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1. Action taken by the Committee on the Exercise of the Inalienable Rights of the Palestinian People

At its 76th meeting on 11 February 1982 presided over by the Secretary-General, Mr. Javier Pérez de Cuéllar, the Committee re-elected without a vote, the same officers as last year. Mr. Massamba Sarré (Senegal) as Chairman; Mr. Raul Roa-Kouri (Cuba) and Mr. Mohammed Farid Zarif (Afghanistan), Vice-Chairmen; and Mr. Victor J. Gauci (Malta), Rapporteur.

The Secretary-General in opening the meeting said that for more than thirty years the question of the Middle East had been before the General Assembly, and few issues had so consistently and deeply preoccupied the Organization. The General Assembly had made it clear that the inalienable rights of the Palestinian people must be taken fully into account in involving a just, lasting and comprehensive settlement for the Middle East. It was for that reason that the General Assembly had established the Committee and instructed it to draw up a programme for the implementation for the rights of the Palestinian people enumerated in General Assembly resolution 3236(XXIX). Furthermore, he stated that the task of the Committee was of the utmost importance and complexity and he had no doubt that the Committee would work intensively and with dedication to serve its mandate.

During this period the Committee decided to send a letter to the Secretary-General and the President of the Security Council in connexion with Israel plans to clear all Palestinian Bedouins out of the Negev Desert, and the disastrous consequences that this action would have on their lives.

A letter was also addressed to the Secretary-General and the President of the Security Council conveying to them the Committee's profound concern about the closing of Bir Zeit University.

The full text of both letters is reproduced below:

Letter dated 22 January 1982 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the Secretary-General
(A/37/75 - S/14844)

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has already had many occasions in the past year to bring to the attention of the Secretary-General several instances of Israeli actions which carried serious implications for the economic, social and political well-being of the Palestinian people and which constituted grave violations of relevant United Nations resolutions, particularly General Assembly resolution 181 (II), as well as the Fourth Geneva Convention of 12 August 1949.

I regret once more having to bring to your attention another grave action by the Israeli Government which has also be reported by The New York Times.

This time, Israel plans to clear all Palestinian Bedouins out of a great swath of the Negev Desert. Of the approximately 40,000 Bedouins, about 15,000 have been resettled in two large tracts of land near Beersheba. Another 6,000 are to be removed from an area where a new Israeli air base is planned and an additional 19,000 throughout the rest of the desert are to be resettled under the Government's plans.

The Committee is bound to express its gravest concern regarding the disastrous consequences that the Israeli actions will have on the life of the Palestinian Bedouins. It is vital to draw the attention of Israel to the dangers involved in these acts which will further exacerbate the tensions in the area.

Letter dated 18 February 1982 from the Chairman of the Committee
on the Exercise of the Inalienable Rights of the Palestinian
People to the Secretary-General
(A/37/94 - S/14879)

As Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express the profound concern caused to the Committee by the Israeli decision once again to close down Bir Zeit University.

It may be recalled that I previously drew attention, on 13 November 1981 (see A/36/688 - S/14754), to the Committee's profound concern at certain acts committed by Israel in the occupied Palestinian Arab territory of the West Bank, where the closing of Bir Zeit University had provoked a protest by the international community and led to a campaign in Israel and abroad for its reopening.

The New York Times of 17 February 1982 reports that the Israeli Military Government has again ordered the closing of Bir Zeit University for a period of two months. It is the second time in four months that this has happened. It is worth mentioning that classes had resumed only on 4 January 1982. The New York Times also reports that 50 students and teachers at the University have been arrested.

The situation in the occupied territories remains extremely tense, and acts committed there in violation of General Assembly and Security Council resolutions can only further exacerbate tensions in the region.

The Committee considers it to be of the greatest importance that energetic measures should be taken, particularly by the Security Council, to put an end to acts and policies which endanger international peace and security.

2. Resolutions regarding Palestine adopted by the thirty-eighth session of the Commission on Human Rights

The Commission adopted the following resolutions at its 38th session held from 1 February to 12 March 1982, on the question of the violation of human rights in the occupied Arab territories, including Palestine and on the right of peoples to self-determination.

Resolution 1/1982

A*

The Commission on Human Rights,

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

Bearing in mind the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and of other relevant conventions and regulations,

Taking into consideration that the General Assembly has adopted resolution 3314(XXIX) of 14 December 1974, which defined as an act of aggression the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof,

Recalling General Assembly resolutions ES-7/2 of 29 July 1980, 36/15 of 28 October 1981, 36/120 of 10 December 1981, 36/147 of 16 December 1981 and 36/226 of 17 December 1981, and all General Assembly resolutions on Israeli violations of the human rights of the population of occupied Arab territories,

Recalling in particular, Security Council resolutions 237 (1967) of 14 June 1967, 465 (1980) of 1 March 1980, 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980 and 484 (1980) of 19 December 1980,

Taking note of the reports and of the resolutions of the International Labour Organization, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization concerning the conditions of the population in the Palestinian and other occupied Arab territories since 1967, including Jerusalem,

Taking note of the report "Review of the Economic Conditions of the Palestinian People in the Occupied Arab Territories" prepared by the secretariat of the United Nations Conference on Trade and Development,

Recalling its resolution I (XXXVII) of 11 February 1981 on the "Question of Violation of Human Rights in the Occupied Arab Territories, including Palestine", and previous resolutions of the Commission on Human Rights on this subject,

* Adopted at the 17th meeting on 11 February 1982, by a roll-call vote of 32 in favour, 3 against and 7 abstentions.

1. Reaffirms the fact that occupation itself constitutes a fundamental violation of the human rights of the civilian population of the Palestinian and other Arab occupied territories;
2. Reiterates the alarm deeply expressed by the Special Committee to investigate Israeli practices affecting the human rights of the population of the occupied territories in its reports submitted to the General Assembly at its thirty-fourth, thirty-fifth and thirty-sixth sessions, that Israel's policy in the occupied territories is based on the so-called "Homeland" doctrine which envisages a non-religious (Jewish) State that includes also territories occupied by Israel since June 1967, and the affirmation by the Special Committee that this policy not only denies the rights to self-determination of the population of the occupied territories but also constitutes the source of the continuing and systematic violation of human rights;
3. Declares that Israel's grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and of the Additional Protocols to this Convention, are war crimes and an affront to humanity;
4. Firmly rejects and reiterates its condemnation of Israel's decision to annex Jerusalem and alter its physical character, demographic composition, institutional structure and status, and considers all these measures and their consequences null and void;
5. Strongly condemns Israeli policies and practices, administrative and legislative measures to promote and expand the establishment of settler colonies in the occupied territories as well as the following practices:
 - (a) The annexation of parts of the occupied territories, including Jerusalem;
 - (b) The establishment of new Israeli settlements and expansion of the existing settlements on private and public Arab lands, and the transfer of an alien population thereto;
 - (c) The arming of settlers in the occupied territories to commit acts of violence against Arab civilians, the perpetration of acts of violence by these armed settlers against individuals, causing injury and death and wide-scale damage to Arab property;
 - (d) The evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, and the denial of their right to return;
 - (e) The confiscation and expropriation of Arab property in the occupied territories and all other transactions for the acquisition of land involving Israeli authorities, institutions or nationals on the one hand, and inhabitants or institutions of the occupied territories on the other;
 - (f) The destruction and demolition of Arab houses;

(g) Mass arrests, collective punishments, administrative detention and ill-treatment of the Arab population and the torture of persons under detention, and the inhuman conditions in prisons;

(h) The pillaging of archaeological and cultural property;

(i) The interference with religious freedoms and practices as well as with family rights and customs;

(j) The systematic Israeli repression against universities in the occupied Palestinian territories, restricting and impeding academic activities of Palestinian universities by subjecting selections of courses, textbooks and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities;

(k) The illegal exploitation of the natural wealth, resources and population of the occupied territories;

6. Calls upon Israel to take immediate steps for the return of the displaced Arab inhabitants to their homes and property in Palestine and the other Arab territories occupied since June 1967;

7. Calls upon the Israeli authorities to implement forthwith Security Council resolution 484 (1980) of 19 December 1980 and previous resolutions calling for the immediate return of the expelled Mayors of Hebron and Halhoul so that they can resume the functions for which they were elected and appointed;

8. Demands that Israel desist forthwith from the policies and practices referred to in paragraphs 4 and 5 above;

9. Calls upon Israel to release all Arabs detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories, and to accord them, pending their release, the protection envisaged in the relevant provisions of the international instruments concerning the treatment of prisoners of war, and demands that Israel cease forthwith all acts of torture and ill-treatment of Arab detainees and prisoners;

10. Reiterates its call to all States, in particular the States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War in accordance with article 1 of that Convention, and upon international organizations and specialized agencies, not to recognize any changes carried out by Israel in the occupied territories, including Jerusalem, and to avoid taking any action or extending any aid which might be used by Israel in its pursuit of the policies of annexation and colonization or any other policies and practices referred to in the present resolution;

11. Calls upon Israel to report, through the Secretary-General, to the Commission at its thirty-ninth session on the implementation of paragraphs 4, 5 and 9 above;

12. Renews its request to the Secretary-General to collect all relevant information concerning detainees, such as their number, identity, place and duration of detention, and to make this information available to the Commission at its thirty-ninth session;
13. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations and the international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its thirty-ninth session;
14. Further requests the Secretary-General to bring to the attention of the Commission all United Nations reports appearing between sessions of the Commission that deal with the situation of the population of those occupied territories;
15. Decides that a seminar on "Violations of human rights in the Palestinian and other Arab territories occupied by Israel" be held at the United Nations Office at Geneva and requests the Secretary-General to make the appropriate arrangements for the organization of this seminar and to report to the Commission on Human Rights at its thirty-ninth session;
16. Decides to place on the provisional agenda of the thirty-ninth session as a matter of high priority the item entitled "Question of violation of human rights in the Arab occupied territories, including Palestine".

B*

The Commission on Human Rights,

Recalling its resolution 1 B (XXXVII) of 11 February 1981 and the General Assembly resolutions 3092 A (XXVIII) of 7 December 1973, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, resolution 34/90 B of 12 December 1979, 35/122 A of 11 December 1980 and 36/147 of 16 December 1981,

Recalling Security Council resolutions 465 (1980) of 1 March 1980, 468 (1980) of 8 May 1980, 469 (1980) of 20 May 1980, 471 (1980) of 5 June 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980 and 484 (1980) of 18 December 1980,

Recalling Resolution III of the Application of the Fourth Geneva Convention of 12 August 1949 adopted by the XXIV th International Conference of the Red Cross held in Manila, in November 1981,

* Adopted at the 17th meeting, on 11 February 1982, by a roll-call vote of 41 in favour and 1 against.

Bearing in mind that the provisions of the Geneva Convention of 12 August 1949 must be fully applied in all circumstances to all persons who are protected by those instruments, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the conflict,

Recognizing that the persistent failure of Israel to apply the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 creates a situation fraught with danger,

1. Expresses its deep concern at the consequences of Israel's systematic refusal to apply the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 in all its provisions to Palestinian and other Arab territories occupied since 1967, including Jerusalem;
2. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War is applicable to all the Arab territories occupied by Israel since 1967, including Jerusalem;
3. Condemns the failure of Israel to acknowledge the applicability of that Convention to the territories it has occupied since 1967, including Jerusalem;
4. Calls upon Israel to abide by and respect the obligations arising from the Charter of the United Nations and other instruments and rules of international law, in particular the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, in Palestinian and other Arab territories occupied since 1967, including Jerusalem;
5. Urges once more all States parties to that Convention to exert all efforts in order to ensure respect for and compliance with the provisions thereof in all the Arab territories occupied by Israel since 1967, including Jerusalem;
6. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, the regional intergovernmental organizations, the international humanitarian organizations and non-governmental organizations.

Resolution 2/1982*

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations as well as by the principles of international law,

Gravely alarmed by Israel's behaviour in ignoring all the relevant resolutions of the Security Council, the General Assembly, the Commission on Human Rights and other international organs of the United Nations concerning the Arab territories occupied by Israel and its persistent violations of human rights in those territories,

* Adopted at the 17th meeting, on 11 February 1982, by a roll-call vote of 22 in favour, 11 against and 7 abstentions.

Reaffirming that the acquisition of territories by force is inadmissible, according to the Charter of the United Nations, the principles of international law, and relevant Security Council resolutions,

Recalling General Assembly resolution 3314 (XXIX) of 14 December 1974 which defined as an act of aggression the invasion or attack by the armed forces of a State of the territory of another State or any military occupation resulting from such invasion or attack or any annexation by the use of force of the territory of another State or part thereof,

Recalling its resolution 1 (XXXVII) dated 11 February 1981 by which the Commission on Human Rights condemned the Israeli policies and practices of annexing parts of the occupied Arab territories,

Recalling General Assembly resolution 36/226 B of 17 December 1981 by which the General Assembly reaffirmed once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 to the occupied Syrian territory,

Recalling General Assembly resolution ES-9/1 of 5 February 1982 in which the Assembly strongly deplored the negative vote by a Permanent Member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter, the "appropriate measures" referred to in resolution 497 (1981) unanimously adopted by the Council;

1. Resolutely condemns the Israeli decision dated 14 December 1981 annexing the Golan Syrian territory occupied since 1967, through the imposition of its laws, jurisdiction and administration on the occupied territory;
2. Declares that the Israeli decision is null and void and without any legal international legal effect and demands that Israel, the occupying Power, rescind its illegal and pernicious act;
3. Determines that the persistent defiance by Israel of the resolutions and authority of the United Nations and the systematic violations of human rights in the occupied Arab territories, including Palestine constitutes a continuing threat to international peace and security;
4. Calls upon all Member States to apply against Israel the measures referred to in paragraphs 11, 12, 13 and 15 of General Assembly resolution ES-9/1 of 5 February 1982.

Resolution 3/1982*

The Commission on Human Rights,

calling General Assembly resolution 1514 (XV) of 14 December 1960, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 32/14 of 7 November 1977, 32/20 of 25 November 1977, 32/40 of 2 December 1977, 32/42 of 7 December 1977, 33/28 of 7 December 1978, 34/65 of 29 November 1979, ES-7/2 of 29 July 1980, 35/169 of 15 December 1980, 36/120 of 10 December 1981, and 36/226 of 17 December 1981,

* Adopted at the 17th meeting, on 11 February 1982, by a roll-call vote of 24 in favour, 8 against and 10 abstentions.

Recalling further Economic and Social Council resolutions 1865 (LVI) and 1866 (LVI) of 17 May 1974,

Reaffirming its resolutions 2 (XXXII) of 11 February 1981 and 14 (XXXVII) of 6 March 1981,

Bearing in mind the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and especially paragraphs 49 to 72 of that report,

Reaffirming that the Palestinian people are entitled to self-determination in accordance with the Charter of the United Nations and other relevant United Nations resolutions and expressing its grave concern that the Palestinian people have been prevented by force from enjoying their inalienable rights, in particular their right to self-determination,

Expressing its grave concern that no just solution to the problem of Palestine has been achieved and that this problem therefore continues to aggravate the Middle East conflict, of which it is the core, and to endanger international peace and security,

1. Reaffirms the inalienable rights of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign State in Palestine;
2. Reaffirms the inalienable rights of the Palestinians to return to their homes and property, from which they have been displaced and uprooted by Israel, and calls for their return in the exercise of their right to self-determination;
3. Recognizes the right of the Palestinian people to regain their rights by all means in accordance with the purposes and principles of the Charter of the United Nations;
4. Reaffirms the basic principle that the future of the Palestinian people can only be decided with its full participation in all efforts, through its representative, the Palestine Liberation Organization;
5. Expresses its strong opposition to all partial agreements and separate treaties which constitute a flagrant violation of the rights of the Palestinian people, the principles of the Charter and the resolutions adopted in the various international forums on the Palestinian issue, as well as the principles of international law, and declares that all agreements and separate treaties have no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967, including Jerusalem;
6. Strongly rejects the continuation of the negotiations on the question of "autonomy", within the framework of the "Camp David accords" and declares that these accords have no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967;

7. Urges all States, United Nations organs, specialized agencies and other international organizations to extend their support to the Palestinian people through its representative, the Palestine Liberation Organization, in its struggle to restore its rights in accordance with the Charter and the relevant resolutions of the United Nations;

8. Requests the Secretary-General to make available to the Commission on Human Rights and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities the reports, studies and publications prepared by the Special Unit on Palestinian Rights, which was established by General Assembly resolution 32/40 B of 2 December 1977.

3. Draft resolution adopted by the Commission on the Status of Women on 4 March 1982

II*

Situation of women and children in the occupied Arab territories.

The Economic and Social Council,

Deeply concerned about the prevailing conditions of the Palestinian people, and particularly the women and children,

Noting the great sacrifices of the Palestinian women and children in pursuit of their inalienable right to have their own homeland,

Considering that international co-operation and peace are threatened by colonialism, neo-colonialism, fascism, zionism, apartheid and foreign occupation, alien domination and racial discrimination in all its forms,

Affirming its full solidarity with the Palestinian women in their struggle for independence under the leadership of the Palestine Liberation Organization,

Expressing its grave concern that the Palestinian women and people continue to be denied their inalienable rights, and in particular their right to return to their homes and property from which they have been displaced and uprooted, the right to self-determination and the right to national independence and sovereignty,

Recognizing that the mass uprooting from their homeland obstructs the participation and integration of women in efforts to achieve progress,

1. Appeals to all women of the world to proclaim their solidarity with and support for the Palestinian women and people in their drive to put an end to the flagrant violation by Israel of fundamental human rights in the occupied territories;

2. Appeals also to all States and international organizations to extend all moral and material assistance to the Palestinian and Arab women and people in their struggle of the restoration of their inalienable right to return to their homes and property from which they have been displaced and uprooted;

* Adopted at its 14th meeting on 4 March by a roll-call vote of 14 in favour, 8 against with 4 abstentions.

3. Further appeals to all women in the world to take the necessary measures to secure the release of thousands of persons, including women and children, fighters for the cause of self-determination, liberation and independence, held arbitrarily in the prisons of the occupying forces;

4. Requests the United Nations and its organs and specialized agencies, as well as all national, regional and international women's organizations, to extend their help, both moral and material, to the Palestinian women and their organizations and institutes.