minister Ariel Sharon, in the Moslem Quarter of Jerusalem's Old City. Mrs. Tamas had been living in the apartment for 50 years. The pretext for the sealing decision was the activity attributed to her son Francis, who had allegedly thrown a petrol bomb at the United States consulate in East Jerusalem. No one was hurt in that attack, which took place during the night. The petitioners said that this would be the first case of collective punishment in Jerusalem imposed after an incident not resulting in any injuries. It was also reported that since Minister Sharon moved into the building, Mrs. Tamas had been under pressure to sell her flat and had been subjected to harassment, frequent searches, day and night, and prohibition of visitors from entering the building. (Ha'aretz, 9 August 1989)

(ii) Imposition of curfews, sealing off or closing areas

167. On 8 May, the eve of Israel's Independence Day, close to 1 million Palestinians were under curfew. An open-ended curfew was imposed on the entire Gaza Strip and on Nablus, Tulkarem and Jenin. (Ha'aretz, Jerusalem Post, 9 May 1989)

168. On 16 May, the Gaza Strip was placed under an indefinite curfew. Defence Minister Rabin declared that the measure was meant to show Palestinians that they

could not take their jobs in Israel for granted. (Ha'aretz, Jerusalem Post, 16, 17, 18 May 1989)

169. On 17 May, it was reported that curfews remained in force in Nur Shams refugee camp for the sixteenth day, Anabta for the thirteenth day, Ein Yabrud for the tenth day, Tulkarem refugee camp for the fourth day and Danaba for the third day. The entire Gaza Strip was also kept under curfew, (Attalia, 18 May 1989; Al Fajr, 22 May 1989)

170. On 4 June, a total curfew was imposed on the Gaza Strip and a general strike was observed throughout the territories to mark the twenty-second anniversary of the June 1967 war. (Ha'aretz, Jerusalem Post, 5 June 1989)

(iii) Imposition of economic sanctions

171. On 9 May, IDF troop8 uprooted 500 olive trees in the village of Al Kahder. Some 110 trees were uprooted in the village of Azmut and 100 in the village of Beit Wazzan. (Al Fajr, 15 May 1989)

172. On 18 May, it was reported that all Gaza Strip residents would henceforward be required to have an individual permit to cross into Israel for work or business purposes, and that similar restrictions would also be extended to West Bank residents in time. Defence Minister Rabin said that that measure would enable better control, for security reasons, of the movement of people entitled to work inside Israel. (See also "Freedom of movement", paras. 201-211). (Ha'aretz, Jerusalem Post, 16, 17, 18 May 1989)

173. On 2 July, while security forces imposed a curfew on Beit Sahur, cars belonging to people who had not paid their taxes were confiscated and several people were arrested. (Jerusalem Post, 3 July 1989)

174. On 20 August, it was reported that one week after a petrol bomb attack on tax collecting officials of the civil administration in Ramallah, shopowners on the street where the attack took place were still prohibited from opening their shops, and several had the doors of their shops welded. It was also reported that tax authorities in Ramallah have been stepping up their activity, imposing high taxes and confiscating ID Card8 from dozen8 in order to force them to pay their debts. (Ha'aretz, 20 August 1989)

175. On 25 August, it was reported that Nablus resident8 had been complaining of tax raids over the past five days. According to local reports, at least 70 merchants, including older men, had been arrested and were being detained in a tent in the military government compound, and some 100 ID cards had been confiscated to force residents to pay their debts. In another development, it was reported that 70 citrus tree8 had been uprooted by army bulldozer8 at Nasariya, in the Jordan valley, after a stone throwing incident. (Jerusalem Post, 25 August 1989)

(iv) Other forms of collective punishment

176. On 4 May, it was reported that Jenin refugee camp had been deprived every evening from electricity for 10 days running. (Attalia, 4 May 1989)

177. On 12 April, it was reported that the security authorities had issued about 200 green identity cards to Palestinians from the West Bank and the Gaza Strip, barring their entry into Israel. Most of those issued with such cards were former prisoners or suspected activists. Palestinians reported that recipients of the new cards were often made to wait for days at military government headquarters, and were offered their original ID cards back if they signed a pledge of good behaviour. (Jerusalem Post, 12 April 1989)

178. On 26 July, it was reported that soldiers at Far'un, near Tulkarem, had allegedly cut off power for 12 days to compel villagers to remove Palestinian flags from electricity lines. (Jerusalem Post, 26 July 1989)

179. On 4 August, the IDF sealed 20 shops in Khan Yunis following the throwing of a grenade at a patrol. The shops were sealed, reportedly in order to exert pressure on the owners to give information on the perpetrators, and also as a deterrent. (Ha'aretz, 6 August 1989)

(c) Expulsions

Oral evidence

180. The Special Committee heard several statements on the practice of deportation and expulsion of Palestinians from the occupied territories. During the hearing⁸ on this subject, many witnesses stressed the illegal nature of the deportation procedure and the fact that the intended deportee⁸ had not been given the opportunity to see the allegation⁸ leading to their expulsion.

Mr. Mas'ud Osman Zu'aytar, a deported shopkeeper, stated in that connection:

"The trial started after we received the deportation order. We were brought before the consultative committee. I was brought before that committee only once or twice. We were convinced that our deportation was to be carried out for political reason. There were no specific charges. The lawyer was not allowed to see the confidential file. They prevented everything. The hearings were all in camera, and they were always trying to delay the arrival of the defence lawyers. So I was present at one hearing only. Most of the trial was in absentia, and sometimes the lawyer could not attend because of the obstacles they put in his way. There were supposed to be many sittings, actually, but we as a group - the colleagues who were deported with me - were not present and the proceedings were concluded without our being present. We were divided into groups, and we were 13 persons, There was a dialogue between the lawyer and the prosecutor, but we did not have the right to speak or express our position; we were not given that opportunity. I was not even allowed to ask why I was being deported."

(A/AC.145/RT.507)

101. Mr. Abdel Hamid El Baba, another person expelled from the occupied territories, recalled;

"After I received the deportation order I was in Jneid prison in Nablus. Through the lawyers I appealed against the order to the military commander, Avram Mitzna. A committee was set up to hear military objections to the appeal. They are supposed to review the order made by the military commander, as to whether it is legal or illegal. That committee met several times.

"The CHAIRMAN: Were you present at those meetings?

"The WITNESS (interpretation from Arabic) : The meetings of the military committee were sometimes in public and sometimes in private. I and my lawyers attended the public meeting together with the district prosecutor, but that was only to hear our deposition to the committee. As soon as I had given my testimony there and my lawyer had given his speech in defence, I was taken out and the meeting proceeded in camera, with only the military authorities, the intelligence officers and the members of the committee.

"The CHAIRMAN: What about your lawyer? Was he able to participate in those private sessions?

"The WITNESS (interpretation from Arabic) : No, the lawyer has no right to discuss things with the intelligence officers or to attend the private meetings, only the other members.

"The CHAIRMAN: I suppose that is the reason why there was a delay in your deportation?

"The WITNESS (interpretation from Arabic): Yes. There would be two weeks between meetings of the committee. The lawyers used to send written questions, and the committee would answer them in writing two weeks later. I must say that that committee is appointed by the military commander of the central region. " (A/AC.145/RT.513)

182. A number of witnesses referred in their testimonies to the physical and psychological ill-treatment they were subjected to while they were kept in custody prior to their deportation. Mr. Jamal Abdalla Shakir Jbara stated the following;

"Just after I gave myself up, they handcuffed me, threw me in a car, blindfolded me and took me to Nablus. When they took off the blindfold I realised where I was. There was a tent with ten young men inside, a tent on empty ground, and the ground under the tent was muddy and there was water. There were four soldiers inside the tent as well. I walked in smiling and a soldier said, 'What are you smiling for?' and I told him, 'It's better to smile than to frown', so he started beating me with the butt of his gun and with a stick. One of the young men tried to interfere and said, 'Don't do that to him', so one of the four soldiers hit that young man with the butt of his gun in the eye, and I saw his eye pop out, I saw it there. They ordered me to sit down, asked me my name, and I told them that my name was Jamal.

They started hitting me and told me to say 'Jamal, sir'. I did so and they said, 'Your name now is a number' and they gave me a number, and they used to call me by that number, to insult me. It is a sort of demoralization that they apply. "

...

"... They took us from 'Atlit to Jneid prison in Nablus. It was two hours drive by car, and in the car they continued to insult and beat us, hit the back of our heads with their batons, or with their hands, or they kicked us. During the drive, one of the soldiers asked me, 'Do you support Peres or Shamir?' and I told him that I supported Peres, so he got furious. He didn't like the fact that I supported Peres and he started hitting me hard and yelling at me. He said, 'You should support Kahane'. It was a horrible drive to Jneid prison. There we were put in solitary confinement and we didn't know what was going on around us.

"After about an hour or so, they started calling us one by one and we were each told of the decision to deport us. It was a horrible and unpleasant surprise. " (A/AC.145/RT.513)

183. The harsh conditions of the actual deportation process were also described by some witnesses. Mr. Jamal Namr, a deported teacher, said in the course of his testimony¹

"I was in my cell, my eyes were blindfolded and my hands were handcuffed. They carried me, literally carried me to a van. I was driven and I was dropped in Lebanon. I could not walk, of course, at the time. I was handcuffed and my eyes were covered. They knew that I was in bad health. They did not inform my family or anybody that I was being deported." (A/AC.145/RT.510)

184. Testimonies referring to the problem of expulsions from the occupied territories may be found in documents A/AC.145/RT.507

(Mr. Ahmad Mohammad Jabar Suleiman, Mr. Masud Osman Zu'aytar); A/AC.145/RT.508 (Ms. Haifa Abdallah, Mr. Saleh Abdallah); A/AC.145/RT.510 (Mr. Jamal Namr); and A/AC.145/RT.513 (Mr. Abdel Hamid El Baba, Mr. Jamal Abdallah Shakir Jbara).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 153-160)).

185. On 3 May, the civil administration expelled to Jordan two women, Maryam Suleiman, aged 25, and Huda Kawnrik, aged 23, both from Awarta village near Nablus. Suleiman was in her ninth month of pregnancy and Kawnrik had three daughters, one just 10 days old. Sources in the civil administration said the two had to leave the region since the validity of their "staying visa" had expired. According to the law they were not residents of the region and the measure was not considered as an expulsion, but as a non-renewal of a visa. (Ha'aretz, 5 May 1989)

/...

186. On 21 May, the Chief of Staff Dan Shomron asked the Government to consider tabling legislation to facilitate deporting convicted terrorists who were caught a second time. It was reported that, although suspected terrorists could at present be deported without trial, under the emergency regulations, their right of appeal made deportation a long and cumbersome procedure. (Jerusalem Post, 22 May 1989)

187. On 31 May, it was reported that the trend to expel pereons without a valid "s taying visa" had increased recently in the civil administration, and that at least eight women had been expelled to Jordan over the past week, and several others received warnings that they would be expelled shortly. Most of the women were said to be married to residents of the West Bank. On 28 May, Muhammad Afif Ayad, aged 30, from Silwad, was arrested on the grounds that his wife was staying in the region without a permit. The woman had just given birth to a baby. He was told that he would remain in detention until his wife left the region. Three women from Niama village and three from Silwad were expelled recently for similar reasons, (Ha'aretz, 31 May 1989)

180. On 1 June, it was reported that over the past fortnight 10 Palestinians, most of them women, had been expelled to Jordan. Such Palestinians were not considered to be residents of the West Bank and their "staying permits" had expired. According to security sources the increasing number of expulsions did not indicate a change of policy, but rather a more efficient enforcement of the law. Most of the people affected were married to West Bank residents and were holders of temporary "s taying permits". It was estimated that there were several thousand people with a similar status in the West Bank. In the past, the authorities used to renew expired permits and even to grant a status of resident, in the framework of a "family reunification" procedure. On 23 June, it was reported that the IDF and the civil administration had summoned three residents of Shweika, near Tulkarem, and confiscated their ID cards pending the departure of their wives - who were Jordanian citizens whose temporary permits to stay in the region expired. The three were Ghassam Faiz Ja'arum, Imad Ibrahim Hawilad and Adnan Attiya Bahati. They were told that their wives had to leave the region within 48 hours. On 25 June, the three women were expelled to Jordan. (Ha'aretz, 1, 23, 26 June 1989)

189. On 15 June, the High Court of Justice rejected appeals against deportation by Mohammad Al-Labadi, aged 33, from Abu-Dis, and Radwan Ziyada, aged 31, from Hebron, but gave their attorneys another week to submit further arguments. The deportation orders were issued in July 1988. Both men were union activists accused of links with "terror organizations" and, in particular, the Democratic Front (DFLP). (Ha'aretz, Jerusalem Post, 16 June 1989)

190. On 29 June, the military authorities expelled eight residents of the territories to southern Lebanon. The eight were described as leading figures in the uprising. Only two of them had exhausted the appeals procedures by petitioning the High Court of Justice. Their petitions were rejected. The eight were: Muhammad al-Labadi, aged 33, from Abu Ris, Radwan Ziyada, aged 31, from Hebron, both active in West Bank labour unions who received their expulsion order in July 1988; Akef Hamdallah, aged 28, a student from Anabta, Taysir Nasrallah, aged 27, a student from Balata, Attah Abu Kirsh, aged 54, an engineer from Shati camp, Muhammad A-Maduh, aged 38, an agricultural worker from Gaza; Riad Ajur, aged 27, a

greengrocer from Gaza, and Nabil Tamus, aged 21, a mechanic from Khan Yunis. Defence Minister Rabin announced that if calm returned to the territories, the authorities would consider allowing the deportees to return within three years. (Ha'aretz, Jerusalem Post, 30 June 1989)

191. On 24 August, the High Court of Justice rejected a petition submitted by four senior activists in the uprising against their deportation. The court said it saw no reason to reverse the deportation orders, in view of the grave security risk posed by the four. The four were Muhammad Matur, aged 40, Odeh Ma'ali, Dr. Taysir Aruri and Majid Labadi, (Ha'aretz, Jerusalem Post, 25 August 1989)

(d) Economic and social situation

Oral evidence

192. A number of witnesses referred to the deteriorating living conditions of the civil population, in particular since the start of the uprising. An anonymous witness said in the course of his testimony:

"... The main problem is social life, or lack of it, limited per capita income and cases of extreme poverty. A family may have three members arrested) sometimes A family of 30 persons may have only two breadwinners. In such circumstances it is very difficult for a family to subsist." (Anonymous witness, A/AC.145/RT.517)

193. Mr. Hekmat Jaber stated the following:

"... The worker may come and work in the workshop for an hour, and then the army interferes, and they prevent people from going to work. So half of these factories have closed their doors.

"Mr. SENE (Senegal) (interpretation from French) : Has this led to a drop in the standard of living, as a consequence of the drop in production? There has also been the devaluation of the dinar: what have been the consequences? What is the situation there now?

"The WITNESS (interpretation from Arabic): A worker earns about 90 dinars a month, and he spends it all. Now we do not have enough work in the West Bank because half of the factories have closed. The devaluation of the dinar means that those who get 90 dinars find it will be worth only 50 dinars after the devaluation, and that is not enough to cover the needs of a family. This has led to a drop in the standard of living, economically speaking." (A/AC.145/RT.510)

194. Mr. Muphid Neat-at referred to the dramatic consequences of the economic situation in the camps:

"... Those who really suffer and go hungry are those living in the camps. Even before the intifadah they were living in a humiliating situation: even clogs fare better. There was sewage, the situation was very bad, there was not

enough food on a daily basis. Some of them would spend a whole week without work, so how were they to feed their children?" (A/AC.145/RT.510)

195, Mr. Yussef Abdel Hag described the policy followed by the occupying authorities in the economic sector, with the complete destruction of the Palestinian economy as its final aim:

"... First, they tried to persuade Palestinian manpower to leave productive agricultural and industrial projects; that period lasted from 1967 to 1973-74. The salary of a Palestinian labourer in the Israeli sector would be double what he received in the occupied territories. Throughout this period the occupation authorities made sure the inhabitants would have income, but not from their local or national production activities.

"Once this stage was achieved, in other words, when Palestinian labour migrated from the occupied territories to the Israeli economy, or even to some of the petroleum-producing Arab States, Israel started implementing the second phase, namely, the marginalisation of the Palestine economy. By marginalisation I mean that they tried to decrease its volume and size. Thus they took certain administrative and legal measures in order to obstruct licences for industrial production and to prevent the planting of even one tree without a permit or a licence from the occupation authorities, in accordance with Military Order No. 1034.

"Following that marginalisation, the occupation authorities moved on to the third stage. Once the Palestine labour which had migrated to the Israeli economy had reached 110,000 registered workers plus another 30,000 to 40,000 unofficial migrant labourers, Israel aimed at an economic stranglehold, the policy which it has been applying recently. In this last, third stage, the occupation authorities have been dumping all kinds of products on the Palestinian market." (A/AC.145/RT.513)

196, Problems resulting from foreign trade limitations were mentioned by several witnesses. Mr. Abdel Hag stated in that regard:

"As far as foreign trade is concerned, there is, for example, what took place with the European Economic Community. In 1986 the EEC allowed the import of Palestinian produce, but the occupation authorities used every means of obstructing those exports until it was obliged, under pressure from the EEC, to allow the export of Palestinian produce to Europe. But when you examine the practical steps which have to be taken in order to export, you will see that they have taken back with the left hand what they have provided with the right. There is a sort of 'security controller' at every stage of packaging who harasses the Palestinian producers and workers and impedes their work on various pretexts. A new export licence must be obtained for each consignment exported; these are bureaucratic and administrative measures intended to impede exports. Then there is the problem of storage. Palestinian export authorities examining the storage of eggplant intended for export to France found that Israeli supervisors had raised the temperature of the cold store to such an extent that the produce was completely ruined. At

present there is a case before the court, brought by the insurance company which had insured that produce, In addition, 20 per cent of all packages exported to Europe are opened by the occupation authorities."
(A/AC.145/RT.513)

197. Another witness referred to the discrimination against Palestinian workers as compared to Israeli workers;

"... The Israeli workers would come at 9 a.m. and go home at 3 p.m. We Palestinians used to leave our homes at 5 a.m., we would start work at 6 a.m. and work until 4.30 p.m., and we had only half an hour for lunch.

"Mr. JOVANIC (Yugoslavia) : So you would conclude that there was discrimination between the Israeli and Arab workers, to the benefit of the Israelis?

"The WITNESS (interpretation from Arabic): Yes, there was discrimination. They also used to give the heavy work to the Palestinians and the lighter work to the Israelis. For instance, if there were jobs to be done under the scorching sun, it was the Palestinian workers who did it; if there was more comfortable work in the shade, the Israelis did it."
(A/AC.145/RT.515)

198. Specific reference was also made to difficulties faced in the agricultural sector, in particular by farmers in the Gaza Strip. An anonymous witness from Gaza stated in that regard:

"The Israeli authorities are trying to destroy agriculture in Gaza because they know that we depend heavily on agriculture, especially the growing of citrus fruit. They have put various obstacles in the way of the export of citrus fruit. In the 1960s we used to export both to Western Europe and to Socialist Europe, but now that is banned. They claim that they were protecting their own produce. We are really perplexed. We have tried to export to Eastern Europe and to Western Europe, but whatever we try, obstacles are placed in the way.

"Then we tried to export citrus fruit to Jordan across the bridges. The Israeli authorities placed extra obstacles in the way by increasing taxes, by limiting the number of vehicles which may go out, by requiring certain permits only granted under their own supervision. They will hold back the trucks for two or three days in the sun before they can cross the bridge. When the vehicles unload their produce they keep it for 10 or 15 days. They may take down the engine of the vehicle. They only allow 50 trucks to operate, and if they hold back 40 of them and only allow ten to operate, it means that the season will be over before the produce can be exported. This, of course, constitutes a great loss to the grower. Israel has opened juice extraction plants in Israel and we can send our produce there, but of course they buy the fruit at a very, very low price. Early in the season they bought it for \$180, but when the intifadah intensified, the price dropped to \$60. When the countries of the European Economic Community agreed to import some of our

citrus fruit, they increased the obstacles. We have excellent fruit and many experts from Europe came to examine and taste it. They were very pleased with the quality, But after the produce was loaded on to the ships, they remained in port for a week or ten days. They were delayed for such a long time that when the produce arrived in Europe it would be rotten, and nobody would buy it, since the contract was for quality fruit.

"There is also the problem of water. Of course, all over the world there are water problems, but the Israeli authorities have forbidden anyone to dig a well to irrigate his citrus groves because 'Gaza has no water'. But at the same time, ten metres away on the other side of the 1967 border, they will dig not one well but ten. I myself have a farm and they have prevented me from digging a well on my own land, on the pretext that there is not enough water." (A/AC.145/RT.517)

199. Reference was also made to the question of livestock, One anonymous witness from Gaza said the following in that connection;

". . . Poultry breeders have sustained great losses because of difficulties in bringing in the chicken feed because of frequent lengthy curfews. In addition, poultry are also affected by the tear-gas fired by the army. Then the drugs needed by poultry breeders are very expensive, and veterinarians meet with obstacles when they need to travel within the region. Also, the weakness of the dinar means that it has a lower purchasing power than formerly. The local market cannot absorb all the chickens produced; before the intifadah there was a free exchange of products between the West Bank and Gaza, and this helped to absorb our poultry production.

"Beef production is suffering in the same way. Lately a factory for dairy products has been built in Gaza, but the occupation authorities have refused to grant it a licence under the pretext of protecting their own dairy products, although the factory is fully equipped. It is in Jabaliya." (A/AC.145/RT.517)

200. Accounts of the economic and social situation in the occupied territories may be found in documents A/AC.145/RT.510 (Mr. Hekmat Jaber, Mr. Muphid Nearat, Mr. Omar Basha); A/AC.145/RT.512 (two anonymous witnesses); A/AC.145/RT.512/Add.1 (Mr. Zuhdi Saed); A/AC.145/RT.513 (Mr. Yussef Abdrl Haq); A/AC.145/RT.515 (two anonymous witnesses); A/AC.145/RT.516 (an anonymous witness); A/AC.145/RT.517 (four anonymous witnesses); and A/AC.145/RT.518 (Mr. Hafea Toukan).

2 . Measures affecting certain fundamental freedoms

(a) Freedom of movement

Oral evidence

201. Different measures restricting freedom of movement were referred to in various testimonies. Some witnesses mentioned that they were constrained to leave the occupied territories because of the refusal of the occupying authorities to renew their work permit. One anonymous witness stated in that regard:

"... Ten of us working at our university were refused work permits. Some of them tried to get back by getting a permit to visit their relatives, but whenever they went there, one month later they would have to return to Amman. They were not allowed to stay there for more than that period of time."
(A/AC.145/RT.508/Add.1)

202. Other witnesses referred to the long formalities necessary in order to leave the occupied territories. An anonymous witness who had been injured in the course of the uprising and needed medical treatment abroad said in the course of his testimony:

"The first time I wanted to come here, they gave me a permit for only one and a half months. But the doctors said that I needed to continue my treatment for longer than that, so I had to apply for another permit, an extension of the permit. I presented the application in order to be able to re-enter the hospital, but they said that I had to get the approval of the intelligence service. They kept asking me to go to the intelligence service once every two weeks to get this paper, this approval. So for about six months I went to the intelligence service about every two weeks, trying to get that paper. My family used to carry me, to help me to go to get that permit. After six months they allowed me to come for medical treatment for the second time." (A/AC.145/RT.515)

203. Another anonymous witness whose identity card had been retained by the military authorities as a guarantee that he would pay a fine imposed on his son said the following:

"Since I am a merchant, I use my car a lot, and it was very difficult for me to move around without my identity card which was still retained by the occupation authorities. Finally, I was obliged to go and pay the fine they had imposed, in order to retrieve my identity card." (A/AC.145/RT.517)

204. Accounts of the limitations affecting freedom of movement may be found in documents A/AC.145/RT.508/Add.1 (three anonymous witnesses); A/AC.145/RT.512 (two witnesses); A/AC.145/RT.515 (an anonymous witness); and A/AC.145/RT.517 (an anonymous witness).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 161-163)).

205. On 12 April, it was reported that the security authorities had issued about 100 green identity cards to Palestinians from the West Bank and the Gaza Strip, barring their entry into Israel. Most of those issued with such cards were former prisoners or suspected activists. Palestinians reported that recipients of the new cards were often made to wait for days at military government headquarters, and were offered their original ID cards back if they signed a pledge of good behaviour. (Al Fajr, 10 April 1989; Jerusalem Post, 12 April 1989; Attalia, 13 April 1989)

206. On 18 May, it was reported that all Gaza Strip residents would henceforward be required to have an individual permit to cross into Israel for work or business purposes, and that similar restrictions would also be extended to West Bank residents in time. Defence Minister Rabin said that that measure would enable better control, for security reasons, of the movement of people entitled to work inside Israel. (Ha'aretz, Jerusalem Post, 16, 17, 18 May 1989)

207. On 6 June, military authorities reportedly began issuing plastic identity cards with a magnetic strip to Gaza Strip residents wishing to enter Israel. The measure was described as a further effort to tighten control over the residents. It was reported that some 2,000 residents with security or criminal records would not be entitled to a card. (Jerusalem Post, 6 June 1989)

208. On 8 August, ACRI petitioned the High Court of Justice against the IDF's practice of prohibiting travel across the Jordan bridges to residents of entire towns and villages in the West Bank as punishment for unrest. The request was submitted on behalf of a villager from Kafr Malik, near Ramallah, and three residents of Kabatiya who were prevented from travelling to Jordan, over a year ago. According to ACRI, there could be no security grounds for banning travel by residents of an entire village while permitting the departure of residents of another village. Arabs from specific communities were either denied travel permits at local civil administration offices, or turned back at the Jordan bridges after receiving permits. Nablus residents were banned from travelling to Jordan for four months. In some cases people working abroad who arrived in the West Bank for family visit were prevented by travel bans from returning to their jobs. (Jerusalem Post, 9 August 1989)

209. On 17 August, the High Court of Justice granted a petition filed by Samir Jarab, a Palestinian working in Saudi Arabia, against the IDF's decision to ban his travel to that country. The petitioner lived in Tulkarem until 1980 and had been living and working in Saudi Arabia since 1988. When he arrived at the Jordan bridge in June 1989 to visit his relatives in the West Bank, he was detained for 15 days and questioned about the activities of his two brothers, whose whereabouts he did not know. While his wife and daughter were allowed to leave the region on 16 August 1989, he was not authorised to do the same. He said that he must be back in his job by 1 September 1989, and added that he was not involved in

any illegal activity. The High Court judge gave the IDF commander in the West Bank seven days to reply to the petition. (Ha'aretz, 18 August 1989)

210. On 18 August, new regulations went into effect, permitting entry to Israel for Gaza Strip residents carrying magnetic ID cards. Protests were reported in the region against the new measures. It was reported that about 60,000 cards had been issued, and about 1,000 Palestinians had told the authorities that their cards were confiscated by uprising activists. An IDF spokesman said that 1,900 more cards were issued on 17 August. On 22 August, it was reported that security authorities were considering introducing similar cards to West Bank residents in order to ban entry to persons who had been convicted in the past of a security or a serious criminal offence or had been served with an administrative detention term. (Ha'aretz, 18, 22 August 1989)

211. On 25 August, it was reported that villagers at Taluza had been prevented from travelling abroad for several months by the military government, which insisted that they should first reappoint a local council. (Jerusalem Post, 25 August 1989)

(b) Freedom of religion

Oral evidence

212. Restrictions on freedom of religion were evoked by some witnesses. The mayor of Nablus, Mr. Hafez Toukan, said in that regard:

"Sometimes mosques are attacked at night, the Holy Koran being thrown on to the ground; this happened in Nablus. The army forced young men to drink alcohol, which is forbidden by Islam: they threatened them with weapons to force them to do so." (A/AC.145/RT.518)

213. An anonymous witness related the following recent incident:

"... You know that Muslims fast throughout the month of Ramadan, and during that fast no citizen of the West Bank or Gaza is allowed to attend Friday prayers in Al Aqsa mosque in Jerusalem. But I was allowed to enter Jerusalem on a Friday. I was with a colleague ... and we wanted to perform Friday prayers. A barricade had been erected by the army to prevent inhabitants of the West Bank from entering Jerusalem. Of course, we were both fasting, but I told my colleague, 'We are going to play a trick on them to get into Jerusalem.' I told him we would both light cigarettes in order to make the soldiers think that we were not fasting. So we each lighted a cigarette end when we arrived at the barrier, he said, 'You are not allowed to enter Jerusalem.' We told him that we were not fasting, we had our cigarettes, so he allowed us to enter Jerusalem when he heard that we were not fasting. So we were able to perform Friday prayers in Jerusalem," (A/AC.145/RT.511/Add.1)

Written information

214. On 10 April, IDF troops reportedly raided three mosques in Hebron and arrested scores of worshippers, filling six buses with people. Aly Abeida Mosque was also raided in Kalkilya and its content ere damaged. (Attalia, 13 April 1989; Al Fajr, 17 April 1989)

215. On 14 April, police seized the main entrance to the Temple Mount and barred entry to the area to residents of the territories and certain East Jerusalem residents. Only 7,000 Moslem worshippers were allowed to enter the mosques for the Ramadan Friday prayers, compared with 30,000 in previous years, (Ha'aretz, 15 April 1989)

216. On 1 May, a serious clash was reported between settlers and villagers in Kifl Harith village, after a group of settlers entered the village to pray at a site believed to be the Joshua's Tomb. The settlers were allegedly accompanied by four IDF jeeps. When the settlers were stoned by villagers they went to a Moslem mosque and set fire to Koran books. (Ha'aretz, Jerusalem Post, 2 May 1989)

217. On 2 May, the Israeli authorities prevented Palestinians from the West Bank and the Gaza Strip from reaching Jerusalem. The measure was taken to prevent Moslem worshippers from celebrating Leilat Al Kadr, the night the Koran was revealed, in Al Aqsa Mosque. (Al Fajr, 8 May 1989)

218. On 4 May, serious confrontations were reported in Hebron throughout the night between settlers and residents after settler convoys drove through the town and shattered windows and car windows. The settlers fired in the air and set fire to a mosque under construction, located just outside Kiryat Arba. The town was declared a closed military zone. (Ha'aretz, Jerusalem Post, 5 May 1989)

219. On 15 May, clashes escalated after IDF troops threw gas canisters into a mosque while worshippers were praying. Many people were overcome by fumes. Soldiers shot at and injured other residents who rushed to help the worshippers, (Al Fajr, 22 May 1989)

220. On 17 July, Kiryat Arba settlers reportedly burst into one of the halls of the Patriarchs' Cave in Hebron, which had been reserved for exclusive Moslem use during the Id al-Adha holiday. The settlers allegedly threw Moslem prayer rugs aside and danced until soldiers forced them out. One settler was detained and was later released on bail. (Jerusalem Post, 18, 19 July 1989)

(c) Freedom of expression

Oral evidence

In the course of his testimony, Mr. Usama Sayeh, educational adviser of the Sment of Education of the Palestine Liberation Organization, referred to restrictions imposed upon the press:

"... A group of Palestinian writers tried to express their point of view through the press; most of the newspapers in the occupied territories are published in Jerusalem. They try in this way to achieve legitimacy because Jerusalem is under Israeli law. But nonetheless they have imprisoned a large number of journalists claiming that their articles incite insurrection. Some newspapers have appeared with blank spaces where articles have been deleted through censorship. That is against Israeli law. That censorship is only imposed on Arab newspapers. Some Israeli writers and educationists have themselves condemned in the Israeli press the actions of the authorities against intellectual and cultural oppression of the Palestinian people."
(A/AC.145/RT.513)

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 164-178)).

222. On 2 April, it was reported that a Gaea journalist, Taher Shreita, had been repeatedly harassed during the past week by security forces for "working too much with the foreign press". (Jerusalem Post, 2 April 1989)

223. On 2 April, Sami al-Kilani, member of the Association of Palestinian Authors and Poets, was detained after being stopped at a roadblock near Deir Sharaf the previous day and beaten by troops. (Ha'aretz, 3 April 1989)

224. On 6 April, security forces raided the office of the Al-Fajr newspaper in Gaza. Troops confiscated documents and summoned the director to military government headquarters. (Jerusalem Post, 7 April 1989)

225. On 12 April, it was reported that the distribution of two East Jerusalem newspapers, A-Nahar and Al-Fajr, had been banned in the territories on the grounds that they violated censorship. (Jerusalem Post, 12 April 1989)

226. On 10 May, security agents accompanied by troops broke into a press and translations office in Nablus, confiscated many books and, according to local residents, set fire to several books. (Ha'aretz, 11 May 1989)

227. On 25 May, Hana Seniora, editor of the East Jerusalem newspaper Al-Fajr, was convicted of failure to submit an article to the censor, as required under the emergency regulations. The article contained an interview with Yasser Arafat, and was published on 19 December 1986. (Ha'aretz, 26 May 1989)

228. On 28 May, police told Sari Nusseibeh to halt publication of his weekly newsletter, "Monday Report", on the grounds that it was not registered with the Interior Ministry and that he had failed to submit it to the censor. (Ha'aretz, Jerusalem Post, 30 May 1989)

229. On 12 June, Hana Seniora, editor of Al-Fajr was fined NIS 2,000 (\$1,200) by the Jerusalem magistrates' court and was obliged to sign an undertaking that he would not violate censorship regulations. In May 1989, Seniora was found guilty of having published, three years earlier, in the English-language edition of Al-Fajr a translated interview given by Yasser Arafat to a Kuwaiti newspaper, (Ha'aretz, 13 June 1989)

230. On 15 June, police raided the East Jerusalem office of Sari Nusseibeh, confiscating boxes of files and issuing a military order to close his "Holy Land Press Service" for two years. Police spokesman Uei Sandori said there was cumulative evidence to suggest that the office had been used as a planning centre for the uprising and for promotion of PLO aims. Nusseibeh later dismissed the allegations as "ludicrous" and baseless. Three weeks earlier Nusseibeh's publication on developments in the West Bank, "Monday Report", was banned because it did not have the required permit. (Ha'aretz, Jerusalem Post, 16 June 1989)

231. On 30 July, security forces arrived in the East Jerusalem office of Faisal Hussein's Arab Studies Society, which had been ordered closed since July 1908, and handed Hussein a new closure order signed by Central Region Commander Amran Mitzna. (Jerusalem Post, 31 July 1989)

232. On 22 August, it was reported that Khatem Abdel Kader Id, managing director of Al-Fajr newspaper, had been served with a six-month administrative detention order. (Ha'aretz, Jerusalem Post, 22 August 1989)

233. On 23 August, it was reported that the security forces had arrested Adnan Zbeidi of Bethlehem, a member of the League of Palestinian Artists. (Jerusalem Post, 23 August 1989)

(d) Freedom of association

Oral evidence

234. An anonymous witness, when asked about trade union activities in the occupied territories, gave the following reply in the course of his testimony:

"We were not allowed to have any trade union activities. When the Israeli trade union saw Palestinian workers, they attacked them and told them they had no right to work without a permit. The Jewish employers did not want to issue work permits for us; the Palestinians were underpaid, and so the employer did not want to get a permit." (A/AC.145/RT.515)

235. Another anonymous witness, while testifying on the situation of education in the occupied territories, stated:

... As far as school teachers are concerned, I mean pre-university teachers, all unionisation is banned by the military authorities. No unions are allowed whatsoever for school teachers. For university professors there are unions; which are not official; they operate within the universities." (A/AC.145/RT.508/Add.1)

(a) Freedom of education

Oral evidence

236. Several witnesses appearing before the Special Committee described the difficult problems faced by civilians in the occupied territories in the field of education. The prolonged closure of educational institutions as a result of the uprising was commented upon and critiaed by several witnesses. Mr. Usama Saysh, educational adviser of the Department of Education of the Palestine Liberation Organisation, stated in that connection:

"... The universities have been closed now for more than one and a half years. The same applies to the community colleges which provide two years of study following completion of high school. This mean8 that almost 17,000 Palestinian students are prevented from continuing their education. A31 schools, from kindergarten to secondary schools, are also closed. The occupation authorities try to claim that t' closure is not comprehensive, and in order to support that claim they sometimes permit the reopening of some school8 in some districts, such as the Jerusalem area, especially since those authorities consider that the schools in that area are subject to Israeli law. The Game authorities are also trying to persuade international opinion that the Gaza schools are still open, but with the world media, television and press, they have not been able to claim that they have opened any schools in the West Bank. Even the schools in Jerusalem and Gaza are subject to the imposition of curfews from time to time, for days and sometimes weeks, when the schools are shut down together with other activities. The authorities also issue individual closure orders to some schools." (A/AC.145/RT.513)

237. An anonymous witness said the following:

"... In the place where I live, in the schools below university level there were also some repressive measures. School8 were closed, even the kindergardens. School8 in 'Azzun, in Qalqilya, in Nablus, in Dalata camp have become detention centres. Military force8 are using the schools for accommodation. Some of the preparatory schools belonging to UNRWA have also been closed. My brother who is a teacher went one day to the school and the children in the area went there because there had been an announcement that the schools wore going to be reopened. But when they arrived they found soldiers inside the school and this continued for a number of days. The children went every day but they were sent back home by the occupation authorities." (A/AC.145/RT.508/Add.1)

238. Mr. Husni Al Ashab, Director-General of the Board of Private Schools in Jerusalem, stated in the course of his testimony:

"There is no mercy in their actions. A school is closed: let us say that they allege the children have thrown stones or something like that, But why do they close the other school? Such actions forced us to bring the case before the High Court of Justice, when each school was closed for a month: Dar el Eitam al Isleuniya, which is a secondary school, and the preparatory

school as well. When the court was convinced that there was no reason for closing the school, we won the case. But by the time the court had reached its decision the month had passed, so they opened the school. As to the other school, we announced in the papers that the school was open again and the pupils started coming back. But as a result of that operation, which they didn't like because of the High Court's decision, they came and threatened me in my office in the school, Dar el Eitam. They brought another closure order for the school from the Military Commander of the central region, so both the preparatory and secondary schools were closed for another month. When that month had passed they started saying that stones had been thrown from the school. But that was really ridiculous. How could the children throw stones? They were in their classes and not outside in the courtyard. They said that the stones had been thrown from the windows. We took them to see the windows because they had iron bars across them: nothing could have gone out of the window - or come in. The leader of the force who walked in and checked the windows appeared embarrassed by this. When he saw the windows he realized no stone could have been thrown from there, as they had alleged. But following this they closed both the schools until the end of the school year, on 2 July 1989. They are both closed at the present moment, for no reason, simply because we had taken our case to the High Court of Justice and we won our case." (A/AC.145/RT.511)

239. An anonymous witness said in the same connection:

"The schools, even the primary schools, are closed. They might find some justification for closing secondary schools, but can there be any security reason for closing primary schools where the children are three or four years old? These are the difficulties that the education system is facing now. It is a serious situation. I think that somehow we may be able to compensate for the time lost by university students or secondary school pupils, but what about primary teaching? Children of that age need teaching day by day. Older children can study on their own, but primary schoolchildren need the teachers. I think it is a studied policy to keep the Palestinian population illiterate, and this is related to the whole problem of the human rights of the Palestinian people." (A/AC.145/RT.508/Add.1)

240. Another anonymous witness referred to the motives behind and effects of the denial of regular education to Palestinian youths!

"I have 14 brothers who, before 1967, were in education in secondary schools and some of them have received university education; but those brothers who were in school in 1967, eight of them, four of them left school without completing their secondary education. That is because the occupation authorities need large number of workers for their industries. They are destroying education in order to get these young men: it is a source of cheap labour for them on the farms and in the factories of Israel. This practice will continue, and it will continue to affect the coming generation." (A/AC.145/RT.508/Add.1)

241.. Various restrictions affecting academic and cultural life were mentioned. An anonymous witness referred to such limitations⁸

"... Even before the systematic and automatic closure of the universities, colleges and schools at the beginning of the intifadah, the military authorities placed so many obstacles in the way of school and university life. Where the universities were concerned, they would be closed for one month, or two or three, or more months in one academic year. Roadblocks would be erected to prevent students and professors from reaching the university. There were also arrests of students and university professors, sometimes the banning of certain textbooks, sometimes even changing the texts, and such procedures. " (A/AC.145/RT.508/Add.1)

242. Mr. Husni Al Ashab pointed out various other problems faced by educational institutions:

"They have their eye on those schools in particular, and on the teachers as well, because the teachers do not co-operate with them, and they teach the Jordanian curriculum. They have formed a housing organization among themselves, ever since 1968. But in the area where the teachers had bought land in order to build, the authorities constructed a road 40 metres wide, and this is something that is not done anywhere else. We presented an appeal to the High Court of Justice and objected to the width of the road, but the Court said it had nothing to do with engineering decisions. So we took another piece of land in order to build houses, and for ten years now we have been asking for a building licence but it has never been granted. We have received aid in order to build schools, but we are prevented from getting a licence to build. We have a grant to build a school from the Development Bank in Jeddah, but we have no licence. We have told them exactly where the funds are coming from to build the school, but they prevent us from building it."

"... They have refused to allow us to have someone to clean the schools or to have someone to supervise the library. It is necessary for the schools to be cleaned and to have somebody in the library. But they don't provide for this in the schools in the West Bank. " (A/AC.145/RT.511)

243. Various forms of harassment confronted by teachers and students were evoked in a number of testimonies. Such problems included detention, the raiding of schools and houses, humiliation and intimidation, the revocation of teachers' permits, deportation or expulsion of university teachers or students, the financial constraints faced by teachers, and the pressure exerted on students to have them co-operate with the occupying authorities.

244. The efforts by the Palestinian academic community to provide children some kind of "popular" teaching in order to compensate for the lack of public education and obstacles placed by the Israeli authorities were evoked by some witnesses. Mr. Usama Sayeh stated in that regard:

"Since the Palestinians have seen that their children are being deprived of their education, and knowing that no population can progress without education, they are trying to organize "popular" teaching. They gather small groups of children together in churches, mosques, private houses, clubs and other public buildings, quite openly, where people could see them and hear them. Those gatherings were not in secrecy, but still the occupying authorities have broken into those buildings to arrest both students and teachers. Yet those teachers were only carrying out a humanitarian task, in teaching the children. Israel claims that such gatherings are in order to create chaos, but how can a mere five students at a time, studying with a teacher, create disorder and constitute a threat to security? This ref utss their previous argument. Israel's policy is to make the Palestinian nation illiterate." (A/AC.145/RT.513)

245. Accounts of the restrictions on freedom of education may be found in documents A/AC.145/RT.508 (Mr. Saleh Abdallah); A/AC.145/RT.508/Add.1 (three anonymous witnesses); A/AC.145/RT.510 (Mr. Hekmat Jaber, Mr. Omar Basha) ; A/AC.145/RT.511 (Mr. Husni Al Ashab); A/AC.145/RT.512 (an anonymous witness)] A/AC.145/RT.512/Add.1 (Mr. Zuhdi Saed); A/AC.145/RT.513 (Mr. Usama Sayeh); A/AC.145/RT.515 (an anonymous witness)] A/AC.145/RT.516 (an anonymous witness)] and A/AC.145/RT.517 (an anonymous witness).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 179-196)).

246. The Special Committee received, during the reporting period, various communications from the Government of Jordan mentioning, inter alia, the closure of all schools in the West Bank as well as several schools in the Gaza Strip and East Jerusalem, and the converting of a number of schools into military barracks.

247. On 18 April, police sources said they had uncovered a network of illegal classes held by two West Bank universities, Bir-Zeit and Bethlehem, at private high schools in East Jerusalem. The classes were held at the Frère, Al Mutran and Nizania schools four days a week for several hours and were attended by some 300 students. School principals were warned to stop the classes. (Ha'arec, Jerusalem Post, 18 April 1999)

248. On 24 April, the Israeli authorities were reported to have closed two schools and two mosques in the Gaza Strip alleging they were being used as grounds for anti-Israel activities. The two schools are Al Fourat junior and high schools. The closure orders are open-ended. (Al-Fair, 24 April 1989)

249. On 19 May, the civil administration informed principals of schools in the West Bank that the order closing all the schools in the region was being extended for one month. (Ha'aretz, 21 May 1969)

250. On 12 July, Defence Minister Rabin and Chief of Staff Dan Shomron ordered the beginning of preparations to reopen schools in the West Bank, which have been closed since the beginning of the uprising. The order did not apply to the four universities, and several colleges in the area. Minister Rabin ordered a gradual reopening of the schools, starting with grades on 8 to eight. On 22 July, some 183,000 elementary school pupils and 10,700 pre-matriculation class students returned to school. No incidents were reported, (Ha'arets, Jerusalem Post, 13, 23 July 1989)

251. On 2 August, some 69,000 junior high school pupils returned to classes at 324 schools in the West Bank. This was the second stage of a gradual reopening of schools after a six-month military closure. No incidents were reported. In a related development, Central Region Commander Avran Mitzna reportedly told the Knesset Education Committee that there were no Palestinian teachers, nor West Bank youths under 14 years of age in gaol at present. He added that the army had recently released all but 50 of the 147 high-school-aged children currently detained. In another development, it was reported that the civil administration on 14 August 1989 ordered the UNRWA elementary and junior high schools in Jslasun camp closed for three days, after stone-throwing incidents in and around these schools. (Jerusalem Post, 2, 3 and 15 August 1989)

3. Information on settlers' activities affecting the civilian population

Oral evidence

252. The Special Committee heard several statements describing the noticeable escalation in the number and scope of attacks by settlers on Palestinian civilians and the increased aggressiveness in settlers' behaviour towards the civil population in the territories;

"The settlers walked to the south of the village, to a house where they broke the glass of the balcony. They went to another house where they destroyed the car of the owner of the house.

"When the women and the children in the village saw that the settlers were beginning to destroy the houses and the cars, they decided that they would either resist or die, even if they killed 20 of them. The entire village came out en masse and started advancing on the settlers. The settlers were defeated. They entered the house of a religious man, an old abode, where they took refuge, and then they left from the eastern side of the village and went to another village. There they shot several people, a man was shot in the throat and in the knee. He was taken to hospital; some investigators came to the hospital.

"The Jewish settlers were firing bullets when two army vehicles came, and they started firing on the village as well. They hit a man in the legs. " (Anonymous witness, A/AC.145/RT.512)

"About four months ago or maybe a little more, they came to the camp, and the army followed them, trying to get them back where they belong. They came to Maghazi camp, and the army tried to stop them. Actually the army could stop them if it really wanted to but they just let them pass. The settlers kidnapped a young man from our camp. They took him to the fields. His family was looking for him. When they found him finally they found that he had been thrown under the trees. He had been beaten and his bones were broken."
(Anonymous witness, A/AC.145/RT.515)

"... The settlers are in daily confrontation in Hebron, in 'Azzariya. They beat people, they break their bones, they kill people. Recently they killed a 13-year-old girl: she died after being shot by settlers, but they received no punishment of any kind." (Anonymous witness, A/AC.145/RT.516)

253. Accounts of settlers' activities affecting the civilian population may be found in documents A/AC. 145/RT. 510 (Mr. Omar Basha); A/AC. 145/RT. 511 (Mr. Husni Al Asbah); A/AC.145/RT.512 (an anonymous witness); A/AC.145/RT.513 (Mr. Usama Sayeh); A/AC.145/RT.515 (an anonymous witness); and A/AC.145/RT.516 (an anonymous witness).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 197-228)).

254. On 2 April, it was reported that settlers in Hebron had been patrolling the area in cars carrying "press" signs and, according to Palestinian sources, have been involved in several shooting and beating incidents. Settlers were also reportedly involved in several shooting incidents in Hebron. The Judea police was investigating that incident. Settlers' patrols were reportedly seen by local residents as provocations which sparked off violent clashes with troops.
(Ha'aretz, Jerusalem Post, 2 April 1989; Attalia, 13 April 1989)

255. On 13 April, it was reported that students of the Amal school in Ariel had joined their parents in a "raid of retaliation and intimidation" in the Arab village of Bidia, following an incident in which a settler from Alfei Menashe was burnt to death in his car. (Ha'aretz, 13 April 1989)

256. On 17 April, an "authoritative settler source" announced that Hebron settlers had formed a vigilante intervention force and hired four attack dogs that they intended to unleash against Palestinian attackers. The force reportedly comprised seven men who would act in "areas where there are serious events" if the army did not get there first. Settler leader Aharon Domb, who was behind that move, told a reporter that the seven men would be armed, but insisted that the unit was not supposed to be a new underground or an army. (Ha'aretz, Jerusalem Post, 18 April 1989)

257. On 21 April, it was reported that the chairman of the Council of Settlers in "Judea", "Samaria" and Gaza, Uri Ariel, told a reporter that several settlements in the territories had rapid intervention units that were **recognized** by the IDF. He added that the **army** encouraged settlers to have such teams, whose function was "to take up arms and repel an attack until troops arrived". (Jerusalem Post, 21 April 1989; Attalia, 27 April 1989)

258. On 23 April, Jewish settlers carried out provocative marches in West Bank areas and attacked Arab houses. Settlers led by Knesset member Rafael Eitan, from the right-wing Tscmet party, marched fully armed through a village in the Nablus area to "prove" Israeli control over these Palestinian territories. A group of extreme right-wing Israelis set up a new settlement near Ramallah. In a related development, police allowed right-wing Israelis from Tehiya and other groups to enter Al Aqsa Mosque compound and tour the site. (Al-Fair, 1 May 1989)

259. On 24 April, Knesset members Yossi Sarid and Dedi **Zucker** said that settlers in Ariel had formed a militia-like organization called "**Kulanu**" ("all of us" in Hebrew), which maintained ties with the IDF through a local security company. It was also reported that police had questioned 40 settlers from **Nili** suspected of having raided Harbata on 22 April 1989. No one was arrested. (Jerusalem Post, 25 April 1989)

260. On 2 May, Jewish settlers were reported to have uprooted 286 olive trees in the village of Nahalin. (Al-Fajr, 8 May 1989)

261. On 4 May, it was reported that 400 settlers from Hebron and Kiryat Arba had decided, at a meeting held on 2 May, to carry out patrols in the area and to open fire at stone throwers "in order to injure, not kill them", after going through the "procedure for arresting a suspect". The settlers had previously set up an "information centre" to monitor Arab attacks, forming a quick intervention force and contracting for attack-dogs to guard their compounds. (Ha'aretz, Jerusalem Post, 4 **May** 1989; Al-Fair, 8 May 1989)

262. On 4 May, hundreds of settlers carried out night raids on Arab villages in the West Bank, smashing windows and shutters, **stoning** cars, gutting a van and slightly injuring two girls. The raids followed an attack on a settlor at Etz-Efraim. Settlers in the Gaza Strip clashed with Arabs and opened fire after being stoned. (Ha'aretz, Jerusalem Post, 5 May 1989; Attalia, 11 May 1989)

263. On 14 May, Jewish settlers broke the windows of the mosque in Abwein and raided the village of Deir Kadis, where they smashed car windshields and house windows. (Al-Fajr, 22 May 1989)

264. On 22 May, hundreds of settlers from Maaleh Adumim carried out a "retaliation operation" in nearby Eizariya after a settler family's car was stoned and its four occupants were injured. The settlers set fire to a truck and overturned two others, smashed windows of cars and homes and fired in the air. The operation went on for an hour and a half. The settlers were finally evacuated by troops, after causing extensive material damage. (Ha'aretz, Jerusalem Post, 23 **May** 1989; Al-Fair, 29 May 1989)

265. On 22 **May**, Jewish settlers were reported to have raided the villages of Kubar, Sinjil, Turmus Aya, Al Mughayer and Husan in the Bethlehem area, uprooting trees and setting fields ablaze. (**Al-Fajr**, 29 **May 1989**)

266. On 24 **May**, settlers in the southern **Mt. Hebron** area began carrying out armed patrols without any co-ordination with the IDF. Settlers **from** Shaarei-Tikva, Elkana and Oramit, caused extensive material damage to villagers from Azun-Athman and Zawiya, following an alleged petrol bomb attack on a settler's car. (**Ha'aretz**, 25 May 1989)

267. On the night between 25 and 26 May, Kiryat Arba settlers carried **out** a retaliation operation in a nearby neighbourhood, following a petrol bomb attack on a settler's car. They caused extensive **material** damage and fired hundreds of shots at homes. According to Arab residents, the shooting went on for hours, without **army** intervention. Settlers' raids were also reported in the villages of Deir Sudan, Arura and Ahwein, in the **Ramallah** area. Five villagers were injured in clashes with troops sparked off by the settlers' raids. (**Ha'aretz**, **Jerusalem Post**, 28 **May 1989**)

268. On 29 May, **some** 30 settlers raided the village of Kifl Harith, and reportedly carried out a "methodical and prolonged rampage, involving arson and vandalism . . . which climaxed with the shooting of a 13-year-old girl inside her home in a burst of automatic fire" (see table, **para.** 77). The attack went on for an hour and a half, before soldiers arrived on the scene. The settlers said they had gone to the village to visit the Jewish shrine of Joshua's Tomb, in the village centre, and that they were surrounded and stoned by villagers, and had to open fire to defend themselves. On 30 May, a special investigating team set up by the **Samaria** police continued to detain settlers on suspicion of participation in the raid and the killing of a girl. (**Ha'aretz**, **Jerusalem Post**, 31 May 1989; **Attalia**, 1 June 1989; **Al-Fair**, 5 June 1989)

269. On 1 June, several dozen settlers, believed to be residents of Kiryat Arba and Hebron, carried out a raid in Halhul in reprisal for stone throwing in which a Kiryat Arba woman was injured the previous day. Settlers damaged dozens of cars and shot at homes, slightly injuring two children. The Committee **for** Security on the Roads, based in Kiryat Arba, later claimed responsibility for the attack. (**Ha'aretz**, **Jerusalem Post**, 2 June 1989)

270. On 4 June, settlers from the Committee for Security on the Roads damaged Arab property in **Halbul** after their car was stoned. It was also reported that over 250 vines belonging to villagers from al-Khadr, near Bethlehem, were destroyed by spraying an unidentified chemical substance. (**Ha'aretz**, **Jerusalem Post**, 5 June 1989)

271. On 15 June, it was reported that Kiryat Arba settlers had set up mobile patrols in Hebron and its area. Patrols took place **almost** every day in convoys of four to five cars, four passengers in each. (**Jerusalem Post**, 15 June 1989)

272. On 15 June, Rabbi Moshe Levinger clashed in Hebron with Arab stone throwers. Levinger opened fire and troops closed the area. (**Jerusalem Post**, 16 June 1989)

273. On 30 June, some 2,000 settlers and supporters, closely guarded by elite IDF troops, hiked throughout the territories to "emphasise their claim to the land and their right to move there freely". Forty-one hikes were staged, mostly in the West Bank. No clashes were reported. (Jerusalem Post, 2 July 1989)

274. On 27 July, it was reported that residents of the Hebron and Halhul areas had complained that uniformed men had sprayed their grapevines with a toxic substance the previous week, causing them to dry up. Laboratory examinations reportedly confirmed the vines had been poisoned. Some 200 dunams of vines were affected. According to Kiryat Arba settlers, other settlers, linked with Rabbi Kahane's Kach movement, were responsible for the poisoning. A Kach spokesman denied any link. The Hebron police said only one case had so far been investigated, as local residents were afraid to file complaints with the police. On 30 July, a group calling itself the "Headquarters of the Jewish Intifida" left leaflets in Halhul claiming responsibility for the poisoning and saying that it was in retaliation for the stoning of Jews in the area. (Ha'aretz, Jerusalem Post, 27 July 1989; Jerusalem Post, 31 July 1989)

275. On 17 August, Gush Emunim announced its intention to set up a volunteers' guarding organisation composed of settlers and Jerusalem residents, following an increase in cases of arson of cars in Jerusalem. The members' task would be to ambush Arabs damaging cars and other Jewish property, capture them and hand them over to the police. The Committee for Safety on the Roads, operating in Kiryat-Arba, also announced its intention to spread its patrols to include Jerusalem "to protect more efficiently Jewish lives in the capital". (Ha'aretz, 18 August 1989)

D. Treatment of detainees

Oral evidence

276. The Special Committee heard several witnesses who gave extensive accounts of conditions in detention. Most witnesses referred to their personal experience covering sometimes long and repeated periods of detention and relating to harsh conditions faced in several detention centres and prisons, in particular since the start of the uprising and the unprecedented increase in the number of detainees resulting from it.

277. Most testimonies denounced the various forms of ill-treatment such as physical torture and violence, psychological humiliation and intimidation, isolation in solitary confinement, the overcrowding of cells, the lack of sanitary facilities, inadequate nutrition, clothing and health services, and the denial of the right to receive visits and of access to lawyers.

278. One particular aspect mentioned by some witnesses was the problem of detained minors.

279. The very harsh conditions endured by prisoners in the Ansar 3 (Ketziot) detention camp in the Negev desert inside Israel itself, where detainees were reported to have been shot, were also described in some testimonies.

280. According to a number of witnesses such conditions of detention often gave rise to hunger strikes aiming at ameliorating the treatment of detainees, which had sometimes led to the death of hunger strikers.

281. The following are a few relevant excerpts from such testimonies:

"... The guards who receive the detainee at the door, who take his identity card, they use a system for those active in the uprising. Nightly I used to hear the cries of these young people, some of them only 15 or 16 years old. They used to cry **out** at the beatings, and their voices carried to the other cells. One of them was transferred to hospital.

"I was moved to Hebron . . . and during the trip the guards hit **me**. At Hebron I was put in a cell on one of the higher floors. It was not a cell, it was a room, a water closet, a bathroom, for the soldiers who take the prisoner before the interrogator. I was locked up in one of those. I was handcuffed, my eyes were covered and I spent an entire night in this **small** bathroom or water closet. I had no covers, nothing to sleep on or anything like that. . . . They moved me after that to another cell. We were eight people in that cell, and conditions were horrible. All of them were **young men who were** imprisoned during the intifadah period. The cell - I measured it with **my own** hands - ten times the width of **my** hands in length and five times in width, with **my** hands stretched out. Eight people were in that space, in addition to a toilet bowl as well as a bottle of water. In that cell I used to wish to be taken out for interrogation, because it was the beginning of April, it was spring. It could have been cold outside, but in that cell we were sweating. There was no air in those cells in Hebron; there was just a hole in the ceiling which in winter is closed by a piece of plastic so that the rain doesn't **come** in. There is no water. In the morning we had to go down, if the soldier was co-operative or sympathetic to us, he would take us collectively to the bathroom, to the toilet, and each one had five minutes to **use the** toilet and to wash, if water was available, which was brought in a large bucket.. That bucket was used in order to fill the buckets in the different cells. The same bucket was used to drink water from, and to wash after using the toilet. It is disgusting. There was no soap: we didn't shave. Food - well, there was no question of quantity, there was quantity, but the quality was awful. The food was left outside until it got cold, and it was dusty." (Mr. **Ahmad** Mohammad Jabar Suleiman, **A/AC.145/RT.507**)

"Barbaric treatment, it was very, very bad. It was ugly, it was barbaric. They used to give **me a small** piece of bread, and they used to bring dogs to attack **me**. They electrocuted **me** several times, they put **me** in solitary confinement, they took off **my** clothes, they put **me** in a cell which was full of water. I used to sleep on the floor, everything, anything you can imagine, as well as beatings, sometimes four times a day. Of course, I was badly fed. They used to give **me** half a boiled egg and a dry piece of bread and one glass of water. I was put in solitary confinement, I was deprived of visits from **my** family for the period of two years until **I** was deported." (Mr. **Jamal Namr**, **A/AC.145/RT.510**)

"... In the first place, the conditions of the prison are very bad. **Its** location in the Negev desert is very bad. It is a very hot climate and the prisoners live in tents. We sleep on wooden boards which are painful to the back. There are also scorpions and snakes. The administration of the prison is very bad. They used to come and spray the area with gas, and they used to fire bullets - not rubber bullets. What they used in the Negev were real bullets, live ammunition. They would open fire on us. **You must** have heard that recently many persons have died in the Negev because of that: they became martyrs. Those are the conditions prevailing in the Negev prison. I should also like to draw your attention to the health condition of the prisoners, which is very bad indeed. I was in Negev prison very recently, just before I came here. I can tell you that there were many hunger strikes by the inmates because the food is very bad and so is the treatment. **Some** young men are serving the third renewal of their administrative detention and have not been allowed to see their families." (Mr. Hassan Rahim Mohammad Dahdou, A/AC.145/RT.512/Add.1)

282. Accounts of the treatment of detainees **maybe** found in documents A/AC.145/RT.507 (Mr. Ahmad Mohammad Jabar Suleiman, Mr. Mas'ud Osman Zu'aytar); A/AC.145/RT.510 (Mr. Jamal Namr, Mr. Muphid Nearat, Mr. Chnar Basha); A/AC.145/RT.512/Add.1 (Mr. Hassan Rahim Mohammad Dahdou); A/AC.145/RT.513 (Mr. Abdel Hamid El Baba, Mr. Jamal Abdallah Shakir Jbara); and A/AC.145/RT.517 (an anonymous witness).

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 229-260)).

283. On 5 April, it was reported that a New York-based organization, the Lawyers Committee for Human Rights, said in a letter to Defence Minister Rabin that the Ketziot detention camp was illegal, unfit to hold prisoners for extended periods, and the scene of arbitrary individual and collective punishment. Confinement in isolation cells was the **most** common individual punishment. Collective punishments were allegedly imposed arbitrarily for minor infractions. In confrontations between detainees and prison authorities, tear gas, rubber bullets and live ammunition were used. There were also complaints of medical services being unnecessarily withheld from sick prisoners, and of insufficient time **alloted** for lawyers' visits. (Jerusalem Post, 5 April 1989; Al-Fair, 10 April 1989)

284. On 10 April, three Supreme Court judges, Justices Meir Shamgar, Gabriel Bach and Eliezer Goldberg, visited the Dhahiriya detention camp in connection with a petition to the High Court of Justice concerning conditions in the facility. It **had been** alleged in the petition that overcrowding was very serious, the quality of food was bad and its quantity was insufficient and that detainees were not given sufficient time for outdoor walking. In another development, it was reported that **warders** had used tear gas to quell rioting by security detainees held in Ayalon Prison in Ramla. After the rioting was quelled the leader of the detainees was put in a separate cell. (Ha'aretz, Jerusalem Post, 11 April 1989)

285. On 12 April, journalists visited Tel Mond gaol where Arab women detainees are held. The tour was organized by the Prisons Service in order to refute allegations of torture, hunger and inadequate medical treatment. During the tour the detainees complained about the lack of hygiene and proper food. (Jerusalem Post, 13 April 1989)

286. On 14 April, it was reported that the commander of the Jerusalem Police, Josef Yehudai, had been given a document alleging physical and sexual abuse of women political detainees in the Russian Compound detention facility in Jerusalem. The document included affidavits given to lawyers. A police spokesman said the police would thoroughly investigate the allegations, but he added that the facility met all the requirements and denied that prisoners were beaten or ill-treated there. (Ha'aretz, 14 April 1989; Al-Fajr, 17 April 1989)

287. On 17 April, it was reported that Professor Derrick Pounder, head of the forensic medicine department at the University of Dundee, Scotland, United Kingdom, had submitted a report to Advocate Melicia Langer, lawyer of the family of Ibrahim Matur, from Silir. Matur was found dead in his cell at Dhahiriya prison on 21 October 1988 and the authorities claimed he had committed suicide. The Supreme Court accepted a petition by the family to allow exhumation of the body and a second autopsy. Professor Pounder concluded that "it would be rash ... to exclude the possibility of homicide", and added that there was no possibility to establish whether the deceased had hanged himself or was hanged by others. He also said that the handcuffing of Matur, his placement in solitary confinement, his subjection to drugs, tear gas and harsh physical conditions "might have induced him to take his own life as the only means of escape", but such a death should be regarded as an "aggravated suicide" precipitated by physical and mental abuse. (Jerusalem Post, 17 April 1989; Al-Fajr, 24 April 1989)

288. On 22 April, Palestinian detainee Nasser Shamali, aged 23, was reportedly beaten to death by prison guards at Ansar 2 detention centre, in Gaza. He died on his way to hospital. (Al-Fajr, 1 May 1989)

289. On 26 April, troops in the Ketziot detention camp fired tear-gas and rubber bullets and wounded five inmates in order to stop detainees from killing a fellow-prisoner. Some 1,000 detainees took part in the rioting. (Ha'aretz, Jerusalem Post, 28 April 1989)

290. On 27 April, reports said prison guards in Ansar 3 detention camp in Negev opened fire at prisoners and injured five of them. (Al-Fajr, 1 May 1989)

291. On 11 May, it was reported that prisoners' families had been prevented from visiting their relatives in Dhahiriya prison for over a month. The reasons for the measure were unclear. The same measure had been applied to visits to Megiddo prison for three months running and to Ansar 3 where family visits are only allowed through the Red Cross and after obtaining a permit from the Israeli civil administration. (Attalia, 11 May 1989)

292. On 16 May 1989 a security prisoner, Mohammed Assa Kukha, aged 50, from Shweika, died in Megiddo gaol, as a result of dehydration. He had gone on hunger strike, two days earlier, together with security prisoners in the gaol in protest over their prison conditions. On 18 May, an IDF spokesman was reported as denying allegations by soldiers serving in Megiddo gaol that there was negligence in the medical treatment given to the prisoner. The Investigating Military Police was to look into the negligence allegations. It was reported that all the inmates in Megiddo gaol were on hunger strike and that many were being hospitalized. (Ha'aretz, 17, 18 May 1989; Attalia, 18 May 1989)

293. On 19 May, thousands of detainees held in the Ketsiot detention camp went on a hunger strike to protest their prison conditions. According to sources in the camp about 100 detainees have been suffering from dehydration. An IDF spokesman said that all the detainees were confined in optimum conditions, and that medical treatment was available. (Ha'aretz, Jerusalem Post, 21 May 1989)

294. On 29 May, it was reported that Al Ittihad newspaper had published a letter smuggled out by Palestinian detainees in Ansar 3. According to the letter, 63 detainees had been injured when prison guards attacked them on 26 April, including three who each lost an eye. About 80 soldiers took part in the attack. (Al-Fair, 29 May 1989)

295. On 4 June, Omar al-Kassem, aged 48, who had served 21 years in gaol, died in hospital, a day before his request for release on humanitarian grounds was to be heard by a Prisons Service Committee. He was suffering from kidney failure and cancer, and was hospitalized on 7 April 1989. A report from the Prisons Service Hospital, where he was initially treated, said continued detention would have endangered his life. (Jerusalem Post, 5 June 1989)

296. On 13 June, a riot broke out among hundreds of Arab security prisoners at Megiddo gaol. IDF troops, guards and military police fired dozens of tear-gas canisters and then fired in the air. Three inmates had to be treated in the gaol hospital. The IDF ordered an inquiry into the riot. On 30 June, fresh riots broke out in Megiddo gaol. Guards and troops again used large quantities of tear-gas, injuring eight inmates who needed medical treatment. (Ha'aretz, Jerusalem Post, 14 June 1989; Ha'aretz, 2 July 1989)

297. On 6 July, Fatima Abu Ba' aged 33, of Khan Yunis, who was sentenced the previous week to seven years in prison for terrorist activities, appealed to the High Court of Justice, complaining that her confession had been extracted under sexual duress. (Jerusalem Post, 7 July 1989)

298. On 9 July, it was reported that Defence Minister Rabin said in a letter to the Speaker of the Knesset that under a recently issued guidance every security detainee had to be informed at the time of his detention, or at the latest when he was brought to the detention facility of the reason for his detention. The announcement came following a debate by the Knesset Law Committee in which lawyers of security detainees complained that families of detainees were not being informed of the detention or the detainees' whereabouts, nor of the reason for the detention. Following the debate the Knesset Committee recommended that matter 6

concerning the safeguarding of individual rights (of detainees) should be improved. (Ha'aretz, 9 July 1989)

299. On 16 July, data were released about IDF plans for increasing the detention capacity for detainees from the territories in the light of estimates that the uprising may continue for an unforeseeable length of time, and may become even more acute. The IDF was planning the setting up of an additional large detention camp in the West Bank. The detention facility at Ketziot, which could now accommodate 5,000 detainees, would be enlarged to accommodate 2,000 more. At present there were 8,700 detainees and prisoners in the various detention centres and prisons. Under the plan, by the end of the present year the IDF detention facilities would be able to accommodate 15,000 detainees, and in one year's time up to 20,000. The plan reportedly also provided for increasing the responsibility of the military police, which would be charged with running and maintaining the various detention facilities. At present, the military police was responsible only for one prison, the Megiddo prison, where 1,400 detainees from the territories were being held. (Ha'aretz, 16 July 1989)

300. On 21 July, it was reported that the commander of the Ketziot prison, A/M (Colonel) David Tsrmah told a group of journalists visiting the facility that seven detainees had been murdered by other inmates in recent months for alleged collaboration with the authorities. He said that the prison authorities were taking several measures in order to prevent such killings. (Ha'aretz, 21 July 1989)

301. On 23 July, a correspondent published a report following a visit to the Ketziot detention centre. At the time of the visit the facility housed 4,275 Palestinians, including 1,038 who were administrative detainees. The inmates were reportedly allowed to play table-tennis, to read newspapers and listen four times a day to news in Arabic broadcast through loudspeakers. Individual religious practice was permitted and the authorities provided Korans and special jars for the traditional ablutions before prayer. Lawyers were the only medium of communication with the outside world. According to the Southern Region Commander T/A (Brig. Gen.) Ya'acov Or, the prison was established to remove sources of violence from the territories and the IDF aim was to avoid circumstances that promoted emotional outbreaks. This was done by preventing the creation of a strong leadership inside the camp, by frequently transferring inmates between prison sections. (Jerusalem Post, 23 July 1989)

302. On 25 July, it was reported that the Israeli branch of the Defence for Children International had prepared a report on detention conditions of minors from the territories in Megiddo gaol. In May 1989, 65 minors, aged 14 to 17 were held in that prison, including 7 convicted and the rest detained for 3 to 9 months for disturbing the peace. In one cell where 49 minors were being held, there was severe overcrowding and inmates complained they had not sufficient cleaning material and underwear. They also complained of lack of light and air-conditioning. (Ha'aretz, 25 July 1989)

303. On 6 August, it was reported that a group of women concerned about prison condition of women political prisoners had started a series of protest actions against the alleged deterioration in the detention conditions of women political

prisoners held in Tel-Mond gaol. According to the group, since May 1909 family visits had been curtailed and books, newspapers and radios have been confiscated. This reportedly followed an attack of an inmate suspected of collaboration. The Prisons Service Commission reportedly promised to restore conditions to their previous state, but had so far failed to do so. (Ha'aretz, 6 August 1989)

304. On 13 August, it was reported that an inmate in the Ketziot detention camp, Fade3 Hasin Salem of Gaza, had been severely beaten and tortured, nightly, for one week, by other inmates who suspected him of collaboration. He managed to escape from his attackers as they were about to murder him, and found refuge with IDF guards. The guards rescued another inmate whose life was threatened, Awed Salam Iyad. Both were isolated. Two suspects were being questioned by police. (Ha'aretz, 13 August 1989)

305. On 15 and 16 August, reports were published about a complaint made by Knesset member Dedi Zucker in a letter to Defence Minister Rabin, concerning IDF lock-ups. According to Zucker, he heard from reservists and prisoners during a visit to the Beach Detention Camp (Ansar 2) in Gaza that detainees held after their arrest in military lock-ups were badly beaten by guards and soldiers who happened to pass by. Similar reports were recently received from the Kalkilya Detention facility and the Hebron lock-up. "The 13 military lock-ups are a no-man's-land. There is no Red Cross supervision and the detainees are left to the caprice of the soldiers, who have no qualifications to serve as warders", Knesset member Zucker wrote. (Ha'aretz, 15 August 1989, Jerusalem Post, 16 August 1989)

E. Annexation and settlement

Oral evidence

306. A few witnesses referred to the arbitrary seizure of land by the Israeli authorities in the course of their testimonies. Mr. Yussef Abdel Haq, from the Economic Department, Palestine Liberation Organization, stated in that regard:

"As far as settlements are concerned, during 1988-1989 and in spite of the tension in the occupied territories and the intifadah, eight more settlements have been established, so that since 1967, 196 settlements have been established with an area of 3.2 million dunams, that is, 50 per cent of the territory of the West Bank and Gaza. In 1988 the Israeli authorities expropriated 39,000 dunams. " (One dunam = 1,000 square metres)
(A/AC.145/RT.513)

307. An anonymous witness, asked about settlements near his village and their date of establishment, gave the following account:

"Five, six or seven years ago.

"Mr. JOVANIĆ (Yugoslavia) : Were they established on Arab land?

"The WITNESS (interpretation from Arabic) : Yes. They expropriated the land, and told the landowners, 'We have taken your land'.

/...

"Mr. JOVANIC (Yugoslavia) : Did the owners receive fair compensation?

"The WITNESS (interpretation from Arabic): Not a thing. But the owners would not take anything from them, they would not accept anything from them. They want their land, they want to live on their land, they want their families to continue to live on the land. It is part of them."
(A/AC.145/RT.512)

Written information

(Information on this subject covering the period from 26 August 1988 to 31 March 1989 is to be found in the periodic report (A/44/352, paras. 261-275)).

308. On 9 April, an inauguration ceremony was held for the new settlement of Tzufim, east of Kalkilya. The settlement was built on private land purchased by Gush Emanim. It was not one of the eight settlements provided for in the coalition agreement. It was planned for 1,500 families. (Ha'aretz, 10 April 1989; Al-Fajr, 17 April 1989)

309. On 27 April, it was reported that the Israeli authorities ordered the confiscation of about three dunams belonging to Sherif Issa in Wadi Al Habit?, near Deir Jarir (Ramallah). Another 24 dunams, property of Ahmed Abdel Fattah Hi jazi, were also confiscated in the village of Jet (Nablus). (Attalia, 27 April 1989)

310. On 2 May, it was reported that another 14 Jewish families were to settle in the "Abraham the Patriarch" compound in Hebron within the next two months. The construction of flats for these families was about to be finished. At present only five families lived in the compound. Eleven families lived in Beit Hadasa, six in the Hassan House, five in Shneorsohn House, three in Romano House and three more in Tel-Rumeida. In addition, 120 students in the "Shavei-Hevron" yeshiva reportedly stayed in the place almost day and night. (Ha'aretz, 2 May 1989)

311. On 10 May, two new settlements were established, Tzoref, in the Etzion bloc, and Ofarim, south of Beit-Arye, in the Binyamin district. A third settlement, Dugit, was planned to be established in the Gaza Strip within two months. Tzoref had at its disposal 850 dunams of land purchased by Jews in 1928. (Ha'aretz, 11. May 1989)

312. On 28 May, it was reported that the Minister Ariel Sharon was preparing a plan for the settling of 200 Jewish families in the Moslem quarter of Jerusalem's Old City. At present only 25 Jewish families live there and several religious schools are located in the quarter. The Jerusalem municipality reportedly opposed settlement of Jewish families in the Moslem quarter, for fear of increased tension between the Arab and Jewish communities. (Ha'aretz, 28 May 1989)

313. On 30 May, the Knesset Finance Committee approved the allocation of NIS 30 million (approximately \$20 million) for settlements and roads in the territories. (Jerusalem Post, 31 May 1989)

314. On 1 June, it was reported that five more sites of Jewish settlements were to be populated in the coming months, in addition to the four that had **already been** established *since* the setting up of the coalition government: Talmon and Ofraim in Binyamin district, Tzoref in the Eteion bloc and Tzofim - a private initiative that was approved three years earlier. On 4 June, Housing Minister David Levy took part in a ceremony of consecration of 13 new flats in the "Jewish compound", *near* the Abraham **synagogue, in Hebron**. Levy announced that 1,000 new housing units were to be built in the territories before the **end of the year, and** that the construction of 1,500 more flats would **begin** in 1990. It was further reported that Gush Emunim planned to settle in one month's time three settlements in one day, *in* the Gaze Strip, Kfar Darom, Dugit and Katif 8. The settlement of **Avney-Hefetz** would also be established later in the year. (Ha'aretz, 1, 5 June 1989)

315. On 30 July, four Jewish families entered homes in **the Moslem Quarter of Jerusalem's Old City** after the association dealing with purchase of Arab-owned homes in the quarter had spent hundreds of thousands of United States dollars for buying the homes. Two of the houses are located in Via Dolorosa and two others in **Salsila** street, near the Wailing Wall. A fortnight earlier, two other homes in the Moslem Quarter were occupied by Jewish families after the houses were bought from Arab owners. At present, 35 Jewish families lived in the Moslem Quarter in addition to religious seminars and other institutions, which brought the Jewish presence in the quarter to a total of 400 daily. (Ha'aretz, 1 August 1989)

316. On 7 August, the Central Bureau of Statistics reported that despite the **Palestinian uprising**, some 6,000 people settled in the territories over the past year. In **December 1987** (before the beginning of the uprising) 60,300 Israelis lived in the territories. The 10 per cent growth in 1988 was slower than the rate in previous years. (Jerusalem Post, 8 August 1989)

317. On 7 August, Industry Minister Ariel Sharon authorised the expansion of industrial zones near two West Bank settlements, Eilon Moreh and **Karnei Shomron**. He insisted that work start immediately **to make** clear that "Jews haven't **changed** their view⁶ and that the Government is **adamant** that it will not leave **this area**". Sharon, who was visiting the **Barkan** industrial area, also accepted a plan to refurbish the second storey of an old fortress at Sanur, south of **Jenin**. He said that Ariel, **Beit Abe**, Yakir and other settlements in the **area formed a wedge** between Nablus and Ramallah, but that such a wedge still did not exist between Jenin and Nablus. (Jerusalem Post, 8 August 1989)

318. On 20 August, a meeting was held in Hebron of **the "Association for the Renewal of the Jewish Quartar in Hebron"**, on the sixtieth anniversary of the 1929 massacre of Hebron Jews. It was reported¹ in the meeting that the association had bought, in recent years, 10 houses where Jews used to live before 1929. But due to a ban by Defence Minister Rabin Jew⁶ could not re-settle in these houses. The association nevertheless intended to buy another 50 buildings in the town. At present 35 Jewish families lived in various houses or compounds in Hebron. (Ha'aretz, 21. August 1989)

F. Information concerning the occupied Syrian Arab Golan

Oral evidence

319. In a statement delivered before the Special Committee at Damascus on 25 May 1989, Mr. **Hani** Habib, Director, International Organisations Department, Ministry of Foreign Affairs of the Syrian Arab Republic, referred to the situation in the occupied Syrian Arab Golan and stated in this connection:

"Regarding the situation in the occupied Syrian Arab Golan, the strategy of Israel continues, namely, total aggression and the assertion that the Golan is part and parcel of Israel. Its practices, overt and covert, are imposing judaization on that area, are imposing its laws and administration, cutting off the Syrian Arab people in the Golan from their history and the rest of their nation. Israel is continuing to set up settlements - the number has now reached 36 - and changing the social and cultural nature of the area. It is also trying to annihilate the very nationality of the peoples in that area, thus violating the resolutions of the United Nations, and particularly Security Council resolution 497 (1981) and General Assembly resolution ES-9/1 at its special session on 5 February 1982 and which is constantly reaffirmed at subsequent sessions of the General Assembly.

"Facing this occupation, our people in the Golan rose with great heroism, affirming on every occasion that they belong to the Syrian Arab nation and to its militant leader, **Hafez** Al Assad, thus rejecting occupation and the imposition of Israeli laws and Israeli nationality upon them. They will defy the repressive powers of Israel until the whole land of Golan is freed from occupation. The people of that area have also expressed their support for the heroic intifada of the Palestinian Arab people.

...

"We should like here to refer to the fact that the Israeli occupation authorities are currently imposing collective economic punishment on our Syrian Arab people in the occupied Golan by closing the market for their apple production which constitutes one of the main sources of income for the people; this is being done on the pretext that there is continued aggression and expressions of hatred by the population of the Golan of the occupation authorities and because they have rejected Israeli nationality. This is an economic catastrophe for the people which will cause a further deterioration in their living conditions and increase the difficulties they face, such as unemployment, which will turn them into a cheap source of manpower for Israel.

"... The destruction of the entire city of Quneitra was a serious violation of Article 53 of the Fourth Geneva Convention regarding the protection of civilians in time of war, which lays down that the occupying State is forbidden to destroy any private property of individuals or groups, or of the State or public sector, or of social or co-operative societies, unless war operations require such destruction. Article 147 affirms that fact once again and states that the destruction and expropriation of property in a manner not.

/...

justified by requirements of war and on a large scale, illegally and arbitrarily, is one of the serious violations which requires the implementation of Article 146 of the Convention, in which the Contracting Parties pledged that they would take any legislative measures to impose effective punishment on those who carried out or ordered one of those serious violations. Every Contracting Party is called upon to pursue those accused of carrying out such violations or who had given an order for such violations, and bring them before the courts. It is also considered to be a crime of war in accordance with Article 85 of the First Additional Protocol to the Geneva Convention, where the third subparagraph provides that the taking of areas which are deprived of the means of defence, or demilitarised areas, as a target of attack, is also one of the serious violations of the Convention.

"Quneitra, which was completely destroyed during a ceasefire and a few days before the withdrawal of the Israeli troops and its liberation in 1974, demonstrates an Israeli policy of particular brutality, carried out deliberately by the occupation authorities, a Zionist racist policy aimed at destroying the Arab presence. Quneitra is a living witness, an eternal witness, of brutal Israeli practices, " (A/AC. 145/RT. 507)

Written information

320. On 17 April, widespread pro-Syrian demonstrations were held in Majdal-Shams to mark the Syrian Independence Day. Six villagers were arrested on suspicion of waving Syrian flags, and it was reported that further arrests were expected. Police and border police forces remained outside the village and refrained from intervention. (Ha'aretz, 18-21 April 1989)

321. On 2 May, Galilee police arrested 13 residents from Bukata, Majdal Shams and Mas'ada for allegedly hoisting Syrian flags and singing nationalistic songs two weeks earlier, on Syria's Independence Day. (Jerusalem Post, 3 May 1989)

322. On 10 and 11 May, many demonstrations were reported in village 6 in the Golan. Police used rubber bullets and tear-gas to disperse hundreds of demonstrators in Mas'ada. The Israeli flag was burned and a Syrian flag was hoisted. Over 40 villagers were detained. On 14 May, it was reported that hundreds of riot equipped police and border police were stationed in Majdal-Shams over the weekend to prevent disturbances. (Ha'aretz, 11, 12 May 1989; Jerusalem Post, 14 May 1989)

323. On 22 July, 150 policemen and border policemen interrupted a summer holiday camp in the northern Golan, in which some 200 children and 80 adults were participating. The holiday camp was named "resistance", and each of the 14 huts composing it bore the name of a well-known "terrorist" group. The police arrived on the scene equipped with tear-gas canisters and rubber bullets, but they reportedly behaved "with much restraint" as they were negotiating with local officials, requesting them to remove the "nationalistic" inscriptions and stop the anti-Israel songs. The police left the place after receiving assurances that the holiday camp would cease all "nationalistic activities". (Ha'aretz, 23 July 1989)

324. On 14 August, it was reported that police had recently arrested several residents of the Golan, as well as Arabs from Galilee and the Jenin area, on suspicion of nationalist activities in villages on the Golan. According to police, some of those arrested distributed leaflets inciting against the State and encouraging the continuation of the uprising in the West Bank and Gaza. (Jerusalem Post, 14 August 1989)

V. CONCLUSIONS

325. As indicated in the letter of 7 June 1989 transmitting the Special Committee's periodic report (A/44/352) to the Secretary-General, as well as in the letter transmitting the present twenty-first report, the following conclusions have been drawn from information reflected in both the periodic report (A/44/352) and the present report of the Special Committee. The conclusions thus cover the period since 26 August 1988, date of the adoption of its twentieth report.

326. The periodic report and the present report have been prepared in accordance with the mandate of the Special Committee as renewed by the General Assembly by its resolution **43/58 A**.

327. During the period relevant to this report, the Government of Israel continued to withhold its co-operation from the Special Committee. However, the Special Committee benefited from the co-operation of the Governments of Egypt, Jordan and the Syrian Arab Republic, and of various Palestinian representatives. The Special Committee, having been precluded from visiting the occupied territories, conducted a series of meetings at Geneva, Damascus, Amman and Cairo in May and June of this year. At Damascus, Amman and Cairo, it heard the evidence of persons who had first-hand knowledge and personal experience of the human rights situation in the occupied territories. In addition, the Special Committee followed the situation in the occupied territories on a day-to-day basis through reports appearing in the Israeli and Palestinian press. The Special Committee examined a number of valuable communications and reports from Governments, organizations and individuals concerning the occupied territories that reached it during the period under review.

328. The conclusions contained in the present report are formulated on the basis of the information reflected in the periodic report (A/44/352, sect. II) and in section IV of the present report. It must **be borne in mind, however, in this** connection, that the volume of information received and examined by the Special Committee did not permit its total reflection in these reports: the Special Committee has endeavoured within the constraints imposed by the financial situation of the United Nations to include in the reports, as faithfully as possible, samples of the information it has received in order to illustrate the total reality of the situation of human rights in the occupied territories during the period covered by **both** reports.

329. On the basis of information and evidence put before it, the Special Committee reaches the general conclusion that the situation in the occupied territories has been marked by a dangerous level of violence and repression, which has **constantly** escalated since the start of the uprising of the Palestinian population against occupation in December 1987.

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330. Information and evidence put before the **Special** Committee illustrate the fact that Israel has continued, during the period under consideration, to pursue its policy of annexation towards the occupied territories. This policy has led to various measures such as establishing settlements, expropriating property, transferring Israeli **citizens** to ~~the~~ occupied territories and encouraging or compelling, by various means, Palestinians to leave their homeland. The Special Committee **emphasizes** once again that such an attitude is in violation of the **obligations** of Israel as a State party to the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. It may ~~be~~ recalled that this Convention stipulates that **military** occupation is to be considered as a temporary, ~~de facto~~ situation, giving *no* right whatsoever to the occupying Power over the territorial integrity of the occupied territories. Illustrative of the policy and measures of the Government of Israel in that regard is the publication, on 22 December 1988, of a list of eight new settlements whose construction was agreed upon between the Likud and Labour parties, as reported in Ha'aretz on 22 December 1988 (see A/44/352, para. 267), or the approval, reported in Jerusalem Post on 31 May 1989, by the Knesset *Finance* Committee of the allocation of IS 30 million (approximately \$20 million) for settlements and roads in the territories (para. 313 above). Another illustration would be the ruling, reported by Ha'aretz on 4 July 1999, of the President of the Supreme Court about a military seizure order on a piece of land owned by a Palestinian. The President of the Supreme Court ruled that a provisional seizure of land for military purposes was permitted under the "laws of the war" and under international public law (see para. 102 above).

331. The reaction of the Israeli authorities to the wave of disturbances and protest waged by the civilians **against** occupation ~~has~~ been increasingly severe. In this connection, reference can be made to various **measures** implemented by the Israeli authorities with a view to quell the demonstrations, such as the issuing in January 1989 of new instructions under which all soldiers, i.e. not only officers, were authorised to shoot plastic bullets at demonstrators, as reported in Ha'aretz on 5 January 1989 (see A/44/352, para. 35). Another illustration of the Israeli policy in this regard is the statement on 10 June 1989 by Defence Minister Rabin that in order to further calm down the violence in the territories, more means were needed for "selective punishment of activists", as ~~reported~~ in Ha'aretz on 11 June 1989 (see para. 42 above). Mention can also be made of the report by Jerusalem Post on 21 June 1989 according to which Defence Minister Rabin had ~~asked~~ the Justice Minister and the Attorney-General to devise the legal means to implement several new punitive measures to help deal ~~more~~ effectively with continued violence in the territories (para. 45 above),

332. Such measures have clearly failed to calm the situation in the occupied territories. On the contrary, they have led to yet more violence and suffering and resulted in great losses among the civilian population. Practically every day and in several localities.. serious incidents have been reported, such as violent clashes between the civilian population and Israeli defence *forces*, border policemen, paratroopers or settlers. The clashes often have resulted in deaths and severe injuries, affecting all categories of civilians, including very young children. Several hundreds of Palestinians have been killed, as appears in the tables reproduced in paragraph 48 of document A/44/352 and paragraph 77 of the

present document, **which provide** details concerning the Palestinians killed during the period under consideration. Information appearing in these tables, in particular in paragraph 77 of the present report, also reveals an alarming trend with-respect to the killing of dozens of Palestinians suspected of collaboration with Israel. Other incidents have involved tax collection raids, or raids waged by Israeli soldiers to carry out scores of arrests or demolish houses. Numerous cases of severe beatings and the breaking of bones, casualties provoked by tear-gas and rock throwing into houses or other confined areas such as mosques or schools and various other kinds of harassment and ill-treatment have been reported to the Special Committee. Illustrative of this climate of daily confrontation with violence and humiliation was the testimony of **an** anonymous witness who stated in this regard "... life has been steadily deteriorating, it goes from bad to worse. People live in terror, in fear, all the time. Many times we are beaten by the Jews, by the Israeli army. At the beginning we just used to see them in **the** street, beating people they met in the street; but later they began to attack the houses. They break into houses and drag people out and beat them. You see your children's bones being broken. I have a son, a daughter and my wife, and all three of them have had bones broken . . ." (see **para. 122** above).

333. One of the most severe incidents occurred on 13 April 1989 in Nahalin near Bethlehem, when a border police unit, which raided the village to carry out arrests, was attacked by local youths who threw stones and other objects at them. The border police unit reacted by opening fire. Four youths were killed and at least 13 others were injured, including four seriously. Arab sources put the number of injured at 35. Many others were injured from tear-gas. The incident was reported in Ha'aretz and Jerusalem Post on 14 and 16 April 1989 (see **para. 57**). The weekend of 5 and 6 May 1989 was also marked by violent clashes in the Gaza Strip which were reported to have been the fiercest and bloodiest since the beginning of the uprising, and by violent incidents in several West Bank localities (see **para. 59**). According to data on people killed in the territories since the beginning of the uprising up to mid-June 1989, released by the Israeli Information Centre for Human Rights in the Occupied Territories, as reported in Ha'aretz on 15 June 1989 and reflected in paragraph 43 above, 20 per cent of those killed were under 16 years of age. Killings were reported to have been caused by gunfire (including plastic bullets), beatings, electrocution, burning and other causes, and over 70 persons, including 30 babies, were reported to have died shortly after being exposed to tear-gas. In addition to physical harm, the situation prevailing in the territories has also borne dramatic psychological effects on the civilian population, in particular among young children, on whom the impact of violence is very difficult to erase and leaves long-term effects, as mentioned in one of the testimonies collected by the Special **Committee** and reflected in paragraph 122 above.

334. The harassment of citizens has also been **characterized** by an increasing recourse to various forms of collective reprisal, imposed on the Palestinian population in contravention of the relevant provisions of the fourth Geneva **Convention**. One such form of reprisal has been the demolition of houses on a very large scale. Reference can be made in this regard to statistics published on 20 March 1989 by the Palestinian human rights monitoring group Al Haq, reported in Al-Fajr on 20 March 1989 and showing that at least 672 houses had been demolished in the occupied territories since the outbreak of the uprising, allegedly for

having been built without a permit (see A/44/352, para. 26); another illustration of the recourse to house demolition as a means of reprisal was the information, reported in Jerusalem Post on 12 May 1989 and reflected in paragraph 159 of the present report, that on 11 May 1989 the Supreme Court upheld the IDF's right to demolish houses in the territories in reaction to petrol bombing, even in cases when the bombs caused no damage. Similarly, the practice of imposing prolonged curfews, with drastic economic consequences on the civilian population, has continued; reference can be made in this regard to the indefinite curfew imposed on 16 May 1989 to the Gaza Strip, and to the declaration by Defence Minister Rabin that the measure was meant to show Palestinians that they could not take their job in Israel for granted (as reported in Ha'aretz and Jerusalem Post on 16, 17 and 18 May 1989 and reflected in paragraph 168 of the present report). Economic sanctions including heavy taxes, the uprooting of trees or the banning of export have also been imposed on the civilians, as well as various other measures of collective punishment such as the cutting of water, electricity supplies and the severing of telephone lines. Such measures have further aggravated the already critical economic and social situation. Mention can be made in this connection to the information, reported by Ha'aretz and Jerusalem Post on 18 May 1989, that all Gaza Strip residents would henceforward be required to have an individual permit to cross into Israel for work and business pUr0886, and that similar restrictions would also be extended to West Bank residents in time (see para. 172).

335. The period under consideration has also witnessed a considerable increase in the number of deportations from the occupied territories carried out in spite of a wave of protests by the international community including unanimous resolutions by the Security Council against such illegal practice which is in violation of article 49 of the fourth Geneva Convention. This alarming trend towards increased deportations was well illustrated by the information reported in Jerusalem Post on 22 May 1989 and reflected in paragraph 186 of the present report, that the Chief of Staff of the IDF had asked the Government to consider tabling legislation to facilitate deporting "convicted terrorists" who were caught a second time. Another preoccupying development was the increasing recent trend to expel Palestinians without a valid "staying visa", as reported in Ha'aretz on 31 May 1989 and reflected in paragraphs 187 and 188 of the present report.

336. The administration of justice is another field which has witnessed a considerable deterioration of the protection of basic human rights. The "quick justice" referred to in last year's report of the Special Committee has continued to characterize court procedures, provoking many protests from lawyers and human rights activists. According to information reported in Ha'aretz, Jerusalem Post and Al Fajr on 3 and 13 February 1989, complaints about military justice were listed by a group of Arab lawyers who waged protest strikes in January, February and July 1989, and included the frequent postponement of trials while suspects remained in gaol, failure to notify families as to where detainees were held, bureaucratic obstacles in order to prevent lawyers from meeting with their clients, the severity of penalties and the use of the Ketziot camp in the Negev desert to hold detainees from the territories (see A/44/352, paras. 64 and 67). Another problem frequently referred to by witnesses appearing before the Special Committee was that of the confidential files containing charges levelled against Palestinians, which neither the defendant nor his lawyer have access to (see

para. 81 above). Such complaints do not seem to have deterred the security establishment which decided, as reported on 12 June 1989 by Ha'aretz to impose harsher penalties on persons suspected of subversive activity in the uprising. One of the penalties would be the extension of administrative detention from the present six months to one year, with a possible further extension (see para. 96). The period under consideration has therefore witnessed a large increase in the number of detentions. Ha'aretz reported on 14 June 1989 that since the beginning of the uprising, over 49,000 Palestinians from the territories had been detained for various periods in Israeli detention facilities. They included administrative detainees, detainees pending trial, detainees already tried and persons detained for participation in disturbances (see para. 98). The sentences imposed have also usually been particularly severe. On 20 June 1989, for instance, Ha'aretz reported that, on the previous day, three Palestinians had been sentenced each to eight and one half years in prison and four and one half years suspended, for harassing shopkeepers who had opened their shops on strike days (see para. 100 of the present report). In contrast, Israelis charged with murder or ill-treatment of Arab civilians, seem to have benefited from relative leniency from the authorities. In this connection, it was reported in Jerusalem Post on 16 December 1988 that a military court in Jaffa had sentenced private Eli Yedid to 18 months imprisonment for manslaughter, for killing Yusuf Abu-Eid from Bidu during a riot in March 1980. Yedid was found guilty of shooting Abu-Eid after seeing him throwing stones (see A/44/352, para. 85).

337. The general climate of tension and repression in the territories during the period under consideration was also noticeable in the treatment of detainees, whose situation, as a consequence of the arrests of tens of thousands of Palestinians since the outbreak of the uprising, has further deteriorated. In addition to the existing prisons, army detention centres are being increasingly used. Various governmental buildings and even school buildings have been converted to temporary detention centres. Detainees have continued to be held in prisons and detention centres inside Israel itself, such as Ansar 3 or Megiddo, in violation of relevant provision of article 76 of the fourth Geneva Convention. Detainees, including minors and women have been submitted to various forms of ill-treatment, both physical and psychological; they have suffered from a lack of adequate sanitary and medical facilities, nutrition and clothing, and the overcrowding of cells leading to protests by prisoners in the form of widespread hunger strikes. Some detention centres have been reported to be notorious for particularly cruel conditions, such as the Ansar 3 and Megiddo camps where serious riots have taken place leading to injuries from tear-gas and rubber bullets, as reported by Ha'aretz and Jerusalem Post on 28 April 1989 (see para. 289).

330. The Special Committee also received information on various measures affecting the enjoyment of certain basic freedoms. For example, a number of civilians, both individually and collectively, were the subject of arbitrary orders restricting their freedom of movement, in particular due to the systematic recourse to curfews or the sealing off of entire areas. Another restrictive measure was the issuing by military authorities of identity cards to Gaze Strip residents wishing to enter Israel, as reported in Jerusalem Post on 6 June 1989. This measure was described as a further effort to tighten control over the residents. It was reported that some 2,000 residents with security or criminal records would not be entitled to a

card (see para. 207). On 18 August, Ha'aretz reported that these new regulations went into effect. On 22 August, it was reported that security authorities were considering introducing similar cards to West Bank residents, in order to ban entry to persons who were convicted in the past of a security or a serious criminal offence, or had been served with an administrative detention term (see para. 210). Freedom of association and freedom of the press were also affected by various measures such as closures of newspapers and press agencies, censorship, interference in the work and detention of journalists or trade unionists. Freedom of worship was also affected by arbitrary measures such as the setting on fire of a mosque under construction or the burning of holy books, or the restrictions imposed on worshippers (see para. 214-220). Freedom of education was seriously hampered by the prolonged closure of educational institutions, including all universities, schools and even kindergartens. The efforts by the Palestinians to provide children with some kind of "popular teaching" in order to compensate for the lack of public education were also jeopardized by obstacles by the Israeli authorities as illustrated in the evidence of Mr. Usama Sayeh (see para. 244) and various press reports (see, for example, para. 249).

339. Another grave development in the occupied territories during the period under consideration has been the increase, both in scope and gravity, of acts of violence and aggression by Israeli settlers against the Palestinian population. On 20 March, it was reported in Al-Fair that Jewish settlers killed 16 Palestinians and wounded 107 in the year between December 1987 and December 1988 (see A/44/352, para. 226). An illustration of the violent behaviour of settlers is the raid, on 29 May, by 30 settlers on the village of Kifl Harith, where they reportedly carried out a "methodical and prolonged rampage, involving arson and vandalism . . . which climaxed with the shooting of a 13-year-old girl inside her home in a burst of automatic fire", as reported in Ha'aretz and Jerusalem Post on 31 May 1989 and reflected in paragraph 268 of the present report. Another example is the creation of vigilante intervention forces by settlers, as reported in Ha'aretz and Jerusalem Post on 18 April 1989 (see para. 256). Reference can also be made in this connection to the Kiryat Arba settlers who, as reported in Jerusalem Post on 18 and 19 July 1989, burst on 17 July 1989 into one of the halls of the Patriarch's Cave in Hebron, threw Moslem prayer rugs aside and danced until soldiers forced them out (see para. 220).

340. Finally, the report of the Special Committee also contains information on the tension prevailing in the occupied Syrian Arab Golan, illustrated by widespread demonstrations, violently dispersed by the police and border police forces (see paras. 319-324).

341. In the opinion of the Special Committee, the overall picture drawn from the evidence and information examined by it during the period under consideration, i.e. 26 August 1988 to 25 August 1989, reveals a very alarming situation and a further deterioration in the level of enjoyment of basic human rights and fundamental freedoms by the civilian population. The provisions of the fourth Geneva Convention, which remains the main international instrument; in humanitarian law that applies to the occupied territories, continue to be disregarded and violated. In view of the gravity of such developments, the Special Committee once again stresses that urgent measures must be taken in order to ensure an effective

protection of the basic rights and freedoms of the civilians in the occupied territories. Such protection can only be ensured, in the long run, through the negotiation of a comprehensive, just and lasting settlement of the Arab-Israeli conflict acceptable to all concerned. In the mean time, the Special Committee wishes to reiterate the following measures which it already suggested in its twentieth report last year and which could, in the view of the Special Committee, contribute to the restoration of the basic human rights of the civilians in the occupied territories:

(a) The full application, by Israel, of the relevant provisions of the fourth Geneva Convention, which remains the main international instrument in humanitarian law that applies to the occupied territories, and whose applicability to those territories has repeatedly been reaffirmed by the Security Council, the General Assembly and other relevant organs of the United Nations;

(b) The full co-operation of the Israeli authorities with the International Committee of the Red Cross (ICRC) in order to facilitate efforts to protect detained persons, in particular by ensuring full access of ICRC representatives to such persons;

(c) The full support, by Member States, of the activities of the ICRC in the occupied territories, and positive response by Member States to eventual appeals for additional assistance including funds to finance the extra activities required by the unprecedented increase in the number of detained persons;

(d) The full support, by Member States, of UNRWA activities in the occupied territories in order to enable UNRWA to improve the general assistance provided to the refugee population.

VI. ADOPTION OF THE REPORT

342. The present report was approved and signed by the Special Committee on 25 August 1989 in accordance with rule 20 of its rules of procedure.

Notes

1/ Documents A/8089; A/8389 and Corr.1 and 2; A/3389/Add.1 and Add.1/Corr.1 and 2; A/8828; A/9148 and Add.1; A/9817; A/10272; A/31/218; A/32/284; A/33/356; A/34/631; A/35/425; A/36/579; A/37/485; A/38/409; A/39/591; A/40/702; A/41/680; A/42/650 and A/43/694.

2/ Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8237; ibid., Twenty-sixth Session, Annexes, agenda item 40, document A/8630; ibid., Twenty-seventh Session, Annexes, agenda item 42, document A/8950; ibid., Twenty-eighth Session, Annexes, agenda item 45, document A/9374; ibid., Twenty-ninth Session, Annexes, agenda item 40, document A/9872; ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461; ibid.,

Notes (continued)

Thirty-first Session, Annexes, agenda item 55, document A/31/399; ibid.,
Thirty-second Session, Annexes, agenda item 57, document A/32/407; ibid.,
Thirty-third Session, Annexes, agenda item 55, document A/33/439; ibid.,
Thirty-fourth Session, Annexes, agenda item 51, document A/34/691 and Add.1; ibid.,
Thirty-fifth Session, Annexes, agenda item 57, document A/35/574; ibid.,
Thirty-sixth Session, Annexes, agenda item 64, document A/36/632/Add.1; ibid.,
Thirty-seventh Session, Annexes, agenda item 61, document A/37/698; ibid.,
Thirty-eighth Session, Annexes, agenda item 69, document A/38/718; ibid.,
Thirty-ninth Session, Annexes, agenda item 71, document A/39/712; ibid., Fortieth
Session, Annexes, agenda item 75, document A/40/890; ibid., Forty-first Session,
Annexes, agenda item 71, document A/41/750; ibid., Forty-second Session, Annexes,
agenda item 75, document A/42/811; and ibid., Forty-third Session, Annexes, agenda
item 77, document A/43/904.

3/ Official Records of the General Assembly, Twenty-fifth Session, Annexes,
agenda item 101, document A/8089, annex III.

4/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

5/ Ibid., No. 972, p. 135.

6/ Ibid., vol. 249, No. 3511, p. 215.

7/ Carnegie Endowment for International Peace, The Hague Conventions and
Declarations of 1899 and 1907, New York, Oxford University Press, 1915.

8/ General Assembly resolution 2200 A (XXI).

