



E/CN.4/RES/1992/2  
14 February 1992

1992/2. Question of the violation of human rights in the  
occupied Arab territories, including Palestine

A

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Taking into consideration the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the provisions of Additional Protocol I thereto, and the Hague Convention No. IV of 1907, as well as the principles of international law affirmed by the General Assembly in its resolutions 3 (I) of 13 February 1946, 95 (I) of 11 December 1946, 260 (III) A of 9 December 1948 and 2391 (XXIII) of 26 November 1968,

Recalling the relevant Security Council resolutions, in particular resolutions 252 (1968) of 25 May 1968, 267 (1969) of 3 July 1969, 298 (1971) of 25 September 1971, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 694 (1991) of 24 May 1991, and 726 (1992) of 6 January 1992,

Recalling also the General Assembly resolutions on Israeli violations of human rights in occupied Palestine, since 1967 and until now,

Taking note of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Arab Occupied Territories submitted to the General Assembly since 1968, in particular its report of 1 February 1991 (A/46/65),

Expressing its deep concern at the contents of the report by the Special Rapporteur, Mr. S. Amos Wako (E/CN.4/1991/36), regarding summary or arbitrary executions and the acts committed by Israel in this respect referred to in the report, in particular in paragraphs 290 to 296,

Recalling all its previous resolutions on the subject,

1. Condemns the policies and practices of Israel, which violate the human rights of the Palestinian people in the Palestinian territory occupied by Israel with military force, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers on Palestinian civilians that results in killing and wounding them, as has happened continuously since the eruption of the Palestinian people's intifada against Israeli military occupation; the imposition of restrictive economic measures; the demolition of houses; the expropriation of houses as happened recently in Silwan village; the ransacking of property belonging individually or collectively to private persons; collective punishment; arbitrary and administrative detention of thousands of Palestinians; the confiscation of the property of Palestinians, including their bank accounts; the expropriation of land; the prevention of travel; the closure of universities and schools; the perpetration of crimes of torture in Israeli prisons and detention centres; and the establishment of Jewish settlements in the occupied Palestinian territory;

2. Affirms the right of the Palestinian people to resist the Israeli occupation by all means, in accordance with the relevant United Nations resolutions, consistent with the purposes and principles of the Charter of the United Nations, as has been expressed by the Palestinian people in their brave intifada since December 1987, in legitimate resistance against the Israeli military occupation;

3. Calls once more upon Israel, the occupying Power, to desist from all forms of violation of human rights in the Palestinian and other occupied Arab territories and to respect the bases of international law, the principles of international humanitarian law, and its commitments to the provisions of the Charter and resolutions of the United Nations;

4. Calls upon Israel to withdraw from the Palestinian territory, including Jerusalem, and other occupied Arab territories in accordance with the resolutions of the United Nations and the Commission on Human Rights in this regard;
5. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and of all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale, and to report on its implementation by the Government of Israel to the Commission on Human Rights at its forty-ninth session;
6. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;
7. Decides to consider this question at its forty-ninth session as a matter of priority.

27th meeting  
14 February 1992

[Adopted by a roll-call vote of 30 to 16,  
with 3 abstentions. See chap. IV.]

B

The Commission on Human Rights,

Recalling Security Council resolutions related to the applicability of the four Geneva Conventions of 1949 to the Palestinian and other Arab occupied territories and the condemnation by the Security Council of Israel for its refusal to abide by these Conventions, particularly resolutions 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 497 (1981) of 17 December 1981, 592 (1986) of 8 December 1986, 605 (1987) of 22 December 1987, 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989, 641 (1989) of 30 August 1989, 672 (1990) of 12 October 1990, 694 (1991) of 24 May 1991 and 726 (1992) of 6 January 1992,

Recalling all relevant General Assembly resolutions on the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, which urge Israel's commitment to and respect of their provisions,

Recalling also the decisions of the International Conference of the Red Cross in respect of the application of the Fourth Geneva Convention in all circumstances,

Recalling further its previous resolutions on this question,

Recalling the different appeals and statements of the International Committee of the Red Cross which point to the continuing violations by the Israeli occupation authorities of the provisions of the Fourth Geneva Convention, particularly article 49 thereof, and which call upon those authorities to respect the provisions of the Convention and abide by them,

Taking into account that the States parties to the Fourth Geneva Convention undertake, in accordance with article 1 thereof, to respect, and ensure respect for, the Convention in all circumstances,

1. Reaffirms that the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and that Israel's longstanding refusal to apply the Convention to those territories has led to the perpetration, by the Israeli authorities, of grave violations of human rights against Palestinian citizens, and calls upon Israel to comply with its international commitments, to respect the Fourth Geneva Convention and to apply it in the occupied Palestinian territory, including Jerusalem;

2. Urges once more all States parties to the Fourth Geneva Convention to make every effort to ensure that the Israeli occupation authorities' respect for, and compliance with, the provisions of that Convention in the Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and to undertake the necessary practical measures to ensure the provision of international protection for the Palestinian people under occupation, in accordance with the provisions of article 1 and other relevant articles of the Fourth Geneva Convention of 12 August 1949, as well as article 89 of the First Protocol additional to the four Geneva Conventions; it also urges the States Parties to the Fourth Geneva Convention to act in accordance with article 90 of Additional Protocol I by requesting the fact-finding commission referred to therein to investigate the grave violations of international humanitarian law in the Palestinian occupied territory mentioned in this resolution;

3. Strongly condemns once more the refusal of Israel to apply the Fourth Geneva Convention to Palestine and the Arab territories occupied since 1967 and to their inhabitants, Israel's policies of perpetrating crimes of torture against Palestinian detainees and prisoners in Israeli prisons and concentration camps, and its continued deliberate disregard for the provisions of the Fourth Geneva Convention, in contravention of resolutions of the Security Council, the General Assembly and the Commission on Human Rights;

4. Strongly condemns Israel for its grave violations of article 49 of the Fourth Geneva Convention, for continuing its policy of deporting Palestinian citizens and of expelling them from their homeland, as recently happened to the Palestinian citizens Ihab Mohammad Ali Al-Ashkar, Sami Attiya Zayed Abu Samhadana, Ahmad Hassan Abdullah Youssef,

Marwan Hassan Mohammad Afana, Ra'fat Osman Ali El-Najjar, El-Sheikh Ahmad Mohammad Ali El-Nimer Hawdan, Khader Attiya Khader Mohrez, Iyad Elhami Abdelraouf Gouda, Ghassan Mohammad Soleiman Jarrar, Hassan Abdullah Hassan Sha'ban, Ali Fares Hassan El-Khatib and Omar Nimer Abdelrahman Safi, and calls upon Israel to comply with the resolutions of the Security Council, particularly resolution 726 (1992) of 6 January 1992, of the General Assembly and the Commission on Human Rights on this question;

5. Calls upon Israel to refrain immediately from deporting Palestinian citizens from their homeland, and to allow all those who have been deported since 1967 to return to their homeland without any obstacle or delay;

6. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations, international humanitarian organizations and non-governmental organizations, and to submit a report on progress in its implementation by the Government of Israel to the Commission on Human Rights at its forty-ninth session;

7. Decides to consider this question at its forty-ninth session as a matter of high priority.

27th meeting  
14 February 1992

[Adopted by a roll-call vote of 31 to 1,  
with 17 abstentions. See chap. IV.]