



## General Assembly

A/34/631  
13 November 1979

Thirty-fourth session  
Agenda item 51

### 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 attached report, which was submitted to him, in accordance with Assembly resolution 34/113 C, paragraphs 9 and 10, of 18 December 1978, by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

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#### LETTER OF TRANSMITTAL

9 November 1979

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 the attached report, its eleventh, formulated in accordance with the terms of the relevant 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 33/113 C of 18 December 1978 by which the General Assembly last renewed its mandate.

The report of the Special Committee contains a representative cross-section of the information received by it since the adoption of its last report on 10 November 1978. This information was obtained in the absence of the co-operation of the Government of Israel which continues to constitute a serious hardship on the work of the Special Committee. It has been possible for the Special Committee to continue to follow the situation of the civilians in the occupied territories very closely by monitoring this situation through a variety of sources, including oral and written testimony of persons having first-hand knowledge and experience of the human rights situation in the occupied territories. During the period covered by the report the Special Committee heard the testimony of 16 former detainees, released on 14 March 1979 with a number of others, in exchange for an Israeli soldier, and the testimony of Mr. Fahed Kawasme, Mayor of Hebron, who appeared before it in September 1979.

The Special Committee has sought to present this information as clearly as possible to give the full picture of the situation of the human rights of civilians in the occupied territories. Section IV contains an analysis of this information, subdivided according to the relevant subject-matter. It is by no means an exhaustive account of the human rights situation in the occupied territories since it is limited to those areas on human rights where violations are most consistent.

Section V sets out the information received by the Special Committee on the intervention of judicial remedies for the protection of the human rights of the civilian population. The Special Committee decided to give particular attention to this aspect in an effort to determine whether, indeed, the judicial system in Israel afforded any protection to the civilian population of the occupied territories.

The Special Committee gives its conclusions in section VI. The Government of Israel continues to follow a policy of annexation and settlement of the occupied territories to the detriment of the human rights of the civilian population. The Special Committee is particularly concerned by the absence of any sign that the plight of the civilian population is about to change. On the contrary, the information at its disposal indicates that the Government of Israel is determined to pursue its present policy with the aim of eventually taking over the entire occupied territory. The international community must increase its efforts at achieving a lasting peace in this area to avoid further abuse of the human rights of the people whose homeland is under occupation.

Accept, Sir, on behalf of the members of the Special Committee and on my behalf, the assurances of our highest consideration.

(Signed) Borut BOHTE  
Chairman of the Special  
Committee to Investigate Israeli  
Practices Affecting the Human Rights  
of the Population of the Occupied Territories

His Excellency  
Mr. Kurt Waldheim  
Secretary-General of the United Nations  
New York

## 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 General 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 following Member States were appointed on 12 September 1969 to serve on the Special Committee: Somalia, Sri Lanka and Yugoslavia. The Government of Sri Lanka appointed Mr. H. S. Amerasinghe, Permanent Representative to the United Nations, as its representative on the Special Committee. The Government of Yugoslavia appointed Mr. Borut Bohte, Professor of the Faculty of Law of Ljubljana University and Member of the Federal Assembly of Yugoslavia, as its representative on the Special Committee. The Government of Somalia appointed Mr. A. A. Farah, and subsequently Mr. H. Nur-Elmi, Permanent Representative to the United Nations, as its representative on the Special Committee. On 26 April 1974, the President of the General Assembly, at its twenty-eighth session informed the Secretary-General that Somalia had decided to withdraw from the Special Committee and that, in conformity with paragraph 2 of Assembly resolution 2443 (XXIII), he had appointed Senegal a member of the Special Committee. On 30 April 1974, the Permanent Representative of Senegal to the United Nations informed the Secretary-General that his Government had appointed Mr. Keba M'Baye Chief Justice of Senegal (Premier Président de la Cour suprême du Sénégal), as its representative on the Special Committee. On 21 September 1976, the Permanent Representative of Sri Lanka to the United Nations informed the Secretary-General that Mr. H. S.

Amerasinghe had resigned from the Special Committee upon his election as President of the General Assembly at its thirty-first session. On 18 February 1977, the Government of Sri Lanka informed the Secretary-General that Mr. V. L. B. Mendis, Sri Lanka High Commissioner to the United Kingdom of Great Britain and Northern Ireland, would serve on the Special Committee at the meetings at Geneva from 22 February to 1 March 1977.

3. On 26 April 1977, the Government of Sri Lanka informed the Secretary-General that it had appointed Mr. I. B. Fonseka, Deputy Permanent Representative of Sri Lanka to the United Nations, as its representative on the Special Committee. On 8 July 1977, the Government of Senegal informed the Special Committee that Mr. Keba M'Baye had resigned from the Special Committee and nominated in his stead Mr. Ousmane Goundiam, Procureur général près la Cour suprême, as its representative on the Special Committee. On 20 July 1978, the Government of Sri Lanka informed the Secretary-General that it had appointed Mr. B. J. Fernando, Permanent Representative of Sri Lanka to the United Nations, as its representative on the Special Committee. By a note verbale dated 11 September 1979, the Government of Sri Lanka designated Mr. D. R. Perrera to attend the meetings of the Special Committee from 10 to 21 September 1979.

4. Since October 1970, the Special Committee has submitted 10 reports.<sup>1/</sup> These reports were discussed in the Special Political Committee, which then reported to the General Assembly.<sup>2/</sup> On the recommendation of the Special Political Committee, the General 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 and 33/113 A to C of 18 December 1978.

5. 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 and 33/113 C.

## II. ORGANIZATION OF WORK

6. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General.<sup>3/</sup> Mr. Borut Bohte (Yugoslavia) continued to serve as Chairman.

7. The Special Committee met periodically during 1979. At these meetings, the Committee had before it documents which contained information for its examination. Its first series of meetings took place from 5 to 9 February 1979 at Geneva. At these meetings the Committee reviewed its mandate consequent upon the adoption by the General Assembly of resolution 33/113 C and decided on the organization of its work for the year. It reconfirmed its decision to continue its system of monitoring information on the occupied territories and decided to hold periodic meetings to analyse policies and practices in the occupied territories. The Committee decided, with reference to paragraph 10 of Assembly resolution 33/113 C, to continue to pay special attention to information on treatment of civilians in detention and, for that purpose, to maintain its system of compilation of individual case histories. The Committee reviewed information on the occupied territories which had become available since 10 November 1978, the date of the adoption of its last report (A/33/356), and examined communications containing such information received since its last series of meetings. It also assessed the follow-up to the decisions taken at the preceding series of meetings. The Committee decided to address itself to the Governments concerned and to persons in the occupied territories whose experience and knowledge of certain facts were considered relevant to its mandate. It also decided that its invitation to the Mayors of Nablus, Hebron, Jericho and Ramallah should be kept open. It decided to pay special attention to information on expropriation of property and on the effectiveness of judicial remedies which might be available to civilians in the occupied territories. In the context of its examination of information on treatment of civilians in detention, the Committee examined 43 cases and a number of reports concerning conditions in a number of prisons.

8. On 9 February 1979, letters were sent to the Governments of Egypt, Jordan and the Syrian Arab Republic and to the Palestine Liberation Organization referring to General Assembly resolution 33/113 C and requesting information relative to the mandate of the Special Committee. On 12 April 1979, a letter was sent to the International Committee of the Red Cross, also referring to resolution 33/113 C. A number of reports were received from the Governments, and from the Palestine Liberation Organization transmitting information on the situation in the occupied territories.

9. On 9 February 1979, a letter was sent to the Secretary-General stating, inter alia:

"In the course of the debate in the Special Political Committee at the thirty-third session of the General Assembly on the report of the Special Committee (A/33/356), the representative of Israel reconfirmed the refusal of that Government to co-operate with the Special Committee.

"At its series of meetings held at Geneva from 5 to 9 February 1979, the Special Committee examined the above-mentioned resolution of the General Assembly and took note of the statements made by the representative of Israel.

"During these meetings, the Special Committee examined information received by it since 10 November 1978, the date of the adoption of its last report, including information concerning the situation prevailing in the occupied territories in recent weeks.

"The Special Committee is of the view that the situation of civilians in the occupied territories continues to give cause for serious concern. This applies in particular to those civilians who are in

detention. The Special Committee feels similar anxiety regarding other civilians not in detention, who are now in their twelfth year of military occupation or forced exile from their homes.

"In this context, the Special Committee considers that it would be appropriate, in spite of the statements made by the representative of Israel at the last session of the General Assembly, to attempt once again to obtain the co-operation of the Government of Israel to enable the Special Committee to visit the occupied territories to carry out an on-the-spot investigation. For these reasons, the Special Committee would be grateful if you were to draw the attention of the Israeli authorities to the repeated requests of the General Assembly in an effort to contribute to the welfare and to the safeguarding of the human rights of the population of the occupied territories in accordance with the applicable provisions of international law as contained in the Geneva Convention relative to the Protection of Civilian Persons in Time of War."

On 22 February 1979, the Under-Secretary-General for Political and General Assembly Affairs sent the following reply to the Chairman of the Special Committee:

"On behalf of the Secretary-General I have the honour to refer to your letter of 9 February 1979.

"In accordance with the request of the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Population of the Occupied Territories, the Government of Israel was advised of your continued desire to receive permission to visit the occupied territories to carry out an on-the-spot investigation.

"I regret to inform you that we have been advised by the Government of Israel that, consistent with its previous position, such a visit will not be authorized."

11. The Special Committee held a second series of meetings at the United Nation Office at Geneva from 18 to 29 June 1979. At these meetings the Committee examined information that had become available since its February meetings and a number of communications received from Governments and private sources. It examined 52 cases of alleged ill-treatment of detainees. It also heard the testimonies of the following witnesses: Mr. Mahmoud Abu- Danhash, Mr. Hafez Dalkamuni, Mr. Omar Abu Rashid, Mr. Imad Okal, Mr. Ayda Salem, Mr. Abdalla Badarwa, Mr. Kamal Nammari, Miss Rasmiah Odeh, Mr. Tahsin Halabi, Miss Afifa Bannoura, Miss Aisha Odeh, Mr. Abdel Rahim Jaber, Mr. Sakran Sakran Mr. Said Dalkamuni, Mr. Mohammed Shatta and Mr. Samir Darwish, all of whom had been released from imprisonment on 14 March 1979 and whose experience during their detention was considered by the Special Committee as being, prima facie, relevant to its mandate. The Special Committee considered the action taken to implement the decisions it had taken at its February meetings. In this context, the Committee examined a number of communications from mayors of the occupied territories. It decided to leave open its invitation to these mayors to appear before it.

12. The Special Committee held a third series of meetings from 10 to 21 September 1979 at Geneva. At these meetings it reviewed information that have become available since its June meetings. It examined 53 cases of alleged ill-treatment of detainees and the testimony of the persons who had appeared before at its June meetings. It heard the testimony of Mr. Fahed Kawasme, Mayor of Hebron. It also established contact with Mrs. Felicia Langer. The Committee considered its draft report to the Secretary-General and decided to postpone its adoption to a further series of meetings when it would be possible to take into account the testimony of Mr. Kawasme and other relevant developments taking place at that time.

13. The Special Committee held a fourth series of meetings from 5 to 9 November 1979 at Headquarters. At these meetings it reviewed information that had become available since its September meetings, examined further information on alleged ill-treatment of detainees and adopted its report to the Secretary-General.

### III. MANDATE

14. 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.

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

16. 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 Golan Heights, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement of 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 were 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;

(b) The persons covered by 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 noted that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants in 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 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 Arab population of the occupied areas.

17. 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/

18. 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 Organization, the World Health Organization and the International Labour Organisation.

#### IV. ANALYSIS OF EVIDENCE

19. The Government of Israel continued to deny the Special Committee its co-operation. However, the Special Committee has continued to inform itself as fully as possible of developments in the occupied territories by all means available to it. This section gives a representative sample of the information thus received since the adoption of the Committee's previous report on 10 November 1978.

20. The Special Committee has taken particular care to rely on information in those reports that have not been contradicted by the Government of Israel or that are commonly considered as reliable information by that Government.

21. The Special Committee has relied on the following sources:

(a) The testimony of persons with first-hand knowledge of the situation of civilians 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 sectors of the international press;

(d) Reports submitted to it by Governments and non-governmental bodies on the situation in the occupied territories.

22. The Special Committee heard the testimony of a number of persons during the meetings from 18 to 29 June 1979 (A/AC.145/RT.258-269). The following appeared before the Committee: Mr. Mahmoud Abu-Danhash, Mr. Hafez Dalkamuni, Mr. Omar Abu Rashid, Mr. Imad Okal, Miss Ayda Salem, Mr. Abdalla Bakarwa, Mr. Kamal Nammari, Miss Rasmiah Odeh, Mr. Tahsin Halabi, Miss Afifa Bannoura, Miss Aisha Odeh, Mr. Abdel Rahim Jaber, Mr. Sakran Sakran, Mr. Said Dalkamuni, Mr. Mohammed Shatta and Mr. Samir Darwish. At its meetings from 10 to 21 September 1979, the Special Committee heard the testimony of Mr. Fahed Kawasme, Mayor of Hebron (A/AC.145/RT.274, 275, 279 and 280).

23. In addition to the foregoing, the Special Committee received reports from the Governments of Jordan and

the Syrian Arab Republic and from the Palestine Liberation Organization (PLO) containing information on the situation in the occupied territories. Reports were received from several individuals and organizations, including a number from the occupied territories. The plight of the Palestinians held in detention continued to be the subject of several expressions of concern received by the Special Committee.

24. The information reproduced in the following paragraphs is grouped according to the aspect of the human rights of the civilian populations that they concern described in Section III above. These are:

(a) Information on the policy of annexation and settlement of the occupied territories followed by the Government of Israel;

(b) Information on the policy followed by the Government of Israel with regard to the inhabitants of the occupied territories;

(c) Information on the situation of detainees in the occupied territories

A. Information on the policy of annexation and settlement of the occupied territories followed by the Government of Israel

1. Existence of the policy

(a) Statements by members of the Government and official government sources

25. The Prime Minister of Israel, Mr. Begin, stated at two public meetings, in Tel Aviv and Haifa, on 26 and 30 October 1978, that:

"... the Jewish people's right to settle in all parts of the land of Israel is inalienable. This right has been carried out in the past and will be in future". (Jerusalem Post, 27 and 31 October 1978)

26. The Foreign Minister, Mr. Dayan, stated on 25 October 1978 that "existing settlements in Judea and Samaria would be expanded and consolidated in the near future". (Jerusalem Post, 26 October 1978)

27. The Energy Minister, Mr. Moda'i stated on 30 October 1978 that "the settlement drive [would] be renewed in Judaea, Samaria and Gaza at the conclusion of the three months' negotiating period with Egypt". (Jerusalem Post, 31 October 1978)

28. The Minister of Agriculture and Chairman of the Government's Committee on Settlement, Mr. Sharon, stated that he was not only in favour of the thickening of existing settlements on the West Bank, but that he approved the creation of 18 new settlements in the Jordan Valley, the Golan Heights and the Gaza Strip. (Ma'ariv, 8 December 1978; Jerusalem Post, 15 December 1978; Ha'aretz, 15 December 1978).

29. Mr. Dayan is reported to have stated the following in talks held in Brussels with his European counterparts:

"Israel has no intention of leaving the West Bank and the Gaza Strip or of evacuating its settlements from these areas; on the contrary there are plans to enhance the settlements and to carry out development projects which would strengthen the Israeli control, such as digging a canal of irrigation water from the sea of Galilee to the Jordan Valley; ... and plans to set up several dozen new settlements, and to illustrate these plans one may observe the plan of creating 20 new settlements in the Jordan Valley in the five coming years." (Ha'aretz, 24 December 1978)

30. Mr. Dayan stated in Tel Aviv, on 27 December 1978, that "... Israel [will] continue to settle in the autonomy areas ... and it was better to make it clear to the other party right now, so they cannot claim later on that the Israelis have misled them". He said that he was in favour of setting up 20 new settlements in the Jordan Valley in the four coming years: "... the emphasis in the autonomy plan is the 'No': No coercion and no rule of one people over another people. Israelis have the right to settle, but not in the Arab's place; [they should settle] side by side with the Arabs and together with them". (Ma'ariv, 28 December 1978)

31. The Prime Minister, Mr. Begin, stated at a meeting of the Likud group in the Knesset, on 4 January 1979, that "the settlement in Judaea and Samaria will continue and that this Government will see to it that the population of the settlements is increased". (Ma'ariv, 5 January 1979)

32. During the same meeting, the Defence Minister, Mr. Weizman, emphasized that "Israel should materialize [its] right to settle in Judaea and Samaria"; he also recalled that he had been "the one who, in 1967, settled Rabbi Levinger in Hebron". (Ma'ariv, 5 January 1979)

33. The Minister of Agriculture, Mr. Sharon stated at a Knesset meeting that "the Likud Government [would] by the end of this year, complete the creation of 57 new settlements in all parts of the country, both inside the Green Line and beyond it". (Ma'ariv, 23 January 1979)

34. "Senior government sources" stressed, on 14 January 1979, that "any decision concerning the setting-up of settlements in the territories can only be taken by the Ministerial Committee on Security Affairs, whereas the Ministerial Committee on Settlement discusses the practical aspects, once such a decision has been taken".

According to these sources, no such decision has been recently taken by the Ministerial Committee on Security Affairs. (Ha'aretz, 15 January 1979)

35. The Minister of Agriculture, Mr. Sharon, stated that the Likud Government had set up 25 new settlements since it took power and would set up 32 more by the end of 1979, making 57 in all. He added that "seven thousand settlers (were) now living in Judaea and Samaria ... apart from 1,500 more in the Jordan Valley". (Ma'ariv, 23 January 1979; Jerusalem Post, 23 January 1979)

36. In another statement, Mr. Sharon said that "the custom is that Nahal outposts are but the first step towards the creation of permanent settlements". (Ha'aretz, 16 February 1979)

37. In an interview given on 11 April 1979 to reporters from the Jerusalem Post, Yediot Aharonot and Ma'ariv, the Prime Minister, Mr. Begin, reaffirmed that "Israel has the full right to settle in Judaea, Samaria and Gaza, [settlement being] essential for the security of the nation ... and that Jerusalem is the eternal capital of Israel, reunited and indivisible and it will remain so to eternity". (Jerusalem Post, 13 April 1979)

38. Mr. Begin said, at a Herut central committee debate, on 29 April 1979, that "the Green Line (the 1949 Armistice Agreements Line) no longer exists - it has vanished forever ... We want to coexist with the Arabs in Eretz Yisrael ... under the autonomy scheme they will run their own internal affairs and we will ensure security"... (Jerusalem Post, 30 April 1979)

39. Mr. Begin added that article 49 of the Fourth Geneva Convention of 1949 was not applicable to the occupied territories for "not one Arab has been displaced and "that will be the case henceforth too". He justified the legitimacy of his settlement policy by referring to the High Court's ruling in the recent Beit-El case, which had "justified civilian settlements as being part of Israel's security network". (Jerusalem Post, 30 April 1979)

40. The Minister of Agriculture, Mr. Sharon urged "that the settlement of the territories be made the top national priority with all national resources geared to that target. We offer Arabs all their rights in Eretz Yisrael but no rights on Eretz Yisrael", he said. (Jerusalem Post, 30 April 1979)

41. The Minister of Transport, Mr. Haim Landau, stated, on 5 April 1979, "that settlements will continue to be established (in Judaea and Samaria) and claimed that the autonomy plan related to residents not to territories". (Davar, 6 April 1979; Yediot Aharonot, 6 April 1979; Al Ouds, 4 April 1979)

42. The Deputy Prime Minister, Mr. Ygal Yadin, said that Government policy concerning settlement has not changed and that new settlements will only be established with its approval. (Davar, 6 April 1979; Yediot Aharonot, 6 April 1979)

43. The Foreign Minister, Mr. Dayan, addressing potential settlers, stated on 31 March 1979 that: "New Jewish villages in the administrated territories will be established after a proper survey for lands, water and economic potential is conducted". (Jerusalem Post, 1 April 1979)

44. At a meeting with the representatives of Israeli settlements in the Jordan Valley, Mr. Dayan assured them that their status would not be significantly affected by the projected autonomy. He said that Palestinian autonomy would not turn into a Palestinian State: "You don't just give a country to every one million people who want it". He also urged the establishment of new settlements and the addition of new settlers to the existing ones. (Jerusalem Post, 16 April 1979; Ha'aretz, 16 April 1979; Al Ittihad, 17 April 1979)

45. Mr. Dayan also stated that "the West Bank would not be returned to Jordan, not even for peace" and that "if faced with a choice between peace with Syria and withdrawal from the Golan Heights, he would prefer to forgo the peace rather than withdraw from the Golan". (Ha'aretz, 16 April 1979; Jerusalem Post, 17 April 1979)

46. The Prime Minister, Mr. Begin, stated on 24 April 1979: "Our policy is to populate Samaria without evicting a single Arab from his land". He added that the Government will not expropriate land, we will seize it". Mr. Begin stressed that it was only barren land, and not cultivated areas or land that was worked or lived on that would be seized. (Jerusalem Post, 25 April 1979)

47. The Minister of Agriculture, Mr. Sharon stated during a cabinet discussion on the matter that "Jews had every right to rebuild their homes in the centre of Hebron, especially at sites like the Hadassah Hospital where Jewish title was indisputable". (Jerusalem Post, 7 May 1979)

48. According to a source in the Prime Minister's office, the problem exists not on the principle but on its implementation for "the Hadassah building is in a densely occupied Arab area [where] Jewish settlement would only be feasible if a very large number of Jewish families were willing to live there ... in addition, strong security forces would have to be kept permanently in the neighbourhood". (Jerusalem Post, 7 May 1979)

49. Mr. Drobles, the Co-Chairman of the Jewish Agency's Settlement Department stated, on 18 May 1979, at a news conference, that "the state of Israel must for political and other reasons, develop the entire region of Judaea and Samaria; and if in five years' time, 100,000 Jews will not live in this region, I doubt that we will have a right to this region. If Jews will live in Judaea and Samaria it will be ours; if they will not live there, it will not". He emphasized that what was most important at the present stage was to seize lands



and not to go into detailed planning, for it might prove impossible in the future to seize the lands that are now designed for settlement. (Ha'aretz, 20 May 1979)

50. The Minister of Defence, Mr. Weizman, and the Minister of Agriculture Mr. Sharon signed a petition calling for the annexation of the Golan Heights to the State of Israel. (Al Hamishmar, Jerusalem Post, 10 June 1979)

51. The Prime Minister, Mr. Begin, in the context of a campaign in the United States concerning the "security importance" of settling in Judaea and Samaria, asserted the "absolute right of Jews to live in all parts of Judaea and Samaria and the Gaza district". He said that "settlement was aimed at imposing peace, and was the only means to teach Arabs and Jews how to co-exist". He added: "the settlements are legal and they are necessary". (Asha'b, 13 June 1979; Jerusalem Post, 15, 21 June 1979; Al Ouds, 20 June 1979)

52. On 28 August 1979, the Joint Settlement Committee, headed by Mr. Sharon, decided to set up 4 new settlements in Samaria, namely:

- (a) Reihan "B";
- (b) Reihan "C";
- (c) Karney-Shomron "C";
- (d) Karney-Shomron "D".

The creation of these new settlements was described at the meeting as the "expansion of existing settlements by building suburbs next to them". (Ha'aretz, 29 August 1979)

53. On 16 September 1979, the Government of Israel decided to authorize the acquisition of land on the West Bank and in the Gaza Strip by Israeli citizens and corporations. The Government also decided to entrust the Ministerial Committee Security Affairs with the drafting of detailed directives for the implementation of that decision. The decision was adopted unanimously; a Government spokesman stated that the Government's decision was based on the right of Jewish persons to buy land which is "historically considered to be the property of their People". (Ha'aretz, Jerusalem Post and Al Ouds, 17 September 1979, Asha'b, 18 September 1979).

(b) Official plans and projects

54. A Committee of the Government of Israel "to elaborate Israel's position on the implementation of the autonomy plan" prepared an interim report. Two of the points made in this report are the following:

(a) One million dunams (1,000 sq. km.) of Government land in the West Bank and in the Gaza Strip will remain under the trusteeship of the State of Israel under the autonomy plan; "State lands on the West Bank were in the past the property of the Jordanian Privy Council and there is no reason why the future 'home rule' authorities in the territories should be the heirs of the Jordanian Privy Council".

(b) The State of Israel will have to hold on to the water resources of the territories. The water reserves in the pre-1967 Israeli-held territory are insufficient. In addition, it is not possible to set up new Israeli settlements without supervision and control of the water resources. (Ha'aretz, 24 November 1978)

55. "In the framework of a decision taken by the Government of Israel, on 25 October 1978, to thicken the settlements in Judaea and Samaria, in the Gaza Strip and in the Golan Heights, after the expiration of the three-month freeze, on 17 December 1978 several dozen housing units as well as kindergartens, clubs, synagogues, infant welfare centres, and shopping centres ... are to be built in the settlements of Alon-Moreh, Elkana, Karney-Shomron, Haris and Givon" [located in the central region of the West Bank]. (Ha'aretz, 27 October-7 November 1978)

56. Defence Ministry sources were reported as stating that the Military Government is to accelerate seizing lands on the West Bank, necessary for military purposes (re-deployment of forces), before the autonomy plan comes into force. According to the same source, this has nothing to do with settlements or their thickening or with the construction-ban order issued by military governors with view to preventing the construction of new buildings next to Israeli Army camps (Ha'aretz, 22 December 1978)

57. The Minister of Agriculture, Mr. Sharon stated, on 18 January 1979, that a "Jewish settlement is necessary east of Nablus in order to protect a proposed approach road to the Jordan Valley from the coastal plain". Mr. Sharon flew over the area to pick a site for the nucleus. (Ha'aretz, 9, 10, 16 and 18 January 1979)

58. A committee of experts from the Defence, Housing and Construction and Labour and Social Ministries as well as the Settlement Department of the World Zionist Organization approved master plans for several - 15 according to Al Ittihad - Gush Emunim settlements on the West Bank. (Jerusalem Post and Al Fajr, 14 February 1979; Al Ittihad, 20 February 1979)

59. On 7 February 1979, the Government decided to proceed to implement a decision taken one year ago to establish a regional centre, called Efrat, situated in the Etzion bloc (on the eastern side of the Bethlehem-Hebron road, near the Elazar settlement). Work is to begin there in the next fiscal year (as from 7 April 1979) and 5,000 housing units, approved at the last Ministers' consultation, will be financed from this year's

budget. Some 100 potential settlers have been organized in the United States to live in this new settlement. The Military Government was to seize land in neighbouring areas (east of the Bethlehem-Hebron road) belonging to local Arabs. (Jerusalem Post, Ma'ariv, Ha'aretz, Yediot Aharonot, Davar and Al Fajr, 8 February 1979; Al Ittihad, 8, 9 and 23 February 1979)

60. On 18 February 1979, the Government decided that the Water Commission of Israel was to supervise all drilling for water on the West Bank; it also approved the laying of a pipeline from the Sea of Galilee to the Israeli settlements in the Jordan Valley as had been decided by the Foreign Minister, Mr. Dayan, and the Minister of Agriculture, Mr. Sharon. The Deputy Prime Minister, Mr. Yadin, disagreed with the timing of the decision - on the eve of negotiations at Camp David - and questioned whether it was not possible to ensure the water supply without making such public and official decisions. In response, Mr. Sharon said that "the decision was essential per se and also necessary to make it clear to the United States and to the West Bank Arabs that Israel intends to maintain its settlements on the West Bank, including the Jordan Valley". The new water conduit is planned to supply water to 40 to 50 settlements (at present there are 20 settlements in the Jordan Valley) and will cost £1 300 million (\$15 million). According to official sources this decision will only be put into effect in three years' time. (Jerusalem Post, 19 February 1979; Ha'aretz, 19 and 23 February 1979. Other relevant reports: Davar, Al Hamishmar and Yediot Aharonot, 19 February 1979; Zu Haderekh, 21 February 1979)

61. The Government and the World Zionist Organization are drawing up plans for large-scale settlement in Judaea and Samaria shortly after the peace agreement is signed. According to these plans, 10 new settlements will be established there during the coming fiscal year. (Jerusalem Post, 23 March 1979)

62. The Office of the Minister of Agriculture intends to set up 4 settlements in the coming weeks, namely:

(a) Eilon-Moreh "B" (5 kilometres to the south-east of Nablus, near the village of Rujeib, planned as a communal settlement);

(b) Naby Saleh "B" (near Naby Saleh "A", north-west of Ramallah);

(c) Maaleh-Adumin "B" (east of the village of Abu-dis, 12 kilometres to the west of the present Maaleh-Adumin site).

Several dozen families (most of them affiliated to the Gush Emunim) will live in this settlement in the first stage. The Ministry of Construction and Housing is to build in the new centre hundreds of housing units initially and thousands later on. Forty prefabricated housing units are to be sent there in the first stage. A new Nahal outpost is to be set up in the coming days in the southern sector of the Gaza Strip, in an area designed to become an urban centre for the settlement of the "Katif bloc" in South Gaza. (Ha'aretz, 1 March 1979)

63. Gush Emunim has planned to lay the cornerstones for nine settlements on the day of signature of the Israel-Egypt treaty. Ceremonies are planned at:

(a) Yatir (near Hebron-El-Khalil);

(b) Zif (near Hebron-El-Khalil);

(c) Maaleh-Adumim "B" (east of Jerusalem);

(d) Mitzpe Givon (north-west of Lydda);

(e) Near the settlement of Ariel/Haris;

(f) Maaleh Nahal/Silat Ad Dahr (between Nablus and Jenin);

(g) Hurshat Aroug (in the Gush Etzion).

(Jerusalem Post, 25 March 1979)

64. The Cabinet endorsed, on 22 April 1979, a decision of the Ministerial Defence Committee to establish two new permanent settlements in Samaria, namely, Shile and Eilon-Moreh, which were "pioneered" by the Gush Emunim. The Deputy Prime Minister, Mr. Yadin, and two Ministers, Mr. Tamir and Mr. Katz voted against their establishment. Mr. Yadin explained his vote by saying that he opposed settlement in heavily populated Arab areas and that the decision represented "a surrender to Gush Emunim, which had created its own facts". He also added that there was no "security justification for their establishment". (Ma'ariv, 11 April 1979; Jerusalem Post, 23 April 1979; Ha'aretz, 23 April 1979; Al Ouds, 23 April 1979)

65. The Minister of Agriculture, Mr. Sharon, has initiated the creation of a number of new settlements in the territories, in the coming weeks, including:

(a) Four new settlements in the Jordan Valley;

(b) A number of new settlements, including an urban centre, in the Gaza Strip;

(c) Four new settlements on the Golan Heights;

(d) Two new settlements in Samaria (namely Eilon Moreh, on a hill overlooking Nablus and Shilo).

The establishment of several of those settlements will require expropriation of private Arab lands. In addition to the new settlements Mr. Sharon has recommended the strengthening of existing settlements. (Ha'aretz, 10 May 1979)

66. Mr. Drobles, Co-Chairman of the World Zionist Organization Settlement Department, announced the establishment of two new army outposts in the northern Gaza Strip next month. He added that these two outposts located south of the road from the Eretz checkpoint to the sea will become in the future "full-fledged civilian settlements". In addition, three civilian settlements will be established in the area this year. (Jerusalem Post, 20 May 1979)

67. "Authorised governmental sources" reported that, by the end of 1980, the Government intends to complete the construction of:

(a) Twenty new settlements in the West Bank, including Mey-Ami "C", Barkey, Tapuah, Halamish, Karney-Shomron, Karney-Shomron "B", Neve-Tzuf "B", Maaleh-Adumim "B", Yatir, Shekef, Mitspeh-Yericho, Beit-Horon, and Sanur;

(b) Six new permanent settlements in the Jordan Valley including Ro'i, Rimonim, Koshav-Hashahar, Almog "B", Mehola "B", and Nueima;

(c) Three new settlements on the Golan Heights;

(d) By the end of 1979 the following new settlements in the Gaza Strip: Ga did, Gan-oz and Katif K;

(e) Three communal settlements should be completed on the West Bank: Eilon-Moreh, Tekoa and Beit-El;

(f) An urban communal settlement of Efrat, in the Etzion bloc. (Ha'aretz, 20 May 1979)

68. Mr. Drobles, the Co-Chairman of the Jewish Agency's Settlement Department, announced on 18 May 1979, that "32 Israeli settlements had been established in Judaea and Samaria so far, with a total population of 15,000". He added that the objective was to have 47 to 50 settlements in Judaea and Samaria and to reach within the next five years, a population of 100,000 to 120,000". (Ha'aretz, 20 May 1979)

69. The Ministerial Settlement Committee decided on 30 May 1979 that a new settlement, Mitzpe Yericho "B", would be established on the hills overlooking the Jordan Valley, near the Jerusalem-Jericho land, in order to split into two groups the members of the present Mitzpe Yericho settlements who did not get along well together. (Jerusalem Post, 31 May 1979)

70. According to a report, prepared by the Jewish Agency's Settlement Department in co-ordination with the Ministry of Housing and Construction, 19 new settlements are planned in Judaea and Samaria and in the Jordan Valley, including:

(a) Four settlements to be set up before the end of the year in Judaea and Samaria;

(b) One to be set up during the same period in the Jordan Valley.

During the coming year 13 settlements are to be set up in Judaea and Samaria and 6 in the Jordan Valley. (Ma'ariv, 24 June 1979; Al Ouds, 25 June 1979)

71. Plans are under way to transfer the Nahal outpost of Sal'it (south of Jenin) to civilians in August 1979, and the two Nahal outposts of Rimonim and Koshav-Hashahar (in the Jordan Valley) to civilians at a later stage. (Jerusalem Post, 28 June 1979)

72. According to several reports, 20 settlements are planned for the West Bank and the Jordan Valley during the next year. (Ma'ariv, 6 July 1979; Al Ouds, 6 July 1979)

73. According to another report, the Co-Chairman of the Jewish Agency's Settlement Department, Mr. Drobles, stated that the Prime Minister, Mr. Begin, had informed him of the "creation within the next two years of 15 new settlements in the Jordan Valley". (Ha'aretz, 11 July 1979)

74. Addressing the Knesset Economic Affairs Committee, on 24 July 1979, the Minister of Agriculture, Mr. Sharon stated that "the Government decided to set 8 new outposts every year in the Jordan Valley". (Ma'ariv, 25 July 1979)

75. Four new settlements are planned on the Golan Heights "in the framework of the regional security planning". They are located at Sikeik (north-west of merom Golan), Eisha, Dabussiya and Tel Abu Katif. A fifth settlement may be set up near Borekhat-Ram. According to another report these new settlements have already been approved by the Government. (Ha'aretz, 10 July 1979; Al Ouds, 11 July 1979)

76. The Minister of Agriculture, Mr. Sharon, revealed a plan to establish 25 new settlements in the Jordan

Valley, including 5 settlements near the Dead Sea. He added that the existing ones, which served the security of Israel, would be expanded. (Asha'b, 1 August 1979; Al Quds, 1 August 1979)

77. According to Mr. Drobles, the Co-Chairman of the Jewish Agency's Settlement Department "10 new settlements are planned in the Nablus area," and that, in addition to 3 new settlements he proposed, 3 others would be built in the area situated near the settlement of Kdumim (formerly known as Qaddum and Eilon-Moreh), two others to the west of Nablus and four others to the north-east". He added that "the establishment of these settlements shall require the expropriation of more areas of lands owned by Arabs"... and that "100,000 to 150,000 settlers would be moving into their settlements over the next five years". According to another report the Jewish Agency's Settlement Department is planning the setting-up of a new group of settlements called "Tirza" which will be set up 7 kilometres north-east of Nablus; the three others will be established west of it. No budgetary difficulties to finance these settlements are reported. According to Mr. Drobles, the main purpose of these settlements is to "control the main routes in Judaea and Samaria, and thus enable control of the whole territory". (Al Quds, 27 July 1979; Ha'aretz, 26 and 29 July 1979; Yediot Aharonot, 19 August 1979)

78. A document filed in the Supreme Court in the context of the Eilon-Moreh case by the State Attorney consisted of a "master plan for Jewish settlement" on the West Bank and in the Gaza Strip, presented to the Chief of Staff on 30 September 1973 by the Chief Central District Commander, Aluf Rebavan Zeevi. The plan, according to the State Attorney, disregarded political solutions and "considered Jewish settlement and the territories as a supreme security asset ... the plan provides, inter alia, for the establishment of a Jewish town near Nablus and for the creation of industrial settlements along the roads leading to this town". (Ha'aretz, 4 October 1979)

## 2. Implementation of the policy

### (a) Expropriation of property 8/

79. A group of landowners from the village of Anata, north-east of Jerusalem, claim that some 4,650 dunams of good farming land (4.65 sq. km.) were fenced off and seized by the Military Government. The land is intended to be part of the Maaleh-Adumim development complex. (Ma'ariv, Ha'aretz, 25 October 1978; Jerusalem Post, 25 October 1978)

80. Thousands of dunams owned by Arab inhabitants of the Ramallah area, mainly from the villages of Silwad, Anata, Beituniya, Beit-El and Tubas, as well as from the villages of Beit Furik, near Nablus, and Beit Sahur, near Bethlehem, as well as lands bordering Kiryat Arba were seized or subjected to construction bans by the Israeli authorities for "security purposes". The local landowners allege that these lands will be used for thickening of nearby Israeli settlements. (Ha'aretz, 24-26 October 1978, 15 and 22 December 1978; Ma'ariv, 24 October 1978; Jerusalem Post, 25 October, 23 November, 12, 13 and 18 December 1978)

81. Military Government sources described the closing order issued by the Bethlehem area military commander, Lieutenant-General Natan Rom (involved in last year's Beit Jala school incident) for closing 1200 dunams (1.2 sq. km.) in Beit Sahur as a "technical error". Subsequently (on 20 December 1978), 200 out of the 1200 dunams seized were returned to the Beit Sahur municipality. This area is populated by some 150 Arab families. (Ha'aretz, 15 December 1978; Jerusalem Post, 21 December 1978)

82. In the context of the Government's decision to "thicken" settlements, some 600 dunams (0.6 sq. km.) of farming land were seized in the Waer El Shayaeb and El Ras areas in Hebron, with a view to expanding the Kiryat-Arba settlement. Mayor Fahed Kawasme has strongly protested against these measures and has sent a letter to the Secretary-General of the United Nations to inform him on the issue of the expropriation. The entire area had been declared "closed area" for "military purposes" in 1978; the settlement of Kiryat-Arba was then established on this land. The demolition by the Military Government of floors which has been added to several houses in Hebron was also reported (Asha'b, 13 December 1978; Ha'aretz, 29 December 1978; Al Ittihad, 9 January 1979; Jerusalem Post, 5 January 1979)

83. Tractors and bulldozers from the Public Works Department started infrastructure works, during the second week of January 1979, on 15,000 dunams (15 sq. km.) of farming and grazing land near Abu Dis, east of Jerusalem. The landowners were told when they complained that the lands had been expropriated five years ago, the aim of the expropriation being the enlargement of Maaleh-Adumim settlement. (Jerusalem Post and Ha'aretz, 16 January 1979)

84. Residents of the village of Yassuf, south of Nablus are planning to apply, through Mr. Elias Khoury, an attorney to the High Court of Justice, against the seizure of 200 dunams (0.20 sq. km.) which were used for the construction of Tapuah, a civilian settlement, and not for "military purposes". (Jerusalem Post and Ha'aretz, 16 January 1979)

85. An order forbidding construction activity in a large area south of Ramallah was issued by the Military Government three months ago, but the municipality only learned of it recently. (Jerusalem Post, 29 January 1979)

86. Some 150 landowners from the villages of Hizma and Jaba, north-east of Jerusalem, received letters ordering them to sell their property. The lands selected for expropriation are bordering the Neve-Yacob suburb which the authorities are planning to expand (Jerusalem Post, 1 February 1979)

87. The Hebron municipality and 37 landowners applied, on 7 February 1979, for an order nisi from the High Court of Justice to stop the construction of 500 additional housing units in Kiryat-Arba and the expropriation of lands owned by locals. (Jerusalem Post and Yediot Aharonot, 8 February 1979)

88. According to the report of the "Israel Lands Administration" for 1977/78, this body has ceased to acquire land on the West Bank and the operations are carried out by Himanuta (a Jewish National Fund holding company) and the Jewish National Fund. (Jerusalem Post, 14 March 1979)

89. The Military Government issued orders closing off hundreds of dunams of land belonging to Arab villagers of the Bethlehem area; fencing work started on 19 March 1979. (Ha'aretz, 20 March 1979)

90. The Military Government expropriated an area near the village of El-Ram, in the Ramallah region, for the purpose of building a road to Maaleh-Adumim (by linking the Jerusalem-Ramallah road to the Jerusalem-Jericho road). A house built on the expropriated area was demolished by the military authorities and owners of other houses were told to demolish them and were promised adequate compensation. (Ha'aretz, 9 April 1979)

91. Over 700 dunams (0.7 sq. km.) of land near the village of Ni'lin, north-east of Ramallah, belonging to 10 landowners, were seized last March 1979 for the establishment of a settlement. Levelling work was carried out there by tractors and heavy equipment on cultivated lands. The local landowners pointed out that they were shown no legal orders authorizing the work and that the complaints they filed with the military Commander of the Ramallah area remained unanswered. on 24 April 1979, they obtained from the High Court of Justice an order nisi against the Defence Minister and the District Commander of Judea and Samaria instructing them to show cause within 30 days why they should not order the workers and the soldiers who were operating on their behalf on the villagers' land to stop the settlement works. (Ha'aretz, 25 April 1979; Jerusalem Post, 25 April 1979)

92. Seven hundred dunams (0.7 sq. km.) of land (900 dunams, according to the Jerusalem Post and Al Ittihad were expropriated two months ago, in Mt. Eival (or Ebal), an area overlooking the city of Nablus which "commands all the city's main roads as well as the Nablus-Jerusalem highway". According to a Defence ministry spokesman the expropriation was carried out for "purely military purposes" in an area which is "essential for security". Inhabitants of the village of asira Esh-Shamaliya who own these lands have sent a cable of protest to the Defence Minister; they were then assured by the Military Governor of the region that the area would not be used for Jewish settlement. (Ha'aretz, 11 and 13 April 1979; Jerusalem Post, 13 April 1979; Al Ittihad, 13 April 1979)

93. Three thousand five hundred dunams (3.5 sq. km.) were expropriated south of Nablus in order to annex the area to the settlement of Ariel. The landowners from the villages of Salfit, Iskara, Harda and Farkha, whose lands were seized, intend to approach a Jerusalem attorney with a view to bringing a judicial action against the Military Government. (Yediot Aharonot, 19 April 1979)

94. The setting-up of an urban settlement near Nablus and of a communal settlement in Shilo will necessitate land expropriation and "according to all the factors which operate in the area there is no escape from expropriating private lands - on a relatively large scale - in order to plan Jewish settlement in Samaria". Ma'ariv, 23 April 1979)

95. The Military Government recently proposed to the owners of 200 dunams (0.2 sq. km.) in Jaabari hill area in Hebron some £1 100,000 (\$5,000) for the land. The High Court of Justice earlier barred the Military Government from seizing the land after the Government's Legal Adviser had declared before the court that the land in question had no "security importance". (Ha'aretz, 22 May 1979)

96. Arab landowners of the villages of Anata and Himza (north-east of Jerusalem have been banned by the military authorities from undertaking any work on 7,000 dunams (7 sq. km.), including 350 dunams (0.35 sq. km.) of farming land. This ban constitutes the first step towards the expropriation of this land in order to establish the settlement of Maaleh-Adumim "B". Maaleh-Adumim "A" and "B" are Gush Eminim settlements. Maaleh-Adumim "A" was built on lands seized in the early 1970s for military purposes, and since then 4,650 dunams (4.65 sq. km.), 1,700 dunams (1.7 sq. km.) and 100 dunams (0.1 sq. km.) have been seized at different periods to expand this settlement. (Jerusalem Post, 18 and 22 December 1978, 25 October 1978, 26 June 1979; Al Quds, 23 January 1979; Al Ittihad, 23 January 1979; Ma'ariv, 24 October 1978 and 23 January 1979; Ha'aretz, 24-25 October 1978, 26-28 June 1979; Asha'b, 26 June 1979; Al Ittihad, 29 June 1979)

97. Orders requisitioning 800 dunams (0.8 sq. km.) of privately-owned land Rujeib were issued following the Cabinet decision, on 4 June 1979, to build new settlement of Eilon-Moreh on the site. (Jerusalem Post, 3 June 1979; Al Quds, 5 June 1979; Asha'b, 11 June 1979; Al Hamishmar, 11 June 1979; Yediot Aharonot, 12 June 1979)

98. Some 500 dunams (0.5 sq. km.) of privately-owned Arab land were expropriated near the village of Ni'lin in order to establish the Mattiyahu settlement and to allow the building of a new highway connecting northern Jerusalem to the coastal plain. (Ma'ariv, 19 June 1979; Al Ittihad, 26 June 1979; Jerusalem Post, 25 April 1979; Ha'aretz, 25 April 1979)

99. The Ministerial Committee on Jerusalem Affairs took a secret decision to expropriate several thousand dunams of land around Jerusalem - 7,000 dunams (7 sq. km.) according to one report - in the area south of Neve-Yacov (joining French Hill to the east of the Ramallah highway) to create continuity between the two Jewish suburbs and prevent the isolation of Neve-Yacov, which is surrounded on all sides by Arab suburbs. A special team has been set up to examine and implement the decision. Several houses belonging to Arabs are

located in the area designated for expropriation. The reports note that since the early 1970s there have been no cases of land expropriation from Arab residents of East Jerusalem, despite a detailed town building plan for that region submitted several years ago by the Ministry of Construction and Housing and Israel Land Administration calling for the expropriation of some 4,000 dunams (4 sq. km.). (Ha'aretz, 17 August 1979; Davar, 19 August 1979; Zu Haderekh, 22 August 1979)

100. On 10 September 1979, the inhabitants of Beir-Gad village in the Jenin claimed that the military authorities had closed off 500 dunams (0.5 sq. km. cultivated land for settlement purposes. Military spokesmen stated that the land was required to set up a military installation. (Ha'aretz and Asha'b, 11 September 1979)

101. On 11 September 1979 a 1,600-dunam area (1.6 sq. km.) of cultivated land belonging to the inhabitants of Deir Istiya (on the Nablus-Qualquiya road) was closed off. This was acknowledged by a military spokesman, who added that landowners who obtained a special permit would be allowed access to their land. The land was reportedly needed for the cutting of a road in the area to serve as a link between the settlements established in the region of Karney-Shomron "A", "B" and "C". (Ha'aretz, 12 and 21 September 1979)

102. Inhabitants of the village of Idna (north-west of Hebron) reported the seizure of 800 dunams (0.8 sq. km.) of cultivated land by the Military Government. (Ha'aretz, 12 September 1979)

103. The Military Government issued an order of confiscation for a 500-dunam area (0.5 sq. km.) of cultivated land belonging to an inhabitant of Askarya, between Hebron and Bethlehem, for the expansion of the Israeli settlement of Rosh-Tzunim. (Ha'aretz, 20 September 1979)

104. Following the incident at the Ofra settlement and a number of incidents where Israeli settlers complained of shortage of land for their settlements, a number of Knesset members were to meet the Prime Minister to request him to confiscate 150,000 dunams (150 sq. km.) on the West Bank for settlement purposes - in one stage rather than in small lots at a time. (Al Quds, 5 October 1979)

105. In the course of his testimony before the Special Committee, Mr. Kawasme, the Mayor of Hebron, gave details about the extent of expropriation of property taking place in the occupied territories. He stated that, to date, over 1.5 million dunams (1,500 sq. km.), equivalent to 27 per cent of the area of the West Bank and the Gaza Strip, had been expropriated. Landowners had no alternative but to comply with orders of expropriation; non-compliance with those orders entailed sanctions. He referred to a number of cases of Hebron property owners who had had their houses pulled down. Thirteen houses had been demolished to permit expansion of the Israeli settlement of Kiryat-Arba. He referred to the irony of having to obtain permission from the Military Governor to complain against orders handed down by the Military Governor himself. Mr. Kawasme referred to "thousands of complaints" that had remained without any response. (See A/AC.145/RT.274, pp. 6-7, and A/AC.145/RT.275, p. 9.)

(b) Budgetary allocation

106. A budget of £I 600 million (\$30 million) for the "thickening of settlements in Judaea and Samaria and the Golan Heights" was approved by a Committee of four ministers, headed by the Prime Minister. (Ha'aretz, 7 November 1978)

107. The Minister of Agriculture, Mr. Sharon, stated, on 7 December 1978, that the Finance Ministry had approved the allocation of £I 340 million (\$17 million) out of the proposed £I 600 million (\$30 million) for the thickening of settlements in the occupied territories. (Ma'ariv, 8 December 1978)

108. According to several press reports, the Knesset Finance Committee earmarked, on 17 January 1979, £I 741 million (\$37.05 million) for the thickening and strengthening of settlements in the territories:

(a) £I 60 million (\$3 million) was allocated to the construction of the trans- Samaria road (35 kilometres) which will link the coastal plain to the Jordan Valley;

(b) £I 402 million (\$20.1 million) was allocated to the thickening of settlements in the Jordan Valley, the Etzion bloc, the Golan Heights, Samaria and the Natif bloc (southern Gaza Strip);

(c) A special budget of £I 76 million (\$3.8 million) and an authorized commitment for an additional expenditure of £I 203 million (\$10.15 million) were approved for the construction of housing units in Haris, Givon and Karney Shomron. (Al Quds, 4 January 1979; Jerusalem Post, 9 and 18 January 1979; Al Ittihad, 19 January 1979; Ma'ariv, 9 and 18 January 1979)

109. The plans to create new settlements in Judaea and Samaria in the coming year may be frozen for budgetary reasons; "the Jewish Agency is demanding one billion two hundred million Israeli pounds (\$60 million) whereas the Finance Ministry is willing to grant no more than half a billion (\$25 million) for these purposes. (Ma'ariv, 6 February 1979)

110. The World Zionist Organization Settlement Department has been allocated £I 1.1 billion (\$50.5 million) for strengthening existing settlements during the coming fiscal year. The Finance Ministry will give £I 850 million (\$42.5 million) this year. Additional money will be granted whenever the Government decides to establish new settlements. (Jerusalem Post, 27 February 1979)

111. The Finance Ministry has approved a budget of over £I 1 billion (\$50 million) for the maintenance of 109

settlements and 12 Nabal outposts in the Golan Heights, the West Bank, the Gaza Strip and Sinai for the next fiscal year (1979/80). This budget does not include the special budget of £I 600 million (\$30 million) approved by the Government for the thickening of existing settlements, nor does it include expenditures for new settlements to be approved by the Government. (Ha'aretz, 1 March 1979; Yediot Aharonot, 1 March 1979; Al Ittihad, 2 March 1979)

112. £I 150 million (\$7.5 million) has been earmarked for the extension of electricity lines from the national grid to the "heart of Samaria" and for the laying of a high-tension line to Hebron-El-Khalil. The electricity mains of the Israeli Electricity Company at present go, via Tulkarem, to Anabta, but the aim is to electrify Samaria along the new trans-Samaria road and to supply electricity to the Israeli settlements and Nahal outposts in Samaria. The settlements of Karney-Shomron, Elkana, Ariel and Kaddum, as well as a number of Arab villages and the Arab town of Salfit, near Nablus, have already been connected. Work to lay down the electricity mains in the Golan Heights is reported to be reaching its final stage. (Ha'aretz, 14 June 1979)

113. According to the Co-Chairman of the Jewish Agency's Settlement Department, Mr. Drobles, £I 1.5 billion (\$75 million) was invested by the Settlement Department this year in Judaea and Samaria for the creation and consolidation of settlements. (Ha'aretz, 26 July 1979)

114. The Knesset Finance Committee has approved the allocation of £I 500 million (\$25 million) for settlements in the territories, to be allocated from the reserve funds. In the first stage, £I 350 million (\$17.5 million) will be earmarked for the construction of 13 settlements, including: £I 60 million for two settlements on the Golan Heights (\$3 million); £I 230 million for eight settlements in Judaea and Samaria (\$11.5 million); £I 40 million for two settlements in the Jordan Valley (\$2 million); and £I 20 million for one settlement in the Katif group (Gaza Strip) (\$1 million). (Ha'aretz, 1 August 1979; Asha'b, 2 August 1979)

115. The Co-Chairman of the Jewish Agency's Settlement Department, Mr. Drobles, gave details of a £I 1.2 billion budget for the Settlement Department for the financial year 1979/80 (\$60 million). Of this sum, £I 850 million (\$42.5 million) was to be invested in existing settlements in the occupied territories and £I 350 million (\$17.5 million) in the establishment of new settlements. (Ha'aretz, 14 September 1979)

(c) Expansion of existing settlements and construction of new settlements 9/

(i) West Bank

116. In implementation of the Government's decision of "thickening" settlements, "300 permanent housing units and 134 provisional ones will be set up in Samaria, and 260 permanent ones in the Jordan Valley and in the Golan Heights". In addition, 400 kilometres of new roads (including a motorway and five transversal (east-west) roads, one of which is under construction, will be built on the West Bank. (Ha'aretz, 7 and 30 November 1978)

117. In the framework of the Government's decision to thicken existing settlements, infrastructure works started on 17 November 1978 for the construction of a shopping centre at the Israeli settlement of Kiryat-Arba, near Hebron. (Ha'aretz, 19 November 1978)

118. A new town is being built at Malleh-Adumim (east of Jerusalem), bordering the village of Eizariya, on a 100-dunam (0.1 sq. km.) area, expropriated in 1974. Five hundred housing units should be ready by March 1979; 1,500 flats are planned at a later stage. Two hundred and fifty dunams (0.25 sq. km) of the new town are to be allotted to people wishing to build their own houses. A new road leading to the site is under construction. "Government sources yesterday reported that the infrastructure works started yesterday were at present being carried out at a slow pace and with only a few machines, so as not to over-irritate the United States and the other foreign Powers. It was reported that, at a later stage, it was intended to speed up the pace and add bulldozers and other tools." (Ha'aretz, 29 and 31 October, 9 and 10 November and 1 December 1978; Al Ouds, 2 December 1978).

119. The construction of the permanent settlement of Nabi-Saleh/Neve Tzuf (north-west of Ramallah) is to start shortly on a plot of government-owned land located near the Taggart fortress formerly used by Border Police and inhabited by the settlers. (Ha'aretz, 6 December 1978)

120. The settlement of Shilo, north of Ramallah, is to be transferred to a nearby government-owned plot of land to enable its expansion. (Ha'aretz, 8 December 1978)

121. The High Court of Justice stated on 17 January 1979 (as it made public the reasons for its decision to reject the plea of several landowners from Anata (near Ramallah) who had applied through Mr. Elias Khoury, an attorney against the Defence Minister and the Military Governor of Judaea and Samaria that "the seizure of 1,740 dunams (1.7 sq. km.) in the village of Anata was effected for purely military purposes and [that] the considerations regarding the location of a military camp are mere military considerations with which the Court is unable to interfere". (Ma'ariv, and Jerusalem Post, 22 January 1979; Al Ouds and Al Ittihad, 29 January 1979)

122. The Ministerial Committee on Settlement Affairs decided to build a communal settlement in Maaleh-Adumim (17 kilometres east of Jerusalem), based on light industries and on workshops. It will be located near the urban settlement whose construction started last month. This is the first settlement whose creation was approved after the period of the "freeze". (Ma'ariv, 22 December 1978)

123. According to Mr. Yoseph Margalit, head of the Housing Ministry's Rural Settlement Department, "some £1 500 million have thus far been invested in the Jordan Valley settlements ... and 825 housing units have been built in six Jordan Valley settlements". (Ha'aretz, 15 January 1979)
124. The Jerusalem local planning committee approved, on 4 February 1979, the construction of a hotel by an Israeli contractor, in East Jerusalem, on the west side of the Nablus road. (Jerusalem Post, 5 February 1979)
125. A "Judea and Samaria land survey" which was established to locate State lands for both existing and future settlements is about to be completed. In the course of this survey, a 350-dunam (0.35 sq. km.) area was located between the provisional site of Givon and Nabi-Samwil and is now being prepared as farming land for future Jewish settlements. (Ma'ariv, 23 February 1979)
126. In the implementation of plans by Gush Emunim to create a number of settlements, 300 housing units will be built at Camp-Qaddum (west of Nablus), 350 at Beit-El (north of Ramallah), and 250 in Tekoa (south-east of Bethlehem). (Jerusalem Post, 14 February 1979)
127. In the same context, master plans for Tapuah (south of Nablus) and Neve-Tzuf (near Naby-Saleh, north-west of Ramallah) have been drawn up. (Jerusalem Post, 14 February 1979)
128. According to plans outlined by the Ministry of Industry, the settlement of Maaleh-Adumim (between Jerusalem and Jericho), Kiryat-Arba (in Hebron), Maaleh-Ephraim (south-west of Nablus) and Ariel-Haris (north-west of Ramallah) are to be industrial settlements). (Jerusalem Post, 22 February 1979)
129. In addition, plans were reported for the establishment of a settlement called Mattiyahu (1 kilometre inside the West Bank, west of Ramallah) planned on a 500-dunam (0.5 sq. km.) area taken over last year by order of the Defence Minister, Mr. Weizman. Several families at present living in New York will arrive in three months to settle there after training in a "veteran" settlement. (Jerusalem Post, 14 February 1979)
130. Preparatory work was started for the construction of Nahal Nueima (north-east of Jericho, on the Dead Sea shore), a new outpost which it is planned to make into an agricultural settlement. The establishment of this outpost was decided several months ago by the Ministerial Committee on Security Affairs. (Ma'ariv, 4 February 1979; Jerusalem Post, 12 February 1979; Ha'aretz, 16 and 23 February 1979)
131. Preparatory work was started at Lucifer (south of Hebron) with a view to establishing a new Nahal outpost. (Jerusalem Post, 12 February 1979; Ha'aretz, 16 February 1979)
132. The Joint Settlement Committee decided on 10 April 1979, to split Beit-El into two separate settlements: Beit-El "A" and Beit-El "B" (the Yeshiva). (Ha'aretz, 11 April 1979; Al Quds, 9 April 1979)
133. Thirteen families were reported staying at the "historical site" of Shilo. They had first stayed there on the pretext of conducting archaeological digs. (Ma'ariv, 23 April 1979)
134. The High Court of Justice rejected a plea presented by Mr. Ghazi Batat, an attorney, on behalf of the Hebron municipality, in protest against the construction of housing units on expropriated land. The Court based its decision on the grounds that "the petitioners had waited nine years before turning to the Court". (Ma'ariv, 24 April 1979; Jerusalem Post, 27 April 1979)
135. The Joint Settlement Committee had decided, in February 1979, to establish the new settlement of Karney-Shomron "B" (3 kilometres west of Karney-Shomron "A" near the Arab village of Assum, on the Nablus-Kalkilya road) on 7,000 dunams (7 sq. km.) of state-owned land; its construction was delayed for budgetary reasons and work started on the site on 18 June 1979. Twenty to 30 Gush Emunim families are expected to live in this new rural community, at a first stage. (Ha'aretz, 15 June 1979; Jerusalem Post, 19 June 1979; Al Quds, 19 June 1979)
136. Land preparations have started on the site of Khan El Ahmar, which was expropriated in the 1970s for "military purposes", and on lands expropriated recently in the villages of Anata and Hizma in order to establish the new settlement of Maaleh-Adumim "B" (near Maaleh-Adumim "A") recently approved by the Government. The nucleus which will settle there belongs to Gush Emunim and some of its members are now staying at Maaleh-Adumim "A". The nucleus members operated in the settlement site before the plan was officially approved by the Government and had ordered plans for the settlement from a private firm. Several dozen families are expected to live there in the first stage, and 600 housing units should be ready in 1980. (Ha'aretz, 25 June 1979; Al Ittihad, 26 June 1979; Asha'b, 11 and 26 June 1979; Al Quds, 26 June 1979; Jerusalem Post, 28 June 1979)
137. Reihan "A" (north-west of Jenin), a Nahal outpost established one year ago, became a civilian settlement on 27 June 1979, which will be looked after by the Zionist Federation's Settlement Department. The Joint Settlement Committee, under the chairmanship of the Minister of Agriculture, Mr. Sharon, decided, on 27 June 1979, to create the new settlement of Reihan "B", near the Arab village of Umm El Fahm; it will be, in the first stage, a Nahal outpost inhabited by immigrants from the Caucasus. (Jerusalem Post, 28 June 1979; Ha'aretz, 28 June 1979)
138. A new settlement called Rimoin is being set up on the site of a Nahal outpost located south-east of Mt. Shomron, off the Ramallah-Jericho road. It will be inhabited by middle-class families from Jerusalem and the



coastal plain who will settle there in the framework of the "Agriculture Union" movement. Most of them have independent and liberal professions. It was reported that each settler would get half a dunam (0.005 sq. km.) of land for an auxiliary farm. (Yediot Aharonot, Item, 3 August 1979)

139. The Shomron/Sebastiya Nahal outpost (located on Mt. Shomron, on the Tulkarem-Jenin- Nablus road, 38 kilometres away from Netanya) set up several years ago will turn into a civilian settlement in August 1979. The cornerstone of the permanent settlement of Maaleh-Adumin (east of Jerusalem) was laid on 8 August 1979. One hundred families of Jewish Agency employees in Jerusalem are to settle there within a year with a view to establishing the new town of Maaleh-Adumin. The construction of the first 300 flats will be completed in the coming year and within the next three years 5,000 housing units will be built there. First priority will be given to the families living in the nearby settlement. Vast areas have been allotted for the industrial zone situated 4 kilometres away. In his inauguration speech, the Israeli Construction and Housing Minister, Mr. Katz, declared that "by creating the town of Maaleh-Adumin, the concept of 'green-line' was erased in that part of the land of Israel and new spaces were opened to consolidate Jerusalem and its surrounding (Ma'ariv, 9 August 1979; Ha'aretz, 8 August 1979)

140. In the course of his testimony before the Special Committee, Mr. Kawasme, Mayor of Hebron, illustrated Israeli settlement policy on the West Bank, showing three belts of settlements that had been formed since 1967. These consisted of a group of agricultural settlements established in the north Jordan Valley, located on prime agricultural land, a second group of industrial settlements on the hills between Jerusalem and Jericho, and the clusters, or groups, of settlements around major concentrations of Palestinian inhabitants as, for example, the Israeli settlements around Jerusalem, Hebron, Ramallah and Nablus. The establishment of these settlements gave rise to a steady transfer of Israel; Jewish citizens to the occupied territories, gradually leading to demographic changes such as had already occurred, for example, in Jerusalem.

141. Mr. Kawasme referred to the use of "security" as a pretext to justify the establishment of settlements. He stated that the real reason for these settlements was the eventual annexation of the occupied territories. Arab towns and villages that had been established for several centuries were declared a threat to the security of new Israeli settlements and this purported threat in its turn was used in justification of the establishment of more settlements to ensure "security" of the first one.

(ii) Golan Heights

142. The settlement of Moshav Keshet (2 kilometres south of Musniya, next to Atliya, on the Golan Heights) was officially dedicated on 13 November 1978. (Jerusalem Post and Ha'aretz, 14 November 1978)

143. Land-levelling works are under way in Katzrin (central sector of the Golan Heights) with a view to building 200 new housing units there. (Ha'aretz, 21 December 1978).

144. The new settlement of Natur (west of Ramat Magshimim, on the Golan Heights) affiliated to the "Hakibbutz Ha'artzi" is now under construction. (Ha'aretz, 21 December 1978)

145. The Minister of Agriculture, Mr. Sharon, announced a government decision to set up two new settlements on the Golan Heights, one in the Sikeik area (north) and the other one in the Dabussiya area (near the Syrian-Jordanian border). They will be added to three other settlements whose establishment had been approved by the Cabinet, which had also decided that their construction should be accelerated. (Yediot Aharonot, 20 April 1979)

146. The Executive Committee of the "Hakibbutz Ha'artzi" movement decided on 10 April 1979, to set up a third kibbutz by its youth movement ("Hashomer-Hatzair") on the Golan Heights, which will be called Netur. The movement's two other kibbutz are Sinir and Geshur. Netur will be close to Geshur. (Ha'aretz, 11 April 1979, Al Quds, 13 April 1979)

147. A number of settlements are under construction in the Golan Heights, including the new settlement of Nahal-Sion, near Har-Dov, where a nucleus of the Hashomer-Hatzair movement is established. (Ha'aretz, 10 July 1979)

148. On 9 August 1979, 70 Knesset members of various parliamentary factions started an extensive tour of the Golan Heights in order to express their "entire solidarity with the Golan settlements and to demonstrate that the Golan is an inseparable part of the State of Israel". (Ma'ariv, 9 August 1979)

149. On 23 August 1979, the Minister of Agriculture, Mr. Sharon, told an audience of Druz leaders from the Golan Heights that "Israel will keep the area even if agreement is signed with Syria". (Jerusalem Post, 24 August 1979)

(iii) Gaza Strip

150. Katif "D", a new Nahal outpost, was established in the southern part of the Gaza Strip after the expiration of the period of the "freeze". It is located near the three Katif settlements ("A", "B" and "C"). Preparatory work was started on this outpost soon after. (Jerusalem Post, 12 and 15 January, 1, 5 and 13 February 1979; Al Ittihad, 2 February 1979; Ha'aretz, 16 February 1979)

151. A new Nahal outpost (name not given) was established in the south-west corner of the Gaza Strip bordering on Egyptian territory. This settlement is intended to replace Yamit, the Israeli settlement to be dismantled as a result of the Egypt-Israel agreements (Al Ittihad, 2 February 1979)

152. The communal settlement of Ganey-Tal which was set up to replace the settlement of Katif "A" is being completed. It will become a regional centre which will provide the three other settlements of the area with services. (Ha'aretz, 13 August 1979)

(d) Establishment of regional councils

153. A Gaza District regional council is to be created. It will represent all the Israeli settlements in the Gaza Strip which will not be evacuated. These settlements will enjoy an independent status even after the coming into force of the "autonomy plan". (Ha'aretz, 29 March 1979)

154. Maaleh-Adumim (east of Jerusalem) has been declared a "local council" (the only one in the territories), which is responsible for developing the area and force of promoting economic, social and cultural affairs; 60 families live there at present and 1,200 families are waiting to join this settlement. (Ha'aretz, 30 March 1979)

155. The Ministry of Interior is to announce the setting-up of a regional council for all the Golan Heights Jewish settlements except Katzrin, which will be recognized as a local council (Maariv, 2 May 1979)

156. A newly-created Samaria regional council will provide services to six West Bank Israeli settlements: Ariel, Elkana, Dotan, Kdumim, Karney-Shomron, Shavey-Shomron and Tapuah. (Yediot Aharonot, 20 April 1979)

157. A new regional council in the Gaza Strip called "Katif" has been set up; it includes at the present stage the settlements of Moraq, Kfar Darom, Netzer, Hazani, Katif and the planned Moshav Gadid (on the road between Rafah and the beach). (Ha'aretz, 10 May 1979; Jerusalem Post, 10 May 1979)

158. A regional council for the Jewish settlement from Ramallah to Latrum, including Shilo, Ofra, Neve-Tzuf, Nevro-Horon, Beit-Horon and Givon, was established on 29 May 1979. (Jerusalem Post, 30 May 1979)

159. The Minister of the Interior, Mr. Yoseph Burg, and the Military Commander of the West Bank have agreed to extend the scope of the Jordan Valley regional council to include almost all the valley settlements, from the Mehola settlement in the north to the Jordan river in the south, including the Jericho area. (Al Ouds, 5 June 1979; Jerusalem Post, 6 June 1979)

160. A regional council for the Etzion bloc settlements was established on 17 June 1979 and includes 7 settlements. (Al Ouds, 18 June 1979)

161. A civilian regional council was established on the Golan Heights, on 10 June 1979. It comprises the 24 agricultural settlements of the Golan. Contrary to other regional councils established in the territories, the jurisdiction of this council extends over most of the Golan Heights and its authority applies not only to the inhabitants but also the land. (Ha'aretz, 11 June 1979)

162. An appointed local council will be set up by the Government, at Katzrin, in the Golan Heights. At first, it will be composed of 7 members, including 4 local inhabitants and 3 government employees. (Ha'aretz, 25 July 1979)

163. Settlers in the areas of Nablus, Ramallah, Tulkarem, Jenin and Salfit have decided to establish local councils to take care of infrastructure and health problems in their settlements. Each council is to be composed of 7 to 11 members and its creation is subject to the approval of the regional governor. (Asha'b, 2 August 1979)

B. Information on the policy followed by the Government of Israel With regard to the inhabitants of the occupied territories

1. The right to self-determination

164. The Prime Minister, Mr. Begin, stated at a public meeting on 3 February 1979 that "Israel will never agree to the establishment of a Palestinian State in Judaea, Samaria and the Gaza Strip". (Jerusalem Post, 4 February 1979)

165. The following recommendations were made by a committee, composed of Directors General of the various departments of the Government of Israel, established to prepare the Government's position with regard to its role in the event of the implementation of the "autonomy plan" in the occupied territories:

(a) The Israeli Army should continue to be the source of legal authority and to operate in the occupied territories;

(b) Self-administration would only apply to Arab inhabitants and not to Jewish inhabitants of the occupied areas, tourists or Jewish visitors;

(c) Jewish settlement would continue in the areas;

- (d) The Government would continue to "supervise the water sources so as to secure the water supply inside the green line";
- (e) The "self-administration would not be allowed to issue passports; the Arab inhabitants would carry either Jordanian or Israeli passports;
- (f) The censorship applied at present would still be in force;
- (g) The new police department would only deal with internal security matters of the Arab inhabitants;

According to Ma'ariv, "The guideline of these recommendations is to deny the "self-administration" any such powers which could eventually lead to the creation of a 'Palestinian entity' or to a Palestinian State in Judaea, Samaria and Gaza." (Ma'ariv, 11 February 1979)

166. Asking the Knesset to approve the peace Treaty with Egypt, Mr. Begin laid the two following postulates of Israel's policy: "A Palestinian state shall never rise on the West Bank or in the Gaza Strip; and an undivided Jerusalem shall remain Israel's capital forever". (Jerusalem Post, 20 March 1979)

167. An article entitled "Gazans confused and doubtful about autonomy" states that "ten years of military administration has resulted in Gaza being inextricably tied to Israeli purse-strings", and that autonomy would mean an end to financial help both from the Arab countries opposing autonomy and from Egypt which has its own economical burden. "What does seem clear is what autonomy will not be. It will not involve Gazan control over external affairs, nor will a local military force be permitted. And it will not preclude the continuation of Jewish settlements in the Strip". (Jerusalem Post, 18 March 1979)

168. Mrs. Raymonda Tawil, a prominent West Bank journalist, is to submit a petition to the High Court of Justice against the refusal by the Registrar of Companies in Jerusalem to register the name of her press services company ("Palestinian Press Services"); the denial was based on the grounds that the name "injures the feelings of the public". (Ha'aretz, 29 July 1979; Davar, 29 July 1979)

## 2. Freedom of association and expression

169. On 15 January 1979, teachers and students of Bir-Zeit University were barred by the Military Government from attending a press conference held in Jerusalem under the auspices of the "Committee for a Just Peace" (between Israel and the Arab States), on the subject of the "denial of freedom of expression at Bir-Zeit University". The reason given by the authorities was that "such participation constituted a political activity which is forbidden on the West Bank". A spokesman for the Judaea and Samaria Command said that "he was not at liberty to explain the prohibition ... for it was of a political nature and therefore [he could not] comment upon it."

170. The Military Government in Nablus has forbidden students of Al-Najah College from holding press conferences for Israeli and foreign newsmen in order to publicize their objections to politically motivated arrests of fellow students. Similar complaints were made the previous week by Bir-Zeit students. (Jerusalem Post, 25 January 1979)

171. The military authorities have barred Dr. Ahmad Hamze Natshe of Hebron from travelling to Tel Aviv to attend a press conference organized by the "Committee for a Just Peace". No reasons were given. The Military Government also banned Dr. Natshe from taking part in political meetings in Israel and from running as a candidate for Chairman of the Jordanian Physicians' Association. (Jerusalem Post, 30 January 1979; Ha'aretz, Al Fajr, 26 February 1979)

172. The Mayor of Hebron, Mr. Fahed Kawasme, was ordered not to hold a press conference scheduled on 2 February 1979 in which he intended to protest against the new arrangements at the Patriarch's Cave (Ibrahim's Mosque). According to Ma'ariv, "This order was given in the framework of the Military Government's policy not to authorize Arab public figures from Judaea and Samaria to conduct any political activity whatsoever". (Ma'ariv, 2 February 1979)

173. In the same context, other reports state that "in recent weeks the mayors of West Bank towns have been cautioned against holding rallies or press conferences of a political nature that contradict the policies of the Israeli Government". (Jerusalem Post, 9 February 1979; Davar, 19 February 1979; Al Ittihad, 20 February 1979; Zu Haderekh, 28 February 1979)

174. The Military Governor informed West Bank mayors and other notables that they would not be allowed to enter the town of Hebron to attend a protest Moslem pray-in at the Patriarch's Cave. The Mayor of Nablus, Mr. Bassam Shaq'a, and other notables who defied this order, were stopped at a military roadblock in Halhul, north of Hebron. The Mayor of Halhul, Mr. Mohammad Milhem, was summoned to the Military Governor in Hebron in an attempt to prevent a protest meeting from taking place at Halhul. (Jerusalem Post, 4 February 1979)

175. The Military authorities banned the Mayor of Nablus from going to any Arab country after his participation in protest activities against the changing of the status quo in the Patriarchs' Cave and his attempt, together with other West Bank mayors, to hold a press conference in Hebron. (Ha'aretz, 13 April 1979)

176. The East Jerusalem newspaper "Al Quds" appeared on 31 March 1979 with an editorial against the Israeli

military censor, which explained the white blank spaces - representing censored material - that had appeared in the paper's pages recently. (Jerusalem Post, 1 April 1979)

177. The Minister of the Interior rejected (without giving an explanation) Mr. Assaad El Assaad's request to publish a literary and cultural monthly entitled "El Kitab". Mr. El Assaad, an East Jerusalem poet and journalist, appealed through Mrs. Felicia Langer to the High Court of Justice. Following an injunction by the Court, the Minister of the Interior claimed that Mr. El Assaad was a Communist (and that the Communist Party was prohibited under Jordanian law which applied to the West Bank) and that he had been inciting others against the Israelis. The Minister added that "No additional publications would be allowed". (Zu Haderekh, 9 April 1979).

178. Restrictions on travel to Amman were imposed on Hablusi citizens between 16 and 40 years of age. These measures were allegedly taken for "security reasons". (Al Quds, 17 May 1979)

179. The Mayor of Hebron-El-Khalil, the Mayor of Qalqilya and the Mayor of Nablus, as well as the former Mayor of Beit-Jala, Beshara Daoud, have been prohibited by the Israeli authorities from travelling abroad. It was reported that this measure followed their participation several weeks ago in a "protest meeting against the expropriation and settlement of the West Bank". (Jerusalem Post, 18-29 May 1979; Ha'aretz, 21 and 22 May 1979; Al Quds, 18 May 1979)

180. According to Al Ittihad, quoting Yediot Aharonot of 27 May 1979, "a number of documents on settlement and expropriation practices" which were being taken abroad to be handed to the United Nations fact-finding mission that had been established under Security Council resolution 446 (1979) had been seized by Israeli authorities at the Allenby bridge. The article adds that several West Bank mayors were prevented from going to Amman in order to stop them from appearing before this investigative body. (Al Ittihad, 29 May 1979)

181. The Military Government prohibited the Mayor of El-Bireh, Mr. Soleiman Tawil, and the Mayor of Ramallah, Mr. Karim Khalaf, from travelling abroad. The reasons given for this ban were that both mayors had participated in an unauthorized press conference following the blowing-up and sealing-up of houses in the Ramallah area and that Mr. Khalaf had paid a recent visit to Moscow without obtaining permission from the military authorities. (Ha'aretz, 7 June 1979; Al Hamishmar, 7 June 1979)

182. The authorities also rejected the request of the Mayor of Hebron-El-Khalil, Mr. Fahed Kawasme, to visit the United States where he had been invited by the United States Organization for Medical and Educational Needs, which provides humanitarian assistance to Palestinian refugees on the West Bank. (Jerusalem Post, 20 June 1979)

183. On 19 June 1979, security forces prevented a public meeting from taking place in the Hebron-El-Khalil municipality building. The gathering had been called by the Mayor, Mr. Kawasme, despite a ban by military authorities, to discuss the continuing presence of Kiryat-Arba women in the town's Hadassah Hospital building. The town hall area was declared a "closed area" by the military authorities and the persons who had managed to enter the building were asked to leave the place. No clashes were reported except for two incidents with a reporter of Israeli television and an NBC photographer whose film was confiscated. (Ha'aretz, 20 June 1979; Jerusalem Post, 20 June 1979; Yediot Aharonot, 20 June 1979)

184. Some 50 notables from the Nablus area were interrogated by the police, on 28 June 1979, in connexion with the demonstration attended by some 1,500 persons, staged on 17 June 1979 in protest against the establishment of Eilon-Moreh and led by the Mayor, Mr. Bassam Shaq'a, despite having been banned by the Israeli authorities. Troops used tear-gas to disperse the demonstrators, and several arrests were made. (Ha'aretz, 28 June 1979; Jerusalem Post, 29 June 1979)

185. According to several press reports, mayors from the West Bank and the Gaza Strip and public figures from the West Bank, East Jerusalem and the Gaza Strip have been invited to participate in pro-Palestinian conferences and in a gathering convened by the World Council of Churches which are to take place in the United States and in Canada. Permission was granted to the Mayor of Hebron-El-Khalil, Mr. Fahed Kawasme, to travel to these meetings; the travel ban imposed on Nablus inhabitants who had participated in the unauthorized demonstration staged last June in protest against the establishment of the new settlement of Eilon-Moreh, near Nablus, was lifted on 9 August 1979. The end of this travel ban made it possible for Mr. Hikmat El-Masri, former Speaker of the Jordanian Parliament, to participate in the meetings. The mayors of Nablus, Mr. Bassam Shaq'a, and of Halhul, Mr. Mohammed Milhem, were denied permission to visit the United States. Reliable sources in the Military Government described the refusal as "point-blank" and without conditions. The reason given for refusing Mr. Shaq'a permission to go Abroad was "his part in organizing the demonstration on the lands of Rujeib", and that he is considered by the military authorities, together with Mr. Milhem, Mayor of Halhul, "as the most undisciplined and extremist among the West Bank mayors". Military Government sources reported that "future requests by public figures in the administered territories to travel abroad will be considered on the basis of obedience to the authorities and the extent to which they have criticized Israel". The sources denied that there had been any "decision in principle" to prevent West Bank mayors from going abroad and they explained that the response to such requests would remain "selective". (Ma'ariv, 5 August 1979; Davar, 5 August 1979; Jerusalem Post, 6, 10, 22, 28, 29 and 30 August 1979; Ha'aretz, 1, 9, 21, 22, 26, 29 and 30 August 1979).

186. The Military Government of the West Bank prohibited a number of Arab figures from participating in a meeting on 4 September 1979; the meeting was said to have been convened in protest against President Sadat. Several prominent personalities were served with orders "not to enter Israel - including East Jerusalem, where the meeting was to take place - for the following 24 hours". (Jerusalem Post, 5 September 1979; Asha'b, 6

September 1979;  
Al Ittihad, 7 September 1979)

187. In the course of his testimony before the Special Committee, Mr. Kawasme, Mayor of Hebron, gave details of a number of instances illustrating the denial of the right to freedom of association of the civilian inhabitants of the occupied territories. He referred to an incident that occurred in June 1979 when the Town Hall of Hebron was occupied by Israeli troops and he himself personally threatened by the Military Commander to prevent a meeting taking place that had been convened by a number of mayors from the West Bank to discuss developments having a bearing on the life and future of the civilian inhabitants of the occupied territories which were taking place at that time.

188. Mr. Kawasme also referred to the measures that had been adopted by the occupation authorities with regard to the Ibrahimi Mosque in Hebron which had, at first, consisted of minor adjustments in praying arrangements but had culminated in an outright and general incursion into the right of Moslems to freedom of worship. This situation had provoked several instances of violence and continued to constitute a serious provocation to the civilian population.

### 3. Measures concerning educational institutions

189. The headmaster of the school of Sinjil (near Ramallah) and a teacher of the school were banished to a distant village, on 30 January 1979, for hanging a PLO poster on the wall of a class-room. (Jerusalem Post, 31 January 1979)

190. The Ramallah high school was reopened on 18 February 1979 after having been closed for two weeks by order of the Military Governor, following student strikes and demonstrations. Several teachers were transferred to other schools in distant villages and parents whose children had participated in the demonstrations were asked to pay heavy fines. (£I 10,000 (\$500)). (Davar and Al Fajr, 19 February 1979)

191. Several students from Bir-Zeit University were banned by the military authorities from training as teachers in the government schools of the region on the grounds that, instead of teaching, they had incited pupils to demonstrate and organized discussions on topics which had nothing to do with the subject of the training. (Ma'ariv, 23 February 1979)

192. The military authorities allowed several Halhul secondary school students, who had been suspended from school for two months for rioting, to resume classes. (Ha'aretz, 26 February 1979)

193. Following a decree by the Military Government, 700 high school pupils from Ramallah and El-Bireh, and several others from Halhul were transferred to schools located in distant villages. By another decree 28 teachers from Ramallah and El-Bireh were transferred to other localities. (Al Hamishmar, 13 April 1979; Al Ittihad, 3 April 1979)

194. The Military Government on the West Bank took a series of measures to prevent disturbances in the territories, including banning pupils who live in villages of the Ramallah area from going to school in that town. These pupils were ordered to go to school in their own villages. This measure followed a Military Government investigation from which it emerged that most of the leading students in the recent demonstrations were villagers. (Ha'aretz, 5 April 1979)

195. Two hundred and fifty students from the Gaza Strip who were studying in West Bank schools were threatened with being sent back to Gaza if order was not maintained in those schools. (Ha'aretz, 5 April 1979)

196. Twenty five books were recently banned by the Military Government on the grounds that they contained "fiendish utterings" against the Jewish People. (Al Hamishmar, 10 April 1979)

197. Negotiations for the reopening of several schools on the West Bank closed for security reasons are under way. These schools are:

(a) The "Emir Hassan" secondary school for boys, in Bir-Zeit (which was closed on 18 April 1979);

(b) Two teachers' training schools for girls, in Ramallah;

(c) The teachers' College at El-Tirah, which is run by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

These three schools have been closed for over one month. (Alquds, 21 April 1979)

198. On 3 May 1979, Aluf Dan Matt, Co-ordinator of Activities in the Territories, ordered that Bir-Zeit University be closed until further notice on the grounds that "it had become a centre of anti-Israeli political activities and that these activities exceeded what was customary for universities and scientific institutions". Security personnel carried out searches, on 3 May 1979, in the Bir-Zeit University offices as well as in the library and in the students' residence and confiscated pamphlets and manuscripts containing anti-Israeli propaganda. A military order was issued enabling security forces to conduct surprise searches at Bir-Zeit University any time they deemed it necessary. On 14 May 1979, Bir-Zeit students were prevented from holding a press conference on the campus to protest the continued closure of the institution. (Jerusalem Post, 15 May 1979)

199. Bethlehem University was ordered closed for four days following disturbances on Israeli Independence Day on 2 May 1979. On 4 May 1979, all 400 students at the university were summoned to the headquarters of the Military Government at Bethlehem where they were asked to sign an "undertaking of good conduct" and were warned against resumption of the disturbances. (Jerusalem Post, 4, 6, 7, 10 and 11 May 1979; Ha'aretz, 4, 6 and 8 May 1979; Al Ittihad, 15 May 1979)

200. Bir-Zeit University was reopened on 4 July 1979, by decision of the Military Government, on direct orders from the Defence Minister, Mr. Weizman. The University had been closed down "until further notice" on 2 May 1979 following recurrent disturbances that culminated in the wounding of a student by gunfire in a road-block incident (Jerusalem Post, 2-4 July 1979; Guardian, 3 July 1979; Herald Tribune, 3 July 1979)

201. The Ramallah secondary school for boys was reopened on 24 August 1979 after being closed for several months. It had been closed because of two student strikes and demonstrations. It was closed again in March 1979, following serious clashes which occurred between the Border Police troops who entered the school and the students. A number of students and a teacher were wounded during this incident. Disturbances were also reported in the school in May 1979 leading to its closing down and the arrest of several students. (Asha'b, 23 August 1979)

202. Twenty eight books in Arabic, destined for schools on the West Bank, were banned by the Military Government for their "nationalistic and communist contents". According to this report, "several hundred" Arabic books imported from Arab countries have been similarly banned by the military authorities over the years (Ma'ariv, 5 September 1979)

203. In the course of his testimony before the Special Committee, Mr. Kawasme, the Mayor of Hebron, referred to the interference in education and educational institutions in the occupied territories by the military authorities. Mr. Kawasme gave the following instances of such interference which had occurred during the last three months:

(a) The first was on 2 May 1979 at Bir-Zeit University. The army had to besiege the campus and certain army units tried in fact to enter. The identity cards of hundreds of students were seized indiscriminately. Certain students were subsequently beaten when they wanted to retrieve their identity cards, as they had in fact been asked to do in the evening. Colonel Amos Tarkman, Military Governor of Ramallah, issued a military decree closing the University until further notice. The University was reopened three months later.

(b) On 3 May at Bethlehem University, which has 730 students, a large army force besieged the campus, entered by force and harassed certain members of the University. Students were forced to hand in their identity cards and 50 students were arrested. The University was closed, by a military decree issued by General Ben Eliezer, Military Governor of the West Bank, for four days.

(c) On 3 May, at Bir-Zeit University, an officer from the military company in the West Bank, in conjunction with the Military Governor of Ramallah and his collaborators, went without warning to the University to carry out an inspection of the University installations. In their inspection order, they had said that there were reasons which led them to believe that there were certain items on the campus which should be seized. They found absolutely nothing and they seized absolutely nothing.

(d) On 6 May, there was an incident at Nablus University, which has 1,399 students.

(e) On 7 May, Bethlehem Secondary School for Boys, with 630 students, was closed by military decree for a period of four months.

(f) On 12 February, Qalandiya Preparatory School, with 800 students, was closed by military decree for eight weeks up to 8 April.

(g) On 6 March, Bethlehem Secondary School for Boys was closed by a military decree issued by the Governor of Bethlehem for five weeks up to 6 April.

(h) On 5 May, Hisham Abdel Malek School for Boys, Jericho, with 328 students, was closed by a military decree issued by the Military Governor of Bethlehem, for five weeks up to 6 April.

(i) Ramallah Secondary School for Boys, with 500 students, was closed by military decree for a period of more than eight weeks.

(j) On 12 March, a group of soldiers opened fire on a university student from Bir-Zeit University and three members of the population were wounded. A curfew was imposed and there was a strengthening of the military forces; this was done under the orders of the Military Government. They inspected the city and interrogated the population up to the late hours of the night.

(k) In March, the UNRWA Vocational Training Centre for Girls, Ramallah, with 650 students was closed by military decree for four months.

(l) On 12 March of this year, Ramallah Government School, with 216 students, was closed by military decree for four months.

(m) On 13 March, Halhul Secondary School for Boys, with 600 students, was closed by military decree for four weeks up to 7 April. Meanwhile, a curfew was installed in Halhul from 16 to 31 March. Five students

and one teacher at the school were arrested, and the preparatory section was transferred to an unsuitable location.

204. Mr. Kawasme also said there were several instances of Israeli troops beating up teachers in schools, particularly whenever there was the slightest expression of nationalist or patriotic sentiments. Several teachers were transferred on a number of occasions for "security" reasons. Students who were imprisoned after taking part in demonstrations were not allowed to continue school. These measures constitute considerable interference in the education of the younger inhabitants of the occupied territories. Similarly, Mr. Kawasme referred to changes in curricula carried out by the occupation authorities who had ultimate responsibility for the establishment of school programmes. (See A/AC.145/RT.275, pp. 11, 13 and 16-20).

4. Reprisals and other measures against manifestations hostile to the occupation

205. The Mayor of Nablus, Mr. Bassam Shaq'a, was informed by the Israeli authorities, on 8 February 1979, that he was banned from travelling abroad and could no longer accept money from Arab countries on behalf of the Nablus municipality. (Jerusalem Post, 9 February 1979; Al Fajr, Davar and Al Ittihad, 11 February 1979)

206. A large number of incidents such as mass demonstrations, business and student strikes, riots, tyre-burning and the erection of road-blocks (see sub-sect. 6, table 1) were reported in many West Bank towns and on a smaller scale in the Gaza Strip, from 11 to 31 March 1979. They culminated on 15 March 1979 in the death of two youths from Halhul who were shot during a demonstration. (Jerusalem Post, 11, 13, 15 and 25 March 1979; Ha'aretz, 11-14, 16 and 25-29 March 1979)

207. As a consequence of the general unrest, measures such as curfews and the closing-down of schools were adopted by the Israeli authorities and imposed for several consecutive days. (Jerusalem Post, 11, 12, 13, 16 and 19 March 1979; Ha'aretz, 11, 19 and 28 March 1979)

208. The curfew imposed for two weeks on Halhul after two youths were killed during a demonstration on 15 March 1979, was lifted on 30 March 1979, "after the military Government was convinced that calm was restored". (Jerusalem Post, 1 April 1979; Ha'aretz, 1 April 1979)

209. On 6 May 1979, a curfew was imposed on the Jalazoun refugee camp (near Ramallah), inhabited by 4,000 persons, after stones had been thrown at Israeli vehicles. During the curfew no fresh food, such as fruit, vegetables and milk, was allowed into the camp. Sanitary conditions were deteriorating from day to day. In Israel, the Red Cross expressed great concern over the situation in the camp and asked the Military Government to take steps to improve conditions for the 4,000 residents, who included "a large number of small children, pregnant women and nursing mothers". The curfew was lifted on 17 May 1979, after the camp's mukhtar and notables promised the Military Governor of Judaea and Samaria, Tat-Aluf Ben Eliezer, that "law and order would henceforth prevail there". (Ha'aretz, 11, 13 and 20 May 1979; Jerusalem Post, 10, 16, 17, 18 and 22 May 1979; Asha'b, 22 May 1979; Al Ittihad, 15 May 1979)

210. On 9 May 1979, a curfew was imposed by the Military Government on the Ayda refugee camp (west of Bethlehem) after local youths had set fire to a military van. The Mayors of Bethlehem, Beit-Jala and Beit-Sahur sent a cable of protest to the Defence Minister, Mr. Weizman, on 19 May 1979, asking him to lift the curfew and stating that "continuation of the collective penalty contributes to aggravation of the situation and not to an easing of tension". On 21 May 1979, the curfew was lifted after the camp leaders had promised that "they would undertake to maintain order in the future". (Jerusalem Post, 10, 16, 18 and 22 May 1979; Asha'b, 22 May 1979; Al Ittihad, 15 May 1979; Ha'aretz, 11, 13 and 20 May 1979)

211. The Military Government imposed sanctions on Nablus inhabitants following the unauthorized demonstrations staged in protest against the establishment of the Eilon-Moreh settlement. These sanctions included a restriction on the departure of Nablus students to foreign schools, a "considerable reduction" of summer visits from Arab countries to Nablus and a "serious restriction" on the number of permits given to Nablus residents who wished to visit Jordan. (Ha'aretz, 1 July 1979; Jerusalem Post, 2 July 1979)

212. West Bank mayors complained about the financial problems their cities were facing due to restrictions on transfer of grants and loans from Arab countries, and to the ban on their departure to the Arab States. The Military Government claimed that the ban was justified by the mayors' recent anti-Israeli incitement activity in defiance of warnings and calls for self-restraint". (Ma'ariv, 9 July 1979, Ha'aretz, 10 July 1979; Al Quds, 11 July 1979)

213. The Chairman of the Nablus Chamber of Commerce, Mr. Zafir Masri, requested the removal of a travel ban imposed on a number of local personalities last June for participating in a protest march against the establishment of Eilon-Moreh. Two of these personalities were subsequently allowed to travel abroad. (Al Quds, 22 and 28 August 1979)

214. In the course of his testimony before the Special Committee, Mr. Kawasme referred to a common practice in the arrest and imprisonment of minors and their ill-treatment during their detention. Mr. Kawasme stated that such arrests were commonplace as was their ill-treatment at the hands of Israeli soldiers. He referred to instances where he had had to intervene as Mayor to release youngsters who were being held. (A/AC.145/RT.275, pp. 5 and 8)

215. Mr. Kawasme gave details on the reprisals taken against the villagers of Halhul, situated three kilometres from Hebron. The following is his account:

"On 15 March this year, as the Military Governor of El Khalil, Mr. Eli, asserted, a stone was thrown at a bus which was passing in the street and the windows of this vehicle were broken. Consequently, the whole population was punished. The occupiers encircled the region and arrested many children from that town. They didn't stop at that. Quite to the contrary. They arrested the President and members of the municipal council of that town, at 1 o'clock in the morning. A detachment of soldiers was sent by the occupation forces to the houses of these persons, who were all arrested. At 7 o'clock in the morning, I was contacted by the son of the President of the municipal council of Halhul. This is Mohammad Hassan Milhem, President of the Council. His son, as I said, informed me of what had taken place, that is the arrest of the President and members of the Council, and it was only normal that I should do something. I tried to telephone the Governor to get an appointment with him but this was a total waste of time. At 8 o'clock in the morning, I was obliged to go to see him without an appointment. As I entered the building in which the Military Governor was, I found the President and members of the municipal council of Halhul sitting in the external courtyard on the ground. When they were brought in by the occupation forces, they had been left from 1 o'clock in the morning to 8 o'clock in the morning sitting in this courtyard, and I saw them with my own eyes. I went to see the Governor. I tried to explain the gravity of the situation to him. I told him that these events would have very serious repercussions in the region, because the President and members of the Council had been arrested on the pretext that a stone had been thrown at a bus. And even if it were true, should the President and members of the municipal council be punished because of this: Ladies and gentlemen, I would like to put this question to you. In your country, if a child in Yugoslavia, say, if a child throws a stone at a car will you punish the President and members of the municipal council: Should the city pay the price for this act? Does this happen in Senegal? Does this happen in Sri Lanka? Or in any city in the world? I don't even know if it is true - but this is the charge which the Military Governor mentioned. Now, if this were true, and we would like to believe what the Military Governor said, should the whole town be punished? The President and members of the municipal council - can they be held responsible for security? Should they prevent children from throwing stones, and if this is so, well, I am the President of a municipality of some 2,000 and more citizens - what am I supposed to do? Should I parade the streets at night to look for children who might throw stones? I wished to draw the attention of the Military Governor to the gravity of such a decision. I wanted to warn him against such a decision. I told him that the fact that the President and members of the municipal council remained under arrest would lead to great uneasiness and disturbances in the region, because these persons, the President and members of the council, were elected by the people. And the people would defend them. They cannot be arrested on any flimsy pretext, but the Military Governor did not listen to what I said. I continued to argue with him for over half an hour, and then the telephone rang in his office - I was sitting beside him - and I heard this. He said that a boy and a girl from Halhul [were under arrest]. The Military Governor then began to understand that it was a very difficult issue. He called the President and members of the council in from the outer courtyard and set them free. What happened during that morning in Halhul - well, it was normal that after the arrest of the President and the members of the council the population should be dissatisfied and should revolt. At that stage, the occupation army intervened. The occupation forces were armed to the teeth and they tried to scatter the demonstrators and, as I already said, the occupation forces intervened in large numbers, but they could not deal with the population alone. Settlers came to help them. They came from a settlement which is close, some 6 kilometres away, and what is strange is that two boys were in fact killed by Kiryat-Arba settlers, and this was mentioned in the Israeli press, which recognized this. The student was a member of the Anani family (I'll give you the name later). The two students were killed by the settlers. This was recognized by the occupiers themselves. What is really paradoxical is that they didn't stop at this punishment inflicted on the population. Quite to the contrary. The whole town was punished in another way. Halhul, the population of which varies from 9,000 to 11,000 citizens, was placed under curfew for 16 days. The whole town was placed under total curfew. The inhabitants couldn't even look out of their windows. If anyone tried to look through the window and the soldiers saw them they would enter the house and beat them. The soldiers would beat up all those in the house, including women and children." (See A/AC.145/RT.275, pp. 13-14.)

216. The list reproduced below gives information on the demolitions and sealing-up of houses recorded during the period covered by the report. For more information on reprisals and similar measures, see subsection 6, table 1.

#### DEMOLITION AND SEALING-UP OF HOUSES

Owner's name	Date and place	Action	Cause	Judicial remedy	Lawyer	Source
Hassan Abu Gosh	El Bireh	-	Son convicted of security offences and sentenced in 1977 to 3 years' imprisonment	Provisional injunction preventing demolition	-	<u>Ha'aretz</u> December 1978
Mohammad Abu Hilal's uncle	Abu Dis (east of Jerusalem)	Demolition	Abu Hilal was charged with 11 acts of sabotage	-	-	<u>Ma'ariv</u> and <u>Jerusalem Post</u> , 31 January 1979
Said Jaabar Tawil	Abu Dis (east of Jerusalem)	House photographed by military authorities with a view to its demolition	2 sons arrested 1 son killed during a bomb explosion	Petition to High Court of Jerusalem asking for provisional injunction preventing demolition	-	<u>Jerusalem Post</u> , 2 February 1979
Salim Safadi	Massaada (Golan Heights)	Demolition	Built on "absentee land" Safadi claims to be pu-	-	-	<u>Al Ittihad</u> , 5 March 1979



			nished for views			
Name not given	Tourey village	House sealed up	Woman's daughter charged with planting explosives killing 4 and injuring 40 persons	Provisional injunction stopping sealing-up	-	<u>Al Ittihad</u> , 2 March 1979
Jum'ah Othman	Village in Ramallah	-	Membership of a terrorist cell	Provisional injunction stopping demolition	-	<u>Ma'ariv</u> , 1 July 1979
Parents of Miss Attaf Youssef	Janiya village (near Ramallah) 4 June 1979	House blown up	Membership of an illegal organization and terrorist activities of Miss Youssef	-	-	<u>Al Ouds</u> and <u>Jerusalem Post</u> , 5 June 1979
Assad Tawfik Shaabar	Jalame village (near Jenin)	House sealed up	Membership of FATH, planting of explosive charges	-	-	<u>Jerusalem Post</u> , 12 June 1979
Avis Youssef Hassan	Village in the Ramallah area	-	Membership of a terrorist cell	Provisional injunction stopping demolition	-	<u>Ma'ariv</u> , 1 July 1979
Hassan Ahmed Abdallah Yassin	Ramallah	-	Son arrested on suspicion of hostile activity and participation in sabotage acts	Petition to High Court in order to prevent demolition	Ibrahim Abu-Gosh and Felicia Langer	<u>Yediot-Aharonot</u> , 4 July 1979
Munir Tawfik Abd El Aziz	"	-	Daughter arrested on suspicion of membership of an organization	"	Lea Tzemel and Felicia Langer	"

5. Activities of Israeli settlers with regard to the civilian inhabitants in the occupied territories

217. Three Israeli settlers, who had "taken the law into their own hands" by carrying out a "reprisal and dissuasion" operation against the Arab village of Turmus-Aiya, neighbouring the Shilo settlement, on 31 August 1978, were sentenced by the Central District Military Court, on 14 February 1979, to two months' imprisonment and a fine of £I 1,000 each. The court stated that "the defendants' motives [were] understandable ... for ever since they had arrived at the settlement site. A year ago, the Shilo settlers [had] met with a hostile attitude from [their] Arab neighbours". The prosecution too showed understanding and asked the court to be lenient and not to impose the penalty prescribed under the law. (Ma'ariv, 15 February 1979)

218. During March 1979, Israeli settlers intervened during demonstrations in Ramallah; a group of armed settlers from Ofra entered the town in the midst of a demonstration and fired shots into the air in order to disperse a crowd of youths who were throwing stones at them. Arabs suspected of involvement in disturbances were beaten, others were forced to dismantle road-blocks. (Ha'aretz, 14, 15, 16, 18 and 20 March 1979; Jerusalem Post, 14, 16 and 18 March 1979)

219. Several reports about Jewish settlers on the West Bank taking the law into their own hands and beating Arabs suspected of involvement in disturbances as well as carrying arms and firing during demonstrations appeared in the press during March 1979. (Jerusalem Post, 14, 15 and 30 March 1979; Ha'aretz, 15, 20 and 30 March 1979)

220. The Ministry of Agriculture and the Settlement Department of the Jewish Agency have severed all economic relations with the two settlements of Mehola and Arganam in the Jordan Valley, which leased large plots of land to Arabs for farming and illegally transferred water to them. According to Ha'aretz, "The Agriculture Ministry people who are engaged in enforcing the settlement law which prohibits the subletting of the nation's land to foreigners have sufficient evidence for setting up legal claims against the two settlements". Similar measures are reported against a number of settlements located in the Mivtahim region, south-east of the Gaza Strip for having sublet hundreds of dunams in this region. (Ha'aretz, 2 April 1979; Yediot Aharonot, 2 April 1979; Al Fajr, 3 April 1979)

221. Jewish settlers on the West Bank are recruiting members for groups of armed vigilantes to quell disturbances in Arab localities should security forces fail to intervene. The vigilantes will guard the settlements and patrol the surrounding area and they will enter nearby Arab localities during political meetings and disturbances. (Jerusalem Post, 1 April 1979)

222. The Defence Minister, Mr. Weizman said he will not allow Jewish vigilantes on the West Bank and that they would face the full severity of the law if they got organized as such. (Jerusalem Post, 4 April 1979)

223. Dozens of Israeli settlers from Kiryat-Arba who, on 8 April 1979, had taken over "Porcelain Hill" (Givat Haharsina in Hebrew, Wady El-Ghuroub in Arabic) with a view to setting up structures and settling there withdrew from the hill on 10 April 1979, after Mr. Weizman had ordered their eviction. The settlers claimed that the hill had long been fenced off by the Defence Ministry for the enlargement of Kiryat-Arba but that nothing further had been done. (Jerusalem Post, 10 April 1979; Ha'aretz, 9 April 1979; Al Ouds, 9 and 10 April 1979)

224. On 26 April 1979, a group of 15 women and 45 children from Kiryat-Arba took over the old Hadassah

hospital building, in the centre of Hebron, in protest against the Government's decision to give back Jaabari Hill to Arabs and said they would not leave the place of their own free will unless the Government took a decision to "materialize the Jewish Rights". (Jerusalem Post, 27 April 1979; Ha'aretz, 27, 29 and 30 April 1979)

225. 500 vines in a vineyard belonging to inhabitants of Hebron and located on the Jaabari Hill were uprooted on 26 April 1979. An inquiry was opened by the District Commander. It was established that the vines had been cut down with electric saws by Kiryat-Arba inhabitants and that the local Border Police unit was aware of the incident but refused to help the inquiry. (Ha'aretz, 27, 29 and 30 April 1979)

226. The Military Government in Hebron has sealed off the area around the Hadassah Hospital building where 15 women from Kiryat-Arba and their children have been staging a sit-in since 26 April 1979 - preventing all contacts between the squatters and visitors from outside. The women said they would offer "passive resistance" to any attempt to evacuate them. (Ha'aretz, 3 May 1979 - Jerusalem Post, 9 May 1979)

227. On 12 May 1979, more than a thousand persons participated in a demonstration of support to the Kiryat-Arba women, and some 600 Kiryat-Arba residents held a second demonstration on 19 May 1979. (Jerusalem Post, 13-20 May 1979)

228. On 19 May 1979, a group of Kiryat-Arba inhabitants penetrated into a clinic near the "Hadassah" building, which was a Yeshua before 1929, in Hebron-El-Khalil, and ordered the Arabs who were there to leave the place; then they started praying. They were evacuated by the Israeli troops. (Ha'aretz, 20 May 1979)

229. On 26 May 1979, during the night, four unidentified persons, Hebrew-speaking, broke into several Arab homes in Hebron-El-Khalil, beat up the occupants and smashed furniture and other belongings. On 5 August 1979, the Jerusalem Post reported that two Israeli settlers, Eliyalu Zeev and Avigdor Arskin, were sentenced to 10 months and 7 months imprisonment respectively by the Jerusalem District Court after being found guilty of "breaking into Arab homes in Hebron in May, breaking furniture and intimidating their inhabitants". On 2 September 1979, the High Court of Justice reduced the sentence of one of these settlers, Arskin, by half and substituted the suspended sentence by a period of probation. In one report, the Court is quoted as saying that the reduction was decided upon, "taking into account his 'zionist past' in the Union of Soviet Socialist Republics and noting that, although reprehensible, his motives were 'pure'". (Ha'aretz, 28 May, 4, 5 and 8 June 1979; Jerusalem Post, 29 May, 4-8 June, 17 July, 5 August and 3 September 1979)

230. Jewish West Bank settlers refused to co-operate with the police investigation of the shooting incidents in which they were involved claiming that the army failed to protect them from attacks by Arab stone-throwers. (Jerusalem Post 9 May 1979)

231. Despite the Government's opposition to the fact that Jewish settlers are "taking the law into their own hands", vigilantes have been quietly recruited among them in order to quell Arab disturbances. (Jerusalem Post, 23 May 1979)

232. According to examinations by the Laboratory of Criminal Identification and by the Military Police investigators, the two Arab youths killed during a demonstration in Halhul, on 15 March 1979 had been shot by two Israeli civilians. These findings confirmed the testimonies of troops stationed at the Israeli police road-block at the time of the demonstration, according to which two Israeli civilians got out of a taxi, took out a pistol and shot at the demonstrators. The identity of the person who fired the shot is still unknown. (Ha'aretz, 15 June 1979)

233. According to several press reports, Illan Tor, (29), from Kiryat-Arba was indicted at the Jerusalem Magistrate Court for shooting dead a young Arab pupil from Halhul, Rabia El-Shalalkeh, and "causing her death with premeditation", in the course of a demonstration, in Halhul, on 15 March 1979. No date has so far been given for his trial. (Jerusalem Post, 5 August 1979; Ha'aretz, 3 August 1979; Davar, 3 August 1979)

234. According to a Gush Emunim spokesman, this movement's settlements in Judaea and Samaria "suffer from a severe land shortage ... and 48,530 dunams (48.5 sq. km.) are necessary in order to complete the [settlements'] farming areas and to build accommodation in the 18 agricultural and communal settlements in Judaea and Samaria". According to the same source, "the settlements of Eilon-Moreh, Neve-Tzuf and Efrat are at present prevented from cultivating nearby fields by virtue of High Court of Justice injunctions". The source also reported that "the communal settlement of Beit-Horon (near the Ramallah-Latrun road) comes first on the list of settlements 'crying for more land'. Its present surface of 75 dunams (0.075 sq. km.) is necessary for its development in the branches of construction, agriculture, workshop and education". The same source stated that:

(a) Neve-Tzuf settlement has 900 dunams (0.9 sq. km.) and needs 1,500 (1.5 sq. km.) more in order to develop its agriculture and economy;

(b) Eilon-Moreh has 700 dunams (0.7 sq. km.) and needs 1,500 dunams (1.5 sq. km.);

(c) Ariel/Haris (a communal settlement not affiliated to Gush Emunim) has 2,500 dunams (2.5 sq. km.) and needs 7,500 (7.5 sq. km.) more;

(d) Dotan has 46 dunams (0.046 sq. km.) and needs 1,500 dunams (1.5 sq. km.);

(e) Givon has 90 dunams (0.09 sq. km.) and needs 1,000 dunams (1 sq. km.);

(f) Tapuah has 160 dunams (0.16 sq. km.) and needs 1,500 (1.5 sq. km.);

(g) Shilo has 40 dunams (0.04 sq. km.) and needs 1,500 dunams (1.5 sq. km.);

(h) Beit-El has 225 dunams (0.225 sq. km.) and needs 1,500 dunams (1.5 sq. km.);

(i) The settlements of Migdal Oz and Efrat also suffer from land shortage.  
(Ha'aretz, 7 August 1979).

235. On 19 August 1979, the Gush Emunim settlers staying at Kdumin (formerly Qaddum), situated on a hill-top on the Nablus-Qalqilya road, cut open the fence surrounding their settlement and took over a plot of 4 dunams (0.004 sq. km.) of privately-owned land belonging to Arab inhabitants of the nearby village of Kafr-Qaddum. They settled 6 caravans and a watchtower on the plot. The settlers declared that "this was only the beginning of the operation and that they intended to expand the area into which they had penetrated". They sent a cable to the Prime Minister stating that the 200 dunams (0.2 sq. km.) allotted to their settlement were "full to capacity" and that they suffered from "land strangulation". The Kdumin settlers were evacuated, on 20 August 1979, by the military forces. In the course of the evacuation a compromise was reached and it was arranged that representatives of the settlers would meet the Deputy Defence Minister, Mr. Tzipori, and the Prime Minister, Mr. Begin in order to discuss the subject of expropriation of privately-owned lands which were necessary not only for their settlement but also for the West Bank settlements of Ofra, Elkana, Givon and Beit-Horon. (Ha'aretz, 20 and 21 August 1979; Jerusalem Post, 20 and 21 August 1979)

236. On 12 September 1979, Israeli settlers from Shavey Shomron attempted to annex land in the neighbourhood of their settlement belonging to civilians from occupied territories, in order to demonstrate their protest against government inaction. (Ha'aretz, 13 September 1979)

237. On 13 September 1979, 70 Israeli settlers from Kiryat-Arba broke through the fence surrounding their settlement and attempted to set up temporary housing in neighbouring plot of land in protest against the Government's unwillingness to permit them to expand their settlement. They were evicted after intervention by the Israeli army. (Jerusalem Post and Ha'aretz, 14 September 1979)

238. On 4 October 1979, Israeli settlers from Ofra seized land belonging to the village of Ein Yabrud, near Ramallah, to expand their settlement and to demonstrate their protest against government inaction in favour of granting them more land. (Al Quds, 5 October 1979)

239. In the course of his testimony, Mr. Kawasme stated that Israeli settlers considered themselves as the "second authority" in the occupied territories, second only to the Israeli army. He stated that Israeli settlers were allowed to carry arms, including fire-arms, and harassed local civilians virtually undeterred. Mr. Kawasme referred to instances where Israeli settlers attacked civilians and, in other instances, where they harassed civilians, with the express aim of provoking their departure from their homes. He said that such instances occurred constantly and that they were largely connived at by the occupation authorities. The civilian inhabitants had no redress or protection against this constant form of pressure.

240. In addition to the information reflected in the preceding sections of this section, the Special Committee reproduces below a representative cross-section of the incidents recorded during the period covered by the report (table 1). These incidents were all reported as being directly attributable to the military occupation and therefore relevant to an examination of the human rights of the civilian population. Tables are also given showing the number of arrests recorded by month (table 2), the number of trials by military tribunals (table 3) and reported releases by month (table 4).<sup>10/</sup>

6. Tables showing incidents, arrests, trials and releases occurring during the period covered by the report

Table 1. Incidents

Date	Place	Type	Sources
19 Nov. 1978	Ramallah (Clock Square)	Student riots Road blocked with stones	H. 20 Nov. 1978
19 Nov. 1978	Dead Sea-Jerusalem road	Bomb explosion in Egged bus: 4 killed, 40 injured	JP. 20 Nov. 1978
19 Nov. 1978	Jerusalem (shopping area)	Large bomb discovered and dismantled	JP. 20 Nov. 1978
25 Nov. 1978	Kiryat-Arba settlement	Small bomb explosion: one injured	JP. 26 Nov. 1978 ALQ. 27 Nov. 1978
26 Nov. 1978	East Jerusalem (near southern district police headquarters)	Small homemade bomb explosion	JP. 27 Nov. 1978 ALQ. 27 Nov. 1978 <u>Al Ittihad</u> , 28 Nov. 1978
	Ramallah and Halhul	Small explosive charge discovered and dismantled	M. 28 Nov. 1978 JP. 29 Nov. 1978

27 Nov. 1978	Ramallah	Business strike School strike Student demonstrations	H. 30 Nov. 1978
29 Nov. 1978	Ramallah	Student rally protesting over demolition of houses in Silwad and Qallil villages	H. 6 Dec. 1978
	Shilo settlement (Ramallah area)	General business strike	H. 7 Dec. 1978
5 Dec. 1978	Halhul	Explosion of a charge	JP. 13 Dec. 1978 H. 13 Dec. 1978
6 Dec. 1978		Protest against land seizure in Hebron and in Beit-Sahur	H. 17 Dec. 1978 JP. 19 Dec. 1978 <u>Al Ittihad</u> , 19 Dec. 1978 H. 28 Dec. 1978
10 Dec. 1978	Bayit Vagan - Jerusalem road	Demonstration Roads blocked with stones Curfew imposed	
16, 17 and 18 Dec. 1978	Qalandia refugee camp (near Ramallah) Hebron Beit Sahur Bethlehem	Dozens of pupils "suspended" from studies  Bomb explosion in Egged bus: 22 injured	JP. 18 Dec. 1978 ASH. 18 Dec. 1978 JP. 21 Dec. 1978  H. 17 Dec. 1978 H. 18 Dec. 1978 H. 19 Dec. 1978 H. 19 Dec. 1978 H. 19 Dec. 1978
17 Dec. 1978	Jerusalem (Old City)	Slogans signed "Fath" painted on walls Huge demonstrations Tyres set on fire Main streets blocked with stones	<u>Al Ittihad</u> , 19 Dec. 1978  JP. 21 Dec. 1978 H. 21 Dec. 1978 ASH. 21 Dec. 1978 JP. 22 Dec. 1978
16, 17, and 18 Dec. 1979	Jerusalem (near Herod's Gate)	Explosion of a charge: 6 injured (4 Arabs)	JP. 21 Dec. 1978 ASH. 21 Dec. 1978 H. 21 Dec. 1978 JP. 22 Dec. 1978 H. 22 Dec. 1978
20 Dec. 1978	Jerusalem (railroad west of the city)  Kalkilya	Hand grenade thrown from Old City wall: 3 injured	JP. 24 Dec. 1978 H. 24 Dec. 1978  JP. 24 Dec. 1978 H. 24 Dec. 1978
20 Dec. 1978	Hebron (Patriarch's Cave)	Explosive charge discovered and dismantled	H. 31 Dec. 1978 H. 1 Jan. 1979
22 Dec. 1978	Jerusalem (at the soldiers' hitch-hiking station)  Jerusalem	Hand grenade explosion One Arab youth killed  Some 300 Kiryat-Arba residents entered the Moslem sector of the Cave defying an order from the Governor of the town	JP. 15 Jan. 1979  JP. 17 Jan. 1979
23 Dec. 1978	Jerusalem (Mahana Yehuda market)	Clashes between Jews and Arabs averted after Army intervention	JP. 19 Jan. 1979
30 Dec. 1978	Road from Jerusalem to Gilo and Bethlehem (near the Mar-Elias monastery)  El-Bireh	Explosive charge discovered and dismantled	M. 21 Jan. 1979
14 Jan. 1979	Jerusalem (Hebrew University)	Booby-trapped bomb discovered in a car and dismantled	JP. 22 Jan. 1979
	Ramallah-El Bireh	Small home-made bomb exploded	JP. 26 Jan. 1979
17 Jan. 1979		Sabotage charge discovered and dismantled	
17 Jan. 1979	Jenin (near the Customs House)	Hand-grenade thrown at an Egged bus, exploded outside	M. 1 Feb. 1979 JP. 1 Feb. 1979 <u>Yediot Aharonot</u> , 1 Feb. 1979 Davar, 1 Feb. 1979
19 Jan. 1979	Jerusalem (Old		

	City: Moslem quarter)	Hostile telegrams and poster-hanging campaign supporting PLO and the "Zionist entity"	M. 1 Feb. 1979 <u>Al Fajr</u> , 1 Feb. 1979
20 Jan. 1979	Ramallah	Student demonstrations Attempts to set up road-block Vehicles stoned	M. 4 Feb. 1979 JP. 4 Feb. 1979 <u>Yediot Aharonot</u> , 4 Feb. 1979 <u>Al Fajr</u> , 4 Feb. 1979
-		Sabotage charge exploded	M. 4 Feb. 1979 JP. 5 Feb. 1979
31 Jan. 1979	Hebron	Bomb explosion	<u>Yediot Aharonot</u> , 5 Feb. 1979 <u>Davar</u> , 5 Feb. 1979 <u>Al Ittihad</u> , 5 Feb. 1979
31 Jan. 1979	Ramallah - El Bireh	Partial business strike Student riots Tyres burned Roads blocked Israeli vehicles stoned	JP. 5 Feb. 1979 M. 5 Feb. 1979 <u>Al Ittihad</u> , 6 Feb. 1979
3 Feb. 1979	Halhul	Student demonstration Vehicles stoned Tyres burned	JP. 5 Feb. 1979 M. 5 Feb. 1979 <u>Al Ittihad</u> , 6 Feb. 1979
3 Feb. 1979	Sinjil village (Ramallah area)	Student riots Army vehicles stoned Tyres burned Curfew imposed Demonstrations staged in protest against recent demolition of houses	M. 6 Feb. 1979 JP. 6 Feb. 1979 M. 7 Feb. 1979
4 Feb. 1979	Ramallah	School furniture set ablaze by students Student demonstrations Window of a tourist bus shattered: two tourists slightly injured	M. 7 Feb. 1979 JP. 8 Feb. 1979
4 Feb. 1979	Halhul	Two Gush Emunim lorries carrying youths to Ofra stoned and stopped by school children of Sinjil Road-block set up	M. 7 Feb. 1979 JP. 8 Feb. 1979
4 Feb. 1979	Ramallah	Student riots Blocked roads Tyres set ablaze	JP. 8 Feb. 1979 JP. 8 Feb. 1979 <u>Yediot Aharonot</u> , 7 Feb. 1979
4 Feb. 1979	East Jerusalem	Similar incidents	JP. 8 Feb. 1979
4 Feb. 1979	Jalazoun refugee camp (along the Ramallah-Nablus road)	Egged bus stoned	M. 12 Feb. 1979 <u>Al Ittihad</u> , 13 Feb. 1979
4 Feb. 1979	Beit-Sahur	Student demonstrations Rock throwing	M. 12 Feb. 1979 <u>Al Ittihad</u> , 13 Feb. 1979
5 Feb. 1979	Ramallah	Strike staged by high-school students Disturbances (Curfew imposed)	M. 12 Feb. 1979 <u>Al Ittihad</u> , 13 Feb. 1979
6 Feb. 1979	Near the Qalandiya refugee camp		M. 12 Feb. 1979 <u>Al Ittihad</u> , 13 Feb. 1979
6 Feb. 1979	Jericho		M. 12 Feb. 1979 <u>Al Ittihad</u> , 13 Feb. 1979
6 Feb. 1979	Shufat (East Jerusalem)	Student demonstrations	H. 18 Feb. 1979 JP. 19 Feb. 1979 <u>Yediot Aharonot</u> , 19 Feb. 1979 <u>Al Ittihad</u> , 20 Feb. 1979
6 Feb. 1979	Qalandiya refugee camp (near Ramallah)	Student riots Roads blocked Vehicles stoned	JP. 23 Feb. 1979 <u>Davar</u> , 23 Feb. 1979
7 Feb. 1979		Vehicles stoned Roads blocked Tyres burned	
7 Feb. 1979	Ramallah (Teachers College for Women)	Student riots Anti-Military Government leaflets seized	H. 26 Feb. 1979

7 Feb. 1979	Jabaliya refugee camp (near Gaza)	Student riots Two tyres burned	JP. 27 Feb. 1979 <u>Yediot Aharonot</u> , 27 Feb. 1979
	Jerusalem (Mahane Yehuda market)	Molotov cocktail thrown at Egged bus (Curfew imposed) (House-to-house searches carried out)	<u>Davar</u> , 27 Feb. 1979 <u>Al Ittihad</u> , 27 Feb. 1979
7 Feb. 1979			JP. 28 Feb. 1979 <u>Yediot Aharonot</u> , 28 Feb. 1979
11 Feb. 1979	Jerusalem (Mahane Yehuda market)	Road blocked by stones Palestinian flag raised outside the school Tyres burned	<u>Davar</u> , 28 Feb. 1979 <u>Al Ittihad</u> , 28 Feb. 1979 <u>Al Fajr</u> , 28 Feb. 1979
11 Feb. 1979		Local inhabitant seriously injured while preparing an explosive charge	JP. 28 Feb. 1979 <u>Davar</u> , 28 Feb. 1979 <u>Yediot Aharonot</u> , 28 Feb. 1979
	Gaza Strip		<u>Al Ittihad</u> , 2 Mar. 1979
11 Feb. 1979		Bomb discovered and defused	
			JP. 9 Mar. 1979
11 Feb. 1979	Jalazoun refugee camp (north of Ramallah)		
	Jerusalem	Bomb exploded	JP. 11 Mar. 1979 H. 11 Mar. 1979
17 Feb. 1979			
	Ramallah		JP. 11 Mar. 1979
			JP. 11 Mar. 1979 H. 11 Mar. 1979
	Hebron		
22 Feb. 1979	Bir-Zeit University (north of Ramallah)	Bomb exploded in an Egged bus	" H. 12 Mar. 1979
	Bethlehem		"
25 Feb. 1979	Halhul	[not given]	"
	Jericho	(Curfew imposed during three consecutive days)	"
26 Feb. 1979	Sinjil village (near Ramallah)	Two bombs discovered and dismantled on a bus	"
	Jenin	Student demonstrations	JP. 12 Mar. 1979
	Nablus	Israeli forces stoned Roads blocked with stones	H. 12 Mar. 1979 H. 13 Mar. 1979
27 Feb. 1979	Ramallah	Student demonstrations	<u>Al Ittihad</u> , 16 Mar. 1979
		Student demonstrations Road blocked with stones	
		Student demonstrations	
		Disruption of classes	
27 Feb. 1979		Disruption of classes	
		Vehicles stoned by students	
		"	JP. 13 Mar. 1979
28 Feb. 1979		"	"
1 Mar. 1979			"
2 Mar. 1979		Riots of secondary school students One bus stoned	"
7 Mar. 1979	Halhul	Israeli forces stoned	"
	Beit Sahur	Security forces broke into the High School beat up pupils and teachers who were protesting against the separate peace accords and President Carter's visit	"
10 Mar. 1979	Bethlehem		"
	Nablus		"
	Qalandiya refugee camp	A CBS cameraman was roughed up by security forces for disregarding an order not to film the disturbances	JP. 13 Mar. 1979 H. 13 Mar. 1979
10 Mar. 1979	Bir-Zeit (near Ramallah)	(All the teachers and the Education Supervisor of the Ramallah district tendered their resignation to the Military Government	JP. 14 Mar. 1979 H. 14 Mar. 1979
10 Mar. 1979	Ramallah		JP. 13 Mar. 1979

11 Mar. 1979		Student demonstrations		
11 Mar. 1979		"	JP. 14 Mar. 1979	
	El-Bireh		H. 14 Mar. 1979	
11 Mar. 1979		"	H. 15 Mar. 1979	
			H. 20 Mar. 1979	
	Ramallah	"	JP. 14 Mar. 1979	
11 Mar. 1979		Bus stoned by youths	H. 14 Mar. 1979	
			JP. 15 Mar. 1979	
11 Mar. 1979			"	
11 Mar. 1979	Ramallah	Student demonstrations		
		Roads blocked with stones		
		Tyres burned		
		Palestinian flags waved		
			"	
	Bethlehem area	Student demonstrations		
		Buses stoned		
			JP. 14 Mar. 1979	
	East Jerusalem	Student demonstrations		
		Buses stoned		
		Local Arabs beaten up and forced to	"	
		clear road-blocks by 15 Israeli		
	Jericho	settlers from the Ofra settlement	"	
			"	
	Nablus	Student strike	"	
		Business strike		
		Interference with road traffic		
12 Mar. 1979				
12 Mar. 1979		Student strike	"	
	El-Bireh	Business strike		
		Security forces stoned		
12 Mar. 1979	Qalandiya refugee	Several hundred high-school students		H. 14
	camp (north-east	demonstrated; slogans shouted;	Mar. 1979	
12 Mar. 1979	of Jerusalem)	Palestinian flags waved		
			H. 14 Mar. 1979	
12 Mar. 1979	Beit Sahur	Security forces stoned by pupils		
		Student strike		
		Business strike		
12 Mar. 1979	Bir-Zeit University	Student strike		
	El-Bireh	Business strike		
		Demonstration		
		"		
12 Mar. 1979	Beit Ur-El-Tahta	Road blocked		
	(near Ramallah)	Car set on fire		
	Beit Sira			
	(near Ramallah)	Partial business strike		
		Large demonstration		
	Bethlehem			
12 Mar. 1979		Student and teacher strike		
		Student demonstrations		
		Business strike		
13 Mar. 1979	Beit Jala	Security forces stoned by youths		
	Beit Sahur			
		Roads blocked by youths	H. 14 Mar. 1979	
	Jerusalem (Old City)		"	
		"		
	Near El-Amari			
13 Mar. 1979	refugee camp			
	(near Ramallah)			
		Student demonstration	"	
	El-Mazraat-	Tyres burned		
13 Mar. 1979	El-Sharkiyat village (Ramallah	Road blocked		
	area)		"	
	Near Sinjil village		"	
13 Mar. 1979	Near the Qalandiya		JP. 15 Mar. 1979	
	refugee camp (near Jerusalem)	Student demonstration	H. 15 Mar. 1979	
	Ramallah	Egged bus stoned by youths		
			JP. 15 Mar. 1979	
			H. 15 Mar. 1979	
13 Mar. 1979			"	
	Road from Nablus			
	to Ofra		H. 15 Mar. 1979	

13 Mar. 1979		Car stoned by youths	<u>Al Ittihad</u> , 16 Mar. 1979
	Yitav settlement (Jordan Valley)	Student demonstrations Roads blocked	H. 15 Mar. 1979
13 Mar. 1979	Halhul (north of Hebron)		
13 Mar. 1979		Student demonstration	H. 16 Mar. 1979
		Business strike	JP. 16 Mar. 1979
		Tyres burned	H. 18 Mar. 1979
		Israeli forces and buses stoned by youths	JP. 18 Mar. 1979 H. 20 Mar. 1979
13 Mar. 1979	Hebron	Taxi stopped by Ofra settlers who forced its Arab passengers to clear a stone barricade	JP. 16 Mar. 1979 H. 18 Mar. 1979
13 Mar. 1979			
13 Mar. 1979	Jerusalem (Old City) near Damascus Gate	Cars of Arab residents forced to stop at road-blocks by Yitav settlers	JP. 16 Mar. 1979
	Bethlehem	Student demonstration	"
13 Mar. 1979		Kiryat-Arba car stoned (two youths killed, one youth injured; curfew imposed until after the funerals)	"
	Gaza		"
	Beit Jala	Partial business strike	"
13 Mar. 1979	Ramallah	Student demonstration	"
		Local Arabs forced by Kiryat-Arba settlers to remove road-blocks	"
13 Mar. 1979		Student demonstration	
		Israeli forces stoned by youths	
		Student demonstration	
13 Mar. 1979	El-Bireh	Protest marches	"
13 Mar. 1979	Jerusalem (Old City)	High-school ground barricaded by pupils	JP. 18 Mar. 1979
13 Mar. 1979	Bethlehem	Student demonstration	"
13 Mar. 1979		Riots	
		Student demonstration	
		Roads blocked	"
		Israeli forces stoned	
		Complete business strike	
13 Mar. 1979	Ramallah	"	JP. 18 Mar. 1979 JP. 19 Mar. 1979
	El-Bireh	Student demonstration	
		School strikes	"
13 Mar. 1979	Beitunya (near Ramallah)	School strikes	"
	Sn'ir village	Cars stoned	
14 Mar. 1979	(near Hebron)	Vehicles stoned	H. 19 Mar. 1979 JP. 19 Mar. 1979
		Student disturbances	
14 Mar. 1979	Beit Ur-El-Tahta (on the Ramallah- Latrun road)	Slogans painted on walls	"
		"	
	Nablus (Omar-El- Mukhtar Street)	"	
			JP. 20 Mar. 1979
14 Mar. 1979	El-Amari refugee camp (near Ramallah)	Symbolical funeral staged in memory of young girl killed in Halhul on 15 March 1979	"
		Demonstrations (Curfew imposed)	
14 Mar. 1979	Qalandiya refugee camp (north of Jerusalem)	Vehicle stoned by villagers Roads blocked (Curfew imposed)	
	Hebron		"
15 Mar. 1979	Nablus	Explosive charge discovered and detonated	
	East Jerusalem	Disturbances	"
		Disruption of classes	"
	Nablus (Al Najah University)	Stone-throwing	"
		Tyre-burning	"
15 Mar. 1979	Beituniya (Ramallah district)	"	"
			JP. 21 Mar. 1979
	Ramallah (main square)	"	
			H. 21 Mar. 1979



15 Mar. 1979	Nablus (El Muntazeh Square)	"	
	Hebron	"	"
15 Mar. 1979	Bani-Na'im area (Hebron area)	Road-blocks erected Palestinian flags waved	"
15 Mar. 1979	Jerusalem (Zion square)	Roads blocked by youths Israeli vehicles stoned	H. 22 Mar. 1979
15 Mar. 1979	Jerusalem	Military truck stoned by youths	"
15 Mar. 1979		"	
	Jerusalem (Temple Mount Esplanada)		JP. 25 Mar. 1979
	East Jerusalem and Old City	El Hussein school closed	<u>Al Ittihad</u> , 30 Mar. 1979
	Halhul	Security forces entered the school beating teachers and students School closed	H. 25 Mar. 1979
15 Mar. 1979			JP. 25 Mar. 1979
17 Mar. 1979	Tulkarem	Bomb explosion: one man killed, 13 injured	H. 25 Mar. 1979
17 Mar. 1979	Jericho	Anti-autonomy sermons preached in mosques Youths called for general business strike	H. 25 Mar. 1979 H. 26 Mar. 1979
17 Mar. 1979	All the other West Bank towns	Gathering of some 2,000 Arab youths (from Jerusalem, Nablus and Hebron, armed with iron bars and rocks)	H. 27 Mar. 1979
17 Mar. 1979	Gaza Strip	Widespread business strike	"
	Bani-Na'im area (Mount Hebron)	Eleventh day of curfew	"
17 Mar. 1979	Nablus		
17 Mar. 1979		Partial business strike School strike Disturbances	"
	East Jerusalem (Salah Eddine St.)	"	H. 29 Mar. 1979
18 Mar. 1979	East Jerusalem (Dolphin Restaurant)	General business strike School strike Disturbances	H. 2 Apr. 1979
	Ramallah	Partial business strike	JP. 6 Apr. 1979
19 Mar. 1979	Kabout Jabber refugee camp (near Jericho)	Explosion in a cellar, killing one person	JP. 8 Apr. 1979
19 Mar. 1979	Yamoun village (near Jenin)	El Razaliya School teachers beaten up by security forces in the school yard	H. 10 Apr. 1979
19 Mar. 1979	Beit Dukko village (near Ramallah)	Bomb explosion	JP. 11 Apr. 1979 H. 11 Apr. 1979 JP. 13 Apr. 1979
	Sinjil village (north of Ramallah, near Shilo settlement)		
19 Mar. 1979	Bir-Zeit	Pupils and staff of 3 secondary schools on strike	
	Ramallah	Two buses stoned (one full of Israeli children and the other transporting tourists) (Curfew imposed)	JP. 11 Apr. 1979 H. 11 Apr. 1979
19 Mar. 1979	Beit Safafa (near Jerusalem)		<u>Yegiot Aharonot</u> , 19 Apr. 1979
19 Mar. 1979	Ramallah and Bir-Zeit University	Residents reported to have cut telephone lines (Curfew imposed for two days)	
20 Mar. 1979		One man killed while handling an unexploded shell	H. 20 Apr. 1979
20 Mar. 1979	Jenin	Pupil riot Student road-block set up and tyres burned Israeli vehicle stoned	H. 20 Apr. 1979 JP. 27 Apr. 1979
20 Mar. 1979	Bethlehem (El Farah College)	Pupil demonstration Roads blocked	JP. 3 May 1979 <u>Yegiot Aharonot</u> ,

20 Mar. 1979		Student demonstration Tyres burned	3 May 1979 <u>Al Fajr</u> , 3 May 1979 H. 3 May 1979
20 Mar. 1979		Bomb explosion under train	<u>Al Hamishmar</u> , 3 May 1979 H. 4 May 1979
20 Mar. 1979	Gabatiya		
20 Mar. 1979		Student demonstration School strike Palestinian flags waved Tyres burned Roads blocked by stones	JP. 3 May 1979
23 Mar. 1979	El-Bireh	Bullet fired from an Israeli car (Curfew imposed on area, Bir-Zeit University closed by authorities until further notice)	H. 4 May 1979 JP. 4 May 1979 JP. 6 May 1979 JP. 10 May 1979
23 Mar. 1979	Ramallah		
	Jalazoun	Demonstrations School strike	
24 Mar. 1979	Samiramis Hotel on Jerusalem-Ramallah road	Student rioting School strike (College closed by military authorities, 400 students summoned to sign "pledge of good conduct". Fifty arrests)	H. 4 May 1979 JP. 4 May 1979
	Ramallah		
25 Mar. 1979			
	Jerusalem (French Hill/Jerusalem-Ramallah road)	Student riots Vehicles stoned Roads blocked by stones	H. 4 May 1979 H. 4 May 1979
26 Mar. 1979	Jerusalem (Talfiot)	School strike	ALQ. 4 May 1979
		Student riots School strike	
26 Mar. 1979	Jerusalem (Givat- Shaul quarter)	bus stoned	JP. 6 May 1979
26 Mar. 1979	Ramallah and Bir-Zeit	bus stoned	
		Explosive charge went off	JP. 7 May 1979
26 Mar. 1979	Jerusalem		
28 Mar. 1979	Jerusalem (Ras El-Amud)	Suspicious object discovered in the town square by security forces (Central Ramallah closed for two hours)	JP. 10 May 1979 ALQ. 10 May 1979
1 Apr. 1979	Jerusalem (Morasha quarter)	Bomb discovered and dismantled	JP. 13 May 1979 <u>Al Hamishmar</u> , 13 May 1979
5 Apr. 1979	Hebron-El-Khalil (civilian adminis- tration offices)		<u>Al Hamishmar</u> , 16 May 1979 <u>Yediot Aharonot</u> , 16 May 1979 <u>Zu Haderekh</u> , 16 May 1979
6 Apr. 1979	Bethlehem (police headquarters)	Explosive charge discovered and dismantled	<u>Yediot Aharonot</u> , 16 May 1979
9 Apr. 1979	Jerusalem (Ramat Eshkol, in a supermarket)	Explosive charge discovered and dismantled	<u>Al Hamishmar</u> , 18 May 1979
10 Apr. 1979	Qibya village (Ramallah area)	Students stoned Israeli vehicle and built road-blocks	<u>Yediot Aharonot</u> , 23 May 1979
	Jerusalem, Hebron- El-Khalil road, near Kfar Etzion settlement (at a bus station)	Explosive charge discovered and dismantled Explosion of an unidentified object	<u>Yediot Aharonot</u> , 23 May 1979 JP. 23 May 1979
10 Apr. 1979	Hebron-El Khalil hills (from a hill near village of Samaria facing village of Yattir)	Bomb discovered and dismantled	<u>Yediot Aharonot</u> , 27 May 1979 ASH. 25 May 1979 ALQ. 25 May 1979
10 Apr. 1979	Jerusalem (Old City near Lion's Gate)	Three explosive charges went off	JP. 30 May 1979 ALQ. 30 May 1979 ASH. 30 May 1979 H. 30 May 1979
17 Apr. 1979	Jerusalem (city cen- tre, in a book shop)	Two Molotov cocktails thrown by a youth (Inquiry opened)	ALQ. 30 May 1979
	Gaza (Mahalat Az-Zeitoun field)		
19 Apr. 1979	Nablus	Small explosive charge went off	
	Nablus and road from Nablus to Eilon-Moreh		
19 Apr. 1979		Explosive charge went off (Investigation opened)	JP. 3 June 1979

26 Apr. 1979	Elazar settlement (Etzion block)		
		Bomb went off	
2 May 1979	Deir Ghazale (near Jenin)		
	Rantis village (Ramallah area)		JP. 3 June 1979
	Hebron-El-Khalil (at the Bank Leumi)	Katuysha rocket fired	JP. 4 June 1979
	Hebron-El-Khalil (Old Jewish cemetery)	(One suspect arrested for interrogation)	ALQ. 9 June 1979 JP. 10 June 1979
	El Jir village (Adjacent to the Israeli Givon settlement on the Ramallah Latrun road)	Grenade thrown at a group of Israeli youths	H. 11 June 1979 H. 17 June 1979 H. 18 June 1979 JP. 18 June 1979
2 May 1979			
	Ramallah (main square)	Bomb explosion	
3 May 1979			
	Jerusalem (Shuafat district)	Hand grenade explosion (Investigation opened)	JP. 20 June 1979 H. 20 June 1979
		General strike	H. 22 June 1979 JP. 22 June 1977
3 May 1979	Bethlehem (Manger Square)	Huge demonstration Partial business strike Student riots (Several arrests and shopkeepers forced by army to reopen)	H. 24 June 1979 ITIM
	Jerusalem (Shuafat district, near the new sports stadium)		JP. 27 June 1979
3 May 1979	Nablus (near Bank Leumi)	Hand grenade thrown (Investigation opened)	-
		Explosive charge went off (Several arrests made and curfew imposed)	JP. 27 June 1979
3 May 1979	Hussan village (near Bethlehem)		
3 May 1979	Jenin		
3 May 1979		Explosive charge discovered and dismantled	
		Cemetery wall dismantled	H. 28 June 1979
5 May 1979	Jerusalem (haberdashery shop in Jaffa Street)	Tourist bus stoned	
	Rafah (market place)		JP. 2 July 1979 <u>Yediot Aharonot</u> , 1 July 1979
6 May 1979	Gaza Strip		JP. 4 July 1979
	Qallkilya		
8 May 1979		Student demonstration Stones thrown at security personnel (Several arrests)	JP. 11 July 1979
		Small bomb explosion Small bomb discovered and dismantled	
11 May 1979			JP. 13 July 1979 <u>Yediot Aharonot</u> , 13 July 1979
15 May 1979	Siliwan and Jabal Mukaber villages (near Jerusalem)	Bomb explosion	JP. 13 July 1979
	Jerusalem (Hebron- El-Khalil road)	Bomb discovered and dismantled	JP. 16 July 1979
15 May 1979	Jerusalem (Baka Quarter at the corner of Bethlehem Rehov Rivka streets)	Bomb discovered and dismantled	
17 May 1979	Jerusalem (Mount Zion)		JP. 20 July 1979
		Cache of explosives discovered by police	
22 May 1979	Jerusalem (Zahal Square, outside Bar- clays Discount Bank)		JP. 27 July 1979
		Molotov cocktail thrown into the back of	
23 May 1979	Jerusalem (inter- section of King George and Ben Yehuda Streets)	a truck taking Jenin residents to work	<u>Davar</u> , 2 Aug. 1979
	East Jerusalem (opposite Herod's Gate, outside the main post office)	in Afula; 15 Arabs injured (Several arrests, curfew imposed)	<u>Davar</u> , 2 Aug. 1979 <u>Al Hamishmar</u> , 2 Aug. 1979 ASH. 2 Aug. 1979
24 May 1979		2 consecutive explosions	

# Rafah

24 May 1979	Bethlehem (licensing bureau) Road north of Atarot airport	Hand grenade explosion: a 14-year-old boy killed and two persons wounded	H. 5 Aug. 1979 JP. 5 Aug. 1979
29 May 1979	Jerusalem (southern entrance)	Explosive charge went off	ALQ. 4 Aug. 1979 H. 5 Aug. 1979
29 May 1979	Dhahiriya (south of Hebron-El-Khalil)	Murder of an Israeli reserve soldier (Yizhak Trumpeldor, 28) by two Qallkilya residents (Akram Mansur, 19 and Yusuf Mousa, 18) (Residents between ages of 16 and 50 banned from leaving for Amman)	JP. 5 Aug. 1979
	Gaza (water tower)		
	Hebron-El-Khalil (near the Government Press building)	Two Arab vehicles burned (Several arrests)	<u>Al Hamishmar</u> , 5 Aug.1979 H. 5 Aug. 1979
31 May 1979	Hebron-El-Khalil	Explosive charge discovered and dismantled	JP. 6 Aug. 1979 <u>Davar</u> , 6 Aug. 1979 (ITIM-UPI)
	Hebron-El-Khalil (El Mahkamaa Street)	Bomb discovered and defused (several arrests)	JP. 9 Aug. 1979
	Nablus		
??? June 1979	Jerusalem (Municipal swimming pool)	Explosive charge went off in an open field (Several arrests for questioning)	JP. 10 Aug. 1979
??? June 1979	Beit Horon settle- ment (on the Latrun- Ramallah road)	Bomb went off: two Arabs wounded (Several arrests)	M. 14 Aug. 1979
	El Askar refugee camp (near Nablus)	Small bomb discovered and defused	
??? June 1979	Jerusalem (Hahameh Yehuda market place)	(Area closed for half an hour)	<u>Al Hamishmar</u> , 21 Aug. 1979
	Nablus		JP. 22 Aug. 1979 ITIM
??? June 1979		Bomb went off	JP. 23 Aug. 1979 <u>Al Hamishmar</u> , 23 Aug.1979 ASH. 23 Aug. 1979
??? June 1979	Nablus		<u>Yediot Aharonot</u> , 24 Aug. 1979
		Explosive charge went off: two youths injured	JP. 27 Aug. 1979
		Explosive charge discovered and dismantled	<u>Yediot Aharonot</u> , 29 Aug. 1979
??? June 1979	East Jerusalem (Mount of Olives area)	Hand grenade thrown at an army jeep (Several arrests)	<u>Yediot Aharonot</u> , 29 Aug. 1979
??? June 1979	Jerusalem (French Hill)	A home-made explosive device and three hand grenades were discovered and dismantled	ASH. 3 Sept. 1979
??? June 1979	Jerusalem (Ben Yehuda Street)	Anti-Israeli demonstration (Four arrests)	<u>Al Ittihad</u> , 4 Sept. 1979
??? June 1979	Bir-Zeit (Prince Hassan School)	Bomb exploded	JP. 6 Sept. 1979
??? June 1979	Hawara Village	Explosive charge went off: one person seriously injured	H. 11 Sept. 1979
??? June 1979		Explosive charge discovered and dismantled	H. 12 Sept. 1979
June 1979		Explosive charge went off	
		Hand grenade thrown at a bus transporting Israeli soldiers	ASH. 13 Sept. 1979 ALQ. 13 Sept. 1979
		Small bomb explosion: one youth injured	H. 14 Sept. 1979 JP. 14 Sept. 1979 M. 17 Sept. 1979
			H. 17 Sept. 1979
26 June 1979		Water pipe damaged by unidentified persons	

1 July 1979	New Nablus police station stoned by youths	
	Explosive charge went off	ASH. 17 Sept. 1979 JP. 17 Sept. 1979
3 July 1979	Explosive charge went off killing an Arab who had prepared it	ASH. 18 Sept. 1979 ALQ. 18 Sept. 1979
10 July 1979	Riots	ASH. 20 Sept. 1979
	Student demonstration	ALQ. 20 Sept. 1979
	Streets blocked	ASH. 21 Sept. 1979
	Tyres set on fire	
12 July 1979	Border police vehicles stoned	<u>Yediot Abaronot</u> , 24 Sept. 1979
	Israeli soldier shot dead	<u>Al Ittihad</u> , 25 Sept. 1979
12 July 1979	Explosive charge went off	
15 July 1979	Explosive charge went off	
19 July 1979	Student strike	
	Tyres burned	
	Security forces stoned	
	Anti-Israeli slogans shouted	
26 July 1979	Security forces vehicle attacked and stoned by pupils	
Aug. 1979		
1 Aug. 1979		
2 Aug. 1979		
3 Aug. 1979		
3 Aug. 1979		
4 Aug. 1979		
5 Aug. 1979		
8 Aug. 1979		
9 Aug. 1979		

13 Aug. 1979

20 Aug. 1979

21 Aug. 1979

22 Aug. 1979

23 Aug. 1979

Aug. 1979

28 Aug. 1979

28 Aug. 1979

2 Sept. 1979

3 Sept. 1979

6 Sept. 1979

Sept. 1979

Sept. 1979

Sept. 1979

Sept. 1979

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Sept. 1979

Sept. 1979

Sept. 1979

Table 2

Number of arrests recorded by the Special Committee by month  
(November 1978 - September 1979)

Month	Number of arrests
November 1978	3
December 1978	122
January 1979	43
February 1979	57
March 1979 (not including groups arrested during incidents: see table 1 above)	11 + 1 unspecified of "many persons"
April 1979	12 + 1 unspecified of "many persons"
May 1979	65
June 1979	93
July 1979	21
August 1979	6
September 1979	104

Table 3

Number of trials by military tribunals recorded by the  
Special Committee during the period from November 1978  
to September 1979

Military tribunals	Number of trials
Ramallah	57
Nablus	138
Lod	38
Tulkarem	4
Jenin	11
Unspecified location	30
Gaza	24
Hebron	1
Bethlehem	2

Table 4

Number of reported releases recorded by the  
Special Committee by month

(November 1978 - September 1979)

Month	Number of reported releases
October 1978	9 + a group of persons (number unspecified)
October/November 1978	32
December 1978	11
January 1979	20
February 1979	1
March 1979	30 + 76 released in prisoner exchange
April 1979	1
May 1979	17
June 1979	1
July 1979	0
August 1979	1
September	10

C. Information on the situation of detainees  
in the occupied territories

241. The mayor of Dura, Mr. Mohammad Moussa Amr, forwarded a detailed note of complaints and requests addressed to the Governor of Hebron-El-Khalil by the detainees of the city prison, including requests for hot water during winter, specialized medical assistance and provision of books, magazines and newspapers. This followed a visit by a delegation from the Municipality of Dura, headed by the mayor, or, to the prison of Hebron-El-Khalil on 12 November 1978, on the occasion of the Adha feast. (Al Ouds, 16 November 1978)

242. An examining officer was designated following a "mini-rebellion" of female security detainees at the Neve Tirza prison, which was crushed with the help of male warders and tear-gas. The Director of the prison, Mrs. Epstein, who was absent at the time of the incident, claimed that "the female warder (who ordered a detainee to move away from a window after the closing of the cells) did not act as required and [that] there was no need to use tear-gas". (Ma'ariv, 26 November 1978)

243. A first-hand account of this incident was given to the Special Committee by Miss Rasmiah Odeh and Miss Aisha Odeh who were detainees at the time of the incident (A/AC.145/RT.264, p.3, and A/AC.145/RT.266, p.8)

244. According to Supreme Court Justice, Dr. Alfred Vitkon, the Court is about to decide on modifications of the method of hearing pleas submitted by prisoners. A special officer might be designated to hear the detainees' complaints in prison leaving the Supreme Court to deal only with serious complaints such as allegations of torture. (Ma'ariv, 29 November 1978)

245. The Israeli Cabinet decided on the proposal of the Minister of the Interior, Mr. Yosef Burg, on 3 December, to set up a State commission of inquiry into conditions in the Israeli prisons. (Jerusalem Post, 4 December 1978)

246. The Knesset Interior Committee intended to visit Gaza prison on 7 December 1978, in order to examine detention conditions. (Ha'aretz, 7 December 1978)

247. According to several press reports extensive activities were undertaken on the West Bank and in the Gaza Strip for the release of sick Arab prisoners. In that context a memorandum was addressed to several international institutions including the United Nations, the International Committee of the Red Cross (ICRC), the Arab League ... by various national, professional and municipal associations as well as students and feminist associations and families of detainees. Among Several cases of serious health deterioration the following were mentioned: Nader El Afoury, Zeyad El Safady, Aisha Odeh, Miryam El Shakhshir, Rasmiah Odeh, Fatma Halaby (who might lose her eye-sight), Afifa Bannoura, Aida Saad, Hassan El Atrash, Samir Mourad and Aly Hussein Aly Abou Ghoneim. (Al Ittihad, 29 December 1978)

248. Palestinian detainees in Ramallah prison are entering the tenth month of their strike (i.e., refusing to see visitors and boycotting the library). They are requesting the following improvements:

- (a) End to overcrowding;
- (b) Improvement of the food and supervision of its preparation;
- (c) Access to various cultural books;
- (d) Two daily hours of exercise instead of half an hour;
- (e) No more beatings and insults;
- (f) Improvement of medical care;
- (g) Permission to receive more clothes and increase in the monthly allowance received from relatives;
- (h) Freedom of movement inside the prison during the daily exercise period;
- (i) Right to send and receive letters;
- (j) End to harassment of relatives during visits.

(Al Ittihad, 6 February 1979)

249. An article published by the Washington Post, on 7 February 1979, alleged that "Israeli torture of Arab prisoners is a systematic practice" and that "confidential cables from United States diplomats in Jerusalem, which began coming in on 31 May, said that, according to the Palestinians applying for United States visas, the most severe torture charged included refrigeration, the use of electricity, hanging by the hands or feet, extreme forms of sexual sadism, interrogation accompanied by starvation and enforced sleeplessness". The Embassy's allegations were based on interviews conducted with 29 Palestinians by Miss Alexandra Johnson, a Junior Foreign Service Officer, who concluded that 15 out of the 29 had been imprisoned on the basis of confessions extracted by torture. (Washington Post, 7 February 1979; International Herald Tribune, 8 February 1979)



250. The United States State Department submitted a report on human rights in Israel and in the occupied territories to the United States Congress, on 8 February 1979, where it stated that:

"Allegations about the routine use of torture including psychological and physical pressures and instances of brutality by Israeli officials during interrogation of Arab security suspects have been publicized widely. The Sunday Times of London and Time magazine have reported such allegations, stemming from accounts given after their release by Arabs arrested for security offenses. Arabs in the occupied territories, including some who were actually in custody and who have reported that they were subjected to mistreatment, continue to allege, both publicly and privately, that mistreatment of detainees is a systematic practice. The accumulation of reports, some from credible sources, makes it appear that instances of mistreatment have occurred. In repeated discussions with Israeli authorities, we have been assured that such practices are forbidden by Israeli law and that any violators are punished ... There have been reports of instances of degrading treatment of some suspects in connection with interrogations in the first hours following arrests."11/

251. In its yearly report (covering the period from July 1977 to June 1978), Amnesty International said that it was "sufficiently concerned by the allegations of torture to renew its request in July 1977 that the Israeli Government permit an independent inquiry into the allegations. To this request, as to Amnesty International's earlier ones, the Israeli authorities have not, at the time of writing, replied". (Jerusalem Post, 1 February 1979; Al Ittihad, 2 February 1979)

252. The Minister of Justice, Mr. Shmuel Tamir, speaking before the Knesset, on 14 February 1979, stated: "charges published by the Washington Post and by Amnesty International have no foundation". He had stressed in a previous interview that In the face of severe provocations, Israel maintains the most liberal and humane attitude towards the Arabs in the administered territories". (Jerusalem Post, 9 and 15 February 1979; Yediot Aharonot, 7 February 1979; Davar, 8 February 1979; Ha'aretz, 15 February 1979)

253. Attorney Felicia Langer visited several of her clients in the Ramle prison who complained to her about measures of reprisal (including solitary confinement, a daily walk of one hour instead of two, no newspapers, etc.) taken by the prison administration against them following the escape of eight prisoners in early January 1979. Mrs. Langer met with Yaacoub Odeh, Ouny El-Waary, Bassam El-Saeh, Khaled El Ash-Hab, Samir Darwis, Aly Jadda, Zoheir El-Malaby. (Al Ittihad, 26 January 1979)

254. According to a Washington Post report dated 4 March 1979: "The Israeli authorities impose restraints on the International Red Cross that severely hamper its effectiveness". (Jerusalem Post, 5 March 1979)

255. In an interview by David Krivine, the head of the Red Cross in Israel, Mr. Peter Kung, speaking about interrogation of Arab detainees said: "The interrogations are often too long in our view. We are assured that interrogations should not exceed four weeks except for rare exceptions. But sometimes they exceed four weeks, lasting two, three and even four months. We are concerned with that". (Jerusalem Post, 22 March 1979)

256. In its annual report for 1978, the International Committee of the Red Cross (ICRC) stated the following with reference to the new arrangements for visiting detainees under interrogation:

"The new agreement took effect on 1 January 1978. It provided that the Israeli authorities would notify the ICRC, within 14 days, of the arrest for security reasons of any protected persons. Within the same period of time the ICRC would be permitted to visit without witnesses all the detainees, including those under interrogation. With respect to the latter, the visits, which could be repeated every two weeks up to the end of the period of interrogation, were intended to allow the delegates to verify the detainees' identity and state of health. If necessary, these visits could be followed by a medical examination carried out by the ICRC medical delegate. Finally, the Israeli authorities undertook to carry out an inquiry each time that in their own opinion or in that of the ICRC a delegate's report justified such a procedure, and to inform the ICRC of the inquiry's conclusions.

"Under the new agreement, the ICRC delegates made about 1,280 visits to 780 detainees under interrogation in 1978.

"Since the Israeli authorities and the ICRC had reserved the right to re-examine the provisions of the agreement after a few months, the delegates began to draw up a report of their activities and to have talks with the authorities as from the middle of the year. The ICRC delegate-general for the Middle East travelled to Israel for this purpose several times.

"In December 1978, the ICRC presented to the Israel Government, in the persons of the Minister of Foreign Affairs and the Minister of Defence, proposals for amendments to the agreement concluded one year previously. The proposals in no way questioned the principles of the agreement, but were aimed at integrating it better into the whole complex of protective activities carried out by the ICRC for the benefit of protected persons detained in Israel and in the occupied territories, and to define the procedure, in order to eliminate all sources of divergent interpretations. The ICRC proposals concerned principally the period for notifying arrests, which had to be short enough to give the ICRC the physical possibility of making the first visit within fourteen days. The follow-up to the first visit was also the subject of an amendment, the ICRC wishing to be able to visit the detainee a second time within a very short period, should he still remain under interrogation, rather than after the expiry of another 14 days. Finally, before the new agreement was signed, the Israeli authorities had always stated to the ICRC that, apart from exceptional cases, the period of interrogation was never more than a month, after which period the detainees could be visited by the delegates as often as they wished. However, it

appeared that the interrogation did sometimes exceed one month, in which case the interview without witnesses, under the new agreement, was permitted to refer only to the detainee's state of health. This clause was a step backward in comparison with previous practice. Consequently, the ICRC asked not to be held to this restriction for visits that took place after the 28th day of detention, even if the detainee was still under interrogation.

"At the beginning of 1979 the ICRC was waiting for a reply from the Israeli authorities to its proposals for amendments.

"Moreover, despite renewed approaches, the ICRC, when still operating under the old procedure, had never received any notification concerning the arrest of persons living in East Jerusalem, even though in practice the delegates had been authorized to visit them on the same conditions as those for other protected persons held in detention.

"Again in 1978, the ICRC requested to be notified of the arrest of inhabitants of East Jerusalem and to have the new agreement on visits to detainees applied to these persons also. By the end of the year the question was still under consideration by the Israeli authorities."

257. Political detainees' families called on world opinion to save their relatives. Members of women's welfare organizations staged a sit-in in front of the ICRC office in Jerusalem protesting against bad prison conditions and torture. They appealed to the ICRC, the Human Rights Committee, the United Nations and its various agencies to put an end to these "flagrant violations" of human rights. (Al Ittihad, 9 March 1979)

258. The High Court is examining a complaint submitted by three detainees from the prisons of Tulkarem, Beersheba and Ramallah, through their lawyer, Mrs. Langer, protesting against their conditions of detention. (Al Ittihad, 13 March 1979)<sup>1/</sup>

259. According to a "high-up source" in the Ministry of the Interior, spacious prisons will be built to replace those now located in central Israel, in implementation of a plan of long standing. The Ministry of the Interior has now decided upon this step "because it is generally agreed that the situation in Israel's prisons is 'catastrophic' and is daily getting worse". (Jerusalem Post, 8 May 1979; Al Ouds, 9 May 1979)

260. A security detainee serving a life sentence in the Ramle prison applied to the High Court of Justice after having been held in solitary confinement and having been sprayed with gas for refusing to end a hunger strike. The director of the prison acknowledged the use of tear-gas but said that it had been used to calm down the prisoner. He recommended that disciplinary and punitive measures be taken against the prisoner. The Court upheld the principle that prisoners have the right to petition it; no disciplinary measures were to be taken against the petitioner "even if his petition is unjustified". (Ha'aretz, 6 June 1979) <sup>12/</sup>

261. The Special Committee also received information on a number of individual cases from the lawyers involved. These reports were received periodically throughout the period covered by this report. At its meetings in 1979, the Special Committee examined a number of cases considered by it to be prima facie serious instances of ill-treatment of detainees. Thus 43 cases were examined at its February meetings, 52 cases were examined at its June meetings and 53 at its September and November meetings. At the time of the adoption of the present report, the Special Committee has retained 53 such cases for possible continuing examination.

262. A committee set up by the Minister of the Interior to look into the situation in the Israeli prisons visited Ramle prison on 13 June 1979. The committee was told by the director of the prison, David Bery, that "there were at present 700 inmates in Ramle, including 200 security prisoners ... only about 200 of the prisoners worked. The others stayed in their cells ... they lived in subhuman conditions ... the overcrowding is horrible and depressing; it created tension among the inmates ... Some 30 prisoners slept on the floor". The committee was also told by a prisoner that "the Georgian wardens constituted a real gang" ... and that "prisoners were always beaten after being tied". (Ha'aretz, 14 June 1979 Al Ittihad, 8 June 1979)

263. The Government's Legal Adviser will decide whether there is ground for putting on trial "Uzzi", the interrogator who allegedly tortured the East-Jerusalem journalist, Ismail Ajwa. A lie detector had corroborated in principle Ajwa's allegations, and the State Attorney, Mr. Gabriel Bach, who was designated by the Minister of Justice to investigate the matter, made inquiries. "Uzzi" was also subjected to a lie detector test "but it has been learnt that the findings of the test were diversely interpreted". (Ha'aretz, 31 July 1979)

264. In addition to the information summarized in the preceding paragraphs the Special Committee heard the testimony of 16 persons who had spent a considerable period in detention, and who were released on 14 March 1979 in exchange for the release of an Israeli prisoner. Their personal experience of their treatment as detainees from the moment of their arrest and during their imprisonment is contained in documents A/AC.145/RT.258 to 270. In hearing these persons, the Special Committee took the opportunity to check certain details and information on a number of other cases to which the Special Committee had reason to believe that their experience would be relevant. A brief account is contained in the following paragraphs.

265. Mr. Mahmoud ABU-DANHASH (A/AC.145/RT.258 and 259) was captured on 24 October 1969, at Halhul, after a gun-fight with Israeli soldiers. According to Mr. Abu-Danhash he was seriously wounded during the fight and lost one eye; he stated that he lost the second eye after surrendering, when an Israeli soldier dealt him a blow with his gun. His interrogation lasted two months, and during the first 14 days he received no medical assistance. On 9 March 1971 he was sentenced to life imprisonment on charges of membership of an illegal organization, carrying weapons without a licence and engaging in military operations. Mr. Abu-Danhash was

detained in the prisons of Hebron-El-Khalil, Ashkelon, Beersheba and Ramle. He was released on 14 March 1979.

266. Describing the conditions in these prisons, Mr. Abu-Danhash referred to the overcrowding, the lack of sanitary facilities and of medical care, the poor quality of food and the lack of mattresses and beds. He stressed that there had been several strikes to complain about these conditions. He also referred to collective punishment of detainees by the prison authorities and also by troops and reported that prisoners had been sprayed with gas in their cells.

267. Mr. Abu-Danhash made reference to several of his fellow inmates who suffered from poor health or from ill-treatment in the prison such as for example:

Majed Kassem Abd-El-Fattah, Sobhi Mohammad Salem El-Baba, Azem Hassunah, Hassan Shahin, Ahmad Houdhad, Abdel Kader El-Ghusein, Ahmad Muhanna, Na'ef Ahmad Ali El-Jayawi and Omar Shalaby.

268. Mr. Abu-Danhash was given a medical and eye examination at the request of the Special Committee. The relevant medical certificates are annexed to the present report (annex I, appendix I A and B).

269. Mr. Hafez DALKAMUNI (A/AC.145/RT.259 and 260) was arrested on 28 December 1967 when he was injured while destroying a high-voltage pylon. He had one leg amputated at the Afula hospital following his arrest; then was kept for one month in the Ramle prison hospital for treatment. After eight days of interrogation at the Sarafand military base he was taken to Ramle prison. In March 1968 he was sentenced to life imprisonment plus 10 years for infiltration and participating in a military operation. He was detained at the Ramle prison and was transferred several times to the Ashkelon and Jalame prisons following strikes. Mr. Dalkamuni was released on 14 March 1979.

270. Mr. Dalkamuni described the treatment received by him during the periods of his interrogation - before and after his trial - and during his imprisonment. He stated that he was frequently subjected to beatings on the head, stomach and on his amputated leg, often while naked and chained; he was kept in solitary confinement on several occasions, including periods of 89 and 158 consecutive days, and deprived of adequate medical care. He was also denied religious freedom.

271. Mr. Dalkamuni gave a detailed description of the various strikes he had participated in which took place in 1968, 1970, 1972, 1973, 1974, 1976 and 1977 to obtain better prison conditions and to protest against the bad treatment of several inmates and the deaths of a number of them.

272. Mr. Dalkamuni referred to several of his fellow inmates who suffered from ill-treatment and harsh prison conditions, in particular: Moayyed El-Bahsh, Kamal Nammari, Emad Okal, Abdul Hamid Hamdan, William Nassar, Hafid Dallul, Omar Odeh Ashhat, Abdel Kader Abu El-Fahm, Khalil Omar Abu Amash, Mahmoud Abu-Danhash, Sheikh Jaber Omar, Mohamad Bseso, Mohammad El-Kop, Abd El-Jamy, Nabil Gabilani, Abdel-Mudi Abu Ghazayyit, Nihad El-Akhbar, Farog Ali Assale, Youssef Taha, Soleiman Abu Haddash, Omar El-Shalabi, Fuad Salame, Omar Odallah, Youssef Ekraim, Youssef Ali Jadela, Farhan Soleiman El-Luh, Mustafa Arafat, Youssef Ahmed El-Khati, Omar Kassem, Abdel Samih Fares, Said Youssef Dalkamuni, Mohammad Salim El-Mughrabi, Abdul Latif Duweik, Hamza Kanfush, Mustafa Abdul Aziz Haju, Mohammad Saad Eddine, Ahmed Khalifa, Abdul Aziz Shahin, Youssef Ja'dallah, Youssef Amr, Hassan Botna, and Abdul Hamid Hamdan.

273. Mr. Omar Abu RASHID (A/AC.145/RT.260) was arrested on 28 December 1967 together with Mr. Dalkamuni. In March 1968 he was sentenced to two life terms plus 10 years for infiltration and membership of an illegal organization. He was detained in Ramle prison until 1970, then in Ashkelon prison until his release on 14 March 1969.

274. Mr. Abu Rashid stood trial together with Mr. Dalkamuni; he confirmed the account given by Mr. Dalkamuni and by Mr. Abu-Danhash as to the prison conditions and ill-treatment of detainees.

275. Mr. Abu Rashid said that his interrogation took place at the Afula hospital and that the interrogator used to touch his wounds, and pull off his bandages.

276. Referring to cases of co-detainees, Mr. Abu Rashid gave details about: Moayyed El-Bahsh, Nasser Awdallah El-Hibi, Omar Youssef Shalaby and Abdel Kader Abu El-Fahm.

277. Mr. Imad OKAL (A/AC.145/RT.260) was arrested in Beit-Jala, on 6 September 1967. On 1 October 1967 he was sentenced to two life terms plus eight years, on charges of membership of the Popular Front for the Liberation of Palestine (PFLP) (the General Command), infiltrating and not having a regular identity card. He was detained in Ramle prison from 1967 to 1970, then in Ashkelon prison until his release on 14 March 1979. Mr. Okal spent more than two years in solitary confinement, including 195 consecutive days for refusing to work on camouflage nets. He was kept in a cell of the psychiatric ward in the Ramle prison hospital for three months.

278. Describing the conditions of detention in Ramle prison and in Ashkelon prison, Mr. Okal complained about the nutritional situation, health conditions, the lack of adequate medical care and the absence of cultural and educational facilities. He also stressed that prisoners were physically ill-treated and psychologically tortured in various ways - including arbitrary beatings and solitary confinement and being put in the psychiatric wards. He confirmed the accounts given by Hafez Dalkamuni and Omar Abu Rashid, his co-detainee, as to the treatment inflicted upon prisoners. Mr. Okal also referred to the strikes that he had participated in to improve prison conditions.

279. Mr. Okal spent several periods in the Ramle prison hospital because he suffered from a stomach ulcer, a

slipped disc, infections in the joints and Mediterranean fever. During these periods he witnessed the ill-treatment inflicted upon Omar Youssef Shalaby, a detainee who subsequently died. He reported the death of another prisoner, Mohammad Sawaga, and referred to the cases of Mohammad Kattamesh and of Mohammad Abu Haddad who suffered from bad health.

280. Miss Ayda SALEM (A/AC.145/RT.261, pp. 2-8) was arrested on 16 March 1969 after throwing two grenades at a tank in an Israeli army barracks. She was sentenced, in April 1969, to 20 years' imprisonment and her house was blown up. She was detained in the Gaza prison for a year and a half and then was transferred to Ramle/Neve-Tirza prison where she remained until her release on 14 April 1979. Miss Salem stated that she had been seriously wounded during the attack and that she still has splinters in her body. She underwent interrogation twice: a first time following her capture and before her wounds were dressed; during this period she was beaten and confronted with her mother, sister and brother who had been arrested for the purpose of the inquiry and were interrogated naked before her; a second interrogation took place seven months after her trial, during which she was confronted with other Arab youths who were subjected to ill-treatment in the course of their interrogation which she had to witness. Miss Salem described the physical and psychological tortures she underwent and complained that she was denied medical treatment - except weekly valium injections during the period she spent in prison. She suffered from haemorrhage, headaches and physical weakness due to the splinters in her body and claimed that the valium injections affected her physically and morally. Miss Salem participated in several hunger strikes against the prison conditions.

281. Miss Salem referred to several cases of torture and ill-treatment that she had personally witnessed and others that she was aware of, having been detained with the victims. These cases included: Mohammad Mahmud El-Ghazawi, Miss Raiqa Abu Shehade, Miss Khadiya El-Jalu and Miss Awballah Abu Kamar. (A/AC.145/RT.261, p. 5)

282. Miss Salem was given a medical examination at the request of the Special Committee. The relevant medical certificate is annexed to the present report (annex I, appendix II).

283. Mr. Abdallah BAKARWA: (A/AC.145/RT.261) was captured on 24 September 1967, with 12 others, in El-Mughayyer village, where they were organized as a military unit, near Nablus. He said that he was first interrogated at an Israeli base at Hawara, where he was kicked, beaten and insulted for two hours by military personnel. He was threatened with being executed if he did not confess within half an hour during the interrogation that preceded his trial. Mr. Bakarwa was sentenced in March 1968 to 30 years' imprisonment. He handled his own defence before the military court; he said that he was kicked by the Prosecutor in the course of the hearing. Until his release on 14 March 1979 he was detained in the prisons of Ramle, Ashkelon, Beersheba, Jalame and Tulkarem. Mr. Bakarwa described the prison conditions he had experienced and stated that the worst conditions were those at the Beersheba prison. He gave details about the very poor health among other detainees who suffered from numerous ailments including skin diseases, haemorrhoids and untreated fragments of shells embedded in their bodies. He complained about the lack of medical care and the rare visits of the ICRC delegates (once every month in the first period, then once every three months and, in the last period, once every two months).

284. Mr. Bakarwa made particular reference to the case of Mahmud Jarad, a detainee in the Beersheba prison, who had been promised an operation to remove fragments from his head for five years but who remained without any treatment.

285. Mr. Kamal NAMMARI (A/AC.145/RT.262) was arrested on 3 March 1968. His house was destroyed and his personal belongings taken in early March 1968. He was sentenced, on 14 May 1968, to five life sentences plus 10 years' imprisonment on charges of membership of a military group, possessing a weapon without a licence and participating in unspecified military operations in Jerusalem - allegations rejected as false by Mr. Nammari. He was detained for 11 years and 11 days in Ramle prison (section C) - except for 21 days which he spent at Ashkelon prison. His imprisonment included two years in solitary confinement. He was released on 14 April 1979.

286. Mr. Nammari emphasized his view that he and William Najib Nassar (who is still in prison) were singled out because they each had a Jewish mother. He said that even after the trial they were asked, under pressure, to make a political declaration claiming they regretted their acts and opposed any actions against Israel which they refused to make.

287. He described the physical and psychological tortures that he underwent during his 28 days of interrogation at the Sarafand military base - where he was interrogated by the then Chief of Staff, Haim Bar-Lev, the head of the Security Service, Aharon Yariv, and by 26 other officers. Mr. Nammari said he had been chained hand and foot to the wall of a cell 90 centimetres by 90 during four consecutive days. He remained there naked and blindfolded, and was slapped every 10 minutes, night and day, to prevent him from sleeping, and urine was poured on him. He claimed that he was always interrogated while naked and chained; he was beaten and given electric shocks twice, resulting in the paralysis of his left hand for 45 days, and that consequently he was admitted for several days into a military hospital. He added the following, referring to the period prior to his trial: "I remember two different instances: once they took me out in the Sarafand area. Near the cells there were two graves. One was like it was newly filled, the other was open, and they told me that my comrade was lying there and the other was for me, so that I had to talk or they would shoot me. They said, 'You have seen the Vietnamese pictures of how the Americans killed people like you, so I'll make it more like them and we'll take a picture of you so people will speak about you like that'. So they made me stand in one of the graves and they started shooting, once just in front of my legs, the second shot in the air, and then they took me back. The second thing they did to me in Sarafand was that they took me outside and made two trained dogs jump on me and bite me, without making sounds, for they were trained. They never made sounds. I remember the name of one of these dogs was Fifi, I remember them calling to her, 'Fifi, come down', in Hebrew. That's all that I remember." Mr. Nammari said he had been held in solitary confinement during eight consecutive months for refusing to work on military camouflage nets. He was kept in a cell full of rats, in the psychiatric

section of Ramle prison, which he shared with a well-known Israeli criminal maniac. Mr. Nammari also referred to recorded screams of an old man, which were played back into his cell during the night. (A/AC.145/RT.262, pp. 7-8)

288. Miss Rasmiah ODEH (A/AC.145/RT.262 and 264) was arrested on the night of 28 February 1969 with her father and two sisters. Their house was blown up several days later. After being interrogated for 45 days (including 25 days of non-stop interrogation night and day) at the Russian Compound, in Jerusalem and at Ramle prison, she was sentenced, on 22 January 1970, to life imprisonment on charges (which she denied) of planting explosives in a supermarket. She was detained from 18 April 1969 to 14 March 1979, the date of her release in the Ramle/Neve Tirza prison, except for two short periods in 1975 and 1977 during which she was transferred to Gaza prison.

289. Miss Odeh gave a detailed description of the physical ill-treatment to which she was subjected during her interrogation. She also described the psychological torture that she had experienced when her father, sisters, fiancé and other comrades were ill-treated in front of her or nearby. She stated that the physical torture to which she had been subjected included being stripped naked, chained and beaten with sticks and metal bars, on her head as well as on her body thereby causing her hearing problems for over one year.

290. Miss Odeh stated that she had been subjected to sexual abuse while alone with her interrogators and also in the presence of her father. She alleged that her interrogators had forced her father to violate her but that he had fainted before he could do so. Similar treatment was meted out to her in front of her colleagues, including Aisha Odeh. Miss Odeh stated that during her interrogation she was forced to remain naked or have her clothes torn off her.

291. Miss Odeh referred to several other cases of torture and ill-treatment which she witnessed during her interrogation at the Russian Compound, namely: Yacub Odeh - her fiancé - Abdel Latif Kheit, Bashir El-Kheit, Gasem Abu Aker, Abdel Matalleb Abu Ramele, Miss Samia Diab, Khalil Hanni, Miss Aisha Odeh, Miss Leila Qumery, Miss Wadad Gumri, Miss Aida Qumry, Miss Hayat Obeidat, Miss Intisar Bseso, Dr. Sobhi Musha, Miss Mariam Shakhshir, Hatem Shannar and Amal Anbrusi. She claimed that one of her sisters, Leila Odeh, had lost her mental capacity subsequent to torture.

292. Miss Odeh gave a detailed description of the conditions of detention in Ramle/Neve Tirza prison, according to which this prison is seriously overcrowded (45 to 50 detainees live in a room of 3.5 square metres). The Arab women security detainees are held together with Jewish women who are common criminals. Miss Odeh described the difficulties in relations between the two categories of detainees. Sometimes Jewish prisoners tried to kill certain of her fellow prisoners, in particular, Amal Hamdan. Arab detainees do not have the same prison conditions and working conditions as Jewish detainees and are discriminated against as to family visits, studies and access to reading material, the right of expression and of information. Harsher treatment is inflicted by the prison authorities following complaints by inmates to journalists or following strikes staged to ask for better prison conditions. These strikes usually result in the transfer of the leaders to other prisons - Miss Odeh was transferred twice for that reason to Gaza prison. Many detainees suffer from poor health and from lack of adequate medical care - she herself lost her eyesight for 15 days in 1979.

293. Miss Odeh was given a medical examination at the request of the Special Committee. The relevant medical report is attached to the present report (annex I, appendix III).

294. Mr. Tahsin HALABI (A/AC.145/RT.264 and 265) was arrested in December 1967 in the Ramallah area during a military operation. He was interrogated for five weeks at the Russian Compound, in Jerusalem and at the Ramallah interrogation centre. In November 1968 he was sentenced to 45 years' imprisonment on charges of membership of a Palestinian organization, infiltrating and carrying weapons. He was detained in the prisons of Ramallah, Nablus, Jenin, Kfar Yona, Tulkarem and Ashkelon. He was released on 14 March 1979.

295. Mr. Halabi described the ill-treatment and torture he was subjected to in the course of his interrogation; he said that he had been beaten all over his naked body with sticks and that for 13 days he had been kept in a very narrow cell with three others, where he could neither stand nor sleep.

296. Mr. Halabi gave details about the death of one prisoner from the Jenin district whose name he did not remember, at Jenin prison in 1976, due to lack of medical treatment, and the death of another prisoner, Yussef Bello, who was killed by a common criminal, at Nablus prison in 1976. Mr. Halabi described the overcrowding of the cells. He gave details on the lack of adequate medical care and the malnutrition of prisoners. Mr. Halabi drew the attention of the Special Committee to the discrepancy between these conditions and the rules provided by the prison regulations. He described the various strikes that took place to protest this situation and the reprisals against the strikers. In his own case, a large tube had been introduced by force into his nose and he was still suffering from a blockage of the nostrils.

297. Mr. Halabi made special reference to the question of minors being detained in Nablus prison. He stated that in 1979, before his release, some 40 children aged 11 to 13 were kept in this prison and that some of them had been sentenced to 9, 10 and 13 years' imprisonment.

298. Miss Afifa BANNOURA (A/AC.145/RT.265) was arrested on 22 October 1969 and interrogated at the Bethlehem military camp for 2 days and then for 40 days at the Russian Compound in Jerusalem where she was savagely beaten, put twice in a cell with prostitutes who beat her and threatened her with sexual assault. She had confessed to having planted a bomb in a Jerusalem bus. On 30 November 1970 she was sentenced to life imprisonment plus 10 years on charges of planting a bomb and membership of a Palestinian organization. She was detained in Nablus prison and subsequently transferred to Ramle prison where she remained until late 1978, and afterwards to Gaza prison until her release on 14 March 1979.

299. Miss Bannoura described the prison conditions in Nablus prison and stated that the prisoners (35 women in two small cells) suffered from overcrowding and malnutrition. She said that they lacked sanitary facilities and reading material and that they could only spend one hour per day out of their cells. She confirmed the statement made by Miss Rasmiah Odeh on the conditions in Neve-Tirza. Referring to Gaza prison, Miss Bannoura stressed that they had no beds and that the cells were very cold and damp.

300. Miss Bannoura was given a medical examination on the request of the Special Committee. The relevant medical report is attached to the present report (annex I, appendix IV).

301. Miss Aisha ODEH (A/AC.145/RT.265 and 266) was arrested on 1 March 1969 when her house was besieged by a large number of soldiers. The house was later blown up. She described the extremely vicious treatment she received at the Russian Compound in Jerusalem during 48 days of interrogation. She was then transferred to Ramle prison. On 21 January 1970 she was sentenced to two life terms plus 10 years, on charges of participating in two sabotage operations and belonging to an illegal organization. She was detained in Ramle prison until December 1972 when she was transferred to Nablus prison where she remained for seven months, and in 1977 she was transferred from Ramle prison to Gaza prison where she stayed until her release on 14 April 1979.

302. Miss Odeh gave a detailed picture of the tortures she had been subjected to including sexual assault, beatings with bars and sticks on her head and body, whipping all over her naked body and being deprived of food and sleep for three consecutive days and nights. Miss Odeh gave details of the ill-treatment and torture that she had witnessed during her interrogation at the Russian Compound. She referred to the treatment of: Rasmiah Odeh, Beshir Khalil Kheir and Yacub Odeh. She also mentioned the cases of Samia Ali, Aziza Ozoz, Hanan Ghazaleh, Hayat Obeidat, Leila Gomri, Aida Gomri and of the wife of Kassem Abu Okal, who were in her cell at the Russian Compound.

303. Describing the conditions of detention in the Ramle/Neve Tirza prison, Miss Odeh gave a detailed account of the overcrowding (150 detainees in a cell including the children of several of them) and the lack of medical care. She stressed that prisoners were deprived of freedom of worship and of expression (they were prevented from writing down their feelings and all their notes were confiscated) and frequent searches and controls were carried out - night and day - by the wardens. Collective punishment was often imposed upon prisoners (including transfer to other cells or prisons, ban on visits, beating and spraying with gas in the cells). Miss Odeh described the difficulties in relations between the Arab security detainees and the Jewish common criminals who are held together in Ramle prison but do not benefit from the same prison conditions. She referred to cases of Arab detainees who had been attacked by Israeli prisoners: Um Rawi, Amal Hamdan, Aida Salem Saad, Afifa Bannoura, Ghada Yersin, Hurriya Khalifa, Rasmiah Odeh and herself. She also mentioned cases of prisoners who underwent severe punishment in the prison for having gone on strike to improve their conditions of imprisonment: Amal Anbusi, Ashraf Yakhat, Miss Asrawi and Noamat El-Helou.

304. Miss Aisha Odeh was given a medical examination at the request of the Special Committee. The relevant medical report is attached to the present report (annex I, appendix V).

305. Mr. Abdel Rahim JABER (A/AC.145/RT.267) was arrested on 21 September 1968 after a military confrontation with an Israeli army patrol during which he was injured. He testified that he was taken to the Beersheba hospital and transferred on the same day to Sarafand interrogation centre where he underwent ill-treatment and torture for 54 days. He was sentenced, on 7 June 1969, to nine terms of life imprisonment plus 54 years on charges of direct engagement with the enemy forces; organizing groups to engage in military operations and carrying out military operations which led to the injury and death of Israelis; throwing bombs in Jerusalem; blowing up a gas installation; destroying the Ambassador Hotel in Jerusalem; possessing weapons and ammunition; infiltrating three times from Jordan; communicating military and economic information; and membership of an illegal organization. He was detained at Ashkelon prison - except for short periods which he spent in Ramle prison, Beit-Shamesh prison and Kfar Yona prison. He was released on 14 March 1979.

306. Describing his interrogation period at Sarafand, Mr. Jaber stated that in spite of his wounds (a broken leg, a paralysed hand and a serious wound in the stomach) he was put, completely naked in a barren cell, with a bag over his head tightened around his neck which obstructed his breathing, and was kept there for three days without any food, water or sleep. Afterwards he underwent electric shocks, was attacked by trained dogs while he was naked, was sexually tortured, had his broken leg twisted, was burned by cigarette butts on his hands and stomach and was made to listen to screams of other persons. As a result of this torture he was transferred eight times during these 54 days from the interrogation centre to Sarafand Hospital and to the Hadassah Hospital in Jerusalem and was treated for three years in the Ashkelon prison dispensary. He stayed for a month and a half in solitary confinement in Beit Shemesh prison to recover from an operation he underwent at the Hadassah Hospital, as the hospital refused to assume responsibility for his presence there.

307. Mr. Jaber gave a detailed account of the prison conditions in Ashkelon and described the violent methods used against newcomers (who are first beaten, then sprayed with DDT, then kept for 7 to 40 days in solitary confinement cells where they are beaten every day); the overcrowding, the poor health of many prisoners (200 out of the 475 Ashkelon prisoners are in need of operations) and the lack of medical care; the lack of beds and the need of more blankets; the lack of books and newspapers; the ban on religious practices and the restriction on communication with the families (one visit of relatives and two letters of four lines each, every month). Reacting against this treatment, several hunger strikes were organized in 1970, 1972, 1973 and for 45 days in 1976. The detainees were force-fed by pipes and tubes in their mouths and nostrils which caused injuries and bleeding. Following the last strike some demands were satisfied: prisoners were given mattresses, a few books and slightly more money for the canteen and 40 detainees were operated on.

308. Mr. Jaber referred to cases of detainees who died in prison: Omar El-Shalabi, Fuad Salame, Omar Awdallah and Abdel Kader Abu El-Fahm, and two mental and psychological cases: Abdel Kader El-Lariye and Mohammad Osman.

309. Mr. Sakran SAKRAN (A/AC.145/RT.267) was arrested on 17 September 1967 after being wounded in the stomach. At that time he was beaten and knifed in the face by an Israeli soldier. His interrogation took place at the Safad Hospital (where he underwent an emergency operation) and was witnessed by Moshe Dayan, and Haim Bar-Lev. He was ill-treated during a two-month period when he was deprived of sleep, burned by cigarettes and threatened with being killed. He was sentenced by a Haifa civilian court to 20 years' imprisonment for infiltrating and fighting against Israel. He was detained at Jalame prison (in a solitary cell until 1968); in 1970, he was transferred to Ashkelon prison; in 1972, to Beersheba prison; then to Ramle prison and Jalame prison, then returned to Beersheba prison where he remained until his release on 14 March 1979. In 1979 he had been taken back to an interrogation centre and kept in solitary confinement for 25 days.

310. Mr. Sakran described the constant resort to collective punishment by the prison authorities at Beersheba including the frequent use of gas against prisoners, searches and confiscation of the detainees' belongings and the beating of prisoners. He referred also to the presence of infiltrators among the detainees and to the pressure exercised by the prison authorities upon sick prisoners.

311. Mr. Said DALKAMUNI (A/AC.145/RT.268) was arrested on 14 December 1968 when his group was ambushed by Israeli forces and he was seriously injured. He was taken to Haifa Hospital for care but subsequently kept in the Jalame prison for 20 days without being given any medical assistance. He said that at Ramle prison hospital gasoline was poured on his wounds. He was then transferred to Sarafand interrogation centre where he was subjected to psychological torture - he was made to hear screams of other detainees and was left without medical care. He was then detained in Ramle prison until the end of his trial. In March 1970 he was sentenced to life imprisonment on charges of infiltration, carrying explosives and weapons, and membership of an illegal organization. He was subsequently detained at Ashkelon prison until 14 March 1979.

312. Describing Ashkelon prison, Mr. Dalkamuni said that it was composed of 32 rooms and that 400 prisoners (serving life terms) were imprisoned there. A cell 5 by 6 metres would contain 20 to 22 persons - the space per prisoner was the size of a mattress (180 by 70 centimetres). Apart from the overcrowding, he reported that prisoners were very frequently beaten without reason - even in the prison dispensary. They were deprived of cultural and religious freedom and given no medical treatment. He made a special reference to morphine injections systematically given to prisoners, which he alleged was done in order to break their will. He also described the strikes staged by the detainees.

313. Referring to cases of detainees who had suffered from harsh prison conditions, Mr. Dalkamuni gave details about: Hassan Abaya, Yassin Mohammad Khamis, Hassan Aleyan, Sobh El Baba, Ismail Salame, Mahmud El Zeit, Omar Abu Reshed, Hassan El Farouk, Ali Shehade El Jaafari, Abu El-Fahn, Abu Khalik, Hafez Dalkamuni, Ramadan El-Batta, Ismail Debash and Abu Salah Jadallah. He also referred to Azem Hassounah, Omar Kassem, and Abdel Samih Fares whom he met during his detention.

314. Mr. Daklamuni was given a medical examination at the request of the Special Committee. The relevant medical report is attached to the present report (annex I, appendix VI).

315. Mr. Mohammad SHATTA (A/AC.145/RT.268), pp. 11-17) was arrested on 15 December 1967 with several comrades during a military confrontation with an Israeli patrol, at El-Bireh. He was seriously wounded by a bullet and one of his arms was nearly paralysed. He was taken to the Ramallah Border Guard camp where he was beaten, then to Ramallah prison and Ramle prison where he stayed for several weeks without being given medical care. Subsequently he was interrogated at Sarafand for 13 days. He was beaten all over his body with fists and boots, he was suspended from a window and underwent psychological torture. In November 1968 he was sentenced to life imprisonment plus 20 years on charges of infiltration, membership of an illegal organization, engagement in a military battle and causing the death of Jewish soldiers. He was detained in Ramallah prison then transferred to Nablus prison and Kfar Yona/Beit Lid prison - where the conditions were very hard - and was finally transferred on 11 February 1969 to Ashkelon prison where he remained until his release on 14 March 1979.

316. Mr. Shatta gave a detailed description of the living conditions at Ashkelon prison, largely confirming accounts given by other witnesses who had been detained in the same prison, and referred to the cases of: Ibrahim Salame, Tahsin Halabi, Osman Bani, Mohammad Okla, Jamil Samara, Adel Samara, Ibrahim El Jamal, Mahmud El-Laham, Imad Okal, Mustafa Kheyes, Mohammad Abdel Ghany, Ibrahim Salame, Muayad El Batsh, Mustafa Kmeir, Nesri Saadallah, Adnan Mansour, William Nassar, Said Kalkamuni, Abdel Kader Abu El-Jahm, Abu Khalil, Omar Shalaby and Azem Hassouna.

317. Mr. Samir DARWISH (A/AC.145/RT.270) was arrested in May 1967 while crossing from Syria to Israel and sentenced on 23 July 1967 by the District Court of Haifa to 20 years' imprisonment on charges of crossing the border with arms. He served his sentence at Ramle prison and was released on 14 March 1979. Mr. Darwish was at first considered, by the authorities, as a Jordanian citizen and then as an Israeli citizen.

318. Describing his experience at Ramle prison in the General Section (which houses criminals) Mr. Darwish gave details about the harsh treatment he underwent during two years of solitary confinement following an escape attempt: he was kept in a cell half a metre by two metres, without water inside; he was chained by hands and legs to a bunk, for 10 days and his hands remained chained for two years; he was deprived of blankets and of a mattress and was forbidden to read books. In addition to this treatment, he was severely beaten and put with others, for eight months, in an underground cell of Ramle's new section, where he was sprayed with tear-gas several times a day.

319. Mr. Darwish provided the Special Committee with details concerning the medical care given to detainees at the Ramle prison clinic, where he worked. He also described the Ramle prison hospital (which consists of 34

to 36 beds and 6 rooms) where there are no facilities and where the prisoners are locked up except for one hour per day. He said that morphine injections were given at the hospital. Describing the Ramle prison mental hospital, he said that it had bedrooms and a dining room and that it consisted of 15 to 20 rooms where 40 to 50 prisoners were kept.

320. Mr. Darwish emphasized the systematic beating of the Ramle prisoners by the prison authorities; he referred to the cases of Ahmed Khalifa, Attallah Sakka, Abdel Rahim Iraqi and Mohammad Ghifat, who died, in 1972, after they were beaten. He referred to a number of other persons whom he had met in prison and he gave details on their treatment and conditions of imprisonment. These included: Soleiman Najjab, Kamal Nammari, Badr Danaa, Yusef Edilbi, Amjat Omari, Yacub Odeh, two brothers by the name of Malabi, Bassam El-Sayed, Saleh Abta and Saleh El-Ayan.

321. In the course of his testimony, Mr. Kawasme gave a detailed description of the conditions in Hebron prison where he had conducted two visits since 1976. The following is an extract from Mr. Kawasme's account of conditions in Hebron prison:

"... Prisoners in El Khalil prison can't sleep stretched out, because they would be going beyond the area allowed them for sleeping and would be preventing the others from sleeping; they had to sleep on their sides, so as to leave enough room for others. It is as if they are in a tin of sardines; they keep them as if they are in sardine tins, they have to sleep head to tail.

"Mr. PERERA (Sri Lanka): Can we find out from Mr. Kawasme when this gaol was built, how many it was intended to accommodate originally and how many are there? This might give us a fair picture of the crowding or overcrowding of the prison.

"...

"Mr. KAWASME (interpretation from Arabic): Formerly, this prison, El Khalil, had six rooms, so as to cope with civilian detentions; say, a person was guilty of theft or aggression, well, this is what the prison was intended for. It was not meant for persons detained for other reasons, but, after the occupation the prison was extended and five other rooms were added, or seven, I can't quite remember - either five or seven. The prison was widened, it was extended, cells were added. ... they have to sleep in the following way: the one prisoner would sleep with his head next to the other's feet and vice versa and they would have to be on their sides because if any person were to lie on his back he would take up more space than that allocated to him and he would thus prevent the person next to him from sleeping. That person would have to stand up all night. When I visited that prison, I tried to identify the problems there and during these two visits in 1977 and 1978 I was able to see all the rooms of the prison. I saw the prisoners and I took a representative from each room and we met in the main room of the prison. There were 11 prisoners, the management and the assistant of the Governor of El Khalil and we looked at the conditions existing and studied the solution to the problem."

322. Mr. Kawasme gave further details on general prison conditions and the efforts undertaken by local civilian authorities to improve these conditions. Nutrition, exercise and the use of books were not allowed, except the very minimum, and these conditions had a visible effect on the physical and moral condition of security prisoners. Mr. Kawasme also referred to physical ill-treatment of detainees and referred to the case of his late brother who had been detained and subjected to severe ill-treatment during his detention. Another civilian, one of several persons who had been arrested with Mr. Kawasme's brother, died as a result of similar treatment. Mr. Kawasme also gave a list of persons who had died during their imprisonment. (A/AC.145/RT.275, pp. 21 and 22, and RT.279, pp. 2-9)

## V. JUDICIAL REMEDIES

323. The Special Committee has studied the question of judicial remedies that may be available as a protection of the human rights of the population of the occupied territories. The following paragraphs contain an account of the information examined by it.

324. The information received by the Special Committee indicates four types of situations where such remedies have been sought.

- (a) Cases of expropriation and seizure of Arab lands;
- (b) Cases of demolition and sealing-up of houses owned by Arab inhabitants of the territories;
- (c) Cases of appeal against expulsions;
- (d) Cases of ill-treatment or bad prison conditions of Arab security detainees.

### A. Remedies against expropriation and seizure of Arab land 13/

325. During the period mentioned above, several thousands of dunams of privately-owned Arab land were expropriated by the military authorities, mainly on the West Bank, in order to expand existing Israeli settlements, to establish new ones or to carry out large infrastructure works in preparation for the establishment of new settlements. In all cases, the Military Government claimed that they were needed for "security reasons". Since October 1978 the following areas have been expropriated:



(a) Tubas (north-east of Nablus), where 300 dunams (0.3 sq. km.) were seized for the expansion of the settlements of Nahal Roi ("A" and "B") and Bega'ot ("A" and "B"). (Ma'ariv, 8 and 12 October 1978; Ha'aretz, 9 and 12 October, 23 and 24 November 1978; Jerusalem Post, 7 November 1978)

(b) Silwad (north-east of Ramallah), where 2,000 dunams (2 sq. km.) were seized for the expansion of the Ofra settlement. (Ha'aretz, 25 October 1978); Ma'ariv, 24 October 1978)

(c) El Ram (south-east of Ramallah), where hundreds of dunams were expropriated with a view to building a road to the Maaleh-Adumim settlement linking the Jerusalem- Jericho road to the Jerusalem-Ramallah road. (Ha'aretz, 9 April 1979)

(d) Rujeib and Awarta (south of Nablus) where 1,300 dunams (1.3 sq. km.) were expropriated in order to establish the new settlement of Eilon-Moreh and to control the area's essential traffic axes. (Ha'aretz, 4 March, 23, 27 and 31 May, 7, 8, 13-15, 19-21 and 23 June, 3, 5, 19 and 20 July 1979; Jerusalem Post, 4, 15, 17, 18, 20 and 21 June and 19 July 1979)

In addition, the following expropriations which had taken place in earlier periods were the subject of attempts at judicial remedies sought by the Arab landowners:

(e) Beit-Furik (south-east of Nablus) where 3,000 dunams (3 sq. km.) had been declared "closed" in 1969. (Ha'aretz, 26 October 1979)

(f) Beit-El (near Ramallah) where 2,400 dunams (2.4 sq. km.) had been seized in 1970. (Jerusalem Post, 7 November and 12 December 1978, 16 and 19 March and 2-18 April 1979; Ma'ariv, 13 October 1978; Ha'aretz, 23 and 24 November 1978, 16 March 1979)

(g) Abu Dis (south of Jerusalem) where 15,000 dunams (15 sq. km.) were expropriated in 1974. (Jerusalem Post, Ma'ariv and Ha'aretz, 16 January 1979)

326. Arab landowners of the Umm Salamuna area applied to the High Court of Justice against the seizure of some 300 dunams (0.3 sq. km.) of land which were seized in order to expand the Efrat settlement (south-east of Bethlehem, east of Elazar settlement). (Ha'aretz, 5, 13, 18 and 25 July 1979)

327. On 26 April 1979, an order was issued by the military authorities seizing 3,500 dunams (3.5 sq. km.) of privately-owned Arab land near the villages of Salfit, Iskaka, Farkha and Harda in order to expand the Ariel/Haris settlement. The order was implemented in early July 1979. (Yedioth Aharonot, 29 April 1979; Al Quds, 6 July 1979)

328. On 30 July 1979, a third group of 59 villagers from Salfit and Iskaka, on the Tulkarem-Nablus road, petitioned the High Court of Justice against the expropriation of their lands. Earlier that month, two groups of Salfit residents (18 families and 13 villagers) had submitted similar petitions to the High Court, asking the Military Governor of Tulkarem and the Defence Minister to show cause why they should not refrain from expropriating the lands. According to the petitioners' attorney, Mrs. Langer, the Military Governor announced the seizure of 3,500 dunams (3.5 sq. km.) in April 1979 and carried out the seizure in July 1979 "without notifying anyone in writing". The landowners were not allowed to enter the seized area and were told to approach the Governor for compensation. The petition states that the land constitutes a source of livelihood for hundreds of families, that it was seized to expand the Ariel/Haris settlement and that this expropriation is contrary to international law. (Ma'ariv, 31 July 1979; Asha'b, 1 August 1979; Al Ittihad, 3 August 1979)

329. On 3 September 1979, 59 residents of Iskaka filed an appeal in the High Court of Justice against the seizure of their land for the expansion of the Ariel/Haris settlement. According to the ruling by Justice David Bechor, the application would be heard by a three-panel court. (Jerusalem Post, Asha'b and Ha'aretz, 4 September 1979; Al Ittihad, 8 September 1979)

330. On 12 September 1979, inhabitants of the village of Anata (north-east of Jerusalem) filed an application in the High Court of Justice against the illegal expropriation of 265 dunams (0.265 sq. km.) belonging to the village of Mukhter, and 6,500 dunams (6.5 sq. km.) of grazing land belonging to the entire village to accommodate the Israeli settlement of Maaleh-Adumim "B". The application requests a provisional injunction to halt work already under way. This was the second application made by the villagers following the seizure earlier this year of 1,700 dunams (1.7 sq. km.), also belonging to the Mukhtar. (Al Ittihad), 8 September 1979; Ha'aretz, 12-16 September 1979)

331. One case of land seizure was reported in the Rafah area, in March 1979, concerning a plot belonging to the Zourob brothers, who were allegedly arrested and imprisoned after they complained against the seizure. (Jerusalem Post, 15 March 1979)

332. Following these expropriations, Arab landowners have appealed, through their lawyers (among them Ghazi Batat, Elias Khoury, Felicia Langer, Ibrahim Nasser and Lea Tzemel) to the High Court of Justice; in several of these cases the court issued "provisional injunctions 14/ prohibiting the military government from surveying the land, carrying out any works on it, changing the ground level and settling on the land", and orders nisi 15/ "compelling the Defence Minister and the Military Governor of the area to show cause why they should not refrain from seizing the land". The case was then argued before the High Court of Justice which issued a ruling on it (Ha'aretz, 25 July 1979). According to the information available to the Special

Committee during the period covered by the present report the High Court of Justice issued provisional injunctions in the following cases:  
Tubas; Rujeib/Awarta; Beit-El; Anata/Hizma; Jaabari Hill/Hebron-El-Khalil; Yassuf; Salfit-Iskaka; Farkha and Harda; Ni'lin; Naby-Saleh and the Kfar Etzion villages/Efrat. Orders nisi were delivered by the court concerning Tubas, Rujeib/Awarta, Beit-El, Anata/Hizma, Jaabari Hill/Hebron-El-Khalil and Ni'lin. Petitioners alleged in these cases that privately-owned lands had been seized for the establishment or the expansion of civilian Israeli settlements or for infrastructure works which had no military nature. The competent authorities answering orders nisi claimed that expropriations were needed for "security reasons".

333. The cases described in the preceding paragraphs were dealt with by the High Court of Justice as follows:

(a) The Beit-El/Tubas case

334. On 15 March 1979, the court rejected unanimously the petitioners' plea. It accepted the arguments of the military authorities, according to which the lands had been seized "for essential and urgent military purposes". By doing so the court addressed itself to the question of the applicability of the fourth Geneva Convention of 1949 relative to the protection of civilian persons in time of war 16/ (and more especially to article 49, according to which "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies") and to the applicability of the regulations respecting the laws and customs of war on land, annexed to the fourth Hague Convention of 1907 17/ (and, in particular, to article 46 according to which "private property cannot be confiscated" and article 23 (g) according to which "it is especially forbidden ... to destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war") on which the petitioner had relied, and decided that the Geneva Convention was constitutive and therefore only applicable between parties to the Convention, not between an occupying power and individual civilians. As for the Hague Convention, the Court decided that it was applicable to the present case but that the authorities had not contravened it for "the petitioners' property had not been confiscated but requisitioned for temporary use against suitable payment, on grounds of military necessity". (Ha'aretz, 16 March 1979; Jerusalem Post, 7 November 1978)

335. In substantiation of the arguments for the State, the co-ordinator of government activities on the West Bank, Aluf Orly, told the High Court of Justice in November 1978, that "it should not see itself as empowered to deal with questions concerning Jewish settlement on the West Bank because these questions are political in nature." (Jerusalem Post, 16 and 19 March and 2 April 1979)

(b) The Anata cases

336. The High Court decided in January 1979 that this expropriation "was effected for purely military purposes and that the considerations regarding the location of a military camp are more military considerations with which the court is unable to interfere" and therefore rejected the plea. (Ma'ariv, 22 January 1979)

337. On 16 September 1979 the High Court of Justice rejected the Mukhtar of Anata's application on the grounds that it was "worded in a misleading form". There was no reason for issuing the injunction; however, the State Attorney undertook to stop any work that might be carried out on the Mukhtar's land. The work under way in connexion with the "settlement of Masleh-Adumim 'B'" was not part of the 3,000 dawns that had been expropriated. (Ha'aretz, 17 September 1979; Al Ittihad, 18 September 1979)

(c) The Jaabari Hill case

338. The Court decided to reject the landowners' plea on the grounds that they had waited nine years before turning to the court. Nevertheless, the Government decided to stop building on the expropriated land. (Ma'ariv, 24 April 1979)

(d) The Nabi-Saleh case

339. The question of the ownership of the expropriated land was referred to a Special Appeal Committee - composed of a jurist and two other members - rather than a law court by agreement between the parties, and with the Supreme Court's consent (Jerusalem Post, 5 February 1979; Ma'ariv, 4 and 5 February 1979)

340. The Special Committee has received no information on any further developments in this case.

(e) The Ni'lin case

341. On 25 July 1979, the High Court of Justice repealed the orders that it had issued against the Defence Minister and the military governors concerned and decided that the expropriation in question was necessary for security purposes and that a settlement should be established at Mattityahu. (Ha'aretz, 26 July 1979)

(f) The Rujeib case

342. On 22 October, the High Court of Justice decided that the settlement at Eilon-Moreh had been established illegally and that it should be dismantled and evacuated within 30 days. The land, which had been expropriated for the establishment of the settlement, was to be returned to the owners, the villagers from Rujeib. The land in question consisted of an 800-dunam (0.8 sq km) area. The Court found that the decision to expropriate the land was taken as a result of "the strong desire of the Gush Enunim group to settle in the heart of the land

of Israel, and not the military opinion of the Chief of Staff". The Court found that the Ministerial Committee on Security Affairs and the Cabinet majority by which the settlement had been approved were also largely influenced by motives linked with the concept that settlement should be effected in the entire "land of Israel" and not by security motives. According to the Court, "the right of the people of Israel to the land of Israel, is indeed, the very foundation of the Zionist doctrine, but it does not justify taking away the property of a private individual in an area administered by the Military Government". The Court also referred to the controversy that had developed between the Minister of Defence and the Chief of Staff as to the security requirements of the expropriation.

343. The Court drew a distinction between this case and the judgement delivered in earlier cases, such as that concerning the expropriation of property belonging to villagers from Beit-El. In those cases, the Court had endorsed the settlements, basing itself on the assumption that they were needed for the "everyday struggle against terrorists". According to one report, the applicants in this case constituted a minority among the owners of the land which had been expropriated. Counsel for the applicants, Attorney Lias Khouni, explained that this was done deliberately, choosing plots of land spread through the entire area, thus rendering it difficult to construct a new settlement within the entire area.

344. In a radio interview on 25 October, the Minister of Agriculture and Chairman of the Ministerial Committee on Settlement, Mr. Sharon, said that the Supreme Court should be exempted from having to deal in future with settlement affairs, "it was not the Court's business to deal with political matters". He advocated legislation by which the Government would be enabled to carry out its settlement policy. Mr. Sharon was in favour of implementing the judgement in spite of his disagreement with it and stated that alternatives would be found to establish the Eilon-Moreh settlement elsewhere in the area. (Ha'aretz, 4, 23 and 24 October 1979; Al Ouds, 14 September 1979; Asha'b, 12 October 1979)

(g) The Salfit-Iskaka cases

345. Following a complaint to the High Court of Justice by Mrs. Felicia Langer and Mr. Abd Assali, on behalf of 17 local landowners, the Court issued a provisional injunction on 12 July 1979 ordering a halt to the work on the expropriated sites in Salfit village (north Ramallah) and an order nisi requesting the Defence Minister and the Military Governor of Tulkarem to explain within 30 days why they should not refrain from seizing the land. (Asha'b, 6 and 12 July 1979; Al Ouds, 12 July 1979; Al Ittihad, 13 July 1979)

346. The High Court of Justice issued a provisional injunction in connexion with an application filed by 29 residents of Salfit, stopping work on 3,200 dunams (3.2 sq km) east of the Ariel/Haris settlement. No decision was recorded with regard to the second appeal filed in September 1979. (Jerusalem Post, Asha'b and Ha'aretz, 4 September 1979; Al Ittihad, 8 September)

B. Remedies against demolition and sealing-up of houses owned by Arab inhabitants of the occupied territories

347. During the period covered by this report information concerning the blowing up and the sealing of houses in the occupied territories was drawn to the attention of the Special Committee.<sup>18/</sup>

348. Two types of actions were undertaken by the lawyers for the aggrieved parties:

(a) Appeals to the High Court of Justice to reopen the sealed-up houses and/or to seek compensation for the damage inflicted upon the civilians concerned;

(b) Appeals to the High Court of Justice in order to prevent such demolitions or sealing-up.

349. In certain cases the High Court of Justice issued provisional injunctions preventing the authorities from demolishing or sealing up a house, pending the examination of the case by the Court. The final outcome of the actions undertaken was not communicated to the Special Committee.

350. On 29 June 1979, a provisional injunction was issued by Supreme Court Judge Aharon Barak banning the demolition of two houses near Ramallah until the petition submitted by Mrs. Lea Tsemel on behalf of her client, Anis Youssef Hassan and Jum'ah Othman, has been considered by the Court. (Ma'ariv, 1 July 1979)

351. On 3 July 1979, two Ramallah residents submitted petitions to the High Court of Justice asking the Court to prevent the security forces from demolishing their houses. (Yediot Aharonot, 4 July 1979)

352. The principal arguments presented to the Court were that:

(a) Such measures constituted "collective punishment";

(b) The owner of the house was not aware of the preparation of "terrorist acts" in his house, or did not know he was giving shelter to a person involved in such action;

(c) There was no family contact between the son and the father whose house was demolished.

(Jerusalem Post, 5 June 1979; Yediot Aharonot, 4 July 1979; Asha'b, 7 July 1979)

353. In December 1978, Mr. Hassan Abu-Gosh, from El-Bireh, petitioned the Supreme Court to forbid the demolition of his house, stating that three army officers had appeared at his house and proceeded to mark it and to take measurements with a view to demolishing it. The lawyer for the petitioner, Attorney Tussia-Cohen, pleaded that his client, a thirty-seven-year-old father of six, should not have his house demolished for offences that may have been committed by one of his sons. Furthermore, his son, who had been convicted of security offences and sentenced in October 1977, had left the house even before his arrest and had lost contact with his father. The petitioner added that "he should not be punished instead of his son as he had not helped him either before or after, in his actions". (Ha'aretz, 7 December 1978)

354. In July 1979, Mr. Hassan Ahmed Abdallah Yassin petitioned the High Court of Justice to prevent the security forces from demolishing his house in Ramallah. The lawyer for the petitioner, Attorney Ibrahim Abu-Gosh, pleaded that Mr. Yassin's son had been arrested on suspicion of "hostile activity and participation in carrying out sabotage acts" but that he had left his home after a family dispute and that the father had no knowledge of his son's activities. He argued that the father's house should not be demolished so long as it was not proven that he had assisted his son. At the same period, another Ramallah resident, Mr. Munir Tawfik Abd El-Aziz, petitioned the High Court to forbid the demolition of his house. His daughter had been arrested on suspicion of belonging to a "terror organization". The lawyer for the petitioner, Attorney Lea Tsemel, presented the same arguments as in the preceding case. (Yediot Aharonot, 4 July 1979; Asha'b, 5 July 1979)

355. Provisional injunctions were issued in each of the three cases described above.

#### C. Remedies against expulsions

356. On 3 May 1979, the High Court of Justice rejected an appeal by Mrs. Lea Tsemel on behalf of Riad Abu-Awad, a Bir-Zeit University student, against an order of expulsion issued on grounds of his participation in subversive activities at the University. (Ma'ariv, 4 May 1979; Jerusalem Post, 4 May 1979)

357. Mr. Abu Awad's lawyer, Mrs. Lea Tsemel, argued that:

(a) Abu-Awad was a Jordanian citizen and under the Jordanian constitution "a Jordanian shall not be deported from the territory of the Kingdom";

(b) The expulsion of protected persons was in contradiction with article 49 of the fourth Geneva Convention;

(c) According to Hebrew university professors "the call in Abu Awad's leaflet to abolish the Zionist entity did not go beyond similar opinions voiced by certain ultra- orthodox Jews".

358. These three arguments were rejected by the High Court on the grounds that:

(a) ... "the Defence Emergency Regulations of 1945 remained in force on the West Bank as part of the Jordanian law ... and that with the military occupation of a certain area all the powers of the former ruler pass to the hands of the occupying army and are executed by it", therefore expulsion was possible;

(b) The fourth Geneva Convention admits derogations to its article 49 in order to ensure public order and when such measures are taken to protect the country's own security;

(c) The Hebrew university professors were not "charged with the task of ensuring the security and the public peace in the administered territories". (Ma'ariv, 4 May 1979)

359. On 25 July 1979, the High Court of Justice rejected an appeal by Ataf Hassib Hassan Barguti, (29) a Jordanian citizen born in the Ramallah district, where his wife and children (2) live. He had lived abroad since the age of 15 and had been charged with membership of Fath and of the PFLP and imprisoned several times. The High Court ruled in this case that "the question was not expulsion but an expiry of the staying permit". (Ma'ariv, 26 July 1979)

#### D. Remedies against ill-treatment or inhuman prison conditions of Arab security detainees

360. The Special Committee examined information concerning petitions to the High Court of Justice by civilians from the occupied territories alleging that they had been tortured during their interrogation and other petitions alleging inhuman prison conditions.

361. An application was presented to the High Court of Justice, in November 1978, by three detainees, Aimad Nasha'at Kamal Ya'ish, B'his Hahmud Naji and Ahmad Jaber Suleiman, who requested the court's intervention in their efforts to improve their conditions of detention. In July 1979, Khalil Ali Abu Ziyad made a similar appeal. The outcome of these applications was not known to the Special Committee at the time of the adoption of this report.

362. The High Court of Justice laid down as a principle, that every prisoner had the right to petition the

Court and that no disciplinary measures may be taken against the petitioner even if his petition was unjustified. This decision was given in the case of a security detainee serving a life sentence in the Ramle prison who applied to the Court after having been held in solitary confinement and been sprayed with gas for refusing to end a hunger strike. The director of the prison acknowledged the use of tear-gas but said that it had been used to calm down the prisoner. He recommended that disciplinary and punitive measures be taken against the prisoner. This paragraph prompted harsh criticism from the President of the Supreme Court, Dr. Yoel Sussman, and from Justice Haim Cohen, during the hearing of the petition. (Ha'aretz, 6 June 1979)

E. Statement by Mrs. Felicia Langer

363. In view of the extensive experience of Mrs. Felicia Langer and Israeli lawyers in seeking judicial remedies in an attempt to safeguard certain rights of the civilian inhabitants of the occupied territories, the Special Committee deemed it relevant to seek from Mrs. Langer a statement of her experience, which covered cases of expropriation and seizure, demolitions, expulsions and bad prison conditions. The Special Committee received the following oral statement from Mrs. Langer on 14 September 1979, covering three of these four types of cases:

1. Cases of expropriation and seizure of privately-owned Arab lands

"As to the first question of judicial remedy concerning the seizure or confiscation of privately-owned Arab lands, according to my experience I am successful only as far as in securing the temporary injunction, which means that for a while, I am stopping the negative aspect of seizure and of the creation of faits accomplis. But up till now, I have not succeeded in finally preventing the confiscation and as far as I know there are experiences of other lawyers which are published, which I am studying and which I am using as precedents in my work. There are negative judgements which are justifying these seizures and the confiscations of land and accepting the arguments of the authorities that the settlements are vital for the security of the region."

2. Cases of demolition and sealing up of houses owned by Arab inhabitants of the territories

"In these cases I have succeeded in preventing demolition but there was never an explicit judgement forbidding the demolition, but after obtaining an interim injunction preventing the demolition until another decision is taken in the pleadings the respondent always declares that there is no intention to demolish these houses. Therefore I am convinced that the application to the High Court is useful in these cases and has a deterring influence. I have one case at the moment which is still not reviewed, in which I am asking for a house in Ramallah not to be sealed up. I think that this time, it will really come to pleadings and the case will not be concluded by the issuance of an interim injunction, which is what I have now. It will be a good test case about the final attitude of the Court in the question of collective punishment."

3. Cases of appeal against expulsion

"To my profound regret I have to say that the Courts revealed a negative attitude to almost all the cases of the applicants asking to stop their deportation. The final outcome of such a case is almost always dependent on the respondent and up till now it has never failed to convince the Court that expulsion is needed for security reasons.

"The last case of Atef BARGOUTY from Kubar village, in which the Court accepted without any hesitation the contentions of the respondent, the Minister of Defence, about the security reasons for the applicant's expulsion is another proof that the attitudes of the Court in these cases is to consider positively, without any possibility of checking by the applicant, the arguments of the security authorities. In addition to this, the Court has stated that somebody born in Palestine, in the occupied territories, even if his family is there and even if it is his homeland, has no vested right to return and it is a matter of favour of the authorities as it is with regard to any foreigner asking to come to Israel.

"In general I have to declare that the Geneva Convention and its provisions are put aside whenever there is a contention that the security of the State is at stake."

VI. CONCLUSIONS

364. In this section, the Special Committee gives its conclusions based on its evaluation of the information it has received, which is reflected in section IV. In so doing, the Special Committee considers that these conclusions and the information upon which they are based reflect a continuing process: thus they complement its earlier reports and conclusions.

365. Certain fundamental conclusions reached in earlier reports, in the Special Committee's view, should be restated since they establish the context of the present observations.

366. The first is that the fact of occupation itself constitutes a fundamental violation of the human rights

of the civilian population of the occupied territories.

367. The second is that Israel's policy in the occupied territories is based on the so-called "homeland" doctrine which envisages a mono-religious (Jewish) state established on territory that includes those territories occupied by Israel in June 1967. It was this doctrine that was announced as the basis for the decision of the Government of Israel to authorize purchase of land in the occupied territories by Israeli citizens and corporations.

368. Section IV illustrates the practical effect of these two considerations. In general it may be stated that, to the extent that the inhabitants of the occupied territories do not form part of the religious group in whose name the Government of Israel claims the right to establish itself, these inhabitants have no rights vis-à-vis the governing authorities (in this case the Government of Israel as a military occupation authority) whenever the exercise of these rights happens to run counter to the "homeland" policy. Therefore the Government of Israel assisted by the judicial authorities continues to deny the right to return to their homes to those inhabitants of the occupied territories who fled as a result of the hostilities and to those expelled by the Israeli military authorities from the occupied territories since June 1967. The situation of those civilians who remained in the occupied territories has been illustrated in earlier reports of the Special Committee. Section IV shows their situation during the period since 10 November 1978.

369. Section IV illustrates in specific terms the policy of annexation and settlement of the occupied territories followed by the Government of Israel as formally and publicly announced by the Government and official government sources, the implementation of this policy, the policy followed by the Government of Israel with regard to the inhabitants of the occupied territories and the situation of detainees in the occupied territories.

370. The information in paragraphs 25 to 163 above, confirms once again that the Government of Israel continues to follow deliberately a policy of annexation of the occupied territories, which is being implemented by the expropriation of property, the establishment of settlements and the implantation of Israeli Jewish civilians in them. This is established by referring to the numerous unequivocal statements by members of the Government as reflected in section IV A. The accuracy of these statements is further confirmed by the detailed, uncontradicted reports of measures taken, under way, and planned, to establish Israeli settlements. This is illustrated by section IV B, and by the map reproduced in annex III to the present report, which shows the existing number and situation of Israeli settlements in the occupied territories.

371. Furthermore, this information shows that this policy is unanimously endorsed and followed by the Government of Israel and Israeli leaders. The Special Committee notes, for example, that apparent divergencies exist as regards the size, location and timing of the settlements, or whether priority should be given to the expansion of existing settlements or the setting-up of new ones. Indeed, the Government of Israel, although an occupying Power and as such bound by the international obligations it undertook to respect as a party to the fourth Geneva Convention, is acting in a manner utterly oblivious of these obligations. The Special Committee has reaffirmed in its previous reports the applicability of this Convention; this position is shared by ICRC which, in its annual report for 1978, reiterated its long-held position. The Government of Israel continues to deny the applicability of this Convention to the territories occupied by it in 1967. Since the provisions of the fourth Geneva Convention are designed to protect civilians, who are also the subject of other applicable international human rights instruments, these Israeli policies and measures are (or continue to be) in violation of these provisions of international law. In particular, and as has been shown in earlier reports of the Special Committee, articles 47 and 49 of the fourth Geneva Convention are disregarded by the policy followed by Israel in the occupied territories. Article 47 provides:

"Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced, as the result of the occupation of a territory, into the institutions or government of said territory, nor by any agreement concluded between the authorities of the occupied territories and the Occupying Power, nor by any annexation by the latter of the whole or part of the occupied territory."

Article 49 provides:

"Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive."

"Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Such evacuations may not involve the displacement of protected persons outside the bounds of the occupied territory except when for material reasons it is impossible to avoid such displacement. Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased."

"The Occupying Power undertaking such transfers or evacuations shall ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that the removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated."

"...

"The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies."

In this regard, the Special Committee notes that the High Court of Justice has invoked the derogations in

article 49 to justify the expulsion of civilians from the occupied territories (see para. 334). In the view of the Special Committee, the fourth Geneva Convention, including the derogation clauses in article 49, cannot be used as a basis for justification of expulsions. Indeed, none of the derogation clauses in article 49 may be applied to the situation prevailing in the occupied territories. The facts, as recorded in section IV above, do not justify any of the derogations in this article.

372. Section IV shows that Israeli policy is openly announced and declared by the government and that measures are taken according to pre-determined and carefully worked out plans. It also gives details as to the manner and extent of the implementation of this policy. For example, as stated by Minister Sharon in paragraph 40 above, some settlements are set up, as a first step, as Nahal paramilitary outposts). Up to the date of the adoption of the present report, 120 settlements were established or authorized. This figure does not reflect the effect of the policy of "thickening" settlements whereby existing settlements are being expanded. Section IV also includes information on the budgetary allocations for implementation of the settlement policy (paras. 109-118 above), for example, the \$30 million for expansion of existing settlements, and the \$40 million for the setting-up of new settlements. Further illustration is contained in paragraphs 25 to 78, including in particular, the information on the approval by the Government of its plan to set up, by the end of 1980, 26 new settlements on the West Bank, including six new settlements in the Jordan Valley in addition to three new settlements on the Golan Heights and three new settlements in the Gaza Strip by the end of 1979 (para. 63).

373. In addition to the information of policy statements, budgetary allocations and the adoption of plans to implement the policy of annexation and settlement, section IV contains an extensive cross-section of information on expropriation of property undertaken with the express purpose of building settlements on it and in most cases, providing them with land to cultivate. In this context, the Special Committee notes the discrepancies between these numerous reports of expropriation and statements made by the Prime Minister of Israel, such as that reported in paragraph 46 to the effect that no expropriations have taken place but that any land that may be required will be seized by the Government of Israel. The extent of the expropriations reported in the period covered by the present report is larger than in previous years. Reference is made to paragraphs 79 to 105 above. The Special Committee cannot determine whether this is due to an actual increase in the number or extent of expropriations or whether this is due to more extensive reporting of such measures. The Special Committee has stated the position under the applicable international law in its previous reports. Briefly stated, the Special Committee considers that, military occupation being a temporary situation pending the end of the state of belligerency, any and all measures undertaken by the occupation authorities in the territory under its military control are also temporary. The Special Committee considers this aspect particularly relevant to its mandate since it is one of the most sensitive points where Israeli policy directly touches the civilian inhabitant, in addition to the future of the territories. In the period covered by this report, instances of expropriation provoked severe reaction by civilians, who, in spite of very strict military control, held public mass demonstrations in often violent protest against these measures. Moreover, as illustrated by the information contained in paragraphs 217 to 240 above, the Government of Israel appears to be increasingly ineffective in controlling the spirit of expansionism that it has fostered among its settlers in the occupied territories; frequent reports have appeared in recent months of Israeli settlers taking the law into their own hands to the detriment of the civilian population. Furthermore, the Special Committee notes the active role played by members of the Government in encouraging such activities and in ensuring the realization of the policy of annexation and settlement. In this context, the Special Committee refers to article 29 of the fourth Geneva Convention by virtue of which the Government of Israel is responsible for the acts of Israeli settlers vis-à-vis the civilian population. As stated in the Commentary to the fourth Geneva Convention, a State is responsible for acts of its citizens "if it has failed to give proof of the requisite diligence and attention in preventing the act contrary to the Convention and in tracking down, arresting and trying the guilty party".<sup>19/</sup> In the situation in the occupied territories the Government of Israel has openly encouraged acts contrary to the Convention and has openly connived at others, as amply illustrated in section IV above. In this regard, the Special Committee would refer to the manifest leniency of the courts and the authorities in their treatment of Israeli citizens accused of abusing civilian inhabitants of the occupied territories.

374. One serious effect of the policy of annexation and settlement has been the shortage of water in the occupied territories, mainly provoked by the creation of the settlements. The Special Committee has noted several reports of this phenomenon which was also the subject of a detailed account by Mr. Kawasme in his testimony before the Special Committee.

375. The Special Committee noted that in reports of expropriation, the property is often characterized as "Government-owned" or "State-land", as distinct from "privately-owned" land. Whatever the intention of the authorities may have been in drawing this distinction, the Special Committee deems it relevant to point out that, for the purposes of the applicable international law, such a distinction does not alter the temporary nature of such measures. The Special Committee has also noted that expropriated land is also invariably characterized as either "rocky" or "barren". The same consideration applies to this distinction since the quality of the land does not legitimize its expropriation. Another common characterization encountered by the Special Committee in examining measures of expropriation has been that of "security reasons". The Special Committee has had occasion to pronounce itself on this aspect and would briefly recall that reasons of security cannot be arbitrarily invoked by the occupying Power in justification of any measure adopted contrary to the Convention. The conduct of the occupying Power in this context is subject to clear and strict limitations.

376. The Special Committee notes that the High Court of Justice of Israel has endorsed arguments according to which reasons of security may be invoked to justify the establishment of Israeli settlements in the occupied territories and the transfer of Israeli citizens to these settlements (see paras. 325-346, above). Such decisions, in the view of the Special Committee, only serve to confirm that the civilians of the occupied territories have no protection whatsoever against the arbitrary measures of expropriation, establishment of settlements and transfer of Israeli citizens to their midst.

377. In the view of the Special Committee such characterizations, whether referring to the ownership or to the type of land or the pretext of security, are but different ways of justifying the seizure of land in the execution of the policy of annexation and settlement; this view is strengthened by the fact that, whenever it has not been found possible to invoke any of these justifications, expropriation was carried out outright. Additional examples are contained in paragraphs 79 to 105 containing information on measures taken by the military authorities to prevent or prohibit or limit the civilian population from using its property or, as in paragraph 86, ordering landowners to sell their property. Paragraph 88 contains information on the method adopted by the Government of Israel of acquiring land in the occupied territories through para-statal or quasi-governmental societies.

378. The information in section IV reveals a new aspect of the policy followed by the Government of Israel in the occupied territories. As reflected in paragraphs 153 to 163 a number of "regional councils" have been created in the occupied territories with the purpose of co-ordinating services and organization of Israeli settlements in various regions in the occupied territories. As of the date of the adoption of the present report, nine such "regional councils" had been established. The Special Committee considers the establishment of such bodies as further evidence of the intention of the Government of Israel to consolidate its annexation and settlement of the occupied territories.

379. Section IV B reflects information on the civilian population in the occupied territories; this information illustrates that it is the policy of the Government of Israel to deny the Palestinian people their right to self-determination (paras. 164-168); this is contrary to article 1 common to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI)). The reports of the Committee on the Exercise of the Inalienable Rights of the Palestinian People contain information relevant to this point. Furthermore, the information contained in section IV B shows that the civilian population is denied any opportunity to express its desire for self-determination. The information in section IV B and in the tables reproduced in that section illustrate the attempts made by the civilian population during the period covered by the present report to express its resistance to the occupation and the reprisals taken by the Israeli occupation authorities. The reprisals consist of collective punishments (contrary to article 33 of the fourth Geneva Convention) and of individual reprisals such as demolition of houses (contrary to article 53 of the Convention). The severity of these reprisals has increased in the period covered by the present report, as exemplified by the curfew imposed on the town of Halhul in March 1979 which lasted 16 days; during this period the inhabitants of Halhul were confined to their homes for 24 hours a day for five days, 23 hours a day for the next five days and 22 hours a day for the rest of the period. At no time, were they allowed to appear at their doors or windows: it was reported that those who did so had their houses broken into and were beaten up. In addition, during the entire curfew, the Israeli authorities physically repelled attempts by civilians from other towns to bring badly needed food and water to the inhabitants of Halhul. The Special Committee considers that the treatment of civilians in the occupied territories has reached serious depths in the absence of any meaningful protection of the civilian or any control over the conduct of the Israeli authorities.

380. Section IV C reflects the information received by the Special Committee on the situation of detainees in the occupied territories. In addition to the information appearing in press and other reports, the Special Committee received the testimony of 16 persons who had spent substantial periods in Israeli prisons as security detainees. It also received the testimony of Mr. Kawasme, the Mayor of Hebron, who had visited Hebron prison on two occasions in his capacity as Mayor. The Special Committee also received numerous reports and communications from the occupied territories, several of which contain first-hand experiences and observations by such persons as lawyers, municipal authorities and members of organizations. The Special Committee gave particular attention to 53 cases of alleged ill-treatment that required close examination. The Special Committee has considered the question in all its reports to date; it has always exercised the greatest caution in evaluating testimonies received on this subject; such caution is necessary, in the view of the Special Committee, because of the following considerations: first, the allegations themselves are extremely serious and pertain to the most fundamental aspect of human behaviour; and secondly, because of the nature of the situation to which such allegations refer, and in the absence of an ongoing on-site inspection and access to prisons and detainees, the quality of the evidence has to be particularly high.

381. In its 10 years of existence, the Special Committee has accumulated considerable evidence which proved beyond reasonable doubt that prison conditions of security detainees were extremely poor and inferior to the applicable international standards and that interrogation procedures were often accompanied by physical abuse. The information received by the Special Committee during the period of the present report and reflected in section IV above confirms these findings and establishes the fact that prison conditions fall far below these standards (set out in article 32 of the fourth Geneva Convention, article 5 of the Universal Declaration of Human Rights, article 7 of the International Covenant on Civil and Political Rights, in the Standard Minimum Rules for the Treatment of Prisoners <sup>20/</sup> and in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX))).

382. Prison conditions were described by the persons appearing before the Special Committee who are former detainees and by the Mayor of Hebron, Mr. Fahed Kawasme, who, on the two occasions when he visited the Hebron prison, had occasion to visit the interior of the prison. These descriptions confirm the experiences related to the Special Committee by other former detainees during earlier years. Detailed descriptions of the prisons of Ashkelon, Beersheba and Ramle, for example, contained in the records of testimony recorded by the Special Committee this year, give a detailed account of the serious overcrowding in the prisons such as Ashkelon, which is described as follows by a former detainee who had spent 9 of his 11 years' imprisonment there:

"Mr. DALKAMUNI (interpretation from Arabic): Ashkelon prison was composed of 32 rooms, but not similar in size. For example, I mentioned a room which was 5 by 6 metres; it contained 20 persons. There are other rooms smaller than that, about half that size, containing 10, 11 or 12 prisoners. This gives



an idea of the size of the rooms. The prison contained 400 prisoners, and when you consider the space per prisoner, it was the size of the mattress given to each prisoner. 180 by 70 centimetres, the size of the mattress: this was the space allocated for each prisoner. As I said, the prisoners had to sleep one next to the other. If a prisoner had an infectious disease, this disease propagated in the room. The Red Cross knew that all our strikes were in order to relieve the congestion in the prison. However, they did not respond to our demands. We asked for humane treatment. They aggravated our treatment, and the treatment was not only confined to beating; they resorted to psychological methods as well. For example, I should have a minimum of treatment and should not suffer from diseases as a result of humidity and so on. Therefore at least I should sleep above the floor, and this was not the case. For example, they stole blankets from us, they did not allow us more than a limited number of hours ...".  
(A/AC.145/RT.268, p. 8)

Similar accounts were given by Miss Afifa Bannoura and Mr. Tahsin Halabi (A/AC.145/RT.265, pp. 15 and 11 respectively) with regard to the situation in Nablus prison. Miss Aisha Odeh (A/AC.145/RT.266, p. 8), Miss Rasmiah Odeh (A/AC.145/RT.263, p. 13 and A/AC.145/RT.264, p. 5) and Miss Ayda Salem (A/AC.145/RT.261, p. 5) gave similar accounts with regard to women's prison at Neve Tirza. Mr. Tahsin Halabi (A/AC.145/RT.264, p. 17) and Mr. Abu Danhash (A/AC.145/RT.258, p. 12) gave a similar picture with regard to the overcrowding at Hebron prison. The overcrowding in Gaza prison was described by Miss Afifa Bannoura (A/AC.145/RT.265, p. 16) and Miss Aisha Odeh (A/AC.145/RT.266, p. 11). The situation in Beersheba prison was described by Mr. Abdalla Bakarwa (A/AC.145/RT.265, p. 11). It is clear to the Special Committee from these accounts and the reports from other sources that complement and confirm them that the overcrowding in Israeli prisons is indeed very serious. Several former detainees confirmed that they were denied freedom of worship, and in several instances, were not allowed to have books, including the Koran. Health care was virtually non-existent in several prisons and minimal in others. In certain cases, the absence of medical facilities was alleged to have led to the death of a prisoner (Mr. Tahsin Halabi, A/AC.145/RT.264, pp. 17 and 18). According to one witness who had experience of a number of prisons during his prolonged detention, the medical and sanitary conditions in Beersheba prison, were, in his view, the worst. The following passage is illustrative:

"Mr. BAKARWA (interpretation from Arabic): Up to the time of my release, on 14 March 1979, I was held in several prisons: Ramle, Ashkelon, Beersheba, Jamale and then again Beersheba. From Beersheba I was transferred to Tulkarm, where I was when I was released.

"The CHAIRMAN: Now, could you mention some names of other people with you in the prisons, in the same cells? Let us start with the last one, Tulkarm. How many were together in a room?

"Mr. BAKARWA (interpretation from Arabic): They weren't cells but small prison rooms. If a room could contain 10 persons we were 18 or 20, and if it could contain 5 we were 8 or 9. There were about 90 of us who were transferred from the Ashkelon prison after a strike and some troubles which occurred in the prison. They separated 90 prisoners and transferred them somewhere else.

"The CHAIRMAN: I know too, that it was a long period and that you were in many prisons, but could you concentrate on just a few examples of what you experienced during your imprisonment, bearing in mind the mandate of our Committee, which is concerned with the treatment of detainees, with prison conditions; and we would like to hear from you something of your personal experience. It would be helpful if you could cite specific cases to give the general picture.

"Mr. BAKARWA (interpretation from Arabic): Some of the prisoners were sick and the medical treatment was bad. There were many cases of ... diseases and embedded fragments of shells ... (inaudible) ... There were only two operations performed while I was in prison. There were more than 15 or 20 people affected by haemorrhoids, then there was ulcer and skin diseases, which were not very well treated medically speaking. Mahmud Jarad, who spent a long time in Beersheba prison, still has some shell fragments in his head. For five years he was promised an operation but the operation was never carried out.

"The CHAIRMAN: In what prison did you spend the longest period?

"Mr. BAKARWA (interpretation from Arabic): The longest period I spent at Beersheba and Ashkelon, about the same time at each. I spent quite some time at Beersheba because, as I said, I was transferred from Beersheba, then I went back to there later, and then I went to Tulkarm - about four and a half years. I cannot be more specific than that.

"The CHAIRMAN: In which prison would you say that prison conditions were the worst?

"Mr. BAKARWA (interpretation from Arabic): The worst was at Beersheba. We suffered from haemorrhoids, from ulcers, lack of medical care. We made complaints to the director about little things, such as clothing, food, the blankets we were given and we sought to obtain a certain number of books that were authorized in Israel. We asked for conditions of visits to be improved. For three months we asked the director to give us these things for humanitarian reasons but our demands were not met and we were forced to carry out a strike.

"The CHAIRMAN: You mentioned the Red Cross; did you complain to the Red Cross delegates? How often did the delegates of the International Committee of the Red Cross visit your prisons?

"Mr. BAKARWA (interpretation from Arabic): In the beginning the Red Cross delegate used to visit us once a month at Beersheba and every time he came we complained to him and made our requests to him, and he promised that the matters would be examined and that he would discuss them with the authorities.

The second month he said that he had addressed complaints to those in charge but that he could not do anything else. He could not do anything apart from making protests to the authorities. He came the first or second month - I cannot quite remember; he tried to arrange for visits but he did not succeed. Finally he stopped coming to see us, there was no visit until we started the strike. We were unable to get anything at all, except that after the strike was over they did give us another blanket from the Red Cross, so that we had six blankets for the winter and the summer. That was in Beersheba prison, in 1973.

"The CHAIRMAN: Were your contacts with ICRC as frequent later on as before? You mentioned monthly visits. And I would also like to ask you whether you noticed, in late 1978 and at the beginning of this year, any change in the ICRC delegates' contacts with the prisoners in prisons? Have they become more frequent lately? Was there any change in the procedure of visiting prisons by the ICRC delegates?

"Mr. BAKARWA (interpretation from Arabic): The Red Cross visited us once a month and then once every three months and then once every two months, so in the last period there was a visit once every two months. I think that the last visit took place one, or possibly two months before we were released. There was no change in the procedure; they were ordinary visits. There was no misunderstanding between us, the prisoners, and the Red Cross. The Red Cross offered us tangible and convincing proofs. They told us that they could not force the prison administration to provide us with blankets or food, but that if they were given permission to give us a blanket, they would do so." (A/AC.145/RT.261, pp. 10-11)

Similar accounts were given by Mr. Sakran Sakran (A/AC.145/RT.267, p. 15) with regard to Beersheba prison. Mr. Abdel Rahim Jaber (A/AC.145/RT.267, p. 6) and Mr. Abu Danhash (A/AC.145/RT.258, p. 10) testified to the poor medical and hygiene in Ashkelon prison; Mr. Tahsin Halabi (A/AC.145/RT.264, pp. 17 and 18) with regard to Jenin prison, Miss Afifa Bannoura (A/AC.145/RT.265, pp. 16 and 17) and Miss Ayda Salem (A/AC.145/RT.261, p. 2) described the same situation with regard to Gaza prison. Similar accounts of inadequate medical care were given by a number of women former detainees with regard to Neve Tirza prison (Miss Ayda Salem, A/AC.145/RT.261, pp. 3, 6 and 7; Miss Rasmiah Odeh - who lost her eyesight during a 21-day period in 1979 - A/AC.145/RT.263, pp. 10 and 11 and A/AC.145/RT.264, p. 9; Miss Afifa Bannoura, A/AC.145/RT.265, p. 16; and Miss Aisha Odeh, A/AC.145/RT.266, p. 13). The only prison with medical facilities was Ramle prison. Mr. Samir Darwish described the Ramle prison "hospital" in his statement before the Special Committee; according to Mr. Darwish, this consisted of 35 beds in 6 rooms with a clinic attended by a doctor who examined 30 to 40 prisoners during visits of one and a half to two hours (A/AC.145/RT.270, p. 7). The Special Committee notes with concern several reports of arbitrary use of sedatives and pain killers. The following excerpt from the testimony of Mr. Said Dalkamuni is illustrative of this information:

"In February 1979 two comrades beat a policeman. When the director asked them why they had hit him, they said they wanted to die, that they had life imprisonment sentences and the treatment was inhuman. They had recourse to such means in order to die. We were given injections of morphine; some were given to Ismail Salame and Mahmud El-Zeit.

"As Arabs, as Moslems, we wished to die. When you are sentenced to life imprisonment and you are not given any humane treatment at all, at that point in one way or another you must undertake some kind of action that will lead to your death. These two persons said to the prison director that they wished to be treated like Jewish criminals; they were refused that, because, they were told, the Jewish criminals were citizens, and they should consider themselves happy even to survive. Even the prison director, when he came in and joked with us, said 'You should be happy to be alive'. So you can imagine the morale of someone who is sentenced to life imprisonment and who is being treated in such an inhuman manner. They are given injections of morphine, which more or less paralyse your will. These are just examples that I am giving.

"The CHAIRMAN: Mr. Dalkamuni why did they inject morphine? What did they say when they did this and how do you know that it was morphine?

"Mr. DALKAMUNI (interpretation from Arabic): When we protested, a comrade, Omar Abu Rashed, went to see the prison director, and he saw other people there, Mahmud El-Zeit and Ismail Salame. He saw that there were marks on Mahmud El-Zeit's arm. When he explained this, we saw that he could not even move his arm.

"As to how one can know that these were in fact morphine injections, we have some knowledge in this regard. We know what the effects of morphine injections are - when we see that the person is sleeping, that he cannot move; and this is not just the experience of only one or two prisoners. Many prisoners were treated in the same way and had the same effects. We reach a situation where we are unable to support the pain and then they start giving morphine. The problem is not medical, really; it is a sort of physical torture. From taking such injections very often one becomes addicted and the body demands them. Hence it is not really a medical situation; it is a sort of torture, a punishment.

"The CHAIRMAN: I think this is a very serious matter, Mr. Dalkamuni, I would like to ask you for further details. To whom did they give these injections? You mentioned that this was a kind of torture, but we would really need some more evidence of this. Why did they want to torture by the morphine? Who administered the injections? Could you mention some names and, in general, could you give us some more details on this?

"Mr. DALKAMUNI (interpretation from Arabic): The injections were given, for example, by the nurse - one of them was an Armenian, another was Rahmani and the other was Roger (?), who was the prison nurse; and this was under the supervision of the security officer. Therefore, I say it was not a medical matter, really, because the security officer supervised the whole operation. I can tell you about a prisoner who worked in the dispensary, by the name of Azem Hassounah, to show what was systematically practised. Any of our colleagues who was given this injection would be taken away for it, and then when

he came back he would tell us all what had happened. Azem Hassounah, a prisoner who worked in the dispensary, witnessed the whole situation and told us all about it afterwards.

"The CHAIRMAN: You said that it was done systematically; how often was it done? Could you tell us something about this?

"Mr. DALKAMUNI (interpretation from Arabic): For example, when someone was unable to support the severe conditions of the prison. As I have explained, usually we went on strikes in order to improve our conditions, and in most cases they refused our demands. As I said, we went on a strike for 65 days and when we demanded to be treated like the Jewish criminals they refused that. We suffered greatly during the strikes - for such results - and the prison wardens would say, 'It is enough for you to be alive'. A prisoner unable to stand all this would be beaten, put in solitary confinement and beaten there, and after that he would be given morphine injections. The aim was to break the person psychologically and physically.

"The CHAIRMAN: And these persons did not suffer from any particular pains, medically speaking, to be in need of morphine?

"Mr. DALKAMUNI (interpretation from Arabic): Not at all. Some of them were not even injured, and they were imprisoned in the interior, therefore, they were not suffering from either psychological or physical pain. Those who were beaten and those who were given the injections were the strongest in the prison. I can give you some names: for example, Ismail Salame was given this injection for two weeks. Mahmud El-Zeit, Hassan El-Fakhouri the same thing, and Tahsin - I don't remember his full name. Whenever there was a problem they used to administer this injection. No doctor examined those people; they were given those injections for no reason, really, no physical reason.

"The CHAIRMAN: What was the result, that these persons became more peaceful, unable to protest?

"Mr. DALKAMUNI (interpretation from Arabic): It is difficult to say precisely; those injections were not given in all cases but, as I said, at certain times when there were numerous problems, problems between a prisoner and a prison warder. For example, a prison warder would provoke a prisoner and the prisoner would respond. Then he would be taken for three months and during that period he would be given those injections. Also, we were sometimes injected once every 48 hours. For example, there is Ali Shehade El-Jaafari, who is still in prison now. They took him to the mental health hospital, and then when he was returned to the prison they said he was going to go mad, but when he came back to the prison he was all right.

"The CHAIRMAN: When they came back from this treatment how did they feel?

"Mr. DALKAMUNI (interpretation from Arabic): His pains were really psychological. When the time for the injection came, he said, he would suffer from headache. This was the experience of most of those who were given those injections. For example, Ali El-Jaafari said that for a whole year he suffered from headaches during his stay in prison.

"The CHAIRMAN: Were you given morphine injections?

"Mr. DALKAMUNI (interpretation from Arabic): No.

"The CHAIRMAN: Do you know whether this practice continued until recently?

"Mr. DALKAMUNI (interpretation from Arabic): The problem of Ismail Salame and Mahmud El-Zeit, which I mentioned, occurred a month before our release in February of this year.

"Mr. GOUNDIAM (Senegal) (interpretation from French): I think this is a very important matter, as it involves the physical and moral integrity of the individual, and I should like to put a question. The witness said that he himself was not injected, that it was his comrades who received these injections and they reported the facts to him. Now, did he speak to his comrades concerning, for instance, the colour of the liquid that was injected?

"Mr. DALKAMUNI (interpretation from Arabic): No, we didn't discuss that.

"Mr. GOUNDIAM (Senegal) (interpretation from French): And was the injection subcutaneous, intravenous or intramuscular?

"Mr. DALKAMUNI (interpretation from Arabic): I do not remember and I would like to remind you of something else. I was asked the question, for example, why I did not appeal. I am cool and I am not easily upset. I did not have problems with them in the prison, because I am as a person cool and calm.

"Mr. GOUNDIAM (Senegal) (interpretation from French): Did your comrades ever tell you that any of them had refused to submit to these injections? Did they know what their effects were?

"Mr. DALKAMUNI (interpretation from Arabic): Yes.

"Mr. GOUNDIAM (Senegal) (interpretation from French): Who, for instance?

"Mr. DALKAMUNI (interpretation from Arabic): Five or six policemen would come and force the person

concerned, injecting him from the outside, even through his trousers.

"Mr. GOUNDIAM (Senegal) (interpretation from French): In other words, this could only be intramuscular; it could not be intravenous, because you can't do that in the circumstances ..." (A/AC.145/RT.268, pp. 4-6)

A similar practice apparently occurs at Ramle prison. A statement by a former detainee at that prison confirms this practice (Mr. Samir Darwish, A/AC.145/RT.270, p. 6). As late as June 1979, the Ramle prison director was telling a Ministry of the Interior committee that the detainees in that prison live in "subhuman conditions". In spite of such statements, the Special Committee has not seen any information that the Israeli authorities intend to bring about any improvements to this situation; the occasional Israeli government reports and statements (reflected in section IV C) confirming the Special Committee findings in essence have remained without any action. In such a situation, the Special Committee cannot but express the deepest concern for the plight of those detainees who have to survive in such subhuman conditions and who are handicapped. The Special Committee has followed closely the cases of Mr. Ismail Abu Salame who is detained in Ashkelon prison and who is obviously in very poor health; Mr. Khaled El Atrash, detained in Hebron prison and mentally ill; Mr. Nader Rayez El Afouri, detained in Ramle or Nablus, suffering from severe mental disorder which materialized during his detention; Mr. Mohammad Akel, detained in Nablus prison, who suffers from cancer in the neck; Mr. Abdel Rahman El Assafra, detained in Hebron prison, who is blind and has twice undergone surgery during his detention; and Mr. Badr Abd Daana, detained in Ramle prison since 1970, who became mentally ill in 1972. This is but a small cross-section of a number of persons whose health situation is poor either because of injury or physical handicap. The Special Committee would particularly recommend that urgent action be taken to provide such detainees with the treatment that they require and their release from captivity on humanitarian grounds.

383. The information examined by the Special Committee shows that the practice of ill-treatment of persons under interrogation has continued. The attempt to increase control by ICRC delegates has not stemmed the flow of authoritative reports of such abuses. During the period covered by the report, a number of serious cases were examined by the Special Committee in which it was evident that suspects were subjected to various forms of ill-treatment during interrogation. Section IV C contains several illustrations of such cases (paras. 265-320). The Special Committee has noted several instances where detainees actually bore marks indicating that they had been subjected to ill-treatment. A number of lawyers have informed the Special Committee that they have seen their clients in such a state. Such information supplements that recorded by the Special Committee from the witnesses who appeared before it; brutality appears to be a normal manner of acting to all detainees. The prisons at Ashkelon, Beersheba, Gaza and the interrogation centre in Sarafand have been mentioned by several witnesses as sites where beatings and arbitrary ill-treatment of detainees goes on (Mr. Abu Danhash, A/AC.145/RT.258, p. 10; Mr. Sakran Sakran, A/AC.145/RT.267, p. 15, as regards Beersheba; Mr. Abu Danhash, A/AC.145/RT.258, p. 8; Mr. Hafez Dalkamouni, A/AC.145/RT.259, p. 3; Mr. Tahsin Halabi, A/AC.145/RT.264, p. 15; Mr. Abdel Rahim Jaber, A/AC.145/RT.267, p. 5, Mr. Said Dalkamouni, A/AC.145/RT.268, p. 3; and Mr. Mohammed Shatta, A/AC.145/RT.269, p. 4, as regards Ashkelon prison). The Special Committee would underline as being particularly illustrative the case of Mr. Ismail Ajwa which occurred in April and May this year. In this instance, after several months of detention and interrogation without trial, Mr. Ajwa, a journalist, was released in extremely poor health. Lie-detector tests administered by persons whose competence was not questioned by the authorities confirmed the truth of his allegation of severe ill-treatment.

384. Information contained in reports by widely acknowledged reliable sources such as the Sunday Times of London, the National Lawyers Guild of the United States and Amnesty International in previous years, and the reports of Miss Alexandra Johnson, United States Consulate officer in Jerusalem this year - all these reports, together with the rest of the information accumulated by the Special Committee from first-hand sources over the years, does lead to the inescapable conclusion that there is indeed in Israeli prisons a systematic practice of torture.

385. The over-all consideration that may apply to the conclusions reflected in the preceding paragraphs, is that the Government of Israel exercises unbridled power over the inhabitants of the occupied territories. The information received by the Special Committee shows that the Israeli authorities continue to apply their policy according to their own whims and the civilian inhabitants of the occupied territories have no protection whatsoever.

386. In this context, the Special Committee took note of certain statements which implied that civilians enjoyed a measure of protection of their rights from the judicial system in Israel. The Special Committee has studied this aspect closely during the period covered by the report and has given a synthesis of the information recorded by it in section V above.

387. In addition to this information, as the Special Committee has mentioned in earlier reports, criminal procedure envisages a "trial within a trial" to determine the validity of a confession when it is alleged that it has been made, inter alia, under duress.

388. The information available to the Special Committee indicates that this procedure is not resorted to anymore; in the years that the Special Committee has been following the situation of the civilians in the occupied territories there is no record of any case where the accused was successful.

389. It is clear to the Special Committee that these judicial remedies provide no relief to the civilian population nor do they constitute an effective safeguard for their human rights.

390. The authorities obviously do not encourage adequate legal assistance to the civilian population. In July, the Minister of Social Affairs approached the Quaker organization asking them to stop the activity of the office for legal aid they operate in East Jerusalem and where they offer legal assistance, free of charge, to landowners whose lands were seized for the purpose of setting up Israeli settlements or for security

purposes. The organization was told that "the only activities authorized are those which have a humanitarian character". (Ha'aretz, 4 July 1979; Jerusalem Post, 4 July 1979)

391. In matters of expropriation of property, the High Court has essentially endorsed the policy of the Government of annexation and settlement of the occupied territories. In the recent judgement on the expropriation of land for the Eilon-Moreh settlement, the High Court, while endorsing government policy, held in that particular case, that settlement was not warranted by security requirements. In other matters, such as demolition of houses, the High Court has not changed government policy, which as stated above, violates articles 33, 49 and 53 of the fourth Geneva Convention. As a redress to detainees complaining of inhuman prison conditions, the High Court provides only theoretic remedy, since the determination of prison conditions in fact remains within the power of the Government. The facts recorded by the Special Committee over the years - reconfirmed this year by the live experience of the 16 persons who appeared before it in June 1979 and by the information referred to in section IV, illustrate beyond doubt that the detainee remains at the mercy of the prison authorities; no remedy is available to the detainee to improve the inhuman prison conditions or his treatment during interrogation.

392. The same may be said with regard to the ineffectiveness of judicial remedies against expulsions. There is no case on record where a civilian inhabitant of the occupied territories could prevent his expulsion by resort to the Court. On the contrary, the Courts have endorsed government policy in this respect. The statement by Mrs. Langer in section V above is indicative of the ineffectiveness of judicial remedies; Mrs. Langer is one of the most qualified practising Israeli lawyers in these cases.

393. The Special Committee is compelled to draw the attention of the international community to the situation of the civilians in the occupied territories, not only for its humanitarian needs but because this situation constitutes a most serious obstacle to peace in the area. It may be accurately stated that in all respects the policies and practices of the Government of Israel vis-à-vis the civilians as well as its defiant attitude towards the international community, has reached an intolerable level of non-compliance with the applicable international law and the resolutions of relevant United Nations bodies that each Member of the United Nations must respect.

394. Having stated the foregoing, the Special Committee reiterates the remarks that it has made in its last report:

"In the circumstances, the Special Committee cannot but express its profound concern at the continuation of the military occupation and continued deprivation of human rights of the civilian population. The Committee would appeal once more to the international community, through the General Assembly, to assume its responsibilities to end the occupation, thereby safeguarding the most fundamental of the human rights of the population of the occupied territories. Pending the early termination of the occupation, the Committee recommends that a suitable mechanism be established to safeguard the human rights of the civilian population who have been exposed for such a long time to military occupation. In this context the Committee would refer to the proposal made by it since its first report.<sup>21</sup> In addition, and in view of the serious deterioration in the situation of detainees, the Committee would urge the General Assembly to ensure that a mechanism similar to that suggested by ICRC of establishing commissions of inquiry be set up (ICRC Press Release No. 1303 of 19 September 1977)." (see A/33/356, para. 134)

## VII. ADOPTION OF THE REPORT

395. The present report was approved and signed by the Special Committee on 9 November 1979 in accordance with rule 20 of its rules of procedure.

(Signed) B. BOHTE (Yugoslavia)

O. GOUNDIAM (Senegal)

D. R. PERERA (Sri Lanka)

## ANNEX I

### Medical reports

[Original: French]

## APPENDIX I

### A

Dr. JEAN BABEL  
Swiss Medical Federation  
Ophthalmologist

Geneva, 22 June 1979

Medical certificate concerning Mr. Mahmoud Hassan ABOU DANHASH  
born 1948

The above patient was examined on 18 and 19 June 1979 at the Geneva Ophthalmological Clinic.

He said that he had been the victim of a bomb explosion in 1969, when he lost his left eye; he had been in a coma for at least a month and had subsequently found that the sight in his right eye was virtually nil.

The present state of his eyes is as follows:

Right eye: Atrophied with cloudy cornea and corneal scars, adhesions between iris and cornea. Echographic examination shows that there was some organization of the vitreous body. Sight nil.

Left eye: No eyeball. A slight dome, the nature of which is uncertain, can nevertheless be felt at the fundus of the socket on palpation.

Areas of resistance, which seem to be foreign bodies, are discernible in the eyelids on both sides, but the standard X-rays have not revealed any radiopaque foreign body. The fundus of the left socket, however, shows signs of an old fracture.

Diagnosis: severe post-traumatic injuries to both eyes with permanent blindness.

(Signed) Jean BABEL

B

Dr. BRUNO THOMMEN  
Swiss Medical Federation  
Medical Radiology  
12, rue Adrien-Lachenal  
1207 Geneva  
Telephone: 35.47.47  
hg

9 June 1979

Mr. Mahmoud ABOU DANHASCH, 1948. Gastroduodenal canal. Dr. Dulac

Thorax radiology: no peculiarities.

Oesophagus: normal follow-through.

Stomach: contains no liquid taken on an empty stomach. The fundus is physiological in shape, size and position. The stomach walls unfold properly; the folds are somewhat coarse but nevertheless regular in outline. When filled, the stomach becomes hook-shaped, its tonus and peristalsis are satisfactory and it empties easily, the pylorus having good permeability. The greater and lesser curvatures are supple and show no permanent deformation, nor does the prepyloric area, which is easily depressible on palpation.

Duodenal bulb: triangular and well centred on pylorus; shows no wall deformation.

Profile of duodenum: duodenum not enlarged or deformed, properly mobile on palpation and regular in calibre; folds do not exhibit any disorder.

Jejunum: the jejunal loops are properly mobile and appear morphologically normal.

Conclusion: no parietal change suggesting a gastric or duodenal ulcer.

(Signed) Bruno THOMMEN

APPENDIX II

Dr. ALAIN JOLIAT  
Swiss Medical Federation

Specialist in Internal Medicine  
Telephone: 21.73.22  
13, Boulevard Georges-Favon  
1204 Geneva

Geneva, 25 June 1979

Medical examination of Miss Haida SALEM 1951  
Date of examination: 20 June 1979

History: patient aged 28, imprisoned for some 10 years and tortured during interrogation. Her present complaints are mainly severe episodic occipital headaches, which she connects with splinters from a bomb explosion which took place just before her imprisonment. There is still a splinter in her neck, which occasionally gives her spells of difficulty in breathing.

Condition: patient aged 28, generally well preserved. Skin hypotrophic and fairly moist. Palpation of pinhead-sized splinter in neck, to right of upper extremity of thyroid cartilage, subcutaneous, mobile, a little painful when touched. Palpation of a further splinter on the inside of the external malleolus of the right foot. No palpable adenopathy. Humeral arterial pressure 11/6; pulse regular, 80/min. Cardiopulmonary auscultation physiological. Abdomen supple and painless. No palpable pathological mass. No enlargement of liver or spleen. Renal capsules supple and painless. Osteoarticular status within normal limits. No meningism; field of vision in order. Cranial nerves normal. Osteotendinous reflexes sharp and symmetrical. No co-ordination difficulties.

Conclusions: The headaches are probably connected with the torture suffered by the patient (post-concussion syndrome). The skull X-rays show a splinter in the upper right part of the neck. There are also several opaque spots in the back of the head and temple, right, but they are more compatible with an artefact than with the presence of splinters. It is therefore very unlikely that the headaches are due to the presence of bomb splinters.

(Signed) A. JOLIAT

Enclosures: Skull X-rays.

### APPENDIX III

Dr. ALAIN JOLIAT  
Swiss Medical Federation  
Specialist in Internal Medicine  
13, Boulevard Georges-Favon  
1204 Geneva  
Telephone: 21.73.22

Geneva, 25 June 1979

Medical examination of Miss Rasmia ODEH 1948  
Date of examination: 21 June 1979

History: patient aged 31, imprisoned for 10 years, suffered considerable brutality (details of which are known to you) during interrogation. Her present complaints are of two kinds: 1. Frequent bad helmet headaches. While detained, the patient went completely blind for 10 days or so, but regained her sight without special treatment. 2. Abdominal pains, mainly in the right hypochondrium and in the epigastric cavity. The patient was apparently examined for these pains and a gastric ulcer diagnosed.

Condition: patient generally well preserved. Skin eutrophic and fairly moist. Oblique pigmented plaques 2 cm wide and 9 cm long on the rear surface of the anterior third of the forearms. Whites of the eyes not yellowed. No palpable adenopathy. No oedemas. Humeral arterial pressure 12/8; pulse-regular, 80/min. Slight protomesosystolic murmur 3/6, mid-heart area, without irradiation. Peripheral arteries all palpable. Veinous system has no peculiarities. Pulmonary auscultation physiological. Abdomen supple and very painful in the epigastric cavity, right hypochondrium and right iliac fossa. No pain on relaxing; deep palpation impossible owing to pain. No palpable mass. Liver at costal border, painful on percussion. No palpable spleen. Left renal capsule supple and painless right supple but painful on percussion. Osteoarticular status within normal limits No meningism. Cranial nerves in order. Field of vision normal when finger-tested. Fundus of the eye normal. Osteotendinous reflexes sharp and symmetrical. No co-ordination difficulties.

Conclusions: Although the skull X-rays give no pathological indications, the syndrome is most probably post-concussional and likely to be connected with the brutality suffered by the patient during detention. With regard to the abdominal pains, the patient was not in Geneva long enough (she left on the day on which I examined her) to undergo the additional tests which need to be done. It may nevertheless be concluded, first, that the ulcer diagnosis is a conceivable one and that treatment should be given and, secondly, that the residual pains in the right hypochondrium and right iliac fossa could be compatible with sequels to contusions (blows?). Vesicular pains obviously cannot be ruled out a priori but the absence of food intolerance makes them unlikely.

(Signed) A. JOLIAT

Enclosures: Skull X-rays.

#### APPENDIX IV

Dr. ALAIN JOLIAT  
Swiss Medical Federation  
Specialist in Internal Medicine  
Telephone: 21.73.22  
13, Boulevard Georges-Favon  
1204 Geneva

Geneva, 25 June 1979

Medical examination of Miss Affifa BANNOURA 1938

Date of examination: 22 June 1979

History: patient aged 41, imprisoned for 10 years, several times underwent torture (details of which are in your possession) during interrogation. While imprisoned, the patient had her appendix removed (1970). For the past four months she has been complaining of episodic tightness in the chest lasting about half an hour and dying away of its own accord. The feeling of tightness is accompanied by palpitation and numbness in the left arm, and also by difficulty in breathing. She has also been suffering for several years from swelling and pain in her legs.

Condition: patient generally well preserved. Weight 51.5 kg. Several rectilinear scars on the back (going back to childhood, according to the patient). Old vertical operating scar, right paraumbilical, 8 cm long, in order. Whites of the eyes not yellowed. No palpable adenopathy. Humeral arterial pressure 10.5/7; pulse regular, 84/min. Cardiac auscultation shows a slight protomesosystolic murmur 3/6 in the mid-heart area without irradiation. Peripheral arteries all palpable. Varicosis of lower limbs with infiltrated skin, no real oedemas. Pulmonary auscultation physiological. Abdomen supple and painless. No palpable moss. Liver at costal border, painless. No palpable spleen. Renal capsules supple and painless. Osteoarticular status within normal limits. Neurological status physiological.

Conclusions: In view of her present complaints, the patient probably has a heart condition, and so an electrocardiogram was done. The tracing is perfectly normal, which rules out a possible infarct, but angina pectoris is perfectly compatible. Also the patient was smoking about two packets of cigarettes a day in prison. Her detention alone cannot be held responsible for any angina, although the detention conditions may have played a decisive part in aggravating the illness.

The patient also suffers from venous insufficiency of the lower limbs; despite the likelihood of a predisposing factor, this has probably been aggravated by her detention as well.

As regards the localization of the appendectomy scar (right paraumbilical scar no conclusions can be drawn. However, further non-sophisticated examination cannot provide any more information, and in the absence of any digestive symptoms this problem can probably be regarded as solved.

(Signed) A. JOLIAT

Enclosure: ECG tracing

#### APPENDIX V

Dr. ALAIN JOLIAT  
Swiss Medical Federation  
Specialist in Internal Medicine  
Telephone: 21.73.22  
13, Boulevard Georges-Favon  
1204 Geneva

Geneva, 5 July 1979

Medical examination of Miss Ayesha ODEH 1944

Date of examination: 27 June 1979

History: patient aged 35, imprisoned for some 10 years and tortured. She now has a number of complaints: diffuse abdominal pains, particularly in the right iliac fossa, but without follow-through difficulties, nausea, or vomiting. Episodic back pains and palpitation.

Condition: patient generally well preserved. Weight 46 kg. Humeral arterial pressure 110/70; pulse regular, 80/min. Skin eutrophic, not yellowish and fairly moist. No palpable adenopathy. Cardiac auscultation shows a slight protomesosystolic murmur in the mid-heart area without irradiation. Peripheral arteries all palpable. Veinous system in order. Pulmonary auscultation physiological. Abdomen supple, a little painful in the left



iliac fossa and moderately painful in the right iliac fossa. No palpable pathological mass. Abdominal sounds present and normal. Liver at costal border, painless. No palpable spleen. Renal capsules supple and painless. Osteoarticular status within normal limits. No meningism; cranial nerves in order. Osteotendinous reflexes sharp and symmetrical. No co-ordination difficulties.

Conclusions: The clinical examination shows no pathology, and further examination should be envisaged, particularly as regards the abdominal pains, which might be due to poor alimentary conditions, but any pathology such as colitis is to be ruled out. Because of palpitation and a slight feeling of tightness in the chest, an ECG was done; the tracing is within normal limits (see copy attached).

(Signed) A. JOLIAT

Enclosure: ECG tracing.

#### APPENDIX VI

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Geneva, 6 July 1979

Medical examination of Mr. Said Youssef DALKAMOUNI 1950  
Date of examination: 25 June 1979

History: patient aged 29, wounded by grenade splinters at the age of 17 and subsequently imprisoned. Released this year. As a result of the grenade burst, he suffered injury to the left leg and burns on the left half of the body. He had skin graft on his left thigh for these injuries shortly after his arrest.

His present complaints are primarily pain in the left leg and difficulty in moving it.

Condition: patient generally well preserved. Weight 67.2 kg. Skin shows burn scars on the left half of the body, the left arm and the side of the left leg. Scar 18 cm long on the anteroexternal surface of the left thigh, the lower end of the scar having a surface area of 5 x 5 cm (skin graft). Multiple scars about ??? cm in diameter on the external surface of the left knee. Scar 4 cm in length on the front of the right thigh (removal of skin for graft to left thigh). Two scars ???cm and 2 cm long on the anteroexternal surface of the left arm. No palpable adenopathy. Humeral arterial pressure 11.5/8; pulse regular, 80/min. Cardiopulmonary auscultation physiological. Abdomen supple and painless. No enlargement of liver or spleen. Renal capsules supple and painless. Neurological status within normal limits. Reduced cutaneous sensitivity at scar on left thigh. ??? loss of strength.

X-ray examination:

Left thigh: no bone damage or splinters. Radiopaque nodule about 1 cm in diameter outline with the lesser trochanter, possibly representing ganglionic calcification.

Left leg: no bone damage or splinters.

Left arm: no bone damage or splinters.

Left forearm: two splinters: one 4 x 5 mm in the front of the forearm 10 cm from the styloid process of the elbow; the other 5 x 6 mm in the front of the wrist in line with the capitate and hamate bones.

Skull: five splinters varying from 2 to 4 mm in diameter:

- Between the roof of the left eye socket and the wall of the frontal sinus.
- Paramedian, left of the upper jawbone.
- In line with the third lower left molar.
- Subcutaneous, in line with the angle of the lower jawbone, left.
- Subcutaneous, below the horizontal branch of the lower jawbone, left.

Comment: The patient has numerous splinters resulting from a grenade burst; this may cause residual pain in the future. In particular, the splinters in the left wrist and left forearm should be removed. As regards the left thigh injury, the scar is at present in order. The mobility and strength of the left leg are only slightly reduced and it is difficult to express an opinion a posteriori on the treatment (pure alcohol was apparently poured on the wound). The operation was completely successful and subsequent pathology has been exclusively muscular (no bone damage revealed by X-ray).

(Signed) A. JOLIAT

## ANNEX II

### Reference material used by the Special Committee

#### A. 1. United Nations

##### Documents

Security Council (Letters from Governments, records of meetings,  
General Assembly (resolutions adopted, reports

Publications Studies on selected development problems on  
various countries in the Middle East (1970)

#### 2. Specialized agencies

##### Documents

ILO (Reports, records of meetings, resolutions  
UNESCO (adopted concerning the situation in the occupied  
WHO (territories

Publications UNRWA/UNESCO Education services for Palestine  
Refugees.  
Cultural policy in Israel, by Yoseph Michman,  
UNESCO, 79 pp. (1973) (also exists in French)

#### B. 1. News services WAFA, Palestine News Agency, Radio Israel

#### 2. Newspapers and news magazines:

Israel - Ha'aretz, Ma'ariv, Yediot-Aharonot, Al-Hamishmar, Davar,  
Al Quds, Asha'b, Al Fajr, Jerusalem Post, Al Ittihad, Haolam-Hazeh

France - Le Monde, Le Monde Diplomatique

Jordan - Al Dustur

United Kingdom - The Guardian, The Times, The Sunday Times

United States of America - International Herald Tribune, Newsweek

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Hawt Phalastine (Lebanon)

ICRC - Information Notes

Israel-Palestine (France)

Israeli Mirror (United Kingdom)

Palestine Human Rights Bulletin (Canada)

Palestine Studies (League of Arab States)

Palestine en marche (PLO, Lebanon)

Palestine (PLO, Lebanon)

Middle East Research and Information Project (Washington)

Middle East International (United Kingdom)

Journal of Palestine Studies (United States of America)

The Muslim World (Pakistan)

The Link (Published by Americans for Middle East Understanding New York)

SWASI'A - North Africa (Washington)

Arab-Swiss Chamber of Commerce and Industry

EL JADID (Israel)

Journal of Palestine Studies (published jointly by the Institute of Palestine Studies and Kuwait University)

Palestine en lutte (OLP-Lausanne)

Palestine Perspective (Washington)

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Palestine Thawra (PLO-Syria and Lebanon)

Phalastine El Muhtala (Lebanon)

#### Publications of the Government of Israel

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2. The Defence (Emergency) Regulations, 1945.
3. Monthly statistics of the administered territories (Israel Central Bureau of Statistics).
4. Arab villages in Israel and Judea-Samaria (the West Bank): a comparison in social developments.
5. The Israel administration in Judea, Samaria and Gaza: a record of progress, Ministry of Defence, 80 pp.
6. The Military Government's Civil Administration: a concise, comprehensive survey, June 1967 - June 1968. Ministry of Defence.
7. Seminar: Industrial Development in the Occupied Territories, by Shimon Peres, Minister of Communications.
8. The military situation in the Middle East by Gen. Haim Herzog, 34 pp., 17 December 1970.
9. Where Arab and Jew meet: life in the Israel administered areas. Israel Information Services, New York, April 1968.
10. State of Israel - Ministry of Agriculture: Activities in Judea and Samaria: June 1967 - January 1970.

#### Publications of the Jordanian Ministry of Culture and Information

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The Jordan Valley, by Hanna S. Odeh (1968), 22 pages.

Economic Impact of the Israeli Aggression, by N. I. Dajani (1969), 17 pages.

The Other Side of the Story, by W. J. Stibbe (1969), 27 pages.

Publications of the League of Arab States

Au coeur du problème palestinien, Genève, janvier 1975, 15 pp.

Echec au sionisme en Afrique, Genève, février 1976, 14 pp.

La Ligue des Etats arabes, organisation régionale pan-arabe, par Mohammed-Hussein El Fartosy, Genève, novembre 1975, 19 mm.

Les Palestiniens face au refus et au dénigrement, Genève, janvier 1975, 14 pp.

Le pouvoir sioniste de propagande à Genève, Genève, décembre 1975, 30 pp.

Profanation et défiguration par les forces d'occupation israéliennes du sanctuaire d'Ibrahim El Khalil "Abraham", Genève, octobre 1975, 19 pp.

L'Afrique et les Arabes, 31 pp.

Israel "cette ile de démocratie ..."  
Répression: la preuve par l'image, Genève, 20 pp.

Le racisme israélien, Paris, 16 pp.

Le racisme sioniste dénoncé par des juifs, Genève, décembre 1975, 16 pp.

L'UNESCO et la question de Jérusalem: propagande et réalité, Genève, avril 1975, 13 pp.

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Israel and the Geneva Conventions (1968), 62 pages.

Palestine: international documents on human rights 1948-1972, 404 pages (1972).

The Palestine question (seminar of Arab jurists on Palestine, Algiers, 22 to 27 July 1967), 203 pages (1968).

Prelude to Israel, an analysis of zionist diplomacy, 1897 to 1947, by Alan R. Taylor, 126 pages.

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Le Sionisme: une forme de racisme et de discrimination raciale by Fayez A. Sayegh (1976), 61 pages.

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Qnaytra: ville martyre, by Antoine Guiné, Damascus (1975).

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#### PHOTOGRAPHS

Photographs taken by members of the Special Committee during its visit to Quneitra on 9 September 1974.

Photographs of Quneitra submitted by the Government of the Syrian Arab Republic.

Photographs submitted by persons appearing before the Special Committee.

#### FILMS

"They do not exist ..."

"Jerusalem ... never"

"Quneitra: death of a city" Lane End Productions, London, United Kingdom.

#### ANNEX III

#### ANNEX IV

#### Notes

1/ Official Records of the General Assembly, Twenty-fifth Session, agenda item 101, document A/8089; A/8389 and Corr.1 and 2; A/8389/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, and A/33/356.

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 9872; ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461; ibid., Thirty-first Session, Annexes, agenda item 55, document A/31/399; ibid., Thirty-second Session, Annexes, agenda item 57, document A/32/407; and ibid., Thirty-third Session, Annexes, agenda item 55, document A/33/439.

3/ Ibid., Twenty-fifth Session, 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/ For supplementary information on expropriation of property, see sect. V A below.

9/ See map showing settlements in annex III.

10/ The following abbreviations of names of newspapers are used in the tables:

M. Ma'ariv

H. Ha'aretz

JP. Jerusalem Post

ASH. Asha'b

ALQ. Al Quds

ITIN Israel News service

11/ United States Congress Report on Human Rights Practices in Countries receiving United States Aid, submitted to the Committee on Foreign Relations, United States Senate, and Committee on Foreign Affairs, United States House of Representatives, by the Department of State on 8 February 1979 (Washington, United States Government Printing Office, 1979).

12/ Further information on complaints to the High Court in connexion with paras. 258 and 260 above, are referred to in Section V below, "Judicial remedies".

13/ See also sect. IV A (2) above.

14/ Injunction: Authoritative order by court, tribunal, etc.; judicial process restraining person from wrongful act, to cease nuisance, or compelling restitution, etc., to injured party.

15/ Order nisi: an order that is valid unless cause is shown for rescinding it before an appointed time at which the order is made absolute.

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

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

18/ For more information on demolition and sealing-up of houses, see section IV B (4) and table.

19/ Jean S. Pictet, ed., The Geneva Conventions of 12 August 1949: Commentary, IV, Geneva Convention relative to the Protection of Civilian Persons in Time of War (Geneva, International Committee of the Red Cross, 1958), pp. 211 ff.

20/ See First United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report by the Secretariat (United Nations publication, Sales No. 1956.IV.4), annex I.A.

21/ The Special Committee, in each of its reports, has recommended:

"(a) That the States whose territory is occupied by Israel appoint immediately either a neutral State or States, or an international organization which offers all guarantees of impartiality and effectiveness, to safeguard the human rights of the population of the occupied territories;

"(b) That suitable arrangements be made for the proper representation of the interests of the large population in the occupied territories which has not yet been given the opportunity of exercising the right of self-determination; and

"(c) That a neutral State or international organization, as described in (a) above, be nominated by Israel and be associated in this arrangement."

Under this arrangement, the State or States or international organization so nominated might be authorized to undertake the following activities:

"(a) To secure the scrupulous implementation of the provisions relating to human rights contained in the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, and the

Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular to investigate and determine the facts in the case of allegations of the violation of the human rights provisions of these Conventions or of other applicable international instruments;

"(b) To ensure that the population of the occupied territories is treated in accordance with the applicable law;

"(c) To report to the States concerned and to the General Assembly of the United Nations on its work."