

INFORMATION NOTE

Prepared for, and under the guidance
of the Committee on the Exercise
of the Inalienable Rights of the
Palestinian People
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The year 1987 marks several anniversaries of significant events in the history of the Palestinian people and in its struggle to attain its legitimate and inalienable rights, in particular the right to self-determination. In commemoration of these anniversaries, the Committee on the Exercise of the Inalienable Rights of the Palestinian People has endorsed the proposal of the NGO community to designate 1987 as "The Year of the Palestinian People" and to undertake co-ordinated commemorative activities to mobilize international public opinion throughout the year.

The main anniversaries are the following:

(a) The seventieth anniversary of the Balfour Declaration

In 1917 the British Foreign Secretary, Sir Anthony Balfour, addressed a letter to the World Zionist Organization making a pledge to establish a national home for the Jewish people in Palestine "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of the existing non-Jewish communities." This pledge was made by the British Government on territories that at the time were still part of the Ottoman Empire and over which it held no sovereignty rights. This event became the turning point in the history of Palestine and significantly influenced subsequent developments in the whole region. The wishes of more than 90 per cent of the Moslem and Christian communities, who owned 97 per cent of its land and were referred to as the "non-Jewish communities", were ignored. Promises of independence had been given to the Arabs before and after 1917, partially in order to gain their support against the Ottoman Empire during the First World War. This dual obligation on the part of the British Government given to the Zionist Organization and to the Palestinian Arabs created an irreconcilable conflict of interest.

The Balfour Declaration was later incorporated into the mandate for Palestine granted to Great Britain by the League of Nations and its implementation through large-scale Jewish immigration from abroad and land purchases brought explicit opposition on the part of the indigenous communities since it prevented them from deciding on their own destiny in accordance with the principle of self-determination.

(b) The fortieth anniversary of the Partition Resolution

On 29 November 1947, the General Assembly adopted resolution 181 (II) by 33 votes in favour, 13 against with 10 abstentions. In accordance with the resolution, the mandate over Palestine would be terminated and Great Britain would withdraw its presence by 1 August 1948. Two independent States would then be created, an "Arab State" and a "Jewish State" joined by an economic union. The city of Jerusalem would be a corpus separatum under a special international régime. The Partition resolution also provided that the territory of Palestine would be divided into eight parts: three allotted to the Jewish State, three to the Arab State, the seventh, Jaffa, was to be an Arab enclave in the Jewish territory and the eighth part would be Jerusalem. Furthermore, the resolution included a guarantee to full access for persons of all faiths to the holy places and it also provided detailed safeguards for the rights of minorities and for the "existing rights of various religions".

The Palestinian Arabs and the Arab States rejected the partition on the grounds that it violated the provisions of the Charter of the United Nations. State of Israel was established on 14 May 1948. Neighbouring Arab States sent troops into Palestine and the first Arab-Israeli war began. The Arab State never came into existence and when a cease-fire was reached by the end of May 1948, Israeli forces controlled a large part of the territory which had constituted mandated Palestine. The immediate consequence of this was a large exodus of Palestinians. According to a United Nations report, 726,000 Palestinians had become refugees by the end of 1949.

(c) The twentieth anniversary of the 1967 war

The 1967 war brought radical developments in the area: Israel occupied the West Bank, the Gaza Strip and East Jerusalem, as well as the Golan Heights and the Sinai. Consequently, almost half a million Palestinians were displaced and uprooted and became refugees, many of them for the second time. Approximately one million and a half were left under Israeli control. In 1987, there are more than two million Palestinian refugees. Twenty years of Israeli occupation have affected every aspect of life among the civilian population from the civil and political to the economic, social and cultural sectors.

United Nations reports on the situation of human rights of the population in the occupied territories have concluded that there is a continuing deterioration as regards the enjoyment of human rights and fundamental freedoms. United Nations reports have also reflected the view that occupation in itself constitutes a violation of human rights of the civilian population.

Israel has, during all this period of time, refused to observe the provisions of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, notwithstanding the resolutions of the Security Council and the General Assembly that affirmed the applicability of the Convention to the Arab territories occupied by Israel.

In 1967, Israel occupied East Jerusalem and in 1980, the Knesset passed the "Basic Law" that declared it to be the capital of Israel. The General Assembly and the Security Council declared that Israel's decision to impose its law, jurisdiction and administration was illegal and therefore null and void.

The policies and practices pursued by Israel during the 20 years of occupation have been detailed in a variety of reports prepared by human rights groups, the United Nations and others as follows:

- (a) Annexation of parts of the occupied territories, including Jerusalem;
- (b) Expulsion and deportation of Palestinians from the occupied areas and denial of their right to return;
- (c) Dissolution of elected municipal councils and expulsion and detention of mayors and their replacement by military governors;
- (d) Establishment and expansion of more than 150 settlements on private and public Arab lands, and transfer of an alien population thereto. Israel has confiscated over 60 per cent of the West Bank land;
- (e) Destruction and demolition of houses as a form of collective punishment;
- (f) Ill treatment and torture of persons under detention;
- (g) Collective punishment, mass arrests of the Arab population;
- (h) Interference with the system of education and with the economic and social development of the population;
- (i) Interference with religious freedoms and practices as well as family rights and customs;
- (j) Illegal exploitation of the natural wealth, resources and population of the occupied territories.

The occupation has given rise to broad international concern since it appears to be leading to the gradual annexation of the territories, and it presents an obstacle to peaceful negotiations and to the achievement of a just settlement of the Middle East problem. The United Nations has recognized that the Palestinian question is the core of the Middle East conflict and has repeatedly called for the exercise by the Palestinian people of its inalienable rights in conformity with international law.

(d) The fifth anniversary of the massacre at Sabra and Shatila

A large-scale massacre of hundreds of Palestinian civilians - men, women and children, committed by armed Lebanese elements, occurred at the refugee camps of Sabra and Shatila on 17 and 18 September 1982. The criminal massacre took place during the Israeli occupation which started on 4 June 1982. The Security Council unanimously condemned the massacre and authorized the Secretary-General to increase the number of United Nations observers in and around Beirut in order to ensure full protection for its civilian population. The General Assembly, at its resumed seventh emergency special session on 24 September 1982, adopted resolution ES-7/9 condemning the massacre in Beirut. Widespread condemnation was voiced not only by the United Nations but also by the European Economic Community, the non-aligned countries and NGO groups. A photographic exhibit on the massacre was opened on 9 November 1982 in the public lobby of the General Assembly building as requested in resolution ES-7/9.

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In 1983, the International Conference on the Question of Palestine took place at Geneva with the participation of 137 delegations from member and observer States and more than 100 NGOs. The Geneva Declaration, adopted by acclamation at the Conference, considered it essential that an international peace conference on the Middle East be convened on the basis of the principles of the Charter of the United Nations and its relevant resolutions, with the aim of achieving a comprehensive, just and lasting solution to the Arab-Israeli conflict, an essential element of which would be the establishment of an independent Palestinian State in Palestine.

The General Assembly, at its thirty-eighth and subsequent sessions, endorsed the call for convening an International Peace Conference on the Middle East. The Committee on the Exercise of the Inalienable Rights of the Palestinian People has made the convening of the International Peace Conference the focal point of its work since it believes that the Conference will mark a significant step to bring peace and justice in the Middle East for all peoples of the region.

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