



DIVISION FOR PALESTINIAN RIGHTS

March/April 1984

Volume VII, Bulletin No. 3 - 4

Contents

1. Action taken by the Committee on the Exercise of the Inalienable Rights of the Palestinian People
2. Declaration adopted by the Ministers for Foreign Affairs of the States Members of the European Economic Community on 27 March 1984 on the Middle East
3. Resolution adopted by the 71st Inter-Parliamentary Conference (Geneva, April 1984) entitled "Escalation of the dangers threatening international peace and security in the Middle East region"
4. The Commission on Human Rights adopts resolutions on the question of the violation of human rights in the occupied Arab territories, including Palestine

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

In a letter dated 26 March 1984, the Acting Chairman of the Committee expressed the concern of the Members of the Committee regarding reports that new settlements were established in the occupied territories by the Israeli authorities. Full text of the letter is as follows: (A/39/157-S/16442)

Letter dated 26 March 1984 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to the Secretary-General

As Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I should like to refer to a previous letter (A/39/70-S/16261) in which, on behalf of the Committee, the Chairman expressed the concern of our members that the Government of Israel was persisting in its process of annexing the occupied territories and discriminating against the Palestinian people who still live in those territories.

Such concern is further borne out by news items in the Jerusalem Post and Ha'aretz of 6 March 1984, where it is reported that yet another new settlement, named Eruvin, was established on 4 March 1984 in the Gush Etzion region to the north of the Arab town of Hebron.

It is reported that the Government of Israel, through its agencies, approved a budget for the establishment of the new settlement. Although the Chairman of the Gush Etzion regional council has said that only "state land" has been used, Arabs dwelling on the Hebron-Jerusalem road have said that some of their land has been expropriated in order that the road which leads to the new settlement might be built. According to the Jerusalem Post, members of an Arab family whose house straddles the beginning of the road to the settlement have expressed deep concern that their property will be expropriated.

It has also been brought to my attention that the newspaper Maariv disclosed on 15 March 1984 that two plans had been prepared confidentially by the Ministry of

Housing and the Settlements Division of the Jewish agency with the object of developing what has been termed "greater Jerusalem". This, in effect, would result in three new centres being established around Jerusalem. Maariv reports that these plans will be submitted shortly to the Government of Israel for approval.

On a related matter, I wish to refer to a news item in Ha'aretz of 8 March 1984 in which it is reported that an Israeli Minister, Haim Kurpu, suggested to the Ministerial Committee on Jerusalem that the municipal limit of the city be expanded to the north-east areas of the West Bank so as to provide land for the city's industrial growth. The Minister is reported as having said that in order to annex the required land an order by the Minister of the Interior would suffice and, in consequence, there was no need for a decision to be made on the matter by the Government of Israel itself.

As on previous occasions, this information is being communicated to you in order that you may be kept aware of the intensification of activities taken against the Palestinians living under Israeli occupation and to express the concern of the Committee regarding constant violation of Palestinian rights, United Nations resolutions and the Geneva Convention of 1949.

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.

On 19 April 1984, the Acting Chairman of the Committee addressed another letter to the Secretary-General on the decision of the Government of El Salvador to move its embassy in Israel from Tel Aviv to Jerusalem. In that letter, on behalf of the Members of the Committee, he stated that such action was not only detrimental to a satisfactory solution of the question of the status of Jerusalem, but also was contrary to the spirit of Security-Council and General Assembly resolutions. Full text of the letter is reproduced below: (A/39/201-S/16493)

Letter dated 19 April 1984 from the Acting Chairman of the
Committee on the Exercise of the Inalienable Rights of the
Palestinian People to the Secretary-General

As Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to refer to a news item in The New York Times of 14 April 1984 in which it is reported that the Government of El Salvador has officially removed its Embassy in Israel from Tel Aviv to Jerusalem.

You will recall that, in a previous letter dated 4 August 1980 (A/35/378-S/14090), the Chairman of the Committee wrote to the Secretary-General expressing grave concern at the action taken by the Government of Israel to bring to completion its plan to make Jerusalem the capital of Israel. Later, by resolution 478 (1980) of 20 August 1980, the Security Council called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City.

Subsequently on 29 August 1980, the Chairman wrote to the Permanent Representatives of all States concerned, including El Salvador, expressing the Committee's deep satisfaction at the decision of their Governments to close their Embassies in Jerusalem and to move them to Tel Aviv. It was the belief of the Committee that such withdrawal of diplomatic missions reflected the concern of Governments for the sentiment and the opinion of the vast majority of the international community as well as respect for decisions of the Security Council.

I bring this recent action on the part of the Government of El Salvador to your attention, since it is the considered opinion of Committee members that such action is not only detrimental to a satisfactory solution of the question of the status of the Holy City, but also is contrary to the spirit of Security Council and General Assembly resolutions on the subject.

Further, the Committee is of the strong conviction that until full and strict respect is accorded to relevant resolutions of the United Nations, and in particular those aimed at enabling the Palestinian people to exercise its inalienable rights, international peace and security in the region will be perpetually threatened.

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.

2. Declaration adopted by the Ministers for Foreign Affairs of the States Members of the European Economic Community on 27 March 1984, on the Middle East

The following declaration was adopted on the question of the Middle East:
(A/39/161-S/16456)

Following decades of confrontation in the Middle East, the need for a settlement guaranteeing peace among all the States of the region is universally recognized. The Ten consider that this settlement should include the right to existence and security of all these States, including Israel.

Likewise, all the parties concerned have conceded that settlement must take account of the legitimate rights of the Palestinian people. In the view of the Ten, this entails acceptance of the right of the Palestinian people to self-determination, with all that this implies.

Finally, it has been universally acknowledged that all the problems which exist between Israel and its neighbours must be resolved in accordance with the principles recognized by the international community, including non-recourse to the use of force and non-acquisition of territory by force. For the Ten, this means that, in accordance with resolutions 242 and 388 of the Security Council, Israel must put an end to the territorial occupation which it has maintained since the conflict of 1967.

The Ten call on all parties to draw the consequences from these principles and to start the negotiations which are necessary for their implementation.

A negotiated settlement will require the continuing and independent expression of the will of the Palestinian people; the PLO must be associated with the negotiations.

In the Ten's view, furthermore, a process of negotiation presupposes mutual recognition of the existence and the rights of the parties in the conflict.

The Ten express their concern at the collapse of the hopes engendered in September 1982 by certain converging and promising peace initiatives and they declare that the absence of all progress towards a negotiated solution since then exacerbates antagonisms and entrenches the positions of those who favour confrontation.

They note, however, that certain recent developments, such as the meeting of the Islamic Conference in Casablanca and the resumption of the dialogue between Jordan and the Palestinians, have been encouraging. They request all parties to make sincere efforts to re-examine their positions with a view to reducing the gap between them, taking particularly into account elements contained in the Reagan plan and in the Fez Declaration. They also call upon all parties to renounce the use or threat of force and upon the Government of Israel to put an end to its policy of establishing settlements in the occupied territories.

They undertake to support any constructive step which might be initiated by the parties.

They recall that the United Nations Security Council can play a significant role in the pursuit of a solution to the Middle East conflict negotiated between the parties.

They stress their wish to develop the activity of the European Community on behalf of the populations of the occupied territories.

The Governments of the Ten, both individually and collectively through the channel of the presidency, will maintain such contacts with the authorities and personalities of the region as could be useful in bringing the various positions closer together and contributing to the removal of the obstacles which stand in the way of a process of negotiation.

Resolution adopted by the 71st Inter-Parliamentary Conference
(Geneva, April 1984) entitled "Escalation of the dangers threatening
international peace and security in the Middle East region"

The following resolution was adopted:

ESCALATION OF THE DANGERS THREATENING INTERNATIONAL
PEACE AND SECURITY IN THE MIDDLE EAST REGION

(Resolution adopted by 677 votes to 137, with 241 abstentions)

The 71st Inter-Parliamentary Conference,

Faithful to its principles and to those of the United Nations
Charter,

Recalling the resolutions of the 69th Inter-Parliamentary
Conference (Rome) on "The situation in Lebanon and the Palestinian
question" and of the spring meeting of the Inter-Parliamentary Union
(Helsinki) on "The Middle East situation" and earlier resolutions of the
Inter-Parliamentary Union concerning the Palestinian question, the
situation in the Middle East, the Lebanese question, Israel's practices
and aggressions and the annexation of Arab territories by force,

Noting with concern that the continuation and growth of United
States military and economic aid to Israel and the use of the veto to
paralyse the resolutions of the Security Council encourage Israel in its
obstination and increase its ability to pursue its aggression,

Reaffirming the right of the Palestinian people to return to
their homeland, to self-determination and the right to establish their own
independent State in Palestine and that the Palestine Liberation Organiza-
tion is the sole and legitimate representative of the Palestinian people,

Considering the Arab Peace Plan adopted unanimously at the
Twelfth Arab Summit Conference held at Fez (Morocco) on 9 September 1982,

Noting the Geneva Declaration on Palestine adopted by accla-
mation on 7 September 1983,

Condemning the increasing collaboration by Israel with the
racist minority régime of South Africa, particularly in the military and
nuclear fields,

Recalling the resolutions of the 68th Inter-Parliamentary
Conference (Havana), the General Assembly and Security Council condemning
Israel for its armed aggression against the Iraqi nuclear installations
devoted to peaceful purposes,

Noting with concern Israel's refusal to comply with Security
Council resolution 487 (1981) relevant to that armed aggression,

Further noting with grave concern Israel's persistent refusal to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons despite repeated calls by the General Assembly, the Security Council and the International Atomic Energy Agency (IAEA), and to place its nuclear facilities under IAEA safeguards,

Guided by the obligation of member States under the United Nations Charter to settle their disputes by peaceful means and in such a manner that international peace and security are not endangered and to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State,

Recalling the resolutions of the 67th Inter-Parliamentary Conference in Berlin, the 69th Inter-Parliamentary Conference in Rome and the 70th Inter-Parliamentary Conference in Seoul relating to the Iraq-Iran war, calling for an immediate cease-fire and an end to all military operations as well as for the withdrawal of all forces to internationally recognized boundaries as a preliminary step towards the settlement of the dispute by peaceful means in conformity with the principles of justice and international law,

Taking into consideration Security Council resolutions 479 (1980) of 28 September 1980, 514 (1982) of 12 July 1982 and 522 (1982) of 4 October 1982 and 540 (1983) of 31 October 1983, as well as the statements made by the President of the Security Council on 5 November 1980, 15 July 1982, and on 21 February 1983,

Also taking into consideration General Assembly resolution 37/3 adopted on 22 October 1982,

Bearing in mind the appeal made by the Chairman of the Non-Aligned Movement at the conclusion of the 7th Conference of Heads of State or Government of Non-Aligned Countries held in New Delhi on 12 March 1983,

Also bearing in mind the relevant resolution adopted by the 4th Islamic Summit Conference in Casablanca (Morocco) on 18 January 1984,

Profoundly concerned at the prolongation of the conflict between the two countries, resulting in grave human losses and considerable material damage and endangering international peace and security,

Noting that Iraq has expressed its acceptance of all the above-mentioned resolutions and proceeded to withdraw its forces to the international boundaries in June 1982,

Recalling to the attention of all States their obligations under the Geneva Protocol of 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare, the Geneva Convention of 1949 relating to the Treatment of Prisoners of War and their Protection, including the unconditional and immediate release of all civilian prisoners, the Paris Treaty for the Renunciation of War of 1928, the Geneva Declaration of the Rights of the Child and the non-sending of children to war, and all United Nations Covenants and Conventions regarding the protection of civilians and the

cessation of striking at towns and cities in wartime; fully endorsing the statements by the President of the United Nations Security Council on 30 March 1984, which referred to possible breaches of these conventions by parties to the Iran/Iraq conflict; noting with particular concern the report (S/16433) by the experts appointed by the United Nations Secretary-General, who unanimously concluded that chemical weapons had been used in that conflict; and concluding that this emphasizes the necessity of a binding international treaty banning the production and stockpiling of such weapons as well as their use,

1. Declares all Israeli policies and practices of, or aimed at, annexation of the occupied Palestinian and other Arab territories, including Jerusalem and the Golan Heights, to be illegal and in violation of international law and of the relevant resolutions of the United Nations and the Inter-Parliamentary Union;
2. Strongly deplores any political economic, financial, military and technological support to Israel that encourages Israel to commit acts of aggression and to consolidate and perpetuate its occupation and annexation of the occupied Arab territories;
3. Endorses the Geneva Declaration on Palestine adopted by acclamation on 7 September 1983;
4. Condemns Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territories and outside these territories, particularly in Southern Lebanon, including the expropriation and annexation of territory, the establishment of settlements, assassination attempts and other terrorist, aggressive and repressive measures which are in violation of the United Nations Charter and the principles of international law and the relevant international conventions;
5. Condemns Israel's continued occupation of the Palestinian territories, South Lebanon and the Golan Heights in violation of the Charter of the United Nations, the principles of international law and the relevant resolutions of the United Nations and the Inter-Parliamentary Union, and demands the unconditional withdrawal of Israel from all the occupied territories;
6. Considers that the agreement on strategic co-operation between the United States of America and Israel signed on 30 November 1981 together with the recent accords concluded in this context would encourage Israel to pursue its aggression and expansionist policies and practices in the Palestinian and other occupied Arab territories, would have adverse effects on efforts for the establishment of a comprehensive, just and lasting peace in the Middle East and would threaten the security of the region and the world;
7. Strongly condemns the continuing and increasing collaboration between Israel and the racist régime of South Africa, especially in the economic, military and nuclear fields, which constitutes a hostile act against the African and the Arab States and enables Israel to enhance its nuclear capabilities, thus constituting a serious threat to the peace and security of the region and of the world as a whole;

8. Reaffirms the right of all peoples oppressed by colonialism, neo-colonialism, racism, including Zionism, and apartheid to self-determination, independence, national sovereignty and equality and the right to struggle in every way possible, including armed struggle, for the attainment of those rights;
9. Reaffirms its full support for the Arab Palestinian people under the leadership of the Palestine Liberation Organization, their sole and legitimate representative, and rejects all agreements and arrangements which violate the inalienable rights of the Palestinian people to return to their homeland, Palestine, and to self-determination and the establishment of their own sovereign Palestinian State in Palestine;
10. Calls on all Parliaments, Governments and international organizations to assist and help Lebanon in its liberation from the Israeli occupation and for the extension of its national sovereignty over the entire Lebanese territory;
11. Condemns Israel's continued refusal to implement Security Council resolution 487 (1981), unanimously adopted by the Security Council on 19 June 1981, regarding Israel's armed aggression against the Iraqi nuclear installations,
12. Demands that Israel withdraw forthwith its threat to attack and destroy nuclear facilities in Iraq and in other countries, in conformity with General Assembly resolution 38/9;
13. Condemns Israel's refusal to renounce any possession of nuclear weapons and to place all its nuclear activities and facilities under IAEA safeguards in accordance with previous relevant Security Council and General Assembly resolutions, the latest of which being General Assembly resolution 38/69 of 12 December 1983;
14. Calls upon the Secretary-General of the United Nations for the establishment of an International Commission to enquire into the problems of the region with a view to seeking a way forward, possibly through establishing the agenda for a peace-negotiating process, this Commission to be made up of countries which have not been principal parties to the Middle East conflicts;
15. Reaffirms that the continuation of the conflict between Iraq and Iran and its prolongation and expansion endanger international peace and security;
16. Welcomes the fact that Iraq has already expressed its readiness to co-operate in the implementation of the relevant United Nations resolutions, and calls upon Iran to do likewise;
17. Requests that this armed conflict, which has entered its fourth year, has caused serious damage to civilian areas and has resulted in grave human losses, be ended;

18. Calls upon the two belligerent States to resort to negotiations to solve their conflict;
19. Calls for an immediate cease-fire and an end to all military operations, as well as for the withdrawal of all forces to within internationally recognized boundaries, as a preliminary step towards the settlement of the dispute by peaceful means in conformity with the principles of justice and international law;
20. Expresses its support for Security Council resolution 540 (1983) adopted on 31 October 1983, notes with appreciation Iraq's acceptance of it and calls on Iran to respond positively to this resolution which affirms the right of free navigation and commerce in international waters, calls on all States to respect this right and also calls upon the belligerents to cease immediately all hostilities in the region of the Gulf, including all sea-lanes, navigable waterways, harbour-works, terminals, offshore installations, and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral States;
21. Calls upon all other States to refrain from all actions which could contribute to the continuation of the conflict and urges their Parliaments and Governments to undertake all efforts to facilitate the implementation of the present resolution;
22. Calls upon all States in the Middle East and elsewhere to observe their obligations under the Geneva Protocol of 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare, the Geneva Convention of 1949 relating to the Treatment of Prisoners of War and their Protection, including the unconditional and immediate release of all civilian prisoners, the Paris Treaty for the Renunciation of War of 1928, the Geneva Declaration of the Rights of the Child and the non-sending of children to war, and all United Nations Covenants and Conventions regarding the protection of civilians and the cessation of striking at towns and cities in wartime;
23. Condemns the production, storage and the sale of any type of, chemical, bacteriological or other weapon of mass destruction by any country and calls for the destruction of all existing stocks, thereby eliminating the use of these prohibited weapons in the war between Iraq and Iran and preventing similar incidents in the future.

4. 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 on 20 February 1984 adopted the following resolutions on the question of violation of human rights in the occupied Arab territories, including Palestine:

1984/1

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,

Also guided by the provisions of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political 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, 37/88 A to G of 10 December 1982, 37/123 A to F of 16 and 20 December 1982, 38/58 A to E of 13 December 1983 and 38/79 A to H of 15 December 1983, and all other relevant 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 resolutions of the International Labour Organisation; the World Health Organization and the United Nations Educational, Scientific and Cultural Organization, as well as the report of the international seminar on violations of human rights in the Palestinian and other Arab territories occupied by Israel, held at Geneva from 29 November to 3 December 1982, the Geneva Declaration adopted by the Inter-

national Conference on the Question of Palestine held at Geneva from 29 August to 7 September 1983, and the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Recalling the International Committee of the Red Cross press release No. 1478 of 13 December 1983 on Israeli violations of the agreement for the exchange of prisoners between the Palestine Liberation Organization and Israel which involved the retaining of prisoners and detainees whose release was provided for in the agreement,

Recalling its resolutions 1982/1 A and B of 11 February 1982 and 1983/1 A and B and 1983/2 of 15 February 1983 on the "Question of the violation of human rights in the occupied Arab territories, including Palestine", and previous resolutions of the Commission on Human Rights on this subject,

1. Reaffirms the fact that occupation itself constitutes a fundamental violation of the human rights of the civilian population of the Palestinian and other occupied Arab territories;
2. Denounces the continued refusal of Israel to allow the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories access to the occupied territories;
3. Reiterates the deep alarm expressed by the Special Committee in the reports submitted to the General Assembly at its thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, and thirty-eighth sessions, that Israel's policy in the occupied territories is based on the so-called "Homeland" doctrine which envisages a mono-religious (Jewish) State that includes territories occupied by Israel since June 1967, and the affirmation by the Special Committee that this policy not only denies the right to self-determination of the population of the occupied territories but also constitutes the source of the continuing and systematic violation of human rights;
4. Confirms its declaration that Israel's continuous 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 the Geneva Conventions are war crimes and an affront to humanity;
5. Firmly rejects and reiterates its condemnation of Israel's decision to annex Jerusalem and to change the physical character, demographic composition, institutional structure or status of the occupied territories, including the Holy City, and considers all these measures and their consequences null and void;
6. Strongly condemns Israel's attempts to subject the West Bank and the Gaza Strip to Israeli laws;

7. 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 continuing 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, and 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 arming of settlers in the occupied territories to strike at Muslim and Christian religious and holy places;

(e) The evacuation, deportation, expulsion, displacement and transfer of Arab inhabitants of the occupied territories, and the denial of their right to return;

(f) 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;

(g) The destruction and demolition of Arab houses;

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

(i) The pillaging of archaeological and cultural property;

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

(k) The systematic Israeli repression against cultural and educational institutions, especially universities, in the occupied Palestinian territories, closing them or restricting and impeding their academic activities by subjecting selection of courses, textbooks and educational programmes, admission of students and appointment of faculty members to the control and supervision of the military occupation authorities and by the expulsion of numerous faculty members of several universities for refusing to sign statements containing political positions, in flagrant defiance and disregard of their right to academic freedom;

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

(m) The dismantling of municipal services by dismissing the elected mayors as well as the municipal councils and forbidding Arab aid funds;

8. 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;

9. 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 municipal chiefs to their municipalities so that they can resume the functions for which they were elected;

10. 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, pending their release, to accord them 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;

11. Condemns Israel for its continued detention of Ziad Abu Ain, and calls on Israel to implement fully the agreement on the exchange of prisoners with the Palestine Liberation Organization concluded with the International Committee of the Red Cross in November 1983; and further calls on Israel to release Ziad Abu Ain and others whom it continues to detain and who were in Ansar Camp, which must be closed under the provisions of the above-mentioned agreement;

12. 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 to 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;

13. Urges Israel to refrain from the policies and practices violating human rights in the occupied territories, and to report, through the Secretary-General, to the Commission at its forty-first session on the implementation of this resolution;

14. Requests the General Assembly, through the Economic and Social Council, to recommend to the Security Council the adoption against Israel of the measures referred to in Chapter VII of the Charter of the United Nations for its persistent violation of the human rights of the population of the Palestinian and other occupied Arab territories;

15. 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 forty-first session;

16. 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;

17. Decides to place on the provisional agenda of the forty-first session as a matter of high priority the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

B

The Commission on Human Rights,

Recalling its resolutions 1982/1 B of 11 February 1982 and 1982/1 B of 15 February 1983 and General Assembly resolutions 3092 A (XXVIII) of 7 December 1973, 32/91 A of 13 December 1977, 33/113 A of 18 December 1978, 34/90 B of 12 December 1979, 35/122 A of 11 December 1980, 36/147 A of 16 December 1981, 37/88 A of 10 December 1982 and 38/79 B of 15 December 1984,

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 19 December 1980,

Recalling resolution III on the application of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 adopted by the Twenty-fourth International Conference of the Red Cross held at Manila in November 1981,

Bearing in mind that the provisions of the Geneva Conventions 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 creates a situation fraught with danger, and considering that it persists in violating human rights,

Taking into account that States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War undertake, in accordance with Article 1 thereof, not only to respect but also to ensure respect for the Convention in all circumstances,

1. 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;

2. Expresses its deep concern at the consequences of Israel's systematic refusal to apply that Convention in all its provisions to Palestinian and other Arab territories occupied 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; requests Israel to release all Arabs detained or imprisoned as a result of their struggle for self-determination and 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;

5. Urges once more all States parties to that Convention to make every effort 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, and to submit a report on progress in its implementation to the Commission on Human Rights at its forty-first session.

1984/2, Question of the violation of human rights in the occupied Arab territories, including Palestine

The Commission on Human Rights,

Having examined the ever deteriorating situation in the occupied Arab territories, including Palestine and the occupied Syrian Golan Heights,

Recalling its resolution 1983/2 of 15 February 1983,

Taking note of the report of the special Committee of Experts appointed to study the health conditions of the inhabitants of the occupied territories and the relevant resolution of the World Health Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

Gravely alarmed by Israel's increasingly arrogant behaviour in systematically

ignoring and openly defying all relevant resolutions of the Security Council, the General Assembly, the Commission on Human Rights, the World Health Organization, and other organs of the United Nations concerning the Arab territories occupied by Israel and its persistent violations of human rights in those territories,

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

Recalling General Assembly resolution 3314 (XXIX) of 14 December 1974, in which the Assembly defined an act of aggression, inter alia, as "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" and provided that "no consideration of whatever nature, whether political economic, military or otherwise, may serve as a justification for aggression",

Recalling Security Council resolution 497 (1981) of 17 December 1981 and General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982 and 37/123 A of 16 December 1982 in connection with the Israeli occupation of the Syrian Golan Heights, and the imposition of its laws, jurisdiction and administration on the Syrian occupied territory,

Reiterating its grave alarm at the inhuman treatment which the occupying Israeli authorities continue to impose on the Syrian population of the occupied Golan Heights, and the measures and actions designed to change the legal status, geographic nature and demographic composition of these occupied territories,

Recalling General Assembly resolutions 38/79 D and F of 15 December 1983 and 38/180 A and D of 19 December 1983, on the situation in the Middle East and the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,

1. Resolutely condemns Israel for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolutions 36/226 B, ES-9/1 and 37/123 A;

2. Declares once more that Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan Heights, whose outcome has been the effective annexation of this territory, is null and void and has no legal validity and no effect, and that Israeli practices and inhuman treatment of the Syrian and Arab Population constitute a grave violation of the Universal Declaration of Human Rights, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and the relevant United Nations resolutions as well as a continuing threat to international peace and security;

3. Strongly condemns Israel for its attempts and measures to impose Israeli citizenship and identity cards on the Syrian citizens in the occupied Golan Heights by force;

4. Strongly deplures the negative vote and pro-Israeli position of a permanent member of the Security Council which prevented the Council from adopting against Israel, under Chapter VII of the Charter of the United Nations, the "appropriate measures" referred to in resolution 497 (1981), adopted unanimously by the Security Council;

5. Reaffirms its determination that all provisions of the Hague Convention of 1907 and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, strongly demands that Israel recognized the provisions of these Conventions and apply them in the occupied Arab territories, and calls upon parties to these Conventions to respect their obligations thereunder in all circumstances;

6. Calls upon Israel, the occupying Power, to rescind forthwith its decision of 14 December 1981 to impose its laws, jurisdiction and administration on the Syrian Golan Heights, emphasizes that Israel must allow the evacuees from among the Golan population to return to their homes and to recover their former property and residences occupied by Israel since 1967, and firmly emphasizes the overriding necessity of the total and unconditional withdrawal by Israel from all Palestinian and Syrian territories occupied since 1967, including Jerusalem, which is an essential prerequisite for the establishment of a comprehensive and just peace in the Middle East;

7. Decides to place on the provisional agenda of its forty-first session as a matter of high priority the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

1984/3

Question of the violation of human rights and
Fundamental freedoms: the situation in the Arab
Territories occupied by Israel

The Commission on Human Rights,

1. Condemns Israel for its continued occupation of the Palestinian territories, including Jerusalem, and of other Arab territories in violation of relevant United Nations resolutions and of the provisions of international law;
2. Condemns Israel for its persistence in developing the colonization of these territories which aims at changing the demographic composition, institutional structure and status of the occupied territories, including Jerusalem;
3. Reaffirms that measures such as those described in the above paragraph constitute grave violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and The Hague Convention of 1907, and that they are null and void with regard to international law;
4. Calls upon Israel to withdraw immediately from the occupied Palestinian territories, including Jerusalem, in order to restore to the Palestinian people their inalienable national rights, and from all the other occupied Arab territories.

1984/11 The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

The Commission on Human Rights,

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947, 194 (III) of 11 December 1948, 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 A and B of 2 December 1977, 32/42 of 7 December 1977, 33/28 A to C of 7 December 1978, 34/65 A to D of 29 November and 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A to E of 15 December 1980, 36/120 A to F of 10 December 1981, 36/226 A and B of 17 December 1981, ES-7/9 of 24 September 1982, 37/86 A to E of 10 and 20 December 1982 and 38/58 A to E of 13 December 1983,

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

Reaffirming its resolutions 1982/3 of 11 February 1982 and 1983/3 of 15 February 1983,

Bearing in mind the reports and recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,

Emphasizing once more 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 Israel has prevented the Palestinian people by force from enjoying their inalienable rights, in particular their right to self-determination, in defiance of the principles of international law and in disregard of the will of the international community,

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, as has been tragically illustrated by Israel's invasion and continued occupation of Lebanon,

Welcoming the Arab peace plan adopted by the Twelfth Arab Summit Conference, held at Fez, Morocco, on 9 September 1982,

Noting with satisfaction the outcome of the proceedings of the International Conference on the Question of Palestine held at Geneva from 29 August to 7 September 1983,

Gravely concerned at the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, as well as the agreements recently concluded in this respect, which would encourage and support Israeli policies of aggression and expansion,

1. Condemns Israel's continued occupation of the Palestinian and other Arab territories, including Jerusalem, in violation of the Charter of the

United Nations, the principles of international law and the relevant resolutions of the United Nations, and demands the immediate, unconditional and total withdrawal of Israel from all these occupied territories;

2. Condemns Israel's aggression and practices against the Palestinian people in the occupied Palestinian territories and outside those territories, particularly against Palestinians in Lebanon, as a result of the Israeli invasion of Lebanon which claimed the lives of thousands of Lebanese and Palestinian civilians;

3. Strongly condemns anew Israel's responsibility for the large-scale massacre in the Sabra and Shatila refugee camps, which constituted an act of genocide, and expresses its grave concern that, until a just and equitable solution to the problem of Palestine has been implemented, the Palestinian people will be exposed to grave dangers such as the appalling massacre perpetrated in the Sabra and Shatila refugee camps;

4. Reaffirms the inalienable right of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign State of Palestine;

5. Reaffirms the inalienable right of the Palestinians to return to their homes and property, from which they have been uprooted by force, and calls for their return and the exercise of their right to self-determination;

6. 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;

7. Reaffirms the basic principle that the future of the Palestinian people can only be decided with its full participation in all efforts, through its legitimate and sole representative, the Palestine Liberation Organization;

8. Reaffirms its rejection of all partial agreements and separate treaties in so far as they violate the inalienable rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem that ensure the establishment of a just peace in the area, in accordance with the principles of the Charter of the United Nations and with relevant United Nations resolutions;

9. Strongly rejects the plan of "autonomy" within the framework of the "Camp David Accords" and declares that these accords which have no validity in determining the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967;

10. Denounces the agreements on strategic co-operation between the United States of America and Israel signed on 30 November 1981, as well as the agreements recently concluded in this respect, which encourage Israel to persist in its policies and practices of aggression and expansion in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and which undermine efforts aimed at establishing a comprehensive and just peace in the Middle East and endanger peace in the region;

11. Endorses the Geneva Declaration on Palestine adopted by the International Conference on the Question of Palestine, and welcomes the call for convening an international peace conference on the Middle East under the auspices of the United Nations, in which all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, the Union of Soviet Socialist Republics and the United States of America, as well as other concerned States, participate on an equal footing and with equal rights;

12. 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;

13. 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 Division for Palestinian Rights.

1984/20 Question of the human rights of all persons subjected to any form of detention or imprisonment

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 of 12 August 1949 and of The Hague Convention of 1907,

Recalling General Assembly resolutions 2674 (XXV) and 2675 (XXV) of 9 December 1970 as well as all relevant resolutions on the promotion of the respect of human rights in armed conflicts,

Deeply alarmed by the situation of Palestinian, Lebanese and other detainees held by Israel as a result of its invasion of Lebanon and continued occupation of Lebanese territories,

1. Strongly reaffirms that the fundamental human rights established by international law and formulated in international instruments remain fully applicable in cases of armed conflict;

2. Urges Israel to recognize, in accordance with the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, the status of prisoners of war for all combatants captured in the course of that war, and to treat them accordingly;

3. Urges Israel to release immediately all civilians arbitrarily detained since the beginning of that war, as well as those that Israel rearrested and detained again in Ansar Camp. thereby violating the agreement on the exchange of prisoners concluded with the International Committee of the Red Cross in November 1983;

4. Urges Israel to co-operate with the International Committee of the Red Cross and allow it to visit all detainees, in all the detention centres under its control;

5. Urges Israel to ensure protection, in conformity with the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and The Hague Convention of 1907, for Palestinian civilians, including the released detainees, in the areas under its occupation;

6. Calls upon all parties to the conflict to furnish the International Committee of the Red Cross with all available information concerning persons who are missing or who disappeared following the invasion of Lebanon by Israel;

7. Decides to place this matter on the provisional agenda of its forty-first session under the item "Question of the human rights of all persons subjected to any form of detention or imprisonment".

