



DIVISION FOR PALESTINIAN RIGHTS

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

On 9 January 1984, the Committee on the Exercise of the Inalienable Rights of the Palestinian People re-elected Mr. Massamba Sarré of Senegal as Chairman, Mr. Raul Roa-Kouri of Cuba and Mr. Mohammad Farid Zarif of Afghanistan as Vice-Chairmen, and Mr. Victor J. Gauci of Malta as Rapporteur. At that meeting the following statement was made by Mr. William B. Buffum, Under-Secretary-General for Political and General Assembly Affairs on behalf of the Secretary-General:

"First of all, may I wish you a happy and peaceful new year. May it be a year in which all our efforts will be rewarded by concrete progress towards a solution of the question of Palestine.

"At this first meeting of your Committee in 1984, I take great pleasure in congratulating Ambassador Massamba Sarré on his unanimous re-election as Chairman. It is clear that his competence, his untiring efforts and his dedication to the achievement of the aims and objectives of the Committee have again earned him your complete and well-deserved confidence. May I also congratulate the other members of the Bureau on assuming their posts for 1984.

"As we begin a new year, the work of the Committee has assumed a new importance. The Programme of Action, adopted by acclamation by the International Conference on the Question of Palestine and endorsed by the thirty-eighth General Assembly, has detailed steps to be taken to achieve progress towards a just and durable solution of the question of Palestine. In addition to its already comprehensive programme of work, the Committee has been requested by the General Assembly to assume the additional responsibility of keeping under review the implementation of the Programme of Action. This activity will, I am sure, engage the Committee's attention prominently in the months to come.

"While the question of Palestine has defied solution for 37 years, there is increasing need to resolve it peacefully, justly and comprehensively. The United Nations has made every endeavour to ameliorate the conditions of the Palestinian people and to assist them in every possible manner. This effort must continue. Recent events in Lebanon have made clear the fact that negotiations to bring about an early solution to the problem are vital and that the continuing recourse to force only results in heavy casualties without furthering the prospects of a solution.

"I have previously stated my belief, and I reiterate it today, that the United Nations provides a suitable framework for negotiations. Although the many proposals that have been advanced have not proved acceptable to all parties, the United Nations can provide a forum and stimulate a process, whereby all parties, including the Palestine Liberation Organization (PLO), can sit at the same table and reconcile their differences. Given the will to find a solution, no problem is insurmountable.

"If we have not hitherto been successful in the search for a comprehensive solution, there is, at least, an increasing awareness that a renewed and determined effort must be made to find such a solution.

"This Committee has been established as one of the spearheads of that effort, by trying to increase understanding of the facts surrounding the question and drawing up a programme which would enable the Palestinian people to exercise their inalienable rights. The work which your Committee has done over the past eight years has been greatly appreciated. I take this opportunity to reaffirm both my personal support and that of my staff for the accomplishment of the responsibilities entrusted to this Committee by the General Assembly.

"Mr. Chairman, I wish you and the Committee every success in your important endeavours."

At that meeting the Committee reviewed the question of Palestine at the thirty-eighth session of the General Assembly and had a preliminary exchange of views on its programme of work for 1984. It was also decided that the Chairman of the Committee should address a letter to the Secretary-General, expressing the Committee's deep distress at recent developments in the Israeli Knesset with respect to occupied Palestinian territories of the West Bank and Gaza Strip. The Israeli Knesset had approved two new laws on 3 January 1984 that would extend Israeli legislation into the occupied West Bank and Gaza Strip. Full text of the letter is reproduced below:

Letter dated 9 January 1984 from the Chairman of the Committee on
the Exercise of the Inalienable Rights of the Palestinian People
to the Secretary-General

(A/39/70)

As Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have been authorized to express the Committee's deep distress at recent developments in the Israeli Knesset regarding the occupied Palestinian territory of the West Bank and the Gaza Strip.

It was reported in the daily Al Fajr on 4 January 1984 that the Israeli Knesset had approved two new laws on 3 January 1984 that would extend Israeli legislation into the occupied West Bank and Gaza Strip. It is the understanding of the Committee that an amendment to one of the laws has gone so far as to authorize the Israeli occupying authorities to impose the application of Israeli legislation in a number of cases with the purported aim of replacing Jordanian legislation in the occupied West Bank.

Equally, a new provision is reported to have been approved that authorizes the Israeli Minister for Justice to apply civil and criminal laws in "Judea, Samaria and Gaza" subject to the approval of the constitutional sub-committee of the Knesset without the approval of that body.

Members of the Committee believe that such measures are indicative of still one further step in the Israeli process of annexing the occupied territories and discriminating against the Palestinian people who still live in their homes in those Palestinian territories.

These recent measures cannot but be considered a flagrant violation of the principles of international law and innumerable resolutions of the Security Council and the General Assembly on this question.

In the light of this proposed Israeli legislation, on behalf of the Committee, I can but reaffirm that appropriate and vigorous measures should be taken without delay to protect the legitimate rights of the Palestinians living in the occupied territories. It is also the hope of members of the Committee that you might use your good offices to help bring an end to Israeli occupation of Palestinian territories occupied since 1967. In consequence, I should be most grateful if you would have the present letter circulated as a document of the General Assembly, under the item entitled "Question of Palestine", and of the Security Council.

On 6 February 1984, the Acting Chairman of the Committee addressed a letter to the Secretary-General and the President of the Security Council drawing their attention to a recent attempt to desecrate the holiest Moslem shrine in Jerusalem, the Dome of the Rock and El-Aqsa Mosque. Full text of the letter is as follows:

Letter dated 6 February 1984 from the Acting Chairman of the
Committee on the Exercise of the Inalienable Rights of the
Palestinian People to the Secretary-General

(A/39/99)

It is my obligation as Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to draw your attention to a recent attempt to desecrate, if not indeed totally destroy, the holiest Moslem shrine in Jerusalem. I refer to the Dome of the Rock and El-Aqsa Mosque which, as you know, is considered the third most sacred place in Islam, after Mecca and Medina.

It has been borne out by police reports that the attempted destruction occurred on Friday, 27 January, but was fortunately foiled by Arab guards. Before dawn, shortly before thousands of Moslems were to gather for prayer, two men carrying explosives escalated the eastern wall of the Old City of Jerusalem. According to the accounts of both the police and Moslem leaders, a Moslem guard, being aware of the intrusion, appealed for help. As policemen arrived, the two intruders fled leaving behind 22 pounds of explosives and 18 hand grenades purportedly issued by the Israeli army.

In the view of the Mufti of Jerusalem, Sheik Saad-el-Din el-Alami, there were more than two assailants. The Mufti said that there were many bags of explosives at the foot of the wall that forms the Temple Mount. It is of interest that the Commander of Israel Southern East District, Yehoshua Caspi, was quoted by Israeli radio as saying that the presence of explosives and grenades pointed to Jews as the perpetrators. Initially, the police refused to confirm Moslem leaders' assertions about the scope of the assault.

Over recent months, many such instances have been reported of grenades and explosives placed at entrances to churches and mosques, their pins having been removed and their handles held down by rocks so that if the latter were disturbed an explosion would inevitably occur. To date, it is known that a Greek Orthodox nun, an Imam and a Moslem worshipper have been wounded.

Although these attacks have been followed by anonymous telephone calls to news organizations claiming responsibility by a group called "Terror against Terror", the police have declared they do not know whether or not such a group exists.

It is salutary, however, that the Mayor of Jerusalem expressed his disappointment that little condemnation of the attacks had come earlier from Israeli religious and political leaders. In fact, he went so far as to visit the Temple Mount to express regret to Moslem leaders.

Such a monstrous attempt to desecrate a holy shrine has come at a time when the former Israeli Assistant Attorney-General, Judith Karp, has been said to have reported on the failure of the occupying authorities to investigate and prosecute Jewish settlers who committed crimes against West Bank Arabs. The New York Times of 6 February 1984 said that her report was kept secret by the Ministry of Justice for more than a year. Mrs. Karp has since resigned, presumably in frustration that no action had yet been taken to curb the settlers' vigilantism.

I believe, Sir, you will concur that a new sense of urgency surrounds the issue, and I am bound to request on the part of the Committee that you draw the attention of members of the General Assembly and the Security Council to these recent despicable and deplorable events which have even raised the concern of Israeli leaders.

The members of the Committee believe strongly that the strictest respect for the relevant resolutions of the General Assembly and the Security Council should be ensured, as well as the principles of the Charter of the United Nations itself.

In consequence, I should be grateful if you would have the present letter circulated as a document of the General Assembly, under the item entitled "Question of Palestine", and of the Security Council.

In a meeting of the Committee on 21 February 1984, the Committee approved its programme of work for 1984-85. It also decided that the Working Group should be constituted as it had been last year and be chaired by the Rapporteur of the Committee, Mr. Victor J. Gauci of Malta.

On 23 February 1984, the Chairman of the Committee addressed the following letter to the Secretary-General:

Letter dated 23 February 1984 from the Chairman of the Committee
on the Exercise of the Inalienable Rights of the Palestinian
People to the Secretary-General
(A/39/116)

In writing to you in my capacity as Chairman of the Committee on the Inalienable Rights of the Palestinian People on 18 July 1983 (A/38/306-S/15880), I referred to the measures being taken by the Israeli Government under its implacable policy of establishing Jewish settlements in the occupied territories. I made particular reference to Hebron, where it was planned that a Jewish settlement would be set up in the very centre of the town, and would be surrounded by long-established Arab quarters.

At that time, I quoted an official statement by Israel's opposition Labour party saying: "Any attempt to create a mixed city in Hebron against the wishes of the Arab population will cause generations of grief".

It is now my duty to report that, since my communication on this matter, the Jerusalem Post of 26 January 1984 has reported the Israeli Defence Minister, Mr. Moishe Arens, as saying that: "the Government of Israeli is determined to renew the Jewish presence in Hebron and will help rebuild its old Jewish Quarter". Mr. Arens went on to say that: "even if the Hebron Arabs did oppose such a presence it would not alter the Government's objectives of renewing the Jewish Quarter in Hebron".

It had previously been reported in the Jerusalem Post on 17 January 1984 that the Government of Israel appears intent on approving a plan to move the market in Hebron in order to reconstruct the Jewish Quarter. In this connection you may

recall that in my letter of 18 July 1983 I said that some 90 per cent of the Arab stalls in the town market had been burned and the acting mayor of the town, Mr. Mustafa Natshe, had been dismissed.

My purpose in bringing this new development to your attention is that despite reports concerning a freeze on settlements in what the Israeli Government terms Judea and Samaria, a corner-stone of yet another new settlement, to be called Ganei Modiin, was laid on 19 January 1984 in the Benjamin region, as the area between Ramallah and Nablus is now called by Israel. As my source for this information I cite Ma'ariv of 19 January 1984. Today, that region is inhabited by 4,000 Jews and 155,000 Arabs. According to Israeli plans, in five years' time there would be 190,000 Jews and 260,000 Arabs in the region.

It was reported in the Jerusalem Post of 18 January 1984 that the only thorough study of Israeli public expenditure in the West Bank has been undertaken by Dr. Meron Benvenisti's West Bank Data Base Project. His study indicates that total public capital investment in the West Bank since 1967 has been \$1.5 billion (\$750 million under Labour governments between 1967 and 1973 and \$805 million under the Likud since 1977).

As on previous occasions this information is being transferred to you in order that you may be kept aware of the intensification of Israel's activities against the Palestinians living under Israeli occupation and to express the concern of the Committee regarding constant violation of Palestinian rights. Accordingly, I should be grateful if you would be so good as to have the text of this letter circulated as a document of the General Assembly, under item 33 of the preliminary list, and of the Security Council.

The Chairman of the Committee, on 24 February 1984, addressed the following letter to the Secretary-General:

Letter dated 24 February 1984 from the Chairman of the Committee
on the Exercise of the Inalienable Rights of the Palestinian
People to the Secretary-General
(A/39/117)

In a previous letter dated 18 November 1983 (A/38/595-S/16171), writing to you in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I drew your attention to the arrest of Mr. Mohammad Mi'ari and Mr. Maysara Sayyid by the Israeli authorities.

The grounds for their arrest was that they had attended the International Conference on the Question of Palestine at Geneva in 1983 and had, during that Conference, met with representatives of the Palestine Liberation Organization in working sessions of the Conference. In my letter at that time I protested, on behalf of the Committee, against this discriminatory action which amounted to an act of intimidation since the two people arrested were merely pursuing their legitimate activities on behalf of their non-governmental organizations at a Conference organized under the auspices of the United Nations. I might add here for reference that Mr. Mi'ari and Mr. Sayyid were representing the Friends of the Prisoners Association and the Abna Al-Balad Movement (Movement of the Sons of the Country), respectively. Both non-governmental organizations are based in Israel. Mr. Mi'ari and Mr. Sayyid were subsequently released from custody, but their movements were restricted to the towns of Haifa and Acre for a period of six months.

It has since come to my attention that because of a town arrest order Mr. Sayyid, who comes from Acre, has been banned from continuing his education at the Institute of Technology at Haifa because, among other matters, of his

participation in the International Conference on the Question of Palestine. My source for this information is the 8 February 1984 issue of Ha'aretz.

Mr. Sayyid has since appealed to the Supreme Court of Justice of Israel declaring that the town arrest order against him is illegal. He requested that he be allowed to live in Haifa or to visit that city three times a week in order to continue his engineering studies at the Institute of Technology there.

At the appeal, the Attorney General said that as part of his "conspiratory activities he participated in the International Conference on the Question of Palestine where he met with Palestine Liberation Organization leaders". Ha'aretz reports that this participation in the Conference is considered by the Attorney General as "the peak of Sayyid's conspiratory activities".

Once again, Sir, on behalf of the Committee I must protest against this discriminatory action, especially since it is possible that equally inequitable action will be taken against other participants from Israel in the Conference. I should therefore be grateful if you would be so good as to convey to the Israeli authorities the Committee's concern and urge them to lift the restrictions placed on Mr. Sayyid.

I should be grateful if this letter could be issued as a document of the General Assembly, under item 33 of the preliminary list, and of the Security Council.

2. Security Council issues statement on situation in the West Bank and Gaza

Following informal consultations on matters relating to the West Bank and Gaza Strip, on 26 January 1984 the following statement was issued by the President of the Security Council: (S/16293)

"Concern has been expressed to the President of the Security Council in documents S/16249, S/16255 and S/16261, regarding legislation at present under consideration by the Israeli Knesset.

"The Council notes the subsequent letter on this matter from the Permanent Representative of Israel to the United Nations contained in document S/16269 dated 11 January 1984.

"In this connection, the Security Council recalls its previous resolutions stressing the applicability of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and urges that no steps be taken which could lead to further aggravation of tension in the area."

3. The Commission on Human Rights adopts resolutions on the question of the violation of human rights in the occupied Arab territories, including Palestine

The Commission on Human Rights during its fortieth session adopted resolutions on the question of violation of human rights in the occupied Arab territories, including Palestine. These resolutions will be published in their final form in an upcoming bulletin of the Division.