



General Assembly

Distr.
GENERAL

A/36/579
17 July 1985

ORIGINAL: ENGLISH/FRENCH

Thirty-sixth session
Agenda item 64

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE POPULATION OF THE OCCUPIED TERRITORIES

Note by the Secretary-General

The Secretary-General has the honor to transmit to the members of the General Assembly the attached report, which was submitted to him, in accordance with paragraphs 9 and 10 of Assembly resolution 35/122 C of 11 December 1980, by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

CONTENTS

	<u>Paragraphs</u>
LETTER OF TRANSMITTAL	
I. INTRODUCTION	1 - 7
II. ORGANIZATION OF WORK	8 - 13
III. MANDATE	14 - 18
IV. SUMMARY OF INFORMATION AND EVIDENCE BEFORE THE SPECIAL COMMITTEE	19 - 27
A. Introduction	19-27
B. Classification of information	28-50
1. Policies and implementation	30-38
(a) Confirmation of the existence of a deliberate policy of annexation and settlement	30
(b) Official measures adopted to put this policy into effect	31
(c) Information on the implementation of these measures	32-37
(i) Construction of new Israeli settlements and expansion of existing ones	33
(ii) Expropriation of property to carry out construction and expansion of settlements	34
(iii) Budgetary allocations to carry out construction and expansion of settlements	35
(iv) Other measures adopted in implementation of the policy of annexation and settlement	36-37
(d) Settlers' activities	38
2. Situation of civilians	39-46
(i) General information	40
(ii) Demolition and sealing of habitations and commercial premises	41
(iii) Curfews	42
(iv) Education	43-45
(v) Freedom of movement	46
(b) Treatment of detainees	47
(c) Incidents	48
3. Judicial remedies	49-50
(a) Remedies against measures affecting the person	49
(b) Remedies against measures affecting property	50
C. Examples of information received by the Committee	51-389
1. Policies and implementation	51 - 184
2. Situation of civilians	185-339
3. Judicial remedies	340-389
V. CONCLUSIONS	390-401

ANNEXES

I. Map showing Israeli settlements established, planned or under construction in the territories occupied in June 1967

II. Maps West Bank and Gaza areas of expropriation

LETTER OF TRANSMITTAL

4 September 1981

Sir,

The Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the occupied Territories has the honor to transmit to you herewith its thirteenth report, prepared in accordance with General Assembly resolutions concerning the Special Committee and in particular, resolution 2443 (XXIII) of 19 December 1968, by which the Special Committee was established, and resolution 35/122 C of 11 December 1980, the latest resolution by which the General Assembly renewed its mandate.

This report covers the period from 25 July 1980, the date of the adoption by the Special Committee of its preceding report, to 31 August 1981. During this period, the Special Committee continued to follow closely the situation in the occupied territories. In spite of the efforts of the Special Committee, the Government of Israel has not changed its position with regard to the Special Committee.

The situation of human rights in the occupied territories has not changed from previous years. The information given in this report shows that the Government of Israel, the occupying Power, continues to follow a policy of annexation of these territories. Settlements continue to be established and others continue to be expanded; the number of Jewish settlers in these territories continues to increase. On the other hand, the civilian population is subjected to a constant repression which takes various forms. The Special Committee has found particularly disturbing the statement of policy of the new Government of Israel according to which the Government would raise the claim to the "sovereignty of Israel over the occupied territories" in the near future.

The Special Committee in its conclusions has thus emphasized once again the need of the intervention of the international community to put an end to this policy of annexation and consequently to the measures taken in implementation of this policy.

Please accept, Sir, on behalf of my colleagues and on my own behalf, the assurances of our highest consideration.

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

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

I. INTRODUCTION

1. The Special Committee to investigate Israeli Practices Affecting the Human Rights of the Population of the occupied Territories was established by the General Assembly in resolution 2443 (XXIII) of 19 December 1968. By that resolution, the General Assembly decided to establish the Special Committee, composed of three Member States; requested the President of the Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to co-operate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter; and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.

2. The following Member States were appointed on 12 September 1969 to serve on the Special Committee: Somalia, Sri Lanka and Yugoslavia. The Government of Sri Lanka appointed Mr. H. S. Amerasinghe, Permanent Representative to the United Nations, as its representative on the Special Committee. The Government of Yugoslavia appointed Mr. Borut Bohte, Professor of the Faculty of Law of Ljubljana University and Member of the Federal Assembly of Yugoslavia, as its representative on the Special Committee. The Government of Somalia appointed Mr. A. A. Farah, and subsequently Mr. H. Hur-Elmi, Permanent Representative to the United Nations, as its representative on the Special Committee. On 26 April 1974, the President of the General Assembly, at its twenty-eighth session, informed the Secretary-General that Somalia had decided to withdraw from the Special Committee and that, in conformity with paragraph 2 of General Assembly resolution 2443 (XXIII), he had appointed Senegal a member of the Special

Committee. On 30 April 1974, the Permanent Representative of Senegal to the United Nations informed the Secretary-General that his Government had appointed Mr. Keba Mbaye, Chief Justice Of Senegal (Premier President de la Cour supreme du Senegal), as its representative on the Special Committee. On 21 September 1976, the Permanent Representative of Sri Lanka to the United Nations informed the Secretary-General that Mr. H. S. Amerasinghe had resigned from the Special Committee upon his election as President of the General Assembly at its thirty-first session. On 18 February 1977, the Government of Sri Lanka informed the Secretary-General that Mr. V. L. B. Mendis, Sri Lanka High Commissioner to the United Kingdom of Great Britain and Northern Ireland, would serve on the Special Committee at the meetings at Geneva from 22 February to 1 March 1977.

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

4. By a note verbal dated 23 April 1980, the Government of Sri Lanka designated Mr. Nadarajah Balasubramaniam, Ambassador and Charge d'Affaires a.i. of the Permanent Mission of Sri Lanka to the United Nations, to represent Sri Lanka at the meetings of the Special Committee from 19 to 30 May 1980. Mr. Balasubramaniam was named representative of Sri Lanka on the Special Committee by a note verbal dated 14 July 1980. At the meetings held from 21 to 25 July 1980, Sri Lanka was represented by Mr. K. K. Breckenridge, who had been designated by a note verbal dated 18 July 1980.

5. By a letter dated 16 January 1981, the Government of Yugoslavia notified the Secretariat that it had designated Mr. Becir Meholic, Chairman of the City Commission for Foreign Affairs in Sarajevo (Bosnia and Herzegovina), as representative of Yugoslavia on the Special Committee. By a note verbal dated 10 April 1981, the Government of Sri Lanka notified the Secretary-General that it had designated Mr. I. B. Fonseka, permanent representative of Sri Lanka to the United Nations, to represent Sri Lanka on the Special Committee at its meetings from 21 April to 1 May 1981. By a note verbal dated 12 June 1981, the Secretary of the Ministry for Foreign Affairs of Sri Lanka notified the Secretary-General of the nomination of Mr. Fonseka as Sri Lanka representative on the Special Committee.

6. Since October 1970, the Special Committee has submitted 12 reports. 1/ These reports were discussed in the Special Political Committee, which then reported to the General Assembly. 2/ on the recommendation of the Special Political Committee, the Assembly adopted resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971, 3005 (XXVII) of 15 December 1972, 3092 A and

B (XXVIII) of 7 December 1973, 3240 A to C (XXIX) of 29 November 1974, 3525 A to D (XXX) of 15 December 1975, 31/106 A to D of 16 December 1976, 32/91 A to C of 13 December 1977, 33/113 A to C of 18 December 1978, 34/90 A to C of 12 December 1979 and 35/122 A to F of 11 December 1980.

7. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D, 32/91 B and C, 33/113 C, 34/90 A to C and 35/122 C.

II. ORGANIZATION OF WORK

8. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General. 3/ At its 316th meeting, on 21 April 1981, Mr. Ousmane Goundiam (Senegal) was elected Chairman.

9. The Special Committee held two series of meetings during 1981. Its first series of meetings took place from 21 April to 1 May 1981 at Geneva. At those meetings the Committee reviewed its mandate consequent upon the adoption by the General Assembly of resolution 35/122 C and decided on the organization of its work for the year. It reconfirmed its decision to continue its system of monitoring information on the occupied territories. The Committee decided, with reference to paragraph 10 of resolution 35/122 C, to continue to pay special attention to information on treatment of civilians in detention. The Committee reviewed information on the occupied territories which had become available since 25 July 1980, the date of the adoption of its last report (A/35/425), and examined communications containing such information received since its last series of meetings. The Committee decided to address itself to the Governments concerned and to persons in the occupied territories whose experience and knowledge of certain facts were considered relevant to its mandate. In the context of its examination of information on treatment of civilians in detention, the Committee examined further information on a number of individual cases and reports concerning conditions in a number of prisons. The Special Committee took note of information on a number of measures affecting educational institutions in the occupied territories, including Military Order No. 854 of 6 July 1980. The Special Committee heard the testimony of Mr. Tuma Hazou, Information Adviser to His Royal Highness, Crown Prince Hassan of Jordan, on the settlement policy followed by Israel in the occupied territories. The Special Committee heard, in closed meetings, the testimony of another person, who expressed the wish to remain anonymous; this testimony concerned the measures taken by the occupation authorities with regard to education and educational institutions in the occupied territories.

10. On 8 May 1981, letters were sent to the Governments of Jordan and the Syrian Arab Republic and to the Palestine Liberation Organization referring to General Assembly resolution 35/122 C and requesting information relative to the mandate of the Special Committee. On 20 May 1981, a letter was sent to the International Committee

of the Red Cross, also referring to resolution 35/122 C. A number of reports were received from the Governments and from the Palestine Liberation organization transmitting information on the situation in the occupied territories.

11. On 19 May 1981, the Chairman of the Special Committee addressed a letter to the Secretary-General which reads as follows:

"I have the honor to inform you that the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the occupied Territories met at Geneva from 21 April to 1 May 1981. At these meetings, the Special Committee examined the implementation of its mandate which was renewed by the General Assembly at its thirty-fifth session by resolution 35/122 C of 11 December 1980, and it decided to request once again the co-operation of the Government of Israel. The decision of the Special Committee was taken after examining precise information on several aspects of the situation of human rights in the occupied territories which gave rise to serious question as to the conduct of the military occupation by Israel.

"The Special Committee is aware of the negative attitude of the Government of Israel towards the Special Committee in the past. It is of the view, however, that out of respect for the fundamental juridical principle which requires that the party whose conduct is in question is given the opportunity to give its point of view, another attempt should be made to obtain the co-operation of this Government. It is for that purpose that the Special Committee has asked me to address myself to you and to invoke your intervention with the representative of the Government of Israel so as to communicate the desire of the Special Committee for a positive reply from that Government."

12. The request of the Special Committee was transmitted to the Permanent Representative of Israel to the United Nations by a letter dated 9 June 1981 from the Under-Secretary-General for Political and General Assembly Affairs. At the time of the adoption of this report, no response had been received to the request of the Special Committee.

13. The Special Committee held a second series of meetings at the United Nations Office at Geneva from 26 August to 4 September 1981. At those meetings the Committee examined information that had become available since its April meetings and a number of communications received from Governments and private sources. The Special Committee adopted the present report at those meetings.

III. MANDATE

14. The General Assembly, in its resolution 2443 (XXIII) entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the occupied Territories, composed of three Member States.

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

16. In interpreting its mandate, the Special Committee determined that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the Golan Heights, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on Disengagement of Forces of 18 January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974, the demarcation of the areas under occupation was altered as indicated in the maps attached to those agreements. The areas of Egyptian territory under Israeli military occupation were further modified in accordance with the Treaty of Peace between the Arab Republic of Egypt and the State of Israel which was signed on 26 March 1979 and which came into force on 25 April 1979;

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities. However, the Committee noted that resolution 2443 (XXIII) referred to the "population" without any qualification as to any segment of the inhabitants of the occupied territories;

(c) The "human rights" of the population of the occupied territories consisted of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories; the pillaging of the archaeological and cultural heritage of the occupied territories; and interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "Policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the case of "policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not were in implementation of a policy, reflected a pattern of behavior on the part of the Israeli authorities towards the Arab population of the occupied areas.

17. Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

(a) The Charter of the United Nations;

- (b) The universal Declaration of Human Rights;
- (c) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 4/
- (d) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; 5/
- (e) The Hague Convention for the Protection of cultural Property in the Event of Armed Conflict, of 14 May 1954; 6/
- (f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of war on Land; 7/
- (g) The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. 8/

18. The Special Committee has also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights, as well as the relevant resolutions of the United Nations Education, Scientific and Cultural organization, the World Health Organization and the International Labor Organization.

IV. SUMMARY OF INFORMATION AND EVIDENCE BEFORE THE SPECIAL COMMITTEE

A. Introduction

19. In spite of the repeated efforts made by the Special Committee, the Government of Israel continued to deny the Special Committee its co-operation. However, the Special Committee has continued to inform itself as fully as possible of development in the occupied territories by all means available to it. This section gives a representative sample of the information thus received since the adoption of the Committee's previous report on 25 July 1980.

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

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

- (a) The testimony of persons with first-hand knowledge of the situation of the population in the occupied territories;
- (b) Reports in the Israeli press of pronouncements by responsible persons in the Government of Israel;
- (c) Reports appearing in other news media, including the Arab language press published in the occupied territories in Israel and the international press;
- (d) Reports submitted to it by Governments, non-governmental bodies and individuals on the situation in the occupied territories.

22. The Special Committee heard the testimony of two persons during its meetings from 21 April to 1 May 1981 (A/AC.145/RT.319 to 322).

23. In addition to the foregoing, the Special Committee received reports from the Governments of Jordan and the Syrian Arab Republic and from the Palestine Liberation organization (PLO) containing information on the situation in the occupied territories. Reports were received from several individuals and organizations, including a number from the occupied territories

24. The plight of the Palestinians held in detention continued to be the subject of several expressions of concern received by the Special Committee

25. The Special Committee took note of numerous allegations of violations of human rights addressed to it by the PLO and letters addressed to the Secretary-General, circulated as General Assembly/Security Council documents containing other allegations and the related replies from the Government of Israel.

26. The Special Committee took note of reports published by specialized agencies relating to certain aspects of the situation in the occupied territories; in particular the Special Committee noted the "Report on the situation of workers of the occupied Arab territories" before the International Labor Conference at its sixty-seventh session 9/ and a report dated 1 May 1981 before the World Health Assembly, entitled "Report of the Special Committee of Experts appointed to study the Health conditions of the inhabitants of the occupied territories". 10/

27. The Special Committee noted reports by non-governmental organizations such as Amnesty International, relating to treatment of Palestinian detainees prepared subsequent to a visit by a delegation from that organization to the occupied territories from 3 to 7 June 1979, 11/ and the relevant section of the Amnesty International report for 1980. The Special Committee also noted a report published by the International Commission of Jurists in August 1980 entitled: "The West Bank and the Rule of Law". Subsequent to resolutions 1 (XXXVII) A and B of the Commission on Human Rights, at its thirty-seventh session, the Special Committee noted a report prepared by the International Federation of Human Rights on a visit by a delegation of that non-governmental organization to Israel and the occupied territories in December 1980 and comments regarding this report received from organizations mentioned in the report

B. Classification of information

28. The information received by the Special Committee has been summarized in the following paragraphs so as to reflect the situation in the occupied territories as it results from the policies followed by the Government of Israel, as an occupying

Power in terms of the fourth Geneva Convention, 4/ and the measures and practices adopted by that Government in pursuit of such policies.

29. Examples are given in subsection C below. This information has been organized in the following order, according to the subject-matter:

1. Policies and implementation

(a) Confirmation of the existence of a deliberate policy of annexation, and settlement

30. Subsection C 1 (a) contains a selection of reports of official statements which show the policy of the Government of Israel with regard to the occupied territories. The authors of such statements are members of the Government of Israel, such as the Prime minister and other ministers, and persons considered responsible for Government policy, such as officials of the World Zionist organization and similar institutions. Among these statements the Special Committee has noted, in particular, that made by the Prime Minister regarding the new Government's policy guidelines to the effect that Israel will "raise its claim to sovereignty" over the West Bank after a period of self-rule. (International Herald Tribune, 6 August 1981).

(b) Official measures adopted to put this policy into effect

31. The examples in subsection C 1 (b) show the official plans and projects drawn up by the Government of Israel in implementation of the policy enunciated in the preceding paragraph. They refer to a variety of projects for the occupied territories, such as plans for the construction of settlements on both long-term and short-term bases, the transfer of Israeli Jewish settlers to these settlements, also on long-term and short-term bases, and plans for consolidating the infrastructure of the existing Israeli settlements. In this connection, the Special Committee noted references to the continued existence of the Ministerial Settlement Committee (the Joint Settlement Committee) composed of an equal number of Government Ministers and officials of the Jewish National Fund, headed by the then Minister for Agriculture, Mr. Ariel Sharon, to whom several references were noted in regard to such plans and projects. The Special Committee noted, among such information, that given in paragraph 64 below, referring to a "detailed plan" published by the Jewish Agency Settlement Department to establish some 70 new settlements between 1980 and 1985, giving their location. In addition, several reports were noted concerning intensive construction in and around occupied Jerusalem, as reflected in paragraph 67.

(c) Information on the implementation of these measures

32. The plans and projects referred to in the preceding paragraph, including those adopted in previous years (and reflected in earlier reports of the Special Committee) continue to be put into effect. The examples in subsection C 1 (c)(i), are presented in four subdivisions which cover:

(i) Construction of new Israeli settlements and expansion of existing ones

33. The Special Committee noted that there were some 40 settlements that had been either established or inaugurated or whose construction had commenced during the period covered by the present report. Other reports reflect the transfer of Israeli civilians into the settlements, the construction of roads connecting the settlements and similar measures. A report appearing in September 1980 attributes to the Chairman of the Settlement Department of the Jewish Agency, Mr. Mattityahu Drobles, a statement announcing that, since 1977, the Government had established 58 settlements in the occupied territories and that the number of settlers in the occupied territories (not including occupied Jerusalem) had then reached some 26,000 (see para. 82). The Special Committee heard the testimony of Mr. Tuma Hazou, information advisor to His Royal Highness, Crown Prince Hassan of Jordan, in the course of which he referred to the Israeli settlers in occupied Jerusalem, quoting 56,000 as the figure given by the Israeli authorities and advancing his view that the number was nearer 86,000 (A/AC.145/RT.319, p.5). The settlements are located in the entire area of the West Bank, the Golan Heights and the Gaza Strip; the following table shows the location of the settlements reported.

West Bank

Golan Heights

Gaza Strip

Reihan B

Moshave Yehonatan

Yaghul

	Reihan C	Aloney Stabashan	Gadid
	Karney Shomoron	Ke'l	Gan Or
<u>North :</u>	Ma'aleh Nahal	Har Odem	
	Yakir	Mitzhak	
	Salit	Ein Simsim	
	Yabad		
	Nili		
	Levona		
	Hinanit B		

Center (including Jerusalem) :

Mikhmash
 Nuiema
 Nuiema A
 Nuiema B
 Vered Jericho
 Kochav Hashahar
 Modiin
 South Neve Yaacov

Jordan Valley :

	Almog B
	Rimonim
	Beit Ha'arava
<u>South</u>	Zif
	Carmel
	Ma'on
	Yatir B
	Tekoa B
	Mitzpe-Govrin
	Givat Oz B

(ii) Expropriation of property to carry out construction and expansion of settlements

34. The instances cited in subsection C 1 (c) (ii) reflect the information received by the Special Committee on the measures taken by the Israeli authorities to acquire land through expropriation. The reports quoted refer to all areas in the territories occupied in 1967; they refer to the major centers of population such as Jerusalem, Nablus, Hebron, Bethlehem and Jericho and the areas surrounding these centers. The Special Committee noted that the acquisition of land is undertaken by the adoption of a number of methods, as for example, declaring certain lands as "state lands", declaring certain areas closed "for security reasons" and outright confiscation. According to one report, which appeared in March 1981 (see para. 119), the Military Government had confiscated some 20 square kilometers since October 1980 by declaring such land as "state land". The report gives details of the areas in which this expropriation took place and the extent of the property involved. In a separate report appearing in April 1981 entitled "Government reveals real facts on West Bank land" (see para. 122), a total of 200 square kilometers had been allocated to Israeli settlements on the West Bank. The Special Committee recalls that, in its last report, it had noted information based on Israeli official sources according to which over 27 per cent of the area of the West Bank had been expropriated by the Israeli authorities; the examples included in subsection C below reflect the expropriation that has continued since then.

(iii) Budgetary allocations to carry out construction and expansion of settlements

35. The reports quoted in subsection C 1 (c) (iii) give an impression of the financial appropriations necessitated by the implementation of the "settlement program". The sources of these funds are mainly the Government of Israel and the World Zionist organization. The reports reproduced in subsection C show that, between October 1980 and June 1981, approximately 750 million Israel shekels (\$US 62.5 million as of August 1981) was budgeted. This amount was allocated for the construction of new settlements and expansion of existing ones though it did not include allocations for settlements in the occupied Jerusalem area.

(iv) Other measures adopted in implementation of the policy of annexation and settlement

36. The information contained in the selection of reports, in subsection C 1 (c) (iv) covers a number of measures adopted by the occupation authorities that are said to have been undertaken in the context of the settlement Policy. They refer to the construction of roads connecting groups of Israeli settlements with one another, extension of services to Israeli settlements such as the creation of local councils, the establishment of a municipal court, connection with the Israeli electricity supply and various other measures related to the establishment or strengthening of the infrastructure.

37. In addition, these reports reflect the efforts made by the authorities in searching for uncontested land", allegedly to avoid a repetition of the "Eilon Moreh case" when the Supreme Court declared the expropriation of land for the establishment of a settlement to be invalid after the owners had contested the expropriation orders. In this connection, the Special Committee, in its last report, had pointed out the existence of a private company registered in the occupied territories for the purpose of purchasing land from Palestinians. This company, known as HIMANUTA, was reported to be an affiliate of the Jewish National Fund. During the period covered by the present report, the Special Committee noted that other companies were created in the occupied territories for the purpose of purchasing land, such as that referred to as "Yosh Investment and Development Co. Ltd." and another referred to as "Company for Development and Trade in Judea and Samaria".

(d) Settlers' activities

38. The Special Committee took note of several reports on activities of Israeli settlers in the occupied territories, examples of which are reproduced in subsection C 1 (d) in the context of the information showing the implementation of the policy followed by the Government of Israel in the occupied territories. The information contained in these reports includes reports of activities of Israeli settlers with regard to the civilian inhabitants) among such reports are those according to which settlers undertook unilateral action in taking over land, invading homes of Palestinians, and organizing themselves into local militias. A number of reports relate incidents where settlers, particularly leaders of settler groups, such as Rabbi M. Kahane and Rabbi M. Levinger, were arrested by the Military authorities for their activities and subsequently released. A number of these reports show the activities undertaken by settlers in establishing Israeli premises in the center of Hebron.

2. Situation of civilians

(a) Treatment of civilians

39. Subsection C 2 contains examples of information reflecting various aspects of the treatment by Israeli occupation authorities of the civilian population. The Special Committee had before it a considerable number of reports and other sources of information on this aspect of the human rights situation. The examples included in this subsection have been subdivided as follows:

(i) General information

40. Subsection C 2 (a) (i) contains reports of the behavior of troops vis-à-vis civilians and incidents of arbitrary arrests such as that of Saaleh Abdul Jawad Saleh (29), from El Bireh, who was detained for over 100 days without charges. Mr. Saleh, reported to be suspected of "serious but unspecified crimes" was subsequently released (see para. 188 below). A number of reports of evictions of Palestinian families from their homes are included.

(ii) Demolition and sealing of habitations and commercial premises

41. The Special Committee reproduces a selection of information on demolition and sealing of habitations and commercial premises. In particular, reference is made to reports appearing in April and May 1981 giving figures for the number of houses demolished during the occupation and the areas in which the demolition occurred (see paras. 216 and 217).

(iii) Curfews

42. A selection is given of reports received by the Special Committee on curfews imposed by the occupation authorities on towns and villages during the period covered by the report.

(iv) Education

43. A considerable amount of information was received by the Special Committee on the measures taken by the occupation authorities with regard to educational institutions, subsequent to the promulgation of Military order No. 854 of 6 July 1980 by which all educational institutions were required to obtain a permit from the military authorities; this included persons wishing to be employed in teaching positions in such institutions.

44. It was confirmed in evidence before the Special Committee that order No. 854 considerably restricted academic freedom in the occupied territories. Under the Order, the wording of article 2 of the Jordanian Education Law No. 16 (1964) was amended so as to include universities and institutions offering four-year education courses, with elementary and secondary schools. According to article 6, all educational institutions operating in the area and mentioned in an appendix to the order were to be considered as having obtained a temporary license, effective from the date of enforcement of the order. Mention was also made of an amendment of the Regulation of Teaching Licenses No. 23 (1965), article 8, to empower "the responsible officer to annul the teaching license granted to someone who has been convicted of a security regulation or has been placed under administrative detention".

45. It was also stated before the Special Committee that a teachers' strike had taken place, lasting from December 1980 until March 1981, and that a total of 7,200 teachers in the West Bank schools were involved. It was mentioned that, on 28 January 1981, the military authorities had issued an order to prevent teachers from striking; at one point 52 strike-leaders were arrested. The information on events surrounding the teachers' strike is reproduced in subsection C 2 (a).

(v) Freedom of movement

46. The Special Committee noted several reports of measures taken by the Occupation authorities limiting movement of civilians in the occupied territories. This information refers to limitations imposed on Palestinian leaders such as mayors, trade unionists and journalists and collective measures applied to populations of whole towns and villages. In the period covered by the report, for example, inhabitants of the main towns of the West Bank and the Gaza Strip were at some time or another prohibited from leaving the occupied territories. The Special Committee noted statements made by the Mayor of Nablus, Mr. Sha'qa, who lost both legs in an assassination attempt in June 1981, of constant harassment by the occupation authorities of him and his staff that seriously curtailed his freedom of movement. As an example of collective measures, the Special Committee would draw attention to the report of the measures applied in Halhul in December 1980 when 28 schoolgirls were ordered to report with their parents to the military Headquarters every day for one month and to remain there from 8.30 to 14.00 hours.

(b) Treatment of detainees

47. The Special Committee paid particular attention to the situation of detainees in the occupied territories. Subsection C 2(b), gives examples of the information received by the Special Committee on this aspect of human rights in the occupied territories, including details on the sequel to the prolonged hunger strike in August 1980 as a result of which two detainees were killed. The number of detainees in the occupied territories was reported in November 1980 to be 2,500. Reference is also made to descriptions of detention conditions given by two prisoners upon their release. This subsection contains descriptions by a number of lawyers of conditions in prisons where their clients are detained. The Special Committee took note of a statement made by the Prison Commissioner of Israel, Mr. Haim Levy, upon retiring from his post, in which he remarked upon "the continued-Government neglect of prisons" and "the subhuman conditions" existing in the prisons.

(c) Incidents

48. Subsection C 2 (c) gives the list of incidents recorded by the Special Committee during the period covered by the present report. This list is by no means exhaustive; it attempts to reflect the frequency and location as well as the type of such events.

3. Judicial remedies

(a) Remedies against measures affecting the person

49. Subsection C 3 (a) reproduces a selection of reports reflecting efforts made by individuals to secure redress through the judicial system against measures taken against them, such as house arrest, detention, etc.

(b) Remedies against measures affecting property

50. Subsection C 3 (b) gives examples of applications made to the High Court of Justice to prevent the occupied authorities from carrying out measures affecting land and other property.

C. Examples of information received by the Committee

1. Policies and implementation

(a) Confirmation of the existence of a deliberate policy of annexation and settlement

51. The Deputy Minister for Defense, Mr. Mordechai Tzipori, was reported to have stated that Israel will continue to create settlements in "Judea and Samaria" and the Gaza Strip. (Ha'aretz, __5 September 1980)

52. The Minister of the Interior, Mr. Joseph Burg stated: "Jerusalem is the eternal capital of the Jewish people in the state of Israel. It is indivisible ... ". The Prime Minister, Mr. Begin, also claimed, in a similar view, that Jerusalem would never be divided again. (Ha'aretz, 10 November, Asha'b, 18 November 1980)

53. The Prime minister, Mr. Begin, on a visit to four settlements on the northern West Bank ("Samaria"), Karny Shomoron, Kdumim, Eilon Moreh and Ariel, reminded Jewish settlers of the promise he made in 1977, stating: "At the beginning of my term of office I promised that there will be many more 'Eilon Morehs', and indeed they have been created". (Jerusalem Post, 3 and 25 March; Ha'aretz, 9 March; Al Fajr Weekly, 8-14 March 1981)

54. The Minister of the Interior, Mr. Burg, stated at the inauguration of the local council in the Israeli settlement of Maaleh Efraim in the Jordan valley that there were at present 64 Israeli settlements in "Judea and Samaria" with a population of 16,000, organized in 10 municipal authorities (local and regional councils). (Ha'aretz, 12 March 1981)

55. The Minister for Agriculture, Mr. Sharon, stated at an inauguration ceremony near the Karny Shomoron settlement that "so far we have been engaged in creating a settlement framework in the territories and now we are starting to create a sound economic foundation for the Jewish settlements". In addition, the Prime Minister, Mr. Begin, said in Beit El that "the Jewish people will not be displaced from its towns and villages". (Ma'ariv, 3 April; Jerusalem Post, 3, 14 April 1981)

56. The Prime Minister was reported to have made the following pledge in the course of a visit to an Israeli settlement: "I Menachem, son of Ze'ev and Hassya Begin, hereby pledge my word that as long as I serve the nation ... as Prime Minister, we shall not abandon any area in the territories of Judea, Samaria, the Gaza district and the Golan Heights. He was also quoted as having said that the Likud Government wants to live "in peace and respect with the millions of Arab inhabitants of the territories, but we shall not hand over any part of the land of Israel to a foreign rule". (Ha'aretz, 8 May; Jerusalem Post, 8 May)

57. In a statement made to the Knesset on 5 August 1981, the Prime minister referred to the guidelines of his new Government; these included a statement that Israel would "raise its claim to sovereignty" over the West Bank after a period of self-rule. (International Herald Tribune, 6 August 1981)

(b) Official measures adopted to put this policy into effect

58. The Israeli authorities were to intensify their settlement policy in order to create more "reality" in the

Arab territories. The next step according to Mr. Sharon, would be to "thicken" and consolidate the existing settlements. This was to take place by:

- (a) The creation of industrial plants in Karny Shomoron and Shaveh Shomoron
- (b) The improvement of the infrastructure, the settlement of Elkana having been connected to the Israeli electricity grid,
- (c) The construction of permanent housing instead of temporary accommodation the "build your own house" program was gathering momentum and financial assistance was being provided by the Jewish Agency. Fifty to a hundred housing units in Kdumim and 35 housing units in Shaveh Shomoron were operating under this scheme. (Asha'b, 22 August, Yediot Aharonot, 25 August 1980)

59. On 24 August 1980, the Cabinet gave preliminary approval to a project for a canal from the Dead Sea to the Mediterranean, passing through the Gaza Strip. Final approval was reported in March 1981; the estimated cost of project was then \$750 million. The commencement of the construction of the canal was reported in May 1981. (Ha'aretz, 25 August; Jerusalem Post, 27 August 1980; 30 March, 21 and 29 May 1981)

60. The Ministerial Settlement Committee, headed by the Minister for Agriculture, Mr. Sharon and the Settlement Department of the World Zionist organization, decided to establish four new settlements in the West Bank: Zif and Carmel in the southern Mount Hebron area, Reihaan E on the northern West Bank, and Yatir B, close to the 1948 cease-fire line in the Beersheba-Arad region. (Asha'b, Ha'aretz and Jerusalem Post, 15 August; Al Ouds, 16 August; Jerusalem Post, 20 August; Yediot Aharonot, 25 August 1980).

61. The Ministerial Settlement Department secretly decided to examine the possibility of establishing a new bloc of settlements in the Gaza Strip between Rafah and Kerem Shalom. According to the decision, Ministry of Justice experts will examine land ownership and the World Zionist organization will see whether the soil is suitable for settlement. (Jerusalem Post, 5 September 1980).

62. The Israeli authorities are planning the construction of a station for agricultural experiments in the Khan Al Ahmar area, between Jerusalem and Jericho, on land confiscated recently from Arab landowners of Al Aissawiya. (Asha'b, 7 September 1980).

63. The Chairman of the Jewish Agency Settlement Department, Mr. Droblis, stated that the following settlements were to be established shortly: Tekoa B (Etzion bloc region); Elkana B (near Ariel); Shaveh Shomoron B (in Western Samaria, north of Oadum) and two additional settlements in the Reihaan bloc (west of Jenin). (Ha'aretz, 10 September; Asha'b, 11 September 1980).

64. The Jewish Agency Settlement Department published a detailed plan to establish 70 (according to other sources, 75) new settlements between September 1980 and 1985. The aim was to establish 12 to 15 settlements each year in order to absorb 150,000 settlers by the end of the period. The following settlements are planned:

Gush Yatir (South of Hebron)	7 settlements
Gush (West of Mount Hebron)	7 settlements
Gush Etzion	3 settlements
Maaleh Adumim	3 settlements
Gush Givon	2 settlements
Halmish, Modiin and west of Assamirach	4 settlements
Beit El and Shilo	5 settlements
Gush Ariel and karney Shomoron	5 settlements
Gush Kdumim and Eiolon Moreh	6 settlements
North-west of Nablus and Gush Shaveh shomoron	6 settlements
Gush Reihaan	3 settlements
Jenin area	5 settlements
Gush Tirza	4 settlements
Jordan Valley and north of Dead Sea	4 settlements near Jericho

(Yediot Aharonot, 18 September; Asha'b and Al Ittihad, 19 and 23 September 1980)

65. The Deputy Minister for Defense, Mr. Tzipori, stated that, according to a land survey undertaken by the Defense Ministry, there was nothing to prevent the establishment of large Jewish settlements on the West Bank, in the Jordan Valley, on the Golan Heights and in Gaza. He added that these areas can accommodate 1.5 million Jewish settlers. According to a memorandum submitted by the Director-General of the Prime Minister's office, Mr. Mathilyahu Shmuelewitz, there are 3,200 Jews living in 24 West Bank settlements; the total population in 60 settlements stood at 17,400. One report gave a total number of 50 settlements established since 1977. (Ha'aretz, 11 November; Jerusalem Post, 12 November; Asha'b, 11, 12 and 14 November; Al Fajr Weekly, 16-22 November; Le Monde, 15 November 1980).

66. The Joint Settlement Committee, headed by the Minister for Agriculture, Mr. Sharon, decided to establish the permanent urban settlement of Civon; Givat Zeev built on 11300-400 dunams of recently located State-owned land" was to constitute its suburb. The creation of Mikhmarsh as a communal settlement between Kfar Adumim and Rimonim, east of Ramallah, was also approved. Thirty families affiliated with "Gush Emunim" were to settle there. This settlement was reported to be the fourth of what Prime Minister Begin had described as the last 10 settlements to be established by the Government in "Judea and Samaria". (Ha'aretz, 10 December; Jerusalem Post, 10 December 1980).

67. A plan was announced in December 1980 for the construction of several thousand flats on an area of 4.5

square kilometers expropriated in March 1980, on the immediate outskirts of Jerusalem. The plan included the creation of a new suburb to be called south Neve Yaacov, and the enlargement of the existing four Israeli settlements in East Jerusalem: Ramot, Gilo, east Talpilot and Neve Yaacov. According to one report, the plan also covers an area of some 13 square kilometers of Arab-owned land whose development had been frozen since 1967 because of the absence of any "legal outline plan" for the area. (Ma'ariv, 4 December 1980; Jerusalem Post, 4 December 1980, 8 January and 22 June 1981; Ha'aretz, 4 December 1980, 1 January 1981; Yediot Aharonot, 8 December 1980; Asha'b, 5 and 15 December 1980, 1 January 1981; Al Fajr Weekly, 7-13 December 1980, 4-10 January and 1-7 February 1981) A/AC.145/RT.319, pp. 5 and 10).

68. The Ministerial Settlement Committee planned the construction of 750 housing units, in the settlement of Katzrin on the Golan Heights; 256 units were reported to have been completed by January 1981. (Asha'b, 26 December 1980; Al Fajr Weekly, 4-10 January 1981).

69. The Minister for Agriculture, Mr. Sharon, proposed a plan designed "to accelerate building and development in Judea and Samaria in order to complete the Government's settlement program before the coming elections". His proposal consisted of giving private building contractors State-owned land in Jerusalem and other cities in lieu of payment, for constructing houses in Judea and Samaria. (Jerusalem Post, 23, 26 and 29 January 1981; Ha'aretz, 23 and 29 January 1981; Asha'b, 23 January 1981).

70. Mr. Meir Shaham, Deputy Director of the Ministry of the Interior, agreed to allow 4 Jewish settlements on the West Bank to form local councils. (Al Fajr Weekly, 11-17 January 1981).

71. Mr. Israel Rosenblatt, President of the Regional Council of the Gaza Coast, announced plans to establish four new settlements in Gaza for 1,200 families. There were then four existing settlements accommodating 550 families. (Al Ittihad, 3 February 1981).

72. A ring of settlements, bordering on Jerusalem, was to be established along the Ramot-Nabi samwil-Givon road; 500 dunams of land were allocated for a new settlement in the Nabi Samwil area (north-west of Jerusalem); two communal settlements, Tel Hadasha (200 dunams) and Givat Zeev (200 dunams), were to be integrated in this urban network. Construction was to start in 1981. The areas were located on "State-owned land", in part belonging to the HIMANUTA company, i.e., a company registered in the name of HIMANUTA, an affiliate of the Jewish National Fund; another part is "State-owned land" administered by and registered the name of the Israel Land Administration. (Ma'ariv, 15 December; Ha'aretz, 15 and 31 December; Asha'b, 15 and 16 December 1980; Al Fajr Weekly, 4-10 January 1981).

73. The Minister for Agriculture, Mr. Sharon, announced that seven settlements were being established on both sides of the 1948 cease-fire line in the Mey-Amy area, close to Wadi-Ara (in the north-west area of the West Bank). Three were to be constructed in the area occupied in June 1967. (Ma'ariv, 17 February 1981)

74. The Joint Settlement Committee of the Government and the Jewish Agency, headed by Mr. Sharon, approved the plan to establish six new settlements on the West Bank. It was reported that work would start in the very near future and that I.S. 50 million (\$5 million) had been allocated for the construction of these settlements) I.S. 100 million (\$10 million) had been allocated for the expansion of 11 existing settlements. The new settlements are:

Mikhmash (on the Allon Road, north-east of Jerusalem, between Kfar, Adumim and Rimonim)
Yakir B (on the "Trans-Samaria" road, between Ariel and Elkana)
Nili (north-east of Mattityahu in the Modiin area)
Shaveh Shomoron B (west of Shaveh Shomoron on the Tulkarem-Nablus road)
Mitzpe-Govrin (near the village of Tarqumiya, on the western slopes of Mt. Hebron)
Tekoa B (south of Tekoa, bordering on the Judean desert)

(Jerusalem Post, 2 March; Ha'aretz, 2 and 12 March; Asha'b, 9 March; Ma'ariv, 5 March; Al Fajr Weekly, 8-14 and 15-21 March 1981)

75. Permanent names were given to new settlements on the Golan Heights, due to be populated by May 1981. The settlement located near the abandoned village of Kal'a (Northern Golan) was to be called Ke'la. Yekotza or Golan 4, in the northern Golan, not far from the river Yarmuk, was to be named Meilsar. The settlement located between Ein Zivan and Keshet in the central Golan, called Jaisa, was to be named Aloney Stabashan. (Ha'aretz, 1 April 1981)

76. Four new settlements were to be set up on the Golan Heights in the course of the financial year, in addition to the three that were under construction. The first of the four new settlements was to be built in the northern Golan, the second would consist of turning the Nahal outpost in Har-Dov into a civilian settlement; the third was to be located in Ein Simsim (central Golan Heights); and the fourth was to be planned between Magshimim and Tel-Fares. These settlements were part of a plan to strengthen the settlements in the Golan and it was reported that 1,000 families, scheduled to come to the Golan Heights in 1982 would complete the "10,000 project" which envisages having a population of 10,000 settlers in the region. (Ma'ariv, 5 April; Asha'b, 2 and 6 April 1981)

77. The Ministerial Settlement Committee, headed by the minister for Agriculture, Mr. Sharon, decided to create two settlements: one in "Judea" and the other in "Samaria". One source reported their names as "Mattityahu B and Shaarey-Tikwa". These were reported to be the last of the settlements the creation of which had been announced by Mr. Begin several months earlier. In addition, the Committee decided to forest and fence off tens of 'thousands of dunams of "State lands and other lands in Judea" and "Samaria" which were bought by HIMANUTA in order to "Prevent the continuation of the take-over by Arab villagers". The Committee also confirmed plans for another 800 housing units to be built in the existing settlements within the following three months, at a cost of I.S. 240 million. These units were to accommodate 3,000 settlers. (Ha'aretz, 17, 18, and 24 June;

Jerusalem Post, 18 and 25 June; Le Continent, 19 June; Asha'b, 18 June 1981).

78. The Ministerial Settlement Committee decided to create a new settlement, Beit Aryeh B, in the Neve Tzuf Bloc, north-west of Ramallah. It was also decided that two Nahal outposts would be turned into civilian settlements: Ma'on and Carmel in southern Mount Hebron. The two settlements were to be populated by settler groups belonging to the "Amona" movement - the settlement movement of "Gush Emunim". It was further decided that a settlement would be built on the ruins of old Yatir; the settlement known as Yatir is officially called Mahaneh-Yatir. (Ha'aretz, 10 July; Asha'b, 12 July 1981).

(i) Construction of new Israeli settlements and expansion of existing ones

79. Moshav Yehonatan, a new settlement on the Golan Heights, was formally established. (Jerusalem Post, 1 August 1980).

80. Two Nahal settlements were established, one in the Gaza Strip and one in the Jordan Valley. The one in the Gaza Strip is Gadid, formerly called Katif D, near Khan Yunis. The name of another settlement, originally called Gadid, near Rafah, has been changed to Bedolah. The regional council of the Gaza district now consists of the following civilian settlements: Netzer-Hazany, Ganey-Tal and Katif and the Nahal settlements of Netzarim (Deir El Balah), Bedolah and Gadid. The second Nahal settlement mentioned in the reports is Beit Ha'arava in the Jordan Valley near the Dead Sea. (Asha'b, 15 August; Ma'ariv, 19 August 1980).

81. Civilian settlers moved into Rimoni, located on the upper ridge of the Jordan Valley, replacing Nahal soldiers. It is the second site the Nahal has handed over recently, the first being Kochav Hashahar, located 3 kilometers north of Rimoni. (Jerusalem Post, 24 September 1980).

82. Mr. Drobles, Chairman of the Jewish Agency Settlement Department, stated that, since 1977, 64 settlements had been created or were under construction by the Government, of which 58 were located in the occupied territories. After he took office in 1978, he had planned to create 57 settlements of which 44 had been established. He estimated that there were 18,000 settlers living on the West Bank, including the Jordan Valley, 7,500 on the Golan Heights and 500 in the Gaza Strip. Another source gave the following figures: 122 settlements had been established since 1967 in the occupied territories; 68 of those had been established on the West Bank, 5 in the Gaza Strip, 20 in the Sinai and Rafah area and 29 on the Golan Heights. About 20,000 settlers were living in those settlements; an additional 80,000 had settled in Arab Jerusalem and the new quarters built around Jerusalem, Eshkol Heights, the French Hill, Neve-Yaacov and Gilo. (Ha'aretz, 10 September; Asha'b, 11 September; Al Ittihad, 19 September 1980).

83. Families had moved to the settlements of Homesh (located on a mountain top between Nablus and Jenin) and Vered Jericho, south of Jericho in the Jordan Rift. Vered Jericho is, after Na'ama and Beit Ha'arava, the third out of six settlements planned in the region. The settlement of Hinanit (Reihan B) was to be inhabited shortly thereafter. (Asha'b, 3 and 5 November; Jerusalem Post, 3 and 4 November; Ma'ariv, 3 November; Ha'aretz, 3 November; Al Fajr Weekly, 9-15 November 1980).

84. The Jewish National Fund started the construction of the Trans-Samaria road, linking the Tapuah settlement on the Nablus Jerusalem road with the Jordan Valley. As at 1 September 1981, this road was reported to have been virtually completed. (Ma'ariv, 11 November; Asha'b, 12 November 1980; Jerusalem Post, 2 September 1981).

85. Construction preparations on 700 dunams of confiscated land started in Beit Iskariya near Bethlehem, under protest by the local population. The High Court of Israel had issued an interim injunction on 22 August 1980 in favor of the landowner, Mr. Ibrahim Jadallah odeh, preventing settlers from cultivating the land, but on 11 November 1980, in its judgement, the High Court rejected the applicant's claim. (Ha'aretz, 13 and 14 November; Al Fajr Weekly, 16-22 November 1980).

86. The settlement of Vered Jericho was officially inaugurated. It was the third in a settlement plan of six settlements in the Jericho area and was to accommodate 100 Jewish families. The settlements Na'ama and Beit Ha'arava had already been established; Almog B, Na'ama A and Na'ama B were to be established shortly thereafter. (Jerusalem Post, 31 December; Ha'aretz, 31 December; Asha'b, 31 December 1980).

87. A group of immigrants from the Soviet Union moved into "north-west Samaria, to establish a new settlement. Forty homes have been prepared for the immigrants settling in Hinanit. (Jerusalem Post, 13 January; Asha'b, 14 January; Al Fair Weekly, 18-24 January 1981)

88. Two new settlements were set up in "Judea", called Maon and Carmel. These two settlements were to be Nahal outposts at first and were later to be occupied by "Gush Emunim", and were part of what Prime Minister Begin had called "the last 10 settlements" to be established on the West Bank. (Jerusalem Post, 13 January; Asha'b, 14 January) Ha'aretz, 9 January) Al Fajr Weekly, 18-24 January 1981).

89. Israeli Government sources reported that four new settlements had been established in the Katif area in the north of Gaza district. 1,200 Israeli families were to live in them and in 40 other existing settlements. Two other settlements in the Katif area were being completed. (Asha'b, 30 January 1981).

90. The Israeli settlement in Hebron known as Kiryat-Arba was the subject of two reports referring to its expansion as a result of joint action by the Military Government and the Israel Land Administration. The Military Government posted notices announcing its intention to "realize its ownership" of three separate plots of land of 100, 100 and 200 dunams respectively (according to one report 25,500 and 200 dunams) located outside the boundaries of the settlement. Local residents were given 21 days to file objections, accompanied by written evidence of title. As no appeals were lodged, Kiryat-Arba residents maintained that the land was theirs. They subsequently planted trees on 25 dunams of the land and fenced off the area. Two reports stated that the Housing Ministry had already started building 35 apartments on Givat Harsina and was scheduled to start 72 more within the following few days. Other information stated that the Jaabary family from Hebron had appealed to the Military Government against the

seizure of a 250-dunam area for the Kiryat-Arba expansion, stating that the land had been in the Jaabary family for many years and that the family was not aware of the notices issued by the Military Government concerning the take-over. The Military Governor of Hebron had given the family three weeks in which to lodge an appeal. (Jerusalem Post, 21 January; Ha'aretz, 21 January; Asha'b, 22 January; Al Fajr Weekly, 25-31 January; Ha'aretz, 28 January; Al Fajr Weekly, 1-7 February 1981).

91. A considerable number of reports reflected increased activity in the establishment of new settlements and the enlargement of existing ones prior to the June elections. The number of settlements when the current Government took office was "... placed at 24 and [had reached] 72 ...". The Minister for Agriculture, Mr. Sharon, is quoted as saying that his goal of 85 settlements "would be easily reached by the 30 June elections". In this connection, large amounts of land, especially close to settlements were reported to have been declared "state land". (International Herald Tribune, 12, 21-22 and 26 February and 28 February-1 March; Ha'aretz, 25 February; Asha'b, 25 February 1981)

92. In April 1981, the summary given below was contained in a report giving the type and location of certain settlements in the occupied territories:

Agricultural settlements :

Yafit, in the Jordan Valley; the first French speaking "Olim" moved to Yafit in August 1980. Its economy is based on fruit and vegetables.

Katif, located in the Gaza Strip, is a religious settlement of modern Orthodox American "Olim". Its economy is based on growing flowers, tomatoes and vegetables.

Meor Modiin, located 10 kilometers east of Lod, was established in 1975 by a group of religious American "Olim".

Industrial villages :

Elazar, located in Gush Etzion, 17 kilometers south of Jerusalem, was set up by a group of religious American "Olim".

Mattityahu, located in the Modiin area, east of Lod, was to be populated in summer 1981 by families of the Orthodox "Merom Zion Garin" who were at that time undergoing training at Moshar Mevo Horon near Latrun.

Community settlements :

Tekoa, located 25 kilometers south-east of Jerusalem on the border of the Judean Hills and the Judean Desert. Its population (30 families) comes from the Soviet Union, the United States of America and France.

Givat Aryeh (Tekoa B), located 5 kilometers south of Tekoa, was to accommodate 40 families by mid-June 1981 over half the members were "Olim" from the United States of America.

Beit El, located 20 kilometers north of Jerusalem, a religious settlement. Its 60 families, mainly Israeli, include settlers from the Soviet Union, the United States of America and Switzerland. Around September 1981 an additional 30 families could be accommodated.

(Jerusalem Post, 10 April 1981)

93. The Allon road, 30 miles long and running from the settlement or Ma'ale Adumim on the Jerusalem-Jericho road northwards along the Jordan Valley ridge, was inaugurated on 23 February 1981. This was reported to have brought the total length of the roads built by the Israelis since the occupation of the West Bank to more than 125 miles. In addition, work was continuing on a number of roads "linking the coastal plain with the Jordan Valley". (Jerusalem Post, Times, 24 February; Le Continent, 26 February 1981).

94. Construction on a 50-mile road running through the Gaza Strip from Rafah to the north, linking the settlements of Katif and Netzarim, began. (Al Fajr Weekly, 15-21 March 1981)

95. Members of the "Kela" group settled at a provisional site, near the Wasit junction on the Golan Heights. The permanent settlement was to be set up 3 kilometers north-east of Katzrin, in an area known as Bin Simsim. It was, according to the Chairman of the Golan Settlements Committee, Mr. Shimon Sheves, the twenty-seventh settlement on the Golan Heights and it was created as an agricultural settlement in the framework of the Government's decision to establish 3 new settlements on the Golan Heights this year. In addition, another settlement, Aloney Habashan, was set up "in great secrecy" in the center of the Golan Heights, between Keshet and Bin Sivan. It was reported to be the twenty-eighth settlement in the Golan. (Ha'aretz, 18 and 25 May; Jerusalem Post, 19 May 1981)

96. A new settlement, Har Odem, located on the lands of Massada village on the Golan Heights was inaugurated. The new settlement belongs to the "Zionist Worker Settlement Movement". Two other settlements - Mitzhak, located on the southern Golan Heights, and Aloney Hashaban - were inaugurated. Mitzhak was reported to be the twenty-ninth settlement in the Golan Heights and the third to be set up during the month of June 1981. (Asha'b, 1 and 30 June; Ha'aretz, 30 June 1981).

97. Israeli bulldozers started work on lands belonging to the villages of Dura and Beit Awwa in the Hebron region, in the vicinity of the Israeli settlement of Mitzpe-Govrin. This was undertaken, despite an order nisi issued by the High Court of Justice at the request of landowners from Tarqumiya, preventing work in the area. The application of the Tarqumiya landowners to the High Court of Justice was made by a "Hebron Committee of Arab Lawyers", which had been formed for the purpose of assisting landowners in such claims. (Ha'aretz, 4 June; Al

Fajr Weekly, 14-20 June 1981).

98. Ceremonies were held in a number of new Israeli settlements: In Beit Aryeh, north-west of Ramallah; in Maaleh-Amos, near Tekoa, south-east of Hebron; in Mattityahu between Lod and Ramallah; in Givat Zeev between Jerusalem and Ramallah; and in Emmanuel near Ariel, between Nablus and Ramallah. A new settlement called Matteh-Benyamin at Jebel Tawil, near El Bireh was established on an area of 5,000 dunams on which the Military Government had forbidden any construction since 1976. (Jerusalem Post, 18 and 22 June; Ha'aretz, 9, 14, 18, 19, 22 and 25 June) Asha'b, 25 June; Al Fajr Weekly, 14-20 June, 21-27 June, 28 June - 4 July 1981).

99. A new settlement, called Mitzhak, reported to be the twenty-ninth on the Golan Heights has been established near the Israeli, Syrian and Jordanian borders. It is one of three settlements whose creation had been approved by the Government a year earlier. Mr. Drobles, Chairman of the Zionist Settlement Department, stated that the security authorities had approved the building of a road from Mikhmarsh on the Allon road to Neve Yaacov, and Israeli settlement north of Jerusalem.

100. Thirty families belonging to "Gush Emunim" moved into Yamit, the principal Israeli settlement created in North Sinai since 1968. A new settlement, called Shaked, was inaugurated in the Reihan bloc, on the northern West Bank. (Le Continent, 10/11 July; Ma'ariv, 14 July; Asha'b, 24 July 1981).

101. Some 900 families bought plots of land in the Elkana settlement area near the 1949 cease-fire line, south of Qalqilya under the "build your own house" scheme through the Yosh Investment and Development Co., Ltd. This company started its activities after registering in the Tabu (public registration) in Ramallah a year earlier and had bought a number of sites, including an area with 460 plots of land (of 600 sq. meters each) west of Elkana, the price of which was \$1,500-\$2,000 each. A similar company had been created earlier in Kiryat-Arba, under the name of "Company for Development and Trade in Judea and Samaria". It bought lands near the villages of Amiriya, in the Nablus area. Fourteen landowners from Azzamut village claimed that land sold to the Kiryat-Arba Company was their property. They had applied to a local court in Nablus and had obtained a temporary injunction, but the applicants were unable to enforce it. (Yediot Aharonot, 23 July 1981).

(ii) Expropriation of property to carry out construction and expansion of settlements

102. In Kdumim, near Kfar Qaddum, Nablus, a new suburb was under construction on a 100-dunam (0.1 sq. km.) area in August 1980. Expropriation orders had been given shortly before to 12 landowners from Deir El Hatab, near the Israeli settlement of Eilon Moreh, who own 400 dunams (0.4 sq. km.) of land. Further expropriations were reported in the same area later in the year. (Ma'ariv, 12 August; Ha'aretz, 13 August 1980).

103. On 12 August 1980, the Military Government informed villages of Deir-Jarir in the Ramallah district that their lands had been expropriated for the benefit of Israeli settlements in the Kokhav-Hashahar area (north-east of Ramallah, bordering on the Jordan Valley). The villagers refused compensation. (Asha'b, Ha'aretz, 15 August 1980).

104. Inhabitants of Ramun, east of Ramallah and north-west of Jericho received seizure orders for 850 dunams (0.85 sq. km.) of land for the expansion of the Nahal settlement, Rimonim. The Military Government stated that the land had been seized and not expropriated, the legal difference being that formal ownership remains with the original owners. According to one report, the seizure order involved about 10,000 dunams (10 sq. km.) of land to which the owners could prove ownership because they possessed the "Tabu Kawashin", registration documents. (Asha'b, 25 August; Jerusalem Post, 26 August 1980).

105. Work started on the confiscated land of Anata and Al Issawiya in the Khan Al Ahmar area. The land was confiscated for the benefit of the Maaleh Adumim settlement. (Asha'b, 28 August 1980)

106. The Israeli authorities seized three wells used by farmers from Al Issawiya for the irrigation of their lands. (Asha'b, 7 September 1980).

107. The military authorities confiscated 50 dunams (0-05 sq. km.) of land from the village of Mardah (Silfit, south of Nablus). (Asha'b, 12 September 1980).

108. "Jordanian authorities" published a report in 1979 concerning confiscation of land by the Israeli authorities in the occupied territories up to 1978. 1,489,000 dunams (1,489 sq. km.), representing 27.3 per cent of the West Bank's total of 5,500,000 dunams (5,500 sq. km), were stated to have been confiscated. Of that, 348,000 dunams (348 sq. km) were confiscated for the purpose of establishing settlements and 1,141,000 dunams (1,141 sq. km.) were confiscated for other purposes, mainly military. The same source gave the following breakdown of the lands confiscated for settlements:

Region	Confiscated lands (in dunams)	Settlements	Number of settlers	Existing housing units	Housing under construction
Jerusalem	94,564	11	76,600	26,918	44,450
Ramallah El-Bireh	35,800	12	1,514	198	50
Hebron-Bethlehem and Jericho	116,150	12	6,895	543	8,000
Nablus-Jenin and Tulkarm	20,860	14	1,050	246	2,237
Jordan Valley	80,700	19	4,688	145	330
Total	347,874	68	90,147	28,050	55,067

Source: (AL ITTIHAD, 23 September 1980)

109. The military authorities confiscated 2,500 dunams (2.5 sq. km.) of land in the village of Qatana, near Ramallah. The Mukhtar of the village was summoned to the Military Government Headquarters in Ramallah and asked to sign documents, facilitating the seizure of lands. After his refusal, the Military Governor threatened to forcibly expel the inhabitants. A report appearing in November 1980 states that 3,000 dunams (3 sq. km.) were confiscated without prior notification in the same area. (Asha'b, 30 September; Al Fajr Weekly, 23-29 November 1980).

110. Israeli authorities seized 50 dunams of land in Beit Sahur belonging to the Arab Housing Association. (Asha'b, 27 October 1980).

111. The Military Government confiscated land belonging to the villagers of Ketel Haris, near Nablus, for the expansion of the Ariel settlements. (Al Fajr Weekly, 21-27 December 1980).

112. The Israel Land Administration, in co-operation with the Jewish National Fund, "appropriated" thousands of dunams of land on the West Bank to establish six new settlements. 1,000 dunams of land belong to the villagers of Si'ir (or Said) were seized and allocated to the new industrial zone of the Israeli settlement of Kiryat-Arba. The Military Government stated that the lands in question were State-owned, that prior notification had been given and that claims could be lodged with the military Government "Objections Committee" within 21 days. (Ha'aretz, 15 and 17 December; Davar, 17 December; Asha'b, 16 and 22 December; Al Fajr Weekly, 21-27 December 1980).

113. Some 60 dunams were expropriated in Silwad and an additional 45 dunams in Bin Yabrad) plots were fenced off in preparation for their annexation to the Givon settlement. (Zu Haderekh, 17 December 1980).

114. 7,000 dunams (7 sq. km.) of cultivated land belonging to 120 families from Tarqumiya (Hebron) were confiscated. The Military Governor of Hebron claimed that this was "state land" in accordance with Military order No. 59 of 1967, even though Palestinian families had title deeds. Holders of such deeds were given 21 days for the submission of objections. This land was to be used to establish a new Israeli settlement, Mitzpe-Govrin, for which an estimated 3,000 dunams (3 sq. km.) were allocated. It may be recalled that the creation of this settlement had been recently approved by the Joint Settlement Committee of the Government and the Jewish Agency after Mr. M. K. Yadin presented an appeal against it. Other confiscated land near Hebron will be used to establish the settlements of Malon and Carmel. (Yediot Aharonot, 1 February 1981; Asha'b, 2 February 1981) Ha'aretz, 2 February 1981; Al Fajr Weekly, 8-14 February 1981).

115. 1,500 dunams (1.5 sq. km.) in the villages of Betunia, Ajaiby, Ajadira and Rafat, in the Ramallah area, were declared "state lands" or seized for security reasons (one source puts the figure at 5,000 dunams, or 5 sq. km.). (Asha'b, 1 February 1981; Yediot Aharonot, 1 February 1981; Al Fajr Weekly, 8-14 February 1981).

116. Land was confiscated in the Jenin area for the establishment of new settlements, among them Jeninite (Reihan bloc) and Tel Dotan and Tsiphon A (north Shomoron bloc). The settlement of Shaveh and Shomoron, in the Sebastia area (between Jenin and Nablus) is also planned. (International Herald Tribune, 12 February; Al Fajr Weekly, 8-14 February 1981).

117. In the Nablus area, 15,000 dunams (15 sq. km.) were expropriated as "state land". That included 6,000 dunams from Salfit, south-west of Nablus, intended for the expansion of the Ariel settlement and its new industrial zone, and 8,000 dunams in Tubas, north-east of Nablus. Mukhtars in both areas were informed of the seizure and inhabitants in the Salfit area claiming title to the land were given 21 days to register their objections. The establishment of a further Israeli settlement in the Nablus area was reported by a spokesman from the Israeli Housing Ministry. (Al Fajr Weekly, 8-14 and 15-21 February; Asha'b, 9 and 20 February; Ha'aretz, 9 February; Jerusalem Post, 9 February; The Times, 12 February 1981).

118. The mukhtars in the Abu Dis area were notified by the Military Government that approximately 11,000 dunams (11 sq. km.) near the Israeli settlement of Maaleh Adumin near Jerusalem had been declared "state land". Villagers were given 21 days to appeal. (Ha'aretz, 25 February; Jerusalem Post, 25 February; Asha'b, 2,6 February 1981).

119. Since October 1980, the Military Government has confiscated a total of 20,255 dunams (20 sq. km. approximately) of alleged "state land", for the establishment or enlargement of settlements, in addition to 4,300 dunams (4.3 sq. km.) in the Etzion bloc area, registered as "Jewish-owned" land. 250 dunams of alleged "state land" were used for security installations in the Tubas area in "Samaria" (northern West Bank). The report mentioned the following figures for the settlements:

Dunams

Mitzpe-Govrin
Malon and Carmel
Tekoa B.
Mikhmash
Efrat
Elkana B. (near Ariel)
Givon
Givat Hadasha
Migdal Oz
Gush Etzion
Nabi Samwil
Gittit

(Ha'aretz , 1 March; Al Fajr Weekly , 8-14 March 1981)

120. Military authorities seized lands belonging to villagers from Deir Dabwan, located north-east of Ramallah. Another settlement was to be established on 500 dunams of land (0.5 sq. km.) seized from Al Jib village (near Givon). (Asha'b , 16 March; Ha'aretz , 15 and 18 March 1981).

121. Landowners from the villages of Si'ir and Shuyukh maintained that 6,000 dunams of their land (6 sq. km.) had been expropriated for the expansion of Kiryat-Arba. (Ha'aretz , 19, 20 and 22 March; Jerusalem Post , 22 March 1981).

122. An article entitled "Government reveals real facts on West Bank land" gave an account of the policy followed by the Government in the acquisition of land for Israeli settlements. Two hundred thousand dunams (2,000 sq. km.) had been allocated to Jewish settlements on the West Bank, including 36,004 dunams since June 1980. Thirty thousand dunams had been classified as "state land", a figure reportedly contradicted by lawyers handling court cases against the take-over of "state land". Some 20,000 dunams had been allocated to settlements in the Ariel and Shomoron area, and another 20,000 dunams in southern Judea in the area of Mitzpe-Govrin. In addition, some 17,000 dunams east of Abu Dis have been declared "state land". (Jerusalem Post , 6 April 1981)

123. Villagers from Dir Jerir, north of Ramallah, complained that some 130 dunams of cultivated land had been seized by the army, "ostensibly for military purposes". Several Arab villagers from the Ramallah district, whose lands had been expropriated for security needs and settlement purposes, refused to accept compensation. (Jerusalem Post , 19 May; Ma'ariv , 21 May 1981).

124. The Military Government was to authorize an Israeli family from Kiryat-Arba settlement to move into a house located in the Jewish quarter of Hebron. Another house, called the "Jarfaty House" was to be occupied by a family of Israeli settlers. These houses are situated approximately 500 meters from the "Hadassah" building in the center of Hebron. The Military Government evacuated three Arab families that had been "illegally" occupying one of the houses after pressure by Israeli settlers from Kiryat-Arba. The Military Government was to protect the new Jewish occupants of the two houses. Kiryat-Arba settlers were to accommodate 20 Jewish families in houses seized from Arabs around the Ibrahimi Mosque, in spite of an order by the Prime minister, Mr. Begin, to freeze the establishment settlements in Hebron. (Asha'b , 25 and 27 May; Jerusalem Post , 24, 27 and 29 May, Al Ittihad , 22 May; Ha'aretz , 13, 21, 24, 25 and 27 May 1981).

(iii) Budgetary allocations to carry out construction and expansion of settlements

125. The Knesset Finance Committee granted I.S. 100 million (approximately \$10 million) for the establishment of the two settlements in the Katif bloc near Gaza. It also allocated I.S. 2 million for water projects on the Golan Heights and I.S. 3 million for water projects on the West Bank. (Al Fajr , 26 October; Ha'aretz , 22 October 1980).

126. A project to complete construction of existing settlements on the West Bank and the Golan Heights at an approximate cost of I.S. 87 million (approximately \$8.7 million is under consideration by the "settlement bodies". Another project to create 10 new settlements on the West Bank and the Golan Heights and in the Gaza Strip at a cost of I.S. 150 million (approximately \$15 million) is also under discussion. (Ha'aretz , __27 November 1980).

127. An additional I.S. 3.9 million was being spent on preparing the government buildings in Sheikh Jarrah (Jerusalem). According to another source, a sum of I.S. 14 million (approximately \$1.4 million) had been allocated. (Jerusalem Post , 23 December; Ha'aretz , 31 December; Al Fajr Weekly , 4-10 January 1981).

128. Mr. Drobles, Head of the Settlement Department of the World Zionist Organization obtained I.S. 50 million (approximately \$5 million) for the creation Of 6 settlements, to be established by July 1981, namely Mikhmash, Yakir B, Shaveh-Shomoron B (in the northern part of the West Bank), Tekoa B and 14itzpe-Govrin (in the Jericho-Dead Sea area), and Nili (on the slopes of Mount Hebron). Part of the funds were to go to the building of 400 additional homes in existing settlements. Mr. Drobles predicted that these measures would add 3,000 settlers to the population of the region, which by the summer of 1981 should have reached 25,000, and would bring the number of Israeli settlements on the West Bank and the Gaza Strip to, according to one source, 84. (Al Fajr Weekly , 15-21 February; Ma'ariv , 10 February; Asha'b , 12 February; Ha'aretz , 19 __February; Al Ittihad , 26 February; Jerusalem Post , 26 February; International Herald Tribune , 26 February; Ha'aretz , 26 February; International Herald Tribune , __21-22 February 1981)

129. Five hundred housing units are projected for the Karny Shomoron settlement. The sum of I.S. 100,000 (approximately \$10,000) is to be allocated for each housing unit. In addition, 54 housing units are to be established in Eilon Moreh. Both settlements are located on the northern West Bank. (Asha'b , 18 and 19 March 1981).

130. The Knesset Finance Committee approved the transfer of I.S. 100 million (approximately \$8.4 million) from the budget reserve for settlement *expansion* in "Judea and Samaria". The decision concerns the settlement of Mikhmash, Shaveh Shomoron B, Tekoa B, Mitzpe-Govrin, Nili and Yakir B. (Ha'aretz , 22 May 1981).

131. The Knesset Finance Committee confirmed plans for another 800 housing units to be built in the existing settlements within the next three months, at a cost of I.S. 240 million (approximately \$19.2 million). These units are to accommodate 3,000 settlers. (Ha'aretz , 17, 17 and 24 June; Jerusalem Post , 18 and 25 June; Le Continent , 19 June; Asha'b , 18 June 1981).

(iv) Other measures adopted in implementation of the policy of annexation and -settlement

132. "Gush Emunim", (a religious settlement) has bought several dozens of dunams of land in "Judea and Samaria". An unprecedented drive was reported in purchases made by land dealers for the State Land Administration (Ma'ariv, 18 August 1980).

133. The Government of Israel decided to take over the Jerusalem District Electricity Company; this decision was contested by the Board of Directors and several exchanges were reported regarding this dispute. A compromise agreement was reportedly under way between the Company and the Government of Israel. According to this agreement, the Ministry of Energy would renounce the proposed take-over of the Company's concession in the beginning of 1981 and the company would give up some of the concession areas it held. Security authorities objected to the proposed solution and stressed that "due to security and strategic reasons it was impossible to let the Company continue to supply electricity to areas in which military and security forces were stationed". Subsequently, it was reported that the Chairman of the Board of Directors, Mr. Anwar Nusseibeh, had been instructed not to install new generators to increase power supplies to the Ramallah and Jericho districts and to make preparations for the transfer of the Company to the Government of Israel. (Asha'b, Ha'aretz and Jerusalem Post, 19 September; Asha'b, 25 September 1980; Jerusalem Post, 12 November; Asha'b, 13, 14 and 17 November; Ha'aretz, 12 November; Ma'ariv, 13 November 1980; Ha'aretz, 18, 21 and 30 December; Jerusalem Post, 18 and 21 December; Asha'b, 7, 18, 24 and 25 December; Al Ittihad, 19 December 1980; Al Fajr Weekly, 14-20 and 21-27 December 1980, 4-10 and 11-17 January 1981; Jerusalem Post, 20 August 1981).

134. A year earlier, the Prime Minister, Mr. Begin, had authorized the Deputy Defense Minister, Mr. Tzipori, to buy private land for settlements in the territories occupied in 1967 which were short of "land reserves". Following "negotiations", over 5,000 dunams (5 sq. km.) were reportedly bought, located in vital and strategic areas". All "state land" located in the occupied territories had been mapped in the past four years and the State (of Israel) had, at that time, approximately 1.5 million dunams (1,500 sq. km.) of land in "Judea, Samaria" and Gaza. All the land "without owners" in those areas were marked in that operation. (Yediot Aharonot, 18 May 1981).

135. Soldiers started the construction of a road by uprooting hundreds of pine trees in Im Souda forest near Beit Fajjar village. The road is to link the Migdal oz settlement with the Jerusalem-Hebron road. In addition, it was reported that fruit trees were uprooted on 500 dunams of land in Beit Iskariya. (Asha'b, 13 November, Al Fajr Weekly, 16-22 November 1980).

136. In September 1980, a law was adopted in the Knesset enabling Syrian nationals belonging to the Druze community on the Golan Heights to obtain Israeli nationality. This law was reported to have come into force in November 1980. In December, 900 Druze were reported to have applied for Israeli citizenship; it was also reported that the first 15 Israeli identity cards had been issued. A number of reports claimed that the Israeli authorities applied pressure to Druze inhabitants of the Golan Heights to obtain Israeli nationality. This included dismissal of school teachers who refused to obtain Israeli identity cards. (Ha'aretz, 10 and 11 November; Asha'b, 12 November; Al Fajr Weekly, 23-29 November 1980; Jerusalem Post, 8, 10 and 15 December; Al Fajr Weekly, 21-27 December 1980; Asha'b, 21 and 23 January; Al Ittihad, 23 January; Al Fajr Weekly, 4-10 and 25-31 January 1981).

137. The Mayors of Bethlehem, Beit Sahur, Beit Jala and the mukhtars of the surrounding villages received a military order from the Israeli Military Governor forbidding them to continue to build in areas along main roads, particularly around military bases and settlements. Similar orders were issued concerning strips of land 50 to 100 meters wide along both sides of main roads in the Jenin area. Local sources maintained that thousands of dunams had been closed off in this way. (Asha'b, 25 January; Ha'aretz and Jerusalem Post, 26 January 1981).

138. Orders were issued by the Military Government prohibiting construction on and closing off 4,000 dunams (4 sq. km.) of land in El Bireh in the north of the city. A total of 10,000 dunams (10 sq. km.) of land in El Bireh has been closed off since 1967. (Al Fajr Weekly, 22-28 February; Al Ittihad, 17 February; Asha'b, 16 and 20 February 1981).

139. The settlements of Karney Shomoron, Maaleh Shomoron and Kdumim, on the northern West Bank, were connected to the Israeli regional electricity network and the Ministry of Energy announced that the remaining settlements in the region were to receive electricity in the near future. The Minister for Housing and Absorption announced that "2,000 new houses will be constructed in Karney Shomoron in the coming weeks". (Al Fajr Weekly, 22-28 February and 1-7 March; Ha'aretz, 19 February; Al Ittihad, 20 February 1981).

140. The first Israeli local council was established in the occupied territories. (Ma'ariv, 5 March; Al Fajr Weekly, 8-14 March; Ha'aretz, 8 March 1981).

141. Israeli bulldozers started work on a 15 meter wide road through cultivated land in Abu Ayash, east of Hebron. The road was to serve the Kiryat Arba settlement; work started despite an injunction issued the week before by the Military Review Board. Work also continued on lands of the village of Tarqumiya on Mount Hebron, but was later halted upon the issuance of an order by the High Court of Israel. Villagers from Beit Lid near Anabta (Tulkarem area) maintained that the military Government had declared a 1,500 dunam area (1.5 sq. km.) as "State-owned land". inhabitants of both villages appealed to the Military Review Board. (Jerusalem Post, 13 and 16 March; Yediot Aharonot, 9 March; Ha'aretz, 8, 9, 10, 11, 12, 13 and 16 March; Asha'b, 10 March; Al Ittihad, 24 March; Al Fajr Weekly, 15-21 March; Ma'ariv, 17 March 1981).

142. The Israeli authorities adopted a "your house is here" plan on the Golan Heights. According to this project, the Katzrin settlement and other settlements were to be enlarged. (Asha'b, 7 April 1981).

143. A drive being carried out by the Government of Israel was said to have as its aim the settling of some 30,000 people in up to 80 settlements on the West Bank by election day (June 1981). The search for "uncontested land" followed the High Court's ruling in the Eilon Moreh case (22 October 1979) ordering the dismantling of the settlement of Eilon Moreh overlooking Nablus. In that judgement, the Court ruled that Jewish settlements could only be established on private land for "reasons of security". Following the Court's decision, the military Government undertook an extensive review of land ownership on the West Bank. This review confirmed that, at most, only 50 per cent of the land on the West Bank had undergone the legal process of resolving ownership and finally registering title. (Jerusalem Post, 6 April 1981).

144. A first "municipal court" in "Judea and Samaria" was opened in Kiryat-Arba. The Status of the Kiryat-Arba Council was changed into an independent local council. Mr. Abraham Ben-Hador, a judge at the Jerusalem Magistrate's Court was appointed as the first Israeli civilian judge in "Judea and Samaria". The court opened on 23 June, and was established by virtue of Military order No. 897 dated 1 March 1981. It was designated as the fourth amendment to the order on "administration of regional councils, Judea and Samaria", No. 783 (1979). According to information received by the Special Committee, the jurisdiction of the civil court is laid down in section 15 A, subsection 121 C:

"(a) The Court will be authorized to deal with offences according to the regulations and all other offences on the basis of supplementary laws passed by the Council; to deal with all offences committed within the jurisdiction of the Council against the law or designated orders; the Court will be empowered to mete out the punishment set out in the regulations, supplementary law, law or order, as stated.

"(b) In addition to what is set out in subsection (a) the Court will be empowered to deal with other matters set out in these regulations or in any order."

Similar courts were to be established for all the other regional councils, "as soon as their size and the number of their laws make it necessary". (Jerusalem Post, 23 June; Ha'aretz, 13 May, 23 and 24 June; Al Fajr Weekly, 14-20 June and 28 June-4 July 1981; Military Order No. 897 dated 1 March 1981).

145. Mr. Mustafa Nusseibeh, Director of Water Supply on the West Bank, accused the Israeli authorities of "drying off" the Arab population. He said that 20,000 Jewish settlers in the Jordan Valley and on the West Bank received a quantity of 27 million cubic meters of water, while 700,000 Arab inhabitants received 26 million cubic meters. (Ha'aretz, 9 July; Asha'b, 10 July 1981).

146. Israeli bulldozers started to cut roads in preparation for the establishment of a settlement on the Anabta lands of Beit Lid, Ramin and Kafr Al Labd. This took place whilst the case concerning these lands was pending before the High Court of Justice. (Asha'b, 1 July; Ma'ariv, 9 July 1981).

147. The Israeli Electricity Corporation completed works that would supply electricity to Jewish and Arab localities throughout the northern West Bank, from the edge of the concession area of the Jerusalem District Electricity Company in the south up to the Dotan Valley in the north. Seven Jewish settlements (Karney Shomoron, Ariel, Elkana, Tapuah, Maaleh Shomoron, Shaveh Shomoron and Kdumin) and 3 Arab villages (Bala, A-Hur Shams and Albad) had already been connected to the national grid and the Military Governor had ordered the connexion of another 14 Arab villages to the Israeli grid within the period of one year. (Ha'aretz, 3 July 1981).

148. A new regional council named "Megilot" (scrolls) was established for Jewish settlements in the northern Dead Sea region. Another local council had been established earlier in Maaleh Efraim, in the heart of the Jordan Valley. With the establishment of the new regional council, the deployment of the Israeli local administration throughout "Judea and Samaria" was completed. It includes 84 settlements grouped in 5 regional and 5 local councils. According to Mr. Mair Shahem, Deputy Director General of the Ministry of the Interior, the budget of the local authorities is I.S. 250 million (approximately \$20 million). He also pointed out that the local authorities would constitute a district town-planning committee, parallel to the Arab localities. (Ma'ariv, 29 July; Ha'aretz, 29 July 1981).

(d) Settlers' activities

149. A group of Jewish settlers living near the village of Dawra Al Karla, district Of Ramallah, provoked the owners of land located near their settlement while they were cultivating it, on the pretext "that the land belonged to the settlement". (Asha'b, 29 August 1980).

150. About 25 "Gush Emunim" settlers have been living in a building adjacent to Beit Hadassah in Hebron since the previous Passover. (Jerusalem Post, Ma'ariv, 31 August 1980)

151. The Military Court of Appeals sentenced Acting-officer Moshe Ben-Aryeh to 3 years' effective imprisonment and Private Moshe Leibovitz to 2 years' effective imprisonment. The Court reversed the sentences imposed on the accused by the Central District Military Court (Jerusalem). This court had sentenced Mr. Aryeh to 19 months' effective imprisonment and 18 months suspended. Mr. Leibovitz had been sentenced to a 13 month prison term for "taking arms from an Israeli army depot in Jerusalem, unnecessary use of property belonging to the Israeli Defense Forces and improper conduct". The judges in the Central District Military Court had pointed out that it was an unprecedented case, but decided to be lenient in view of the fact that the two accused were "basically positive persons" without any criminal record. The judges in the Military Court of Appeals however, stated that offences of taking arms from the Israeli Army were grave and that several years' prison sentences had to be imposed without taking into account the motives behind the acts. (Ma'ariv, 18 August; Jerusalem Post, 19 and 25 August; Ha'aretz, 25 August and 11 December 1980, Al Fajr Weekly, 14-20 December 1980).

152. The Military Court in Ramallah sentenced Rabbi Meir Kahane, leader of the "kach" movement, to 9 months' imprisonment on a series of charges arising from two incidents in Ramallah and Nablus early in 1980. He was subsequently released on 12 December 1980, as a result of a reduction of sentence approved by the Prime Minister, Mr. Begin. Mr. Yossi Dayan, another leader, was sentenced to a 2 month probationary period for his part in the incidents. Kahane and Dayan had been convicted of breaches of the peace and distributing political leaflets without authorization. They were acquitted of the charge of incitement since "there was no intention to influence people's opinions". (Ha'aretz, Jerusalem Post, 16 September; Jerusalem Post, 14 December; Yediot Aharonot, 14 December; Asha'b, 15 December 1980).

153. A spokesman for the Military Government in "Judea and Samaria" acknowledged that 10 Kiryat Arba settlers were occupying a house known as "the Pharmacist's House", next to the "Hadassa" building in Hebron. (Ha'aretz, 2 September; Al Ittihad, 9 September 1980).

154. Israeli settlers at Gush Etzion took over part of the land belonging to Arab villagers from Nahileen in the Gush Etzion area with the help of the Military Government. This was alleged by Nahileen villagers. (Ha'aretz, 5 September 1980).
155. North Sinai settlers formed two organizations to fight Israeli withdrawal from Sinai and the dismantling of settlements between Rafah and El Arish. The organizations incorporate the residents of the settlements of Yamit and Etzel, and comprise settlers in the agricultural settlements in the area. (Jerusalem Post, 16 September 1980)
156. On 17 October 1980, settlers from Kfar Etzion seized land belonging to Palestinian farmers in the village of Artas. The settlers used a bulldozer to uproot fig trees, almond trees and grape vines on the farm of Muhammad Ahmad Abu Souway. Abu Souway and his wife were forcibly evicted from their land. Two days later, the settlers cleared two roads through Abu Souway's farm, destroying trees and, in total, 120 dunams of cultivated land. (Al Fajr Weekly, 26 October-1 November 1980).
157. Kiryat-Arba settlers attacked Palestinian homes near the settlement, beating up women, children and old people and shooting in the air. (Jerusalem Post, 30 November; Al Fajr Weekly, 30 November-5 December 1980).
158. An Israeli settler, Avigdor Erskin from Kiryat Arba, together with another settler was responsible for a shooting incident after breaking into the Hebron Kasbah, causing damage. Erskin was reported living without authorization from the military Government in a house located in the area of the old Jewish cemetery in Hebron. It was subsequently reported that an Israeli magistrate ordered his detention on 22 December 1980 and that he was released on 30 December 1980. (Ha'aretz, 1 December) Al Fajr Weekly, 4-10 January and 11-17 January 1981).
159. A 60-year-old Palestinian from Hebron was hospitalized after being attacked by Kiryat-Arba settlers; another Palestinian was beaten in the streets of Hebron. It was subsequently reported that two Kiryat Arba residents had been arrested. (Asha'b, 22 December; Ma'ariv, 24 December; Al Fajr Weekly, 4-10 January 1981).
160. Jewish settlers confiscated an estimated 1,000 dunams of land near the town of Beitunia, near Ramallah, and fenced off the area belonging to the villages of Beitunia, Al Jadireh and Rafat. (Asha'b, 7 December; Al Fajr Weekly, 14-20 December 1980).
161. Jewish settlers in "Judea, Samaria" and the Gaza Strip, representing 40 settlements, established a council to oppose the "autonomy plan" or any attempt to return to Jordan the area in the vicinity of the "Etzion bloc" settlements (located between Hebron and Bethlehem). Most of the 24 Jordan Valley settlements did not send representatives, because of their opposition to the extension of Jewish sovereignty over the hills of the West Bank. (Jerusalem Post, 24 December; Ha'aretz, 24, 25 and 26 December; Asha'b, 26 December; Le Monde, 27 December 1980; 4-10 January 1981).
162. More than 300 settlers from the "Gush Emunim" settlement occupied one of the heights of Al Jaib village, north-west of Jerusalem, refusing the suggestion by the Prime minister, Mr. Begin, that they move to another height. (Asha'b, 26 January 1981).
163. Palestinian residents of Artas, south of Bethlehem, reported the closing by settlers from the Israeli settlement of Kfar Etzion, aided by troops and personnel Of the west Bank Command's "Custodian Unit", of an area of 770 dunams in the Etzion bloc cultivated by the villagers and containing a vineyard and eight inhabited houses. (Ha'aretz, Jerusalem Post, 26 January 1981).
164. An Arab family was evicted from a building near the Daboyah building in Central Hebron by 20 members of the "Gush Emunim" who were occupying the Daboyah building and who had tried to take over the neighboring building. (Al Fajr Weekly, 29 January 1981).
165. Settlers in the Etzion bloc settlements reportedly " ... began locating areas that are 'state lands'. The operation is carried out by the settlers, but in co-ordination with the settling bodies." Villagers complained that 20 armed settlers were surveying land, and setting up markers over 3,000 dunams (3 sq. km.). (Ma'ariv, 3 February) Al Fajr Weekly, 8-14 February 1981).
166. "Gush Emunim" families (Israeli settlers) established a new settlement called Yakir (north of Qalqiliya) and formerly known as Karney Shomoron I'D", located 10 kilometers from the 1948 cease-fire line. (Jerusalem Post, 5 February; Asha'b, 6 February 1981).
167. Representatives of the Israeli settlers in the Golan Heights were planning to meet the Prime Minister, Mr. Begin, to request that " ... 1,000 more settlers join them in the Syrian territory." Settlers in the Jordan Valley were requesting authorities to formalize their ownership of the lands that they had been occupying since 1967, and to issue to them legal titles to these lands. (Al Fajr Weekly, 15-21 February; Asha'b, 10 and 11 February; The Times, 12 February 1981).
168. The Israeli settlers in northern Sinai announced their inability to evacuate the settlements in this region and to leave them to Egypt by 1982. They also criticized the Israeli Government's plan to reduce the compensation ratio due to the settlers by the imposition of income taxes. (Asha'b, 20 February 1981).
169. A group of Israeli settlers from Shilo (an Israeli settlement near Ramallah raided the Arab village of Sinjel on the Ramallah-Nablus road, smashing bus and house windows. The sources stated that it was the second armed attack by settlers within one year. Ramallah, El Bireh and Halhoul suffered similar window smashing attacks by settlers in recent years. (Al Fajr Weekly, 8-14 March; Ha'aretz, 2 March; Jerusalem Post, 2 March 1981).
170. The East Jerusalem offices of the Palestine News Agency (whose chief is Ramallah journalist Raymonda Tawil) were burgled and a list of local and foreign journalists who maintain contact with West Bank personalities was

among the articles that were stolen. According to two sources, settlers from the "Gush Emunim" movement were thought to be involved in the break-in. (Jerusalem Post, Ha'aretz, 3 March 1981).

171. Hebron residents complained about break-ins into Arab homes on several occasions in early March 1981 by Rabbi Levinger, who claimed to be "searching for alleged Jewish property". (Al Fair Weekly, 15-21 March 1981)

172. The Military Government alleged that militant Jewish settlers had deliberately damaged the ceiling of an Arab-owned store on the ground floor of the "Beit Hadassah" building in Hebron. The settlers claimed that the shop "was nothing but the original staircase of the 'Hadassah' building", built in the nineteenth century, and that the ceiling had collapsed as a result of "Purim" dances by the settlers. The Deputy Minister for Defense, Mr. Tzipori, later explained that examination by the Military Government did not corroborate the "'Hadassah, settlers, assertion that the ceiling of the shop was demolished as a result of stormy dances". He stated that "there was a belief that the demolition of the ceiling was a deliberate act", but that "there was no evidence, to support that hypothesis". (Jerusalem Post, 24 March; Ha'aretz, 23, 24 and 30 March, 19 May; Asha'b, 25, 26 and 30 March 1981).

173. The Deputy Mayor of Hebron, Mr. Mustafa Al Natshe, protested against the behavior of Jewish settlers towards local civilians; they set their dogs on the inhabitants, they threw stones at Arab houses and citizens. A number of Israeli settlers from Kiryat-Arba broke into the houses of Sheikh Abdel Haj Arafa. They locked the doors and windows and demolished a wall "to form a doorway which led to the square of the vegetable market". (Asha'b, 29 March 1981).

174. A group of 30 Kiryat-Arba settlers prayed at the Patriarchs, Cave in Hebron while the Moslem service was under way. It was subsequently reported that the military authorities condoned the activity, despite protests by local Arabs, by issuing a permit to the settlers in view of the "Purim" festival.

(Jerusalem Post, 18, 22 and 23 March; Ha'aretz, 8, 15 18, 20 and 22 March; Asha'b, 17, 19 and 20 March 1981).

175. Settlers from Beit Horon occupied a hill belonging to the Beit Aur lands near their settlement. The Israeli army forced the settlers to evacuate the hill. (Jerusalem Post, 18 March; Ha'aretz, 18 and 19 March; Asha'b, 18 and 19 March 1981).

176. Settlers from the Golan Heights established a construction company to speed up house construction. They complained to the Government that only 200 housing units out of the projected 750 were being built. (Al Fair Weekly, 15-21 March; Jerusalem Post, 27 March 1981).

177. Israeli settlers cut the electricity network from Rujeib village (near Nablus). (Asha'b, 30 March 1981).

178. Eleven inhabitants from Hebron, including the acting Mayor, Mr. Mustapha Nabi Natshe, and members of the Hebron municipality petitioned the High Court of Justice of Israel to order the Military Government to evict some 70 Kiryat-Arba settlers who had been squatting in Beit Hadassah since 1980. They alleged in their petition that the Government had failed to discharge its obligation to ensure law and order. (Jerusalem Post, Ha'aretz, Asha'b, 30 March 1981).

179. The Attorney-General, Mr. Yitzhak Zamir, has appointed a special committee to co-ordinate and supervise the investigation of Israeli settlers on the West Bank suspected of vigilante activities, assault and vandalism against local Arab residents. The action followed a memorandum by 14 leading academic jurists from the Tel Aviv and Hebrew universities drawing attention to a long list of incidents involving settlers, which had been, in the opinion of the academics, "satisfactorily dealt with by the military. (Jerusalem Post, 11 May 1981).

180. Rabbi Kahane admitted that members of his group from Kiryat-Arba held regular armed patrols in the streets of Hebron; checked identity papers and entered Arab houses which used to be owned by Jews in order to persuade the Arab occupants to leave these houses. Kahane also said that security forces disregarded these "patrols" by his people and did not disturb them in their activities. (Ha'aretz, 15 May; Jerusalem Post, 20 May 1981).

181. The police prevented 30 members of the "Temple mount Faithful" from praying at the Temple Mount precinct in Jerusalem. It was also reported that Rabbi Kahane was prevented from holding a procession to the "Hadassah" building. In addition Kiryat-Arba settlers were on several occasions prevented from praying at the Patriarch's Cave in Hebron. (Ma'ariv, 8 May; Ha'aretz, 18, 24 and 31 May; Jerusalem Post, 24 and 25 May 1981).

182. Residents of Kfar Kaddum, west of Nablus, complained that settlers from Kdumim had fenced off over 200 dunams of their land. In addition, Israeli settlers started work on the Nebi Saleh lands, near the destroyed village of Halmish in the Ramallah region. Israeli settlers from the Givon settlement seized 1,500 dunams of land belonging to Al Jeeb village settlers from the Natefin settlement took over a hilltop near Salfit village, west of Ariel. (Jerusalem Post, 1 and 29 June; Asha'b, 2 and 30 June; Al Fair Weekly, 7-13 June and 21-27 June 1981).

183. A police and border-police station, principally manned by settlers from "Samaria", was to be established on the pattern of the Kiryat-Arba Border Police unit in the Ariel settlement. Residents of El Bireh protested that the army intended to permit Jewish settlers in the area to establish a regional service centre at Jebel Tawil, which had been seized for military purposes. (Ha'aretz, 11 June) Jerusalem Post, 12 June 1981).

184. Fifteen persons from the Kiryat-Arba settlement broke into the Ibrahim mosque, in Hebron. They closed the main gates of the Mosque and spent the night inside. A group of Israelis also entered the Al Aqsa Mosque in Jerusalem and held prayers there. (Al Fair Weekly, 7-13 and 14-20 June 1981)

2. Situation of civilians

(a) Treatment of civilians

(i) General information

185. Three Arab families living in the Sheikh Jarah quarter in East Jerusalem received orders to evacuate their houses and lands without delay (about 3 dunams (0.003 sq. km.)). (The Guardian, 30 August; Ha'aretz, Jerusalem Post, 31 August 1980).
186. Mr. Bassim Dalas, an Al Fajr employee, was summoned to police headquarters in Jerusalem and was told that he had to vacate his house in the old city. (Al Fajr Weekly, 21-27 December 1980).
187. Three large families from Beit Iksha, Nabi-Samwil, received orders from the Military Government to evacuate their houses within a week and hand their property over to the Israel Land Administration. The orders were issued in the framework of the expropriation of an area of 5,000 dunams (5 sq. km.) north-east of Jerusalem. 500 dunams in the Nabi-Samwil area was allocated to a new suburb under the "build your own house" scheme. (Ha'aretz, 23 December; Asha'b, 25 December; Al Fajr Weekly, 4-10 January 1981).
188. Mr. Sabah Abdul Jawad Saleh (aged 29) from El Bireh was summoned to the Ramallah Military Government on 29 July 1980 and detained for questioning. He was brought to court on 13 August 1980 when his arrest was extended for 30 days. No lawyer appeared for him and on 14 August 1980, Mr. Wamne was asked to take up his case. On 29 August 1980, Mr. Saleh appeared at a hearing to be released on bail. At this stage, the police presented the judge with evidence allegedly connecting Saleh to "serious, but unspecified crimes". The President of the Military Court in Ramallah, Mr. Alex Ramati, asked why this information had not been presented earlier and ordered a military prosecutor to verify the allegations brought against Mr. Saleh. On 16 September 1980, Mr. Saleh appeared before the Military Court after a military prosecutor had confirmed the veracity of the allegations. On extending the arrest, Mr. Ramati wrote that the police must inform the suspect of the crime that he was suspected of committing. On 23 October 1980, another judge granted the police an additional 20 days; the reference to "serious, but unspecified crimes" was replaced by "membership in an illegal organization". In explaining the case, the State Attorney, Mr. Gabriel Bach, stressed that Supreme Court precedents specifically forbade the use of detention as a means of pressure during an investigation. Mr. Saleh was released after 104 days. This was also confirmed in evidence before the Special Committee. (Ha'aretz, Jerusalem Post, 13 November; Asha'b, 6 and 14 November; Al Ittihad, 14 November 1980).
189. Ahmed Matar A. Daqaq (aged 15) from Ramallah was shot at by an Israeli frontier guard and seriously injured after he refused to identify himself. (Ha'aretz, 7 November; Asha'b, 7 November; Al Fajr Weekly, 7-15 November; Al Ittihad, 11 November 1980).
190. On 30 November 1980, it was reported that services provided by the East-Jerusalem Blood Bank were being reduced by the Israeli authorities. Only three employees remained, while others were relocated on the West Bank. The Blood Bank had been founded in 1959 to serve Jerusalem and its suburbs; later it extended its services to all cities on the West Bank; it had been serving 300-400 patients a month before the staff cut. (Al Fajr Weekly, 7-13 December 1980).
191. A wave of violence in the Gaza Strip during November and December 1980 resulted in a number of murders (11 according to some sources and 9 or 10 according to others), without any reason being adduced. Another three murders took place in Silwad (north of Ramallah) on the West Bank during the same period. (Ma'ariv, 24 December; Ha'aretz, 24 December; Jerusalem Post, 24 December 1980).
192. The Jericho municipality was forbidden to implement any town project without the approval of the Military Government. (Asha'b, 24 December 1980).
193. The West Bank Military Commander, Ben Eliezer, was reported to have visited the village of Silwad, outside Ramallah, to investigate complaints by local residents that soldiers had stolen money, broken furniture and poured fuel over food during a curfew following the murder of a local resident. The Central Region Commander subsequently appointed a commission of enquiry. The reports added that findings of other commissions of enquiry, inter alia, a commission to look into the banning of the Shumaily family from Beit Sahur (Bethlehem) and their house to Ein Sultan refugee camp (Jericho) had not yet been published. One soldier was detained by the Military Police on suspicion of stealing 200 Jordanian dinars and was to be put on trial. Mr. Ahmed Hamran from Silwad complained that the military jeep carrying him to the Military Government's building in Ramallah, had stopped on its way and that he was forced to crawl through water and mud. It was subsequently reported that a number of soldiers had confessed to abusing residents and stealing valuables. The Military Government decided to issue more stringent orders governing the behavior of soldiers during curfews and searches in the "administered territories". (Jerusalem Post, 9, 15, 17 and 28 December; Ha'aretz, 9, 12, 14, 15, 17 and 28 December; Ma'ariv, 15 December; and Asha'b, 9, 15 and 17 December; Al Ittihad, 16 December; Al Fajr Weekly, 21-27 December; The Guardian, 18 December 1980).
194. Four students from the Al Umma school in Ram (Jerusalem area) were shot at and wounded by Israeli troops during a demonstration. (Asha'b, 7 December; Al Fajr Weekly, 14-20 December 1980).
195. Official statistics prepared by the Israeli army indicated an increase over the past year in the number of activities carried out by Palestinian guerrillas on the West Bank and in the Gaza Strip. On the West Bank, the "number of incidents rose from 52 in 1979 to 90 last year". According to another source, the number of "security incidents" was 262 in 1980 as compared with 284 in 1979, and the number of Israelis killed was 19, most of them soldiers, with 135 Israelis wounded. (The Times, Asha'b, 2 January 1981).
196. Members of the Israeli army uprooted hundreds of citrus trees along the Deir El Balah road. This it was reported would cause an annual loss of 400 tons of produce. The uprooting occurred after a grenade had been thrown at a passing car. (Al Fajr Weekly, 27 January 1981).
197. The Qalqilya municipal council, the Chamber of Commerce and a number of national organizations in Qalqilya

requested the Israeli Defense Minister to rescind his decision to close down the Qalqilya magistrates' court, (Al Fajr Weekly, 1-7 March 1981).

198. The East Jerusalem paper Al Quds was banned for a period of 5 days, for violating censorship rules. The paper had published articles about an "Islamic network" in the "Triangle" (northern Israel), considered by the Military Government as prejudicial to State security. (Jerusalem Post, 2 March; Ha'aretz, 2 March; Al Fajr Weekly, 8-14 March 1981).

199. The inhabitants of A-Dahaysha refugee camp (Bethlehem) were reported to have suffered from a shortage of food caused by an Israel order to close the shops in the camp. Young people were arrested and two boys were severely beaten. In addition, the inhabitants of Jabaliya refugee camp (Gaza) were reported to have suffered from harassment by Israeli authorities. (Asha'b, 3 April; Al Ittihad, 6 and 14 April; Ha'aretz, 6 April 1981)

200. Inhabitants of the village of Shiryulih, near Hebron, complained about harassment by the military authorities. A number of soldiers entered the village, gathered together the young men and ordered them to uproot all the trees that had just been planted. (Ha'aretz, Asha'b, 6 April 1981)

201. Muhammad Mustafa Jibril (17), from A-Dahaysha refugee camp, was killed by a military patrol after a stone-throwing incident. The camp was put under curfew. From an initial examination by a board of enquiry, according to one source, it emerged that the soldiers who had fired at Jibril had acted "according to the current rules". According to these rules, the soldiers warned the youths first to stop, then fired into the air and "only later fired in the direction of their legs." (Jerusalem Post, 14, 16 and 18 June; Asha'b, 14 and 16 June; Ha'aretz, 14 and 15 June; Al Ittihad, 16 June; Al Fajr Weekly, 14-20 June, 21-27 June, 28 June-4 July 1981).

202. The Military Government prohibited trade unions on the West Bank to accept members from East Jerusalem or to involve inhabitants of East Jerusalem in any union activities. (Al Ittihad, 3 July; Jerusalem Post, 12 July 1981)

203. Defense Ministry sources reported a new policy of dealing with the territories, based on an attempt at improving the atmosphere, maintaining a dialogue with leaders in the territories and a "fresh, personal treatment of the subject of the territories." The change in policy, according to the sources, consisted of the following elements: Israeli troops would make an effort not to enter West Bank schools and to avoid collective punishment in connection with individual "terrorist acts". Special care was to be taken at security road-blocks to ease the life of daily commuters. The Minister for Defense Mr. Sharon met with delegations of settlers who were perturbed about this "new" policy. (Ha'aretz, 13 August; Jerusalem Post, 13, 17 and 19 August; The Guardian, 14 August; Le Monde, 15 August 1981).

(ii) Demolition and sealing of habitations and commercial premises

204. Police forces in Ata'nak (Jenin district) demolished the house of Hassan Sahrif Abu Akzila. (Al Ittihad, 2 September 1980).

205. The Israeli army and police forces demolished nine houses in Jenin, Tashir (Jenin district), Bani Naim, Edna, Beita (Nablus district) two in Zebab Taha (Jericho district) and two in Wadi Sukein (Bethlehem district). The houses belonged to 10 persons suspected of having carried out the Hadassah building massacre in Hebron on 2 May 1980. In addition, the army demolished the houses of three members at a Fatah cell captured over the Jewish New Year. (Jerusalem Post, Ma'ariv, 17 September; Asha'b, 19 September 1980).

206. Israeli soldiers demolished a house, causing damage to several neighboring homes, in the village of Beita (Nablus district). The Military Government in "Judea and Samaria" was to identify one family in (Beita, Nablus district) whose house had been damaged; (Ha'aretz, Asha'b, 18 September 1980).

207. Israeli security forces demolished the house of Ahmad Fayed Mustafa Abu Ma'alak in Rafah, Gaza Strip; he had been charged with membership in Fatah. (Asha'b, 13 October 1980)

208. The premises of a small firm on the Jenin-Haifa road were demolished by the Israeli authorities; a fine of I.S. 25,000 (\$2,500) was levied on the owner to cover the expense of bulldozing. The reason for the demolition was, according to the authorities, the absence of a building permit. In all, 32 houses, 14 in Ramallah and 18 in Nablus, were demolished for the same reason. (Al Fajr Weekly, 2-8 and 9-15 November 1980).

209. The Israeli authorities decided to demolish a number of houses in the village of Kafr Na'amah, near Ramallah, because they were built too close to the public road. A year earlier, the owners, Mr. Abdel Salam Tawfik A. Deak, Mr. Nabil Jawadat A. Deak, Mr. Mahmud Ibrahim Ghabar, Mr. Mohammed Al Hanini and Mr. Ali Assala, were fined for the same infraction. The Military Governor insisted on a new demolition order, but the demolitions were suspended at the request of a lawyer, until the case was put before the Court again. On 27 November 1980, two-weeks before the scheduled Court hearing the first two demolitions took place. (Asha'b, 24 November; Al Fajr Weekly, 23-29 and 30 November-5 December 1980).

210. The Israeli authorities sealed the house of Mr. Sa'eed Shuwayhi, from Shufat, following the arrest of Mr. Shuwayhi on a charge of membership in a Palestinian organization. In addition, antiquities belonging to citizens from Balata refugee camp near Nablus were confiscated. (Asha'b, 17 November 1980).

211. The military authorities sealed the house of Mtayseer Abu Sneineh, accused of participating in the attack on the Daboyah building in Hebron (Al Fajr Weekly, 15 January 1981).

212. The Military Government demolished the houses of Mr. Khalil and Mr. Salah Abu Dola on 25 December 1980, allegedly because the houses had been built without a building permit. (Al Fajr Weekly, 4-10 January 1981).

213. The Deputy Defense Minister Mr. Tzipori, refuted allegations by Mr. M. K. Abba Eban that Israeli policy in the territories had grown tougher. Mr. Tzipori based his argument on data which indicated that "... only 34 houses had been demolished or sealed under the Likud Government, compared with 1,224 under the Maarakh Government". He added that the Likud Government had deported four persons from the territories, whereas the Maarakh Government had deported 884 persons. (Ha'aretz, 5 February 1981) The Times, 23 February 1981).

214. Twelve shops in Gaza were closed down and four Palestinians arrested. These measures followed the throwing of a hand-grenade at an Israeli military vehicle. An increase in Palestinian sabotage activity in the Gaza Strip was reported, and a subsequent decline, according to observers, of the number of Israelis travelling to Gaza. A parallel development to this increase of activity was the proposal to transfer Border Police units to the Gaza Strip to supervise security, instead of the Israel army. (Al Fajr Weekly, 15-21 February; Asha'b, 9 February; Jerusalem Post, 2 February; Ha'aretz, 24 February 1981).

215. A number of demolitions were reported in the Gaza Strip. The occupation forces demolished the houses of Mr. Hassan Al Sissi and Mr. Atif Al Nubid in Al Shunjaya, and the house of Mr. Yusuf Al Khur in Gaza. The house of Mr. Mahmoud Al Sharbassi was sealed. In addition 25 shops were closed by military order and a number of Gaza citizens were arrested for alleged activities against the Israeli army in the district. (Jerusalem Post, 22 and 23 March; Ha'aretz, 23 March; Asha'b, 22 and 23 March 1981).

216. It was reported that 1,258 houses had been demolished by the security forces on the West Bank and in the Gaza Strip since the Six-Day War. Security sources reported that all the houses that were demolished belonged to "terrorists" or their parents. The disclosure of this precise number was designed to refute the allegations of the PLO and Arab States that over 19,000 houses had been demolished in the territories. In addition, it was reported that the authorities sealed the house of Mr. Muhammed Abu Lawi, from Burqa, following his arrest for security offences one source reported that his house had been demolished. (Yediot Aharonot, 7 and 10 April; Asha'b, 7 April 1981).

217. In 1980 there was an increase in the number of houses demolished by the security forces as punitive action against anti-Israeli "terrorist" activity. Twenty-four dwelling-houses and commercial constructions were demolished and 7 others were sealed. In 1979, 8 houses were demolished; 2 were demolished in 1978.

The total number of demolitions covering the period 1967-1980 was 1,259; year with the highest number of demolitions was 1969, followed by 1971. The following details were given:

Year	Judea and Samaria	East Jerusalem	Gaza and Sinai	Total
1967	51	64	5	
1968	59	66	5	
1969	214	73	14	
1970	97	94	-	
1971	104	127	1	
1972	13	22	-	
1973	24	10	-	
1974	34	26	1	
1975	46	31	-	
1976	13	8	3	
1977	1	-	-	
1978	2	-	-	
1979	5	3	-	
1980	20	4	-	
Total	683	548	28	

One source gave a total number of 1,252 demolitions, not including the houses demolished by the authorities in the villages of Emmalus, Yaluo, Beit Nuba and Al Jafalteh and in the refugee camps in Gaza, which amount to over 6,000 houses (Ha'aretz, 18 May; Al Ittihad, 22 May 1981).

218. The house of Mr. Abdallah Mohammed Dawas in Beit Lahiya (northern Gaza Strip) was demolished. He was convicted of planting explosive charges in Ramat Gan and Bnei Brak near Tel Aviv. (Al Ittihad, Ha'aretz, Jerusalem Post, 8 August 1980).

219. Security forces uncovered three Fatah "terrorist" cells alleged to be responsible for 14 murders and numerous grenade attacks in the Gaza Strip in which 22 people were wounded. The Israeli army demolished five houses in Jabaliya refugee camp where the alleged "terrorists" either lived or stored arms and ammunition. (Jerusalem Post, Ha'aretz, The Guardian, 18 May; The Times, 19 May 1981).

220. The military Authorities closed down a total of 45 shops in Nablus following a bomb attack on an Israeli bus. In addition, on 22 June 1981, the authorities destroyed two houses in Al Baribeh refugee camp (Bureij, according to one source), belonging to Mr. Hassan Ali Al Krons and Mr. Khalil Ahmad Washah, because they were alleged to have given shelter to members of a Fatah cell. It was also reported that 72 people were made homeless in Jabaliya refugee camp after five houses had been destroyed on 17 May 1981 because "they have sons under detention and interrogation for military activities". It was subsequently reported that the five families were evicted from the land on which the houses were built. (Asha'b, 8, 23 June; Al Fajr Weekly, 14-20 June and 28 June-4 July 1981).

221. UNWRA complained to the Israeli Ministry for Foreign Affairs about demolitions that had taken place in Gaza shortly before, leaving a total of 76 persons homeless. The demolitions had been ordered because relatives had been suspected of subversive activities. (Jerusalem Post, 8 July; The Times, 9 July 1981)

222. Six houses in the Aks quarter of Jabaliya refugee camp were demolished, without giving any previous notice to the inhabitants. One house, according to the sources, was demolished as a punishment, because a woman participated in stone-throwing at soldiers. As a result of the demolition some 40 persons were rendered homeless. (Al Ittihad, 28 July 1981).

(iii) Curfews

223. Security forces rounded up all men at around midnight on 21 August 1980 and questioned them for 3 hours in Jalazun refugee camp following a stone-throwing incident, after which a curfew was imposed on the camp. (Jerusalem Post, Ha'aretz, Asha'b, 21 August; Al Ittihad, 26 August 1980).

224. Apart from short curfews imposed on the education centers, Bir Zeit, Nablus, Ramallah and Bethlehem, as a means to quell demonstrations, longer curfews were reported in Silwad, in A-Dahaysha refugee camp (Bethlehem), and in Qalandiya refugee camp (between Jerusalem and Ramallah). The curfew in Silwad was imposed from 4-6 December 1980 after the assassination of an Arab alleged to have been a collaborator with the Israeli authorities. A curfew was imposed on A-Dahaysha refugee camp on 2 December 1980, following the stoning of military cars by local youths. It was lifted on 15 December 1980, but imposed again two days later after an Israeli army vehicle was stoned. The curfew on Qalandiya refugee camp was also imposed for alleged stone-throwing and lasted two days. (Davar, 3 December; Jerusalem Post, 11 December; Ha'aretz, 11 December; Asha'b, 3, 4, 5 and 18 December; Ma'ariv, 18 December; Al Fajr Weekly, 21-27 December 1980).

225. A curfew was imposed on the Jalazun refugee camp, north of Ramallah, following the discovery of a bomb underneath a bridge crossing the Jerusalem-Nablus road. The entrances to the camp were blocked by troops, and shops and businesses were ordered to close. Several sources reported that the male inhabitants of the camp were taken to the central square of the camp, and several persons arrested. The Jalazun camp was placed under curfew on several occasions over a number of months following incidents in which stones were thrown at Israeli vehicles. A curfew was also imposed on the Jabaliya refugee camp in the Gaza Strip for one day, following the death of an Israeli taxi-driver, who was shot in one of the camp garages. (Asha'b, 13 January; Ha'aretz, 19 and 21 January; Al Fajr, 19 January; Al Ittihad, 20 January 1981).

226. A curfew was imposed in Hebron following the stabbing of a Kiryat-Arba Yeshiva student. According to several reports, Arabs living in the market area were not permitted to leave their homes, and security forces conducted house-to-house searches, arresting several people. The curfew lasted for 5 days in most of Hebron, with the exception of the market area, where it lasted for one week. A curfew was imposed on the village of Al Mazra'a Al Sharkia, near Ramallah, following an incident. In another incident in Hebron, two settlers, Yeshiva students from Kiryat-Arba, attacked an Arab merchant; they were arrested and taken to Jerusalem for questioning and later released (The Times, 11 February; Jerusalem Post, 11, 12 and 19 February; Asha'b, 11, 12 and 15 February; Ha'aretz, 17 February; Al Fajr Weekly, 15-21 and 22-28 February and 1-7 March 1981).

227. The military authorities sealed two houses in Silwad after a curfew was imposed on the area. The houses belonged to inhabitants of the village who had collaborated with Mr. Khaled Saber El Dik, who had been killed by security forces and who was reported to be a member of Fatah. (Ha'aretz, Jerusalem Post, 20 and 27 April 1981).

228. On 3 August 1981, the Military Government lifted a curfew which had been imposed on a number of Arab villages in the aftermath of the ambush of a bus near Jerusalem on 29 July 1981. (Ha'aretz, 2 August; Jerusalem Post, 4 August 1981).

(iv) Education

229. The Israeli authorities ordered schools in Beit-Sahur, Bethlehem, Betunia, Anabta and Bir Zeit to reopen. They had been closed down following a demonstration. (Asha'b, 5 August 1980).

230. The Military Governor in "Judea and Samaria" ordered that 300 students of the Prince Hassan school in Bir Zeit should be transferred to schools located in remote villages (Atara, Al Mazra'a, Al Kabaliya). The decision was taken after frequent demonstrations had taken place in Bir Zeit. (Yediot Aharonot, 19 and 21 August; Ha'aretz, 20 August; Al Ittihad, 22 August; Asha'b, 28 August 1981).

231. Students from Abu Dis college, which had been closed down by the military authorities, asked to be accepted by Bethlehem University to continue their studies. Owing to the stringent entry requirements, only a few Abu Dis students were accepted. (Asha'b, 9 September 1980).

232. The military Governor of Tulkarem refused a request to build a model school in Qalqiliya. (Al Fajr, 6 October; Asha'b, 7 October 1980).

233. The Israeli authorities stopped the construction of an elementary school in Hebron on the grounds that no formalities had been complied with (Al Ittihad, 11 October 1980).

234. Five female students from a teacher-training college in Ramallah, who had prepared a road-block, and four students from the Kadri Tukan school in Nablus, accused of throwing stones at Jewish settlers from Eilon Moreh, were suspended from school. (Ha'aretz, 4 and 5 November; Asha'b, 6 November 1980).

235. Students who failed to produce identity cards were prevented from entering Bethlehem University. On 6 July 1980, the Israeli authorities issued Military Order No. 854, amending the Jordanian Law No. 16 (1964). The main features of this order are:

- (a) All institutions of higher education will now fall under the jurisdiction of the military authorities.
- (b) At the time of the promulgation of Order No. 854, all institutions of higher education were considered to be operating under a temporary license. Under the new law, these institutions are required to apply to the military authorities for the annual renewal of this license.
- (c) In accordance with amendment 5 (1980) to order No. 34 (1967), issued by the Military Governor, individuals are obliged to obtain written approval from the military authorities before joining the institutions, either as students or as faculty members. This directive is intended to apply to local residents as well as to foreigners.
- (d) The Military Governor may consult with the police concerning the approval of any permits to be issued to individuals or institutions. (Al Fajr Weekly, 16-22 November 1980)
236. A direct effect of Military order No 854 was that, on 10 October 1980, Bir Zeit University, Al Jajah College (Nablus) and Bethlehem University were informed by the military authorities that their licenses had expired and that they were to apply for new ones. (Ha'aretz, 4 November; Asha'b, 4 and 5 November; Jerusalem Post, 5 November; Al Fajr Weekly, 9-15 November and 16-22 November; The Times, 27 November 1980).
237. The officer in charge of education on the West Bank notified the Education Department in the Bethlehem area, without giving any reason, that Mr. Sayed Atiah Al Hassanaj, a teacher, was to stop teaching at Artas secondary school. (Asha'b, 13 November 1980).
238. The Israeli military authorities decided to close Bir Zeit University for a period of one week, from 13-22 November 1980, for organizing a "Palestine Week" without prior authorization. In the aftermath of the closure of Bir Zeit University, a new wave of violence erupted, concentrated in the student communities, Bir Zeit, Ramallah, El Bireh and Nablus. Israeli army troops countered the student protest by opening fire at students, wounding 15 and arresting scores of other students (see list of incidents in Sect. IV C 2 (c) below). On 24 November 1980 six Bir Zeit students were seized by soldiers, tied to trees and severely beaten. The Chief of Staff, General Rafael Eitan, and Major-General Danny Matt, Co-ordinator of Activities in those areas, subsequently assessed the Military Government's policy in the light of developments (Al Ittihad, 14 November; The Guardian, 15 November, Jerusalem Post, 6, 19, 20, 23 and 27 November; Ha'aretz, 16, 17, 19, 20, 21, 25, 27, 28 and 30 November; International Herald Tribune, 17, 18 and 19 November; Asha'b, 17 and 18 November; The Times, 21 November; Yediot Aharonot, 21 November; Al Fajr Weekly, 16-22 and 23-29 November, 30 November-5 December 1980).
239. The Israeli authorities expelled five students on 16 November 1980 from the Tireh Women's Training Institute in Ramallah for alleged incitement against the authorities. (Al Fajr Weekly, 23-29 November 1980)
240. El Bireh secondary School was closed from 17 to 22 November 1980 after a student protest against the closure of Bir Zeit University (Al Fajr Weekly, 23-29 November and 30 November-5 December; Asha'b, 18 November 1980).
241. On 23 November 1980, the Israeli authorities dismissed Mr. Al Omar Al Haj, a mathematics teacher at Deir Jerir Secondary School in Ramallah. No reasons were given. On 24 November 1980, Mr. Abdullah Ninr Darwish, a teacher from Kafr Qassem, was dismissed from his post and put under town restriction for a period of six months, and ordered to report to the police daily.
- In addition, four Palestinian teachers were dismissed in Jenin without any reason. (Al Fajr Weekly, 23-29 November and 30 November-5 December 1980).
242. The military authorities ordered three schools in Nablus to close because of alleged stone-throwing by students. (Al Fajr Weekly, 30 November-5 December 1980).
243. In early December 1980, UNRWA teachers were on strike and were subsequently joined by government teachers. The strike was called in protest against low wages and discrepancies in pay in comparison with their Israeli counterparts. On 26 December 1980, the Military Government ordered an end to the strike by government teachers; the order was ignored. After prolonged negotiations, an agreement was reached with the UNRWA teachers who ended their strike on 12 February 1981; and the government teachers' strike was ended on 16 March 1981 (see list of incidents in Sect. IV C 2 (c) below). (Ha'aretz, 9, 15, 28 and 30 December 1980; 4 and 27 January, 3, 13 and 24 February, and 13 and 17 March 1981; Yediot Aharonot, 14 December 1980; 25 February 1981; Jerusalem Post, 28 and 30 December 1980; 3, 10, 12 and 13 February and 1, 12 and 13 March 1981; Al Ittihad, 16 and 30 December 1980; 3 February 1981; Asha'b, 16, 23 and 24 December 1980; 6 and 27 January and 1, 3, 4, 10, 13, 16 and 18 February and 8 March 1981; Ma'ariv, 4 February 1981; Le Continent, 24 February 1981; Al Fajr Weekly, 14-20 December and 21-27 December 1980; 4-10 January, 8-14, 15-21 and 22-28 February, and 1-7, 8-14 and 15-21 March 1981).
244. The Military Government prevented students and teachers from attending a seminar on "Academic Freedom in the West Bank" in East Jerusalem by putting up road-blocks. (Al Fajr Weekly, 7-13 and 14-20 December; Ha'aretz, 25 December 1980).
245. According to Al Ittihad, 1,600 books have been banned from distribution in the occupied territories since 1967. In addition, the Military Government issued a list of dozens of books published in Arab countries, which were banned from distribution on the West Bank "because of their extremist content". (Yediot Aharonot, 8 December; Al Ittihad, 9 December 1980).
246. The Israeli Officer in Charge of Education dismissed Mr. Arnan Afaneh from his post in Salfit (Nablus); he was reported to be the only mathematics teacher in the school. No reason for his dismissal was given. (Al Fajr Weekly, 7-13 December 1980).

247. The girls' secondary school in Halhul was closed down by order of the Military Governor, because students had taken part in demonstrations against the expulsion of the two West Bank Mayors. (Al Fajr Weekly, 7-13 December 1980).

248. The girls' secondary school in El Bireh, closed down by the authorities on 17 November 1980 during the demonstrations in connection with the suspension of classes in Bir Zeit University, was reopened on 30 December. The boys' school was reported still closed. (Ha'aretz, 8 December 1980; Asha'b, 17 and 31 December; Al Fajr Weekly, 7-13 December 1980; 11-17 January 1981).

249. Mr. Jawad Barguti, a professor at Bir Zeit University, was denied a work permit by the West Bank Military Government. (Al Fajr Weekly, 14-20 December 1980).

250. Israeli troops clashed with Bethlehem, Bir Zeit and Al Najad (Nablus) University students on numerous occasions during protests in the aftermath of the re-expulsion of the two West Bank Mayors, Mr. Milhem and Mr. Kawasme. Soldiers, while using tear-gas and shooting in the air, besieged Bethlehem University on 8 December 1980 for more than eight hours. Students were allowed to go home on condition that they removed the Palestinian flag and registered with the Military Governor. Classes were suspended both at Bethlehem University and Al Najah University for a period of three days and a curfew was imposed. A number of Bir Zeit students complained about the ill-treatment and beating they were subjected to; they were arrested and detained in Ramallah prison. Students from the secondary school in Ramallah also complained about ill-treatment after their arrest. According to one report, soldiers besieged the Ramallah boys' high school and took 70 students to the military headquarters where they were brutally beaten in front of witnesses (see list of incidents in Sect. IV C 2 (c) below). (Yediot Aharonot, 7 and 8 December; Jerusalem Post, 8, 9 and 10 December; Ha'aretz, 7, 9, 10 and 11 December; Asha'b, 8, 9, 12 and 18 December; Al Ittihad, 12 and 16 December; Al Fajr Weekly, 14-20 December 1980).

251. Israeli labor contractors recruited a large number of young girls, aged 11 and 12 years, from the Palestinian refugee camp of Jalazun to work in fields and factories, picking and packing fruit and vegetables. The children were said to receive 7 shekels for a 14-hour work-day and pressure was brought to bear on them to leave school and work in the fields to help their families. (Asha'b, 23 January 1981).

252. The Military Government banned the distribution on the West Bank of a number of books published in Lebanon, Jordan and Egypt. Libraries, bookstores and schools were warned that they were not to either sell or use these books. Moreover, according to one source, the police raided several public libraries, as well as libraries in schools and institutions on the West Bank, confiscating the books, which were said to contain "... insulting passages towards the State of Israel and the Jewish people". It was later reported that a bookstore in Tulkarem was raided by Israeli armed forces, books were confiscated and the owner arrested. According to further information, Israeli forces conducted a raid and search of the Al Najah University library. The reasons for these measures were not specified. (Ha'aretz, 1 February; Asha'b, 2 and 12 February; Jerusalem Post, 2 February; Al Fajr Weekly, 22-28 February and 1-7 March 1981).

253. The municipalities of Ramallah and El Bireh were ordered to remove cloth maps of Palestine that hung in the mayors' chambers. The authorities were quoted as saying that refusal to do so would result in prosecution. (Jerusalem Post, 2 February; Al Ittihad, 3 February 1981).

254. A panel of Hebrew University academics was about to complete a report on "academic freedom in the West Bank". The committee members were reported to be in Possession of a list of some 3,000 books allegedly banned from distribution in the territories by the military censor. A spokesman for the Military Government claimed that only 600 books had been blacklisted. (Jerusalem Post, 8 March 1981).

255. The military authorities decided to ban the distribution of two Egyptian magazines, Al Itissam and Al Mawqif Al Arabi, in the Gaza Strip. (Asha'b, 20 March 1981).

256. The Israeli military authorities dismissed two Palestinian doctors, Dr. Jihad Abu Seif and Dr. Ziad Khadir, from their post at the government hospital in Jenin. No reasons for the dismissals were given. The Israeli officer in charge Of education on the West Bank, in a similar development, dismissed school teacher Mr. Naha Ali from Jenin. (Al Fajr Weekly, 8-14 and 15-21 March 1981).

257. In Ramallah, the Military Government closed the UNRWA Women's, Training Center following demonstrations to mark the fourteenth year of occupation. Al Najah University was closed down on two occasions during the month of June 1981: at the beginning of the month it was closed down for a period of one week) on 7 June it was allowed to reopen, but on 15 June, after some students threw rocks at passing patrols, the Nablus Military Governor informed the University President Mr. Kayed Abdul Haq that the University was closed again "until further notice". In a similar development, the authorities arrested 15 girls from Bethlehem, and charged them with stone-throwing. They were subsequently released after having paid a fine of I.S. 3,000 and were expelled from their school. One source reported that the Military Government prohibited the use of an atlas in the educational institutions; in addition, certain books were banned and the use of chemicals was prohibited. The reason given for this prohibition was that the use of chemicals could be harmful to public safety. (Jerusalem Post, 3 and 12 June; Ha'aretz, 3 and 17 June; Al Ittihad, 2, 12 June; Al Fajr Weekly, 14-20 and 21-27 June, 28-4 July 1981).

258. A number of teachers from Al Farouk Secondary School in Nablus were dismissed from their jobs. According to one source, most of these teachers had been detained in Israeli prisons, on security charges. In addition, it was reported that students from the secondary schools at Ortass Bethlehem and Al Rhadr had been expelled and that a number of students had been arrested by the authorities while they were sitting for their matriculation examinations In A-Dahaysha refugee camp (near Bethlehem). (Al Ittihad, 17 July) Asha'b, 21 July 1981).

259. The Military Government closed down the Polytechnical School in Hebron following disturbances after which 25 (according to another source, 40) students and 8 professors were arrested. The president of the University Graduates' League, Mr. Adib Al Qaysi, was informed that the order would take effect on 22 July 1981 and remain in force until further notice. (Ha'aretz, 23-27 July; Asha'b, 23 July; Al Ittihad, 28 July 1981).

260. The Israeli authorities informed the Director of Education in Ramallah that two teachers from the Al Majda Hassila School, the Sonjol secondary school for girls in Bir Zeit, had been dismissed. Three other teachers had been dismissed earlier. The Military Government, according to one source, denied that the teachers were dismissed for "Anything but professional reasons", but did not stipulate what these were. (Asha'b, 9 August; Jerusalem Post, 11 August; Ha'aretz, 13 August 1981).

261. Seven Druze teachers from the Golan Heights, who had been dismissed or transferred, alleged that the Ministry's purpose was to intimidate Druze who refused to obtain Israeli identity cards. They appealed to a local labor court for their reinstatement. It was subsequently reported that the Ministry of Education had decided not to renew the contracts of 10 Druze teachers and to transfer 30 Druze teachers to other schools. (Jerusalem Post, 14 and 24 July 1981).

(v) Freedom of movement

262. The Military Government prevented the Deputy Mayor of Bethlehem, Mr. George Hazboun, from leaving for Jordan. (Ha'aretz, 5 September 1980).

263. Israeli military authorities refused permission for the Mayor of El Birehl Mr. Ibrahim Al Tawil to travel to the United Kingdom, in acceptance of an invitation to visit that country. (Asha'b, 9 September 1980).

264. Inhabitants from Hebron were prevented from crossing the Allenby bridge. (Asha'b, 15 September 1980).

265. Israeli authorities prevented the Editor-in-Chief of Attalila, Mr. Al-Barghuti, from travelling to Sofia to participate in the World Peace Conference. (Al Ittihad, 16 September 1980).

266. The Military Government confined Mr. Al-Barghuti and four other public figures to their towns of residence. (Ha'aretz, 16 September 1980).

267. The Mayor of Qbatiya, Mr. Khaled Al-Awad, was prevented from leaving his locality without a military permit. (Al Ittihad, 26 September 1980).

268. A number of reports received. In October 1980 reflected restrictions on movement, notably:

(a) The Mayor of Qalqiliya, Mr. Al Haj Amin Nasr, was refused permission to travel to Jerusalem;

(b) The editors of Asha'b, Al Fajr and Attali'a were denied permission to participate in the funeral of Mr. Marwan Al Assaly, Editor-in-Chief of the magazine Ashinak in Jerusalem;

(c) The Al Am'an football team was denied permission to travel to Amman to compete with Jordanian teams;

(d) Permission was not granted to the acting mayors of Hebron and Halhul to visit the mayors, Mr. Kawasme and Mr. Milhem, in Ramle jail;

(e) Students from "Judea and Samaria" who interrupted their studies in Iraq due to the conflict between Iran and Iraq, wishing to return to the West Bank, were informed by the Military Government that students who had left the occupied territories were not allowed to return until 6 months had elapsed since the time of their departure.

(Asha'b, 9 and 14 October; Al Fajr Weekly, 26 October-1 November; Ha'aretz, 27 and 28 October 1980).

269. Israeli authorities have lifted the restrictions on Mr. Rashmawi, President of the Palestinian Sports Federation for Basketball and allowed him to travel between the West Bank and the Gaza Strip. He had been restricted to Gaza since 1 July 1980, to prevent him from representing Palestine in the Moscow Olympic Games. (Asha'b, 7 October 1980).

270. The mayor, Mr. Hilmi Hanoun, was denied permission to visit prisoners in Tulkarem prison on the occasion of the feast. (Al Fajr Weekly, 16 October 1980).

271. The military authorities prevented 7 inhabitants of Nablus from going abroad. Four persons were identified: Mr. Hashem Risk Al Masri, Mr. Wadah Al-Jaby, an attorney, Mr. Ghassam Walid Shaka'a, and another attorney, and Mr. Salah Al Bastami. (Asha'b, 12 November; Al Fajr Weekly, 16-22 November 1980).

272. The Mayor of Gaza, Mr. Rashd A-Shawa, was prevented from going to Amman to receive a \$2 million (according to another source, \$5 million) grant for his municipality. The reason given was that the grant came from PLO sources, which Mr. Shawa denied. (Asha'b, 12 November; Ha'aretz, 16 November 1980).

273. On 17 November 1980, the military authorities confined Mr. Hashem Shawa, Chairman of the Board of Directors of the Palestine Bank, the Mayor of Khan Yunis, Mr. Suleiman Al Astal, and the Mayor of Jabaliya, Mr. Mohammed Masroud, to their towns of residence. (Al Fajr Weekly, 23-29 November 1980).

274. Gaza residents were not permitted to cross the Allenby Bridge into Jordan as from 19 November 1980 for an undetermined period. (Al Fajr Weekly, 23-29 November 1980).

275. Many Gaza residents, including Mr. Hamdi Hussein, Mr. Zuheir Rayyes, Mr. Haider Abdel Shafi, Mr. Fayez Abu

Nablus and Mr. Rasha Shawwa and West Bank residents, including Mr. Raja Kalben, a lawyer from Hebron, and the poet Fawda Toukan, from Nablus, were prevented from attending a memorial service in Nazareth for the Palestinian poet Abu Salame Al-Kaumi. (Jerusalem Post, 23 November; Ha'aretz, 23 November; Al Fajr Weekly, 23-29 November and 30 November-5 December 1980).

276. On 27 and 29 November 1980, residents from Ramallah, El Bireh and Nablus were prevented from crossing into Jordan. (Al Fajr Weekly, 7-13 December 1980).

277. The Military Government in the Gaza Strip banned two notables from the Gaza Strip, Mr. Manjour A-Shawa and Mr. Halem Abu Ghazaleh, from participating in a symposium on the Palestine problem due to take place in West Berlin in December 1980. (Ha'aretz, 27 November 1980).

278. The Military Government on the West Bank had issued some 33 orders in a brief period restricting mayors, municipal councilors and other public figures to their towns of residence. Mr. Abdel Ghanem (member of the Nablus city council), Mr. Azmi Shulaiby (member of the El Bireh municipal council) and Mr. Waled El Awad, former Mayor of Qabatiya, were the latest examples of the "iron-fist" policy in force during the preceding 6 months and reinforced by a new policy guideline to bar West Bank public figures from visiting PLO officials abroad. (Asha'b, 3, 4 and 5 November; Al Ittihad, 7 and 11 November; Jerusalem Post, 4 November; Ha'aretz, 4 and 11 November; The Times, 5 November; Al Fajr Weekly, 9 and 15 November 1980).

279. The Military Government put Mr. George Hazboun, deputy Mayor of Bethlehem and Deputy Secretary of the West Bank Trade Union Federation under house arrest from evening to morning for a period of six months. (Asha'b and Al Ittihad, 2 December; Al Fajr Weekly, 7-13 December 1980).

280. The Jenin Military Governor informed Mr. Saleh Mbadah Mawadah, head of the Alayamoun local council, that he was forbidden to leave for Jordan. Military authorities also issued a restriction order against Mr. Ali Yassin Almakharza, head of the Dhahiriya local council, barring him from leaving his home. (Asha'b, 9 December; Al Fajr Weekly, 14-20 December 1980).

281. Military authorities imposed travel restrictions on Mr. Khalid Awad, ex-Mayor of Qabatyah, and disconnected his telephone. Mr. Awad, elected Mayor in 1976, was dismissed in August 1977 by the military authorities. (Al Fajr Weekly, 14-20 December 1980).

282. Town restrictions had been imposed on 28 schoolgirls from Halhul. They were ordered to remain at military headquarters with their parents from 8.30 a.m. to 2.00 p.m. for a period of one month. (Al Fajr Weekly, 14-20 December 1980).

283. The military authorities prevented Mr. Al Namoureh from Hebron from travelling to Amman. (Asha'b, 15 December; Al Fajr Weekly, 21-27 December 1980).

284. Residents from Hebron and its vicinity were prevented from travelling to Amman after an incident that took place in Hebron resulting in the death of one person and injury to another. A delegation from the Jerusalem District Electricity Company was prevented from reaching Amman. (Asha'b, 22 December; Al Fajr Weekly, 21-27 December 1980).

285. The Israeli authorities renewed the orders of house arrest of Mrs. Miryam El Shakshir and Ema El Samadi and restricted their movements to their city of Nablus. (Asha'b, 23 December 1980; Al Fajr Weekly, 4-10 January 1981).

286. In Masada (Golan Heights), Salim Safadi, a Druze student at Haifa University, and his father, Aref Safadi, were put under house detention for political activities among the Druze community, including the distribution of pamphlets supporting the PLO. They were ordered to 11... stay at home between dusk and dawn and to report journeys outside their village". One source noted that the detention Of Mr. Aref Safadi would present a special hardship for his family as he was their only means of support. The house detention orders against the Mayor of El Bireh, Mr. Ibrahim Al Tawil, and the Mayor of Anabta, Mr. Wahid Al Hamdallah, were extended for a further six months by the military authorities. Also extended for another six months were the confinement orders issued against the three editors of the East Jerusalem Arabic newspapers. Bashir Al-Barghuti, editor of the weekly Attali'a, Mamoun A-Sayed, editor of Al Fajr Weekly, and Akram Hanya, secretary Of the Asha'b editorial board, had been confined to their homes in Ramallah and El Bireh for almost six months and were not allowed to leave the boundaries of their towns. Town restrictions imposed on Samiha Khalil, head of "Inash al-Usra" (the Society for the Preservation of the Family) were also extended for a further six months by the Military Governor of Ramallah. (Asha'b, 5 and 18 February; Jerusalem Post, 4 and 10 February; Al Ittihad, 3, 10 and 20 February; Ha'aretz, 10 and 18 February; Al Fajr Weekly, 15-21 and 22-28 February, 1-7 March 1981).

287. Israeli authorities refused to allow Jericho residents travelling to Amman to cross the Damia Bridge. No reasons were given. This move also stopped Palestinian students coming from Jordan, thus preventing them from spending the holiday with their families. (Al Fajr Weekly, 15-21 February 1981).

289. The military authorities lifted the house arrest of Mr. George Hazboun, Deputy Mayor of Bethlehem and Deputy Secretary of the West Bank Trade union Association. It was reported that two lawyers, Mr. Ibrahim Nassar and Mr. Mohammad Milari, and a journalist, Mr. Ramsy Khoury, were still under house arrest. It was, in addition, reported that the Israeli military Governor had issued an order preventing Mr. Walid Al Fahum, an attorney, from entering the West Bank and Gaza Strip for a period of one year. (Asha'b, 26, 29 and 31 March 1981).

288. The military authorities prevented citizens of the Gaza district from crossing the Israeli-Egyptian border and from crossing the Allenby bridge into Jordan as a consequence of an incident that had taken place in the Gaza district. (Asha'b, 13 and 16 March 1981)

290. The student, Salim Safadi, from the Golan Heights, was reported as having been under house detention since 1 January 1981. In addition Mr. Riad Mufaluh from Nazareth, who teaches at Bir Zeit University, was prevented from entering the West Bank. (Al Ittihad, 10 April; Ha'aretz, 22 April 1981).

291. Mr. Riad Mefleh, who teaches at Bir Zeit University, and Mr. Mahmud Al Soghaier, a trade unionist from Batir village, were put under house detention, Mr. Mustafa Abd El Naby Natshe, acting Mayor of Hebron, was prevented from holding a press conference in Hebron to protest against the activities of Rabbi Moshe Levinger in Hebron. The Mayor of Bethlehem, Mr. Elias Freij, and the Mayor of Nablus, Mr. Bassam Sha'qa, were stopped at a road block in Halhul on their way to Hebron to express solidarity with Mr. Natshe. Mr. Sha'qa was also prevented from going to Jerusalem by order of the Military Government. (Al Ittihad, 5 and 15 May; Ha'aretz, 26 May; Jerusalem Post, 27 May; Asha'b, 27 and 28 May; Yediot Aharonot, 31 May 1981).

292. Mrs. Samiha Khalil, head of the Family Rehabilitation Society, was restricted to Ramallah by administrative order because of her activities on the National Guidance Committee. Mr. Ghassam Sha'qa, a lawyer from Nablus, was served with a six-month restriction order after having completed a seven-month prison sentence. In addition, the Israeli authorities imposed new restrictions on Gaza municipal councils, requesting prior approval to "civic" projects. In Beit Jala, the authorities stopped the issuing of laissez-passer to Palestinians without giving reasons. The Military Government also prohibited West Bank Mayors from receiving a British parliamentary delegation in Jericho. (Jerusalem Post, 12 June; Yediot Aharonot, 17 June; Asha'b, 16 and 18 June; Al Fajr Weekly, 21-27 June and 28 June-4 July 1981).

293. Mr. Bassam Shaqla was reported to have stated: "I have no possibility of going anywhere in the West Bank freely. A Military Government vehicle escorts me all the time". He was prevented from travelling to Mt. Gerizim to celebrate a religious feast and the West Bank Military Commander, Mr. Benyamin Ben Eliezer, warned him "not to continue his political activities in the region" and rejected Mr. Shaq'a's request to remove the security around him; in addition, Mr. Ben Eliezer refused Mr. Shaq'a's request to go to the United States at the invitation of Georgetown University. Mr. Shaq'a complained to the "Judea and Samaria" Region Commander that for a period of over two months his family and anyone who got in touch with him were subject to constant harassment from security forces and/or Border Police, to the extent that soldiers controlled the identity cards of all those who entered his house". (Ha'aretz, 15 April; Jerusalem Post, 21 April; Ma'ariv, 23 April; Al Ittihad, 24 April 1981).

294. Mr. Kaid Abdel Haq, President of Al Najah University, was prevented from leaving Jordan. The editors of the newspapers of Al Fajr Weekly and Asha'b were summoned to the Military Government and were instructed not to meet with "heads of terror organizations" or to openly support them. (Asha'b, 14 July; Ma'ariv, 15 and 29 July; Ha'aretz, 17 July; Jerusalem Post, 30 July 1981).

295. The Military Government issued an order restricting the movement of a Jenin religious leader, Imam Mahmoud Al Dajj, for a period of six months. (Ha'aretz, 16 July 1981).

296. The Military Governor informed the Mayor and the members of the Municipal Council in Sahur that they were not allowed to travel to Amman. (Asha'b, 7 August 1981).

297. The military authorities ordered the Mayor of Qalqilya, Mr. Amin Al Nasser, not to travel outside his town for his honeymoon; Mr. Nasser had requested permission to travel to Ramallah, Gaza and Jordan. (Reuters, 8 August 1981).

(b) Treatment of detainees

298. A report attributed troubles prevailing in Israeli prisons to two main Problems. First, the increase which had occurred in the number of people put on trial and, secondly, the conditions inside the prisons. Since the beginning of the Occupation, about 200,000 security prisoners and detainees have passed through Israeli prisons. This figure equals nearly 20 per cent of all the inhabitants of the territories. The average number of inmates at any given time is about 3,000. (Ha'aretz, 8 August 1980).

299. On 1 August 1980, 213 prisoners were reported to be on hunger-strike in Ashkelon prison; 46 security prisoners in Ramle prison had ended their strike. (Jerusalem Post, 1 August 1980).

300. On 10 August 1980, reports stated that the Ashkelon prisoners had ended their two-week hunger-strike. Sixty-four security prisoners in Tulkarem prison started a hunger-strike, together with 365 prisoners on strike in Beersheba prison. (Jerusalem Post, 10 August; Yediot Aharonot, 10 August; Asha'b, 5 and 11 August 1980).

301. One report, in mid-August 1980, estimated the total number of security prisoners on hunger-strike at over 450 (another report put the figure at 598): 365 in Beersheba prison, 48 in Nafha prison, 23 in Ramle prison and several detainees in Shatta prison. (Jerusalem Post, 10 August; Yediot Aharonot, 10, 11, 12 and 13 August 1980).

302. On 15 August 1980, the Beersheba prisoners ended their 12-day hunger-strike and on 17 August it was reported that the security prisoners at Nafha prison had ended their 33-day hunger-strike. (Jerusalem Post, 15 and 17 August 1980).

303. As a result of the hunger-strike, seven prisoners from Ramle prison had to be transferred to hospital: six were transferred to the prison hospital and one was transported to Sarafand hospital. One report identified three of them as Yacub Diwani from Nablus and Salim Nsaibeh and Hani Al Issawi from Jerusalem. (Ha'aretz, 13 and 17 August; Asha'b, 15 August; Al Ittihad, 15 August 1980).

304. On 18 August 1980, the Prison Service Commissioner, Mr. Haim Levy, was reported to have agreed to meet with a representative of the prisoners in Nafha. He stated that the strike had ended without any conditions, but this was disputed by the prisoners, who maintained that one of the achievements of the hunger-strike was that the

Commissioner had agreed to meet with an elected committee of the prisoners for the first time since 1967. According to Mrs. Lea Tsemel, an attorney, who visited the prison on 18 August 1980, the Commissioner agreed to enlarge the exercise area and to provide a room for meeting with relatives. The demands for prisoners' control over the kitchen were rejected, but other demands would be considered. (Jerusalem Post, 19 August; Ha'aretz, 18 and 19 August; Asha'b, 18 August; Al Ittihad, 19 and 22 August 1980).

305. Relatives of Nafha prisoners, who held a solidarity hunger-strike for several weeks at the Red Cross office in East Jerusalem stopped their strike and requested the Red Cross to arrange a visit for them to Nafha prison. (Ha'aretz, 19 and 20 August; Al Ittihad, 22 August 1980).

306. Each prisoner in Nafha prison has an area of 2.7 square meters at his disposal. The windows are small (12 x 60 cm.) and located in the ceiling for ventilation. The toilets are inside the cell and there are no tables, no chairs and no beds in the cells for security reasons. The prisoners are allowed to have their meals in the dining-room for "security reasons". The prisoners stay 22 hours a day in the cell, because, according to one report, they refuse to work. If they worked, their monthly allowance would increase from 300 Israel pounds (\$6) to E1600 (\$12). The prisoners are allowed the newspapers: Jerusalem Post, Al Anba, Ma'ariv and Al Ouds. They can listen to the radio through loudspeakers, but requests for private radio or watching television are rejected. A doctor visits the prisoners once a week and every prisoner has the right to call a doctor any time he wishes. Nafha Prison Commander, Amraw Va'aknin, compared the conditions in Nafha prison with those in Beersheba, where he had previously served. In his opinion, 10 times as many prisoners (a total of 80) lived in a cell only 5 times the size of a Nafha cell. The Beersheba prison does not have a separate toilet cubby-hole inside the cell. The prisoners have to use plastic buckets. (Jerusalem Post, 4 and 8 August; Asha'b, 5 and 11 August 1980).

307. An Israeli prisoner who was in Ramle prison when 26 security prisoners were transferred from Nafha prison to Ramle prison on 21 July 1980, gave an eye-witness account. Mr. Yussuf Frankel saw three of the transferred Arab prisoners sitting on the floor with their hands tied behind their backs and their feet tied at the ankles, with a short chain linking the ones between their hands and feet. Six or seven prison guards forced them to sit straight and tried to introduce feeding-tubes into their mouths. They forced their mouths open and one of the guards threw a tear-gas canister at the prisoners, which caused them to cough, vomit and spit blood. This "forced feeding" lasted for 10 minutes. According to Mr. Frankel, there was no need to send a report to the prison authorities, because what the prison guards did had been ordered by the authorities. (Asha'b, 29 August 1980).

308. Two Nafha prisoners died as a result of the hunger-strike. Shortly after the death of these two Nafha prisoners, Mr. Jalafari and Mr. Halawa, allegedly as a result of forced feeding, the Israeli Minister of the Interior, Mr. Y. Burg, established a commission of inquiry on 27 July 1980. The commission was charged with the examination of:

- (a) The circumstances which lead to the strike of the Nafha prisoners;
- (b) The action taken by the prison administration since the beginning of the strike;
- (c) The medical measures implemented since the beginning of the strike;
- (d) The circumstances surrounding the deaths of the two prisoners;
- (e) The orders and measures applied by the prison administration in the case of hunger-strikes and the way in which they were carried out.

The Commission conducted its inquiry over a period of 30 days and based its findings upon evidence taken from 40 persons, including physicians, gaolers and prisoners, and examined 65 documents. The Commission was headed by Israeli Police Controller Shmuel Eitan. Mrs. Langer, an attorney, testified before the committee at her request) she asserted that she had seen traces of torture on the bodies of the prisoners on 25 July 1980, but a member of the Commission admitted that no investigation had taken place at that time. The Commission in its report stated that the circumstances of the deaths of the two prisoners were not caused by a hostile attitude on the part of the wardens. The report stated that the security Prisoners' strike was motivated by political reasons to attract international attention rather than to improve conditions of detention. The Commission concluded that the detention conditions in Nafha were much better than in other prisons in Israel and in the occupied territories. However, the Commission agreed that certain claims by the detainees were justified and it recommended some improvements:

- (a) Enlargement of the promenade ground;
- (b) Appropriate arrangements for family visits;
- (c) Installation of a wash basin in every cell;
- (d) Improved ventilation, electricity and quality of food.

The Prison Service Commissioner, Mr. Haim Levy, recommended the immediate release of 500 common-law prisoners and 300 security prisoners, equivalent to approximately 15 per cent of the prison population of Israel. (Al Ittihad, 1, 8 and 15 August, 12 September; Yediot Aharonot, 10 August, 2 September; Asha'b, 11 and 28 August, 2 September; Ha'aretz, 2 September; Ma'ariv, 28 August; Jerusalem Post, 2 September 1980).

309. Amnesty International published a detailed report dated 2 September 1980 on the treatment of Arab detainees in Israeli prisons. The report was based on a fact-finding mission to Israel and the territories that took place in June 1979 and included the reply of the Israeli Government. The main conclusions in the report were:

- (a) There is sufficient prima facie evidence of ill-treatment of security suspects to warrant the

establishment of a public inquiry;

(b) The present administrative procedures do not enable the Israeli authorities to bring forward conclusive evidence to refute allegations of ill-treatment;

(c) The lack of such conclusive evidence is directly related to the extended period of incommunicado detention;

(d) Certain legal provisions and practices enhance the possibility of ill-treatment. These include: restrictions on the role of Defense Counsel in preparing the defense; frequent reliance on uncorroborated confessions as the effective basis for conviction; absence of effective opportunities for judicial appeal;

(e) The machinery for investigating complaints of ill-treatment is inadequate;

(f) A large number of security prisoners are not visited by the International Committee of the Red Cross (ICRC) during the interrogation period.

Amnesty recommended that an impartial committee of inquiry should be established to investigate the allegations of ill-treatment in their totality and the administrative and legal procedures and practices relevant to the arrest, confinement, interrogation and trial of security suspects. The Committee's findings, conclusions and recommendations should be made public. Pending the establishment and reporting of such an inquiry, immediate steps should be taken to ensure that security suspects under interrogation were protected against ill-treatment. These steps should include access to family, lawyer and an independent medical doctor promptly after arrest and at regular, brief intervals thereafter. The Attorney-General, Mr. Yitzhak Zamir on behalf of the Israeli Government, stated that "in the light of Israel's exceptional security dilemma we believe that the rights afforded to security detainees are reasonable". His further reactions were:

(a) The Israeli ministry of Justice and other officials concerned with the administration of justice in Israel and the territories conduct an ongoing review of the treatment of security detainees; hence there was no need for a committee of inquiry;

(b) Amnesty International blatantly failed to offer an impartial, even-handed portrayal of Israel's treatment of security detainees in the territories;

(c) The sources upon which Amnesty International relied and the unbalanced manner in which these sources were presented, raised questions about the credibility and impartiality of the findings;

(d) The Amnesty International report overlooked the right of the inhabitants of the territories to approach Israel's supreme legal bodies with any complaints against the authorities. This right was unprecedented with regard to people living under occupation;

(e) The allegation by Amnesty International that security detainees were limited in the free choice of Defense Counsel was "entirely without foundation";

(f) The suggestion by Amnesty International that the composition of Israeli military courts diminished the quality of justice provided or that it tainted the proceedings with a political character was totally unwarranted;

(g) Never before had the Israeli legal system and its Courts been seriously questioned.

(Report and recommendations of an Amnesty International Mission to the Government of the State of Israel, 3-7 June 1979; Jerusalem Post, 2 September; Ha'aretz, 3 September; The Times, 2 and 3 September; Al Ittihad, 5 September 1980)

310. The administrative detention of Ali Jamal was extended another six months by a military review committee; Mr. Jamal has been in administrative detention since 9 May 1975. (Al Fajr Weekly, 26 October-2 November 1980).

311. Mr. Walid Fahum, an attorney, submitted two reports providing information on the conditions in the Beersheba and Jenin prisons. With regard to Beersheba, he reported that punishment imposed on prisoners following a hunger-strike from 1 to 13 August 1980 was then still in effect; the preceding winter's clothes had yet to be changed, prisoners slept on mattresses whose covers were changed every two years, there was no natural lighting, conditions were overcrowded, the food was not nutritious, there had not been any visits by a dentist for a long time and doctors, prescriptions were not filled. In the Jenin prison, he spoke with two prisoners, Adnan Ibrahim Al Jazmawi and Shakib Abu Jabal. He reported that prisoners in the Jenin gaol had learned of an arrangement whereby Golan Heights detainees would be released in exchange for the agreement by inhabitants of the Golan Heights to carry Israeli identity cards. Mr. Fahum also stated that he requested the release of Abdullah Ahmad Marina for health reasons; he was schizophrenic and suffered from insomnia, hallucinations, and loss of appetite. The prison doctor agreed that Mr. Marina had a "disorder in his nervous system" and that his application for release was "under study". It had been more than a year since the request for his release was initiated and Mr. Marina then had only one more month of detention; his state of health was deteriorating. (Al Ittihad, 7 and 14 October 1980).

312. According to one report in November 1980, there were 2,500 Palestinian prisoners in Israeli prisons, 360 of whom were serving life sentences. (Asha'b, 14 November 1980).

313. In November 1980 it was reported that the authorities had not yet implemented any of the promises made to the Nafha prisoners at the end of their 30-day hunger-strike nor any of the measures recommended by the Commission of Inquiry, established by the Minister of the interior after the death of two Nafha inmates in Ramle detention center in July 1980.

314. Saleh Abdul Jawad Saleh was kept under arrest in Ramalah prison from 29 July to 10 November 1980 without charges or trial and subsequently released. During this period he was kept for 50 days in solitary confinement. His prison cell measured 2.25 by 1.40 meters, with a hole in the floor which served as a latrine. He was kept standing in the prison cell for two days with his hands tied behind his back. (Al Fajr Weekly , 23-29 November 1980) .
315. Salameh Mohammed Salman Al Hassoun (51) died on 21 November 1980, less than two weeks after his release from an Israeli prison. He suffered from leukemia which was attributed to the bad prison conditions during his six-year prison sentence. (Al Fajr Weekly , 30 November-5 December 1980) .
316. Khalil Abu Zayad and Hani Issawi were released in November 1980 after serving 10 years. They spent their last six months in Nafha prison and were the first prisoners to be released after the end of the hunger-strike in the summer of 1980. Mr. Abu Zayad spent his prison term in Ramle (1971-1976), Beersheba (1976), Tulkarem, Ashkelon, and Nafha prisons. He stated that the prison administration adopted a deliberate policy of transferring prisoners to create unstable conditions and to punish and weaken prisoners. Mr. Hani Issawi spent his prison term in Kfar Yona (1971), Ramle (1971-1979) and Nafha prisons. He stressed that there was a difference in the treatment of criminal prisoners and political prisoners, who were not entitled to adequate food, reading material or frequent family visits. A third person released at the same time, described the conditions inside Nafha prison. He stated that guards were armed with rifles equipped to fire gas canisters and that they used to beat inmates with clubs. He asserted that ICRC had recorded the marks of ill-treatment on the bodies of the prisoners during the hunger-strike in Nafha in July and August 1980. (Al Fajr Weekly , 14-20 December 1980) .
317. Mr. Khalil Abu Zayad made a number of observations on prison conditions based on his 10 years* experience as a political prisoner in Israeli prisons and reported the following:
- (a) Tulkarem prison has five cells for collective confinement. Prisoners suffer from overcrowding, high humidity the year around, no sunlight from October to March either in the cells or in the mini yard (4 x 15 meters) that serves as a, recreation ground;
 - (b) Since January 1980, on orders from the Prison Service commissioner, Mr. Haim Levy, Palestinian prisoners were constantly being transferred from Ramle prison to Beersheba and Ashkelon prisons;
 - (c) Detainees in Beersheba and Ashkelon prisons as well as in other prisons are subjected to all forms of pressure, depriving them of minimum conditions for survival;
 - (d) Palestinian prisoners still sleep, eat, read and write on the floor of their cells. Prison beds are not real beds, but plates of iron fixed with iron bars).
 - (e) None of the hunger-strikers' demands in Nafha prison had been met, although promises had been received from the Prison Service Commissioner, Mr. Levy, to provide a yard of suitable dimensions and a visiting room for monthly family visits and to solve the problem of sunlight in the cells. (Al Fajr Weekly , 21-27 December 1980)
318. Mr. Yasir Abdel Rahman Sabbah (22) from Anata refugee camp was arrested on 12 July 1980 and charged with membership in a Palestinian organization. During his interrogation at the Russian Compound in Jerusalem he was badly beaten and, as a consequence had to be hospitalized. Mr. Sabbah's lawyer, who had visited him in prison shortly before, reported that Mr. Sabbah did not receive medical attention during his period of detention, despite the fact that he had undergone electric shock therapy at Bethlehem mental hospital three years earlier for what had been diagnosed as "schizophrenia". He was awaiting trial, scheduled for 4 January 1981, in Ramle detention center. (Al Fajr Weekly , 21-27 December 1980) .
319. In its report for 1980, Amnesty International referred to its activities in Israel and the occupied territories. It stated that it worked on behalf of 51 individual prisoners and learned about the release of 30 prisoners. Out of the total, 27 had been tried and convicted of security offences. Seven prisoners were adopted as "prisoners of conscience" and 20 were cases under investigation. In a number of cases, the report continued, the security legislation, under which the security offences were being tried, was interpreted very broadly by military courts so that individuals were sentenced to prison terms for acts which were expressions of political belief, rather than acts involving or advocating violence. The report furthermore stated that the number of administrative detainees fluctuated between 6 and 20. Amnesty International worked for 24 administrative detainees during the period covered by its 1980 report. Mr. Ali Awwad Jamal was in administrative detention for the longest period, having been held since May 1975. Amnesty International stressed that there was no right of appeal for those tried before the military tribunals in the occupied territories, although a military appeals court existed for residents of East Jerusalem and Israel. A Committee under the chairmanship of Supreme Court Justice Meir Shamgar was set up in May 1977 to examine the system of military justice operating in the territories. Although the Committee's final report, which contained a number of recommendations involving basic changes in the structure and organization of the military justice system was completed in May 1978, the Israeli Government had not yet acted upon it. (Al Fajr Weekly , 21-27 December 1980) .
320. In December 1980, Mr. Walid Fahum, an attorney, submitted a report on the treatment of Palestinian prisoners in Shatta prison. About 270 to 300 prisoners were kept there at that time; 10 of them were charged with political activities. They were assigned to cells each measuring 9 square meters. Nine prisoners, one of whom slept on the floor, had to share a cell. Prisoners, who protested against the prison conditions, were confined to solitary cells. There was no medical care and books, newspapers and radio programs were forbidden. The report stated that Mr. Essam El Khatib from El Rama, who was serving a four-year sentence, suffered from a urinary infection; he had lost 17 kilograms and was transferred to the Assaf Haroveh Hospital. Mr. Jabr Ali Amnar, from Gaza, sentenced to life imprisonment, suffered from a gradual loss of his sight. Mr. Abdel Aziz Ali Shahin, also sentenced to life imprisonment, was kept 23 hours a day in a dark cell. (Al Ittihad , 23 December 1980) .
321. Mr. Samir Khalil Taha Yussef, 18, a security detainee in the Gaza jail was found dead in his cell. According

to one report, he was murdered in the jail corridor. It was not known whether his death was the result of a personal dispute or that of a dispute between rival terrorist organizations. (Jerusalem Post, 15 January 1981; Ma'ariv, 15 January 1981).

322. Families of prisoners prepared memoranda to be sent to the Minister for Defense and the Military Governor, expressing their fear for the life of their sons in detention. The appeal was made following visits to prisons by the mothers, -together with Red Cross representatives. (Al Fajr Weekly, 11-17 January 1981).

323. The family of Abdallah Mahmud Ayash, arrested in October 1979 on suspicion of killing a soldier, David Shamir, sent a complaint, through an attorney, Mrs. Lea Tsemel to the Prime Minister's Office. The complaint states that Mr. Ayash was "totally master of his sense and consciousness" before his arrest) he owned his own business and supported a family of 10. He was being held at that time in the psychiatric ward in the hospital of Ramle jail. The family believes his illness was due to torture during interrogation. (Ha'aretz, 27 January 1981).

324. Mrs. Tsemel sent a letter, in her own name, and in that of Mr. Muhammad Na'amwa, another attorney, concerning the alleged torture of detainees. She had previously complained to the Prime Minister's office on this same subject, and was told that such complaints of torture had been examined and were found to be groundless. (Ha'aretz, 27 January 1981).

325. According to a disposition made by a reservist to Mr. M. K. Uri Avneri in January 1981, the prison in Ramallah, constructed to accommodate 500 detainees, was then holding some 950. (Ha'aretz, 28 January 1981).

326. Security prisoners who participated in the 1980 hunger-strike in the Nafha jail submitted an application through their attorney, Mrs. Lea Tsemel, to the High Court of Justice, against the Minister of the Interior. Their appeal contained the following demands:

(a) To bring to trial the director of Ramle prison, guards, nurses and officers, for the assault on 26 prisoners, which included beatings and forced feeding, in which 2 prisoners were killed, after the prisoners were transferred to Ramle jail; and, according to one source, to suspend the above from work until the trial.

(b) To divulge to the prisoners the decision of the committee nominated by Minister of the Interior, Mr. Yosef Burg, to check into the conditions of Nafha prison and the prisoners' strike.

(c) To study conditions of Arab prisoners in Israeli prisons.

(d) To hand over the body of Aly Ja'afari, which was buried in the "... graveyard of the terrorists, to his parents to be buried in the family graveyard".

(Asha'b, 19 and 20 February 1981; Al Fajr Weekly, 22-28 February 1981)

327. Palestinian political prisoners in the Nafha prison (in the Negev desert) have requested national institutions to exert pressure on the authorities with a view to allowing the Arab doctors, especially eye specialists, to visit them in jail. The prisoners were suffering from illnesses due to poor prison conditions, such as eye ailments caused by sand and aggravated by the electric lights which were left on continuously in the prison. According to relatives, the prisoners were undernourished and their health was deteriorating. (Al Fajr Weekly, 8-14 February 1981).

328. Prisoners celebrating the anniversary of the founding of the PLO on 1 January 1981 in the Nablus jail, were "beaten, humiliated and held in freezing cells with inadequate clothing ... ". Bilal Shakhshsheer, who was a prisoner in the Nablus jail, gave the following account: "At about 9 o'clock at night, prison guards entered the cells with border guards and fired tear-gas. They ordered a few from each cell out, and took us to the administration block. There we were beaten by the head of the prison, Governor Zakoto. He hit me on the head. After that we were escorted to the visiting room and ordered to take off our clothes. My friends Hussein Mahmoud Shehada el-Sheikh and Muhammed Afernic were beaten by the guards. When we were totally naked we were ordered outside - it was a freezing cold night and taken across 100 meters of open space to the isolation cells ... we were locked in, still naked, three to a cell. The cells were completely bare and we had to stand or sit on the concrete floor. After two hours the guards brought us each a pair of wet overalls. We were still barefoot. Three hours after that we were issued one blanket between the three of us. The next day the entire prison went on a hunger-strike to protest our treatment. After the treatment we were all very sick." (Al Fajr Weekly, 15-21 February 1981).

329. Ibrahim Sabra Abu Hashhash, now 16 years old, and Naif Abdul Hadi Subbuh spent long periods in solitary confinement before being tried. The report further states that Abbas Kashour, from Jerusalem, aged 18, was brought to trial before his last birthday in a military court, "... a procedure which goes against the Israeli law that stipulates that those under 18 from Jerusalem must be tried in juvenile court". (Al Fajr Weekly, 22-28 February 1981).

330. Palestinian families who visited their relatives in Al Nmajdal (Ashkelon) prison in February 1981 reported that the 11... Israel jailers and Border Police break into the cells at night and beat the prisoners with large sticks and spray them with tear-gas. Often the prisoners are taken into the prison yard naked. The prison authorities have begun to separate the prisoners, putting three to a cell. Relatives have been forbidden to give the prisoners books. Some relatives held a sit-in at the El Bireh Red Cross Office." (Al Fajr Weekly, 1-7 March 1981).

331. Attorney Mrs. Langer sent a memorandum to the Director of Israeli prisons, in which she stated, on behalf of her clients in Nafha prison, Mr. Yahia Ayoub Abu Samra, Mr. Luai Ali Abdu, Mr. Yacoub Diwani, Mr. Mohammed Khalil Hassan and Mr. Bassem Al Sayeh, that the Israeli authorities had not implemented the recommendations made by the "Government Committee of Investigation" on Nafha prison conditions. The Committee was appointed by the Minister of the Interior, Mr. Burg after two inmates, Mr. Ali Ja'afari and Mr. Rassem Mohammed Halawa died, allegedly as a

result of forced feeding. (Al Ittihad, 6 March; Al Fajr Weekly, 15-21 March 1981).

332. Ashkelon prisoners complained about the continuing provocation by Israeli prison authorities, who conducted frequent raids in the cells, confiscating books and personal notes. Twenty-eight prisoners had been put in solitary confinement at that time. (Al Ittihad, 13 March; Al Fajr Weekly, 15-21 March 1981).

333. Dr. Ibrahim Abd Khadr Abu Hilal, detained since 1975, suffers from severe injuries in the back. Abu Dis villagers hold the authorities responsible for his deteriorating health conditions and they requested Dr. Hilal's-release in order to be able to receive medical treatment. (Al Ittihad, 13 March 1981).

334. The Israeli Prison Service Commissioner, Mr. Haim Levy, upon retiring from his post, stated that his successor would have to work in "almost impossible conditions", owing to "continued government neglect of the prisons". Most of Israel's 6,000 convicted prisoners lived in "subhuman conditions". The prisons held twice as many inmates as permitted by the regulations written 25 years earlier. The new Prison Commissioner would have to build three new prisons to accommodate the greater number of prisoners. (Jerusalem Post, 31 March 1981).

335. One report by the lawyer, Mr. Walid Fahum in April 1981 described prison conditions in Hebron prison. The 500 prisoners were held in 21 cells; one cell described as "room 11" was given as an example: 24 prisoners lived in that cell and the space allotted to each prisoner was 1.25 square meters. The prisoners slept on 16 mats, each 180 centimeters long and 75 centimeters wide. They were confined to their cells for 21 1/2 hours a day and representatives of ICRC visited the prisoners "every three months", despite the agreement between ICRC and the Government of Israel according to which the prisoners might be visited 14 days after their detention. (Al Ittihad, 3 April 1981).

336. A 23-year old security prisoner from Dhahiriya, Mr. Adel Abdul Rahman Aly, was murdered in Hebron prison. Security officials believed that three other detainees were involved in the murder and that Mr. Aly was murdered because he had collaborated with the security authorities while in custody. Mr. Mohammed Khalil Alian (25) from Yabal Al Mukabar was in a critical condition in Nafha prison. He had an ulcer and a slipped disc, allegedly as a result of torture. (Jerusalem Post, Yediot Aharonot, 17 July; Al Ittihad, 21 July 1981).

337. Mr. Burg, Minister of the Interior, in a letter to the Prime Minister, Mr. Begin, in July 1981, commented upon the findings of the Prison service Investigating Committee, in which he underlined the improvements made by the Ministry of the Interior in the prisons during the preceding four years. Since the Prison service had come under the jurisdiction of the Ministry, the capacity of the prisons had been increased by 1,400. Prisoners enjoyed an additional 2,500 square meters of working space. The Committee had charged that the situation had become critical and recommended that the Prison Service be removed from the jurisdiction of the Ministry. Mr. Burg stated that the report did injustice to the Government's efforts to improve the conditions of prisons and prisoners. The Committee, inter alia, had stated that conditions were "unfit for humans" and that Overcrowding had brought the situation in some prisons to the verge of an explosion. The conditions of the prisons, according to the Minister, were known already before the Committee started its work, but he felt that the study which had taken two and a half years to partially complete - should be issued officially to give credence to his ministry's demands that the situation be improved. (Jerusalem Post, 4 August 1981).

(c) Incidents

338. The following is a selection of reports of incidents recorded by the Special Committee during the period covered by the report. It is not to be considered exhaustive as it is intended to reflect the frequency, location and type of such events. The "remarks" column is meant to assist in giving an indication of the context of such reports.

339. The following abbreviations of names of newspapers are used in the list:

AIQ.	Al Quds
ASH.	Asha'b
H.	Ha'aretz
JP.	Jerusalem Post
M.	Ma'ariv
YA.	Yediot Aharonot

TABLES



A 36 579 Tables pages 71-95.pdf

3. Judicial remedies

(a) Remedies against measures affecting the person

340. On 19 August 1980, the High Court of Justice of Israel rejected by a two-to-one majority the application submitted by the Mayor of Hebron, Mr. Kawasme, the Mayor of Halhul, Mr. Milhem and the Kadi of Hebron, Sheikh Al-Tamimi, challenging their deportation. On 22 May 1980, the Court had issued a temporary injunction instructing the Military Government to show cause why the three notables should not be allowed to return. In expounding the legal considerations motivating their decision, both Supreme Court President Moshe Landau (majority) and Judge Haim Cohen

(minority) severely criticized the respondents, that is, the Defense Minister and the Military Governor in "Judea and Samaria". In their opinion they had circumvented the law by not giving the deportees the possibility of appeal to the Military Review Board. Sheikh Al-Tamimi had forfeited the opportunity to appeal to an Israeli Court due to his public statements in which he called for violent struggle against the State of Israel. On 8 September 1980, Mr. Kawasme and Mr. Milhem submitted a 14-point affidavit to the High Court of Justice of Israel, signed in Amman and witnessed by the head of the International Committee of the Red Cross delegation. In the affidavit they asked for permission to appear in person before the Military Review Board, since the possibility of appearing before the Board prior to this expulsion was denied to them in a "deceitful manner". They stated that they had always opposed bloodshed and "advocate a just peace for all the peoples in the Middle East". They also declared explicitly that, "we do not intend to break any military law in the future in our activities as public figures or otherwise". A denunciation of inciting statements attributed to them and abidance by the military law system were the two conditions for further appeal laid down by the High Court of Justice in its judgement of 19 August 1980. On 8 October 1980, the Military Review Board rejected Mr. Kawasme and Mr. Milhem's application. On 3 November 1980, the High Court of Justice of Israel reconvened to examine the appeal of Mr. Kawasme and Mr. Milhem after their case was rejected by the Military Review Board. The two mayors were allowed to attend the session, but other mayors were prevented from leaving their towns. The High Court of Justice dismissed by a majority decision on 4 December 1980 a petition for an order nisi calling upon the Minister of Defense to show cause why he should not refrain from expelling the Palestinian mayors, Mr. Kawasme (Hebron) and Mr. Milhem (Halhul) from the West Bank. It referred the case to the Government of Israel for reconsideration and a final decision. Subsequently, in late December 1980 the cabinet decided to confirm the expulsion orders. (Jerusalem Post, 19 and 20 August; Ma'ariv, Ha'aretz, Yediot Aharonot, 20 August; Al Ittihad, 22 August; Al Ittihad, Asha'b, Ha'aretz, Jerusalem Post, 9 September; Asha'b, 12 September; Jerusalem Post, Ha'aretz, Asha'b, 3 November; Jerusalem Post, 18 December 1980).

341. The Acting Mayor of Hebron, Mr. Mustafa Nabi Natshe, petitioned the High Court of Justice and obtained a provisional injunction prohibiting the military authorities from expelling him pending the High Court's decision on his application. Justice Aharon Barak decided to refer the case to a three-justice panel. (Jerusalem Post, 29 May; Ha'aretz, 29 May; Al Ittihad, 29 May 1981).

342. The District Court in Tel Aviv ruled that an Israeli tribunal (i.e., the Tel Aviv Magistrate's Court) did not have the competence to convert a suspended prison sentence given by a military court in the occupied territories (i.e., the military Court at Tulkarem) into an effective sentence. (Ma'ariv, 6 November 1980).

343. The Supreme Court, sitting as a three-justice panel, rejected by a majority opinion the application of Muhammed David Hussein Darwish, a security prisoner serving a 25-year prison term, in which he requested that the prison authorities supply him with a bed in his cell. Justice Haim Cohen, dissenting, stated: "a person in Israel who is sentenced to imprisonment has a right to be held under conditions that enable civilized human life. It makes no difference that this right is not explicitly provided by any law". (Ma'ariv, 26 November 1980).

344. The High Court of Justice issued an order nisi instructing the "Judea and Samaria" Commander to show cause within 10 days why he should not authorize Hussein El Aziz (17) from the village of Harmala in the Bethlehem district to return to his school after having served a prison term for a security offence. The State Attorney's representative had argued that the "Judea and Samaria" Commander was qualified to decide where the youth should study, and that his decision was made for security reasons. (Jerusalem Post, 2 December; Ha'aretz, 2 December; Asha'b, 3 December 1980).

345. Security prisoners who had participated in the hunger strike in the Nafha jail in 1980 submitted an application through their attorney, Mrs. Lea Tsemel, to the High Court of Justice, against the Minister of the interior (according to two sources, to the Minister of Police, the Israeli Attorney General and the Military Governor of the West Bank). Their appeal contained the following demands:

- (a) To bring to trial the director of the Ramle prison, guards, nurses and officers, for the assault on 26 prisoners, which included beatings and forced feeding, in which 2 prisoners were killed, after the prisoners were transferred to the Ramle jail;
- (b) To inform the prisoners of the decision of the Committee nominated by Minister of the Interior, Mr. Yosef Burg, to inquire into the conditions in Nafha Prison and the prisoners' strike;
- (c) To study conditions of Arab prisoners in Israeli prisons;
- (d) To hand over the body of Aly Ja'afari, which was buried in the "... graveyard of the terrorists, to his parents to be buried in the family graveyard". (Asha'b, 19 and 20 February; Al Fajr Weekly, 22-28 February 1981).

346. The Military Review Board summoned before it three journalists who were under town arrest, Mr. Mamoun A-Sayed, editor of Al Fajr, Mr. Akram Haniya, editor of Asha'b and Mr. Bashir Al-Barghuti, editor of Attali'a. The three editors had been placed under house arrest on 7 August 1980. Mrs. Felicia Langer submitted an application to the High Court of Justice on behalf of the three journalists for a ruling which would allow the editors to leave their home town regularly for the sole purpose of travelling to their newspaper offices to work. The High Court of Justice of Israel considered the case of the three editors and on 14 April 1981 it rejected the application; thus the editors would remain under house arrest and would not be able to go to their work in Jerusalem. (The Times, 10 February; Al Ittihad, 6 February; Asha'b, 2, 4, 5, 13 and 23 February; Ha'aretz, 1, 14 and 15 April; Asha'b, 1 and 2 April; Al Ittihad, 3 April 1981).

347. The Central District Military Court sentenced a soldier, who had stolen 180 Jordanian dinars, during a search in Silwad December 1980, to two and a half months' effective imprisonment with a three-month suspended sentence. A second soldier, convicted of attacking Arab inhabitants in the course of the search in Silwad, was sentenced to a three-month suspended prison term. The prosecutor had asked the Court to impose heavy prison sentences on the two defendants, but the defense lawyers argued that "these were exceptional cases and the Court had therefore to be lenient towards the defendants". (Yediot Aharonot, 17 March; The Times, 18 March 1981).

348. Dr. Haidar Abden Shafi, president of the Red Crescent in the Gaza Strip, submitted an application to the High Court of Justice against the Defense Minister and the Military Government. He asked for an order demanding that the Military Government lift its restrictions on his freedom of movement. He had been kept under house detention for a period of one year, and was prohibited from leaving without prior authorization. (Al Ittihad, 25 May; Jerusalem Post, 26 May; Ma'ariv, 26 May 1981).

349. Sixteen teachers from the West Bank filed a petition in the High Court of Justice against the West Bank Military Governor and the officer in charge of education. Attorneys Mrs. Langer and Mr. Abd Assali, on behalf of the teachers asked the Court to instruct the authorities to show cause why they cut the salaries of the teachers who were on strike. (Asha'b, 1 June 1981).

350. Attorney Mrs. Lea Tsemel submitted an application to the High Court of justice requesting the release of an administrative detainee, Mr. Aly Anad Salah Jamal (33), from Jenin, held in administrative detention since 9 May 1975. (Ha'aretz, 17 June; Yediot Aharonot, 21 June 1981).

351. The Military Appeals Committee held a session in Ramle prison to look into the case of the Golan inhabitants arrested in early June 1981: Mr. Ahmed Kudmain and Ahmad Safadi. Mrs. Langer and Mr. Walid Fahum alleged that the Israeli authorities had prohibited the publication of the minutes of the session. (Asha'b, 24 June 1981).

352. The High Court of Justice issued an order nisi instructing the "Judea and Samaria" Commander to show cause within 45 days why he should not cancel the deduction from the salaries of 16 (17) teachers from the West Bank who held a 15-day strike in February 1981 to protest against their low salaries. The Court addition referred to a three-member bench a request for an order calling on the Interior Ministry to show cause why it should not issue a permit to Mrs. Aida Ayoub, a teacher from East Jerusalem, for the publication of a bi-weekly magazine in Arabic called "Al-Sir'a". (Ha'aretz, 9 and 17 July; Al Ittihad, 10 July; Jerusalem Post, 17 July 1981).

353. The attorney of the four accused in the "Hadassa" case submitted an application to the High Court of Justice asking for a provisional injunction interrupting the legal proceedings. He also asked the Court to declare the Nablus Military Court incompetent to try the accused on the grounds that the accused were protected under the third Geneva Convention of 1949, relative to the treatment of prisoners of war. The Court decided to suspend the proceedings temporarily pending a decision on this plea. (Ha'aretz, 13 and 15 July; Yediot Aharonot, 13 July 1981).

354. The High Court of Justice rejected the application submitted by the sister of Aly Mohammed Ja'afari, who had died a year earlier in Nafha prison, in which she asked permission to rebury her brother in A Dahaysha refugee camp. (Jerusalem Post, Ha'aretz, Asha'b, 28 July 1981).

(b) Remedies against measures affecting property

355. The High Court of Justice rejected the application of 26 landowners from Beit Ummar regarding the seizure of their lands for the establishment of the Migdal-Oz settlement. Justice Shamgar, who wrote the judgement accepted the claim that a civilian settlement on the West Bank could serve a military function which justified expropriation of privately-owned Arab land. The Court also rejected the application on the grounds that it had been submitted only in April 1980, after a delay much longer than could be considered reasonable. (Jerusalem Post, Ha'aretz, 8 August 1980).

356. Supreme Court Justice Bekkor rejected a request by the Jerusalem District Electricity Company to issue a temporary injunction against the Minister of Energy and the "Judea and Samaria" Commander. The Company asked that the Government-owned Electricity Corporation be stopped from increasing the amount of current it supplied to the East Jerusalem Company's grid and that it be enabled to acquire a generator to increase its own power production. The Company had been providing only one third of the electricity supply to its consumers - the other two thirds being provided by the Israeli Electricity Company. "When it submitted its application, and during the debate on the granting of an order nisi, the East Jerusalem company was aware of the situation, but it did not then ask for a temporary injunction", Justice Bekkor stated. He instructed that an early date should be fixed to hear the objection to the Company's application against the proposed take-over by the Israeli Government. The Company obtained an order nisi on 7 July 1980 instructing the Israeli authorities to show cause why this decision should not be rescinded. (Jerusalem Post, Ma'ariv, 8 August 1980).

357. A Bethlehem landowner, Mr. Ibrahim Awdeh, petitioned the High court of Justice for the return of his confiscated land and requested it to issue a provisional order to show cause why the military authorities failed to order invading settlers off his land. In 1973, the occupation authorities had confiscated part of his land and handed it over to the military authorities who, in turn, handed it over to the Rosh Tzurim settlement. In 1980, soldiers and settlers fenced off more land and, after Mr. Awdeh protested, the custodian of abandoned property ordered a halt to any further action pending investigation. The custodian found that title to the land was disputed by a Jewish family named Marcus who claimed to have obtained the land during the Mandate period. Mr. Awdeh argued in his application that the Marcus' claim was voided in 1973 and had never been renewed. (Jerusalem Post, Ha'aretz, 14 August; Asha'b, 15 August 1980).

358. The Oreib family from Beit Izze in the Ramallah district submitted a petition to the High Court of Israel in which they asked for an order nisi against the "Judea and Samaria" Commander and the Givon B settlers "for having expropriated their land for settlement needs". They asked the High Court to show cause why they should not be allowed to cultivate their land. (Ma'ariv, 17 November; Al Fajr Weekly, 23-29 November 1980).

359. The brother of a civilian accused of participating in an act of sabotage in Hebron on 2 May 1980, obtained two separate orders from the High Court of Justice preventing the military authorities from demolishing his house. A temporary injunction was issued to prevent the destruction of two rooms in the house and an order nisi required the authorities to explain within 10 days why action against the house should not be limited to sealing up one room. (Jerusalem Post, 20 November 1980).

360. The High Court of Justice of Israel issued an injunction instructing the Military Government not to demolish the house of Mr. Muhammed El Sayed in Ras El Amud, near East Jerusalem. Mr. El Sayed's son, Abdel Karim, was arrested on 29 October 1980 on suspicion of membership in a hostile organization. (Al Hamishmar, 3 December 1980).

361. Attorney Mrs. Felicia Langer petitioned the High Court of Justice on behalf of nine landowners from the village of Biddu (Ramallah district). The Military Government had issued orders to confiscate their lands for the expansion of the Tel-Hadasha settlement. (Asha'b, 9 December; Jerusalem Post, 11 December; Ha'aretz, 11 December; Al Fajr Weekly, 14-20 December and 21-27 December 1980)

362. The High Court of Justice rejected an application by an Arab teachers' association in "Judea and Samaria" against the denial by the Defense Minister of a permit to build a housing project in the Atarot area, near Jerusalem. Justice Meir Shamgar, who wrote the judgement, rejected the allegation that permission had been refused on political grounds. He pointed out that, with regard to the area in question, a planning scheme dating back to 1942 and applicable to the entire Jerusalem district was still in force, "as it was never abrogated and remained in force according to Jordanian laws"; it was therefore impossible to grant a construction permit unless it was in the framework of the planning scheme applicable to the area. The argument that the authorities had no competence to cancel the construction permits that had been granted was rejected on the ground that "the Jordanian legislator had bestowed a clear and explicit competence to cancel permits that had been granted illegitimately". (Ha'aretz, 23 December; Asha'b, 23 December; Al Fajr Weekly, 4-10 January 1981)

363. The High Court of Justice issued a provisional injunction on 30 December 1981 prohibiting the Minister of Energy and Infrastructure from acquiring the East Jerusalem District Electricity Company, pending the High Court's decision on the company's application. Reports give details of the submissions made by the parties. (Ha'aretz, 30 and 31 December; Jerusalem Post, 31 December; The Times, 31 December 1980; Al Fajr Weekly, 21-27 December 1980, 4-10 January 1981)

364. The Supreme Court issued an interim injunction preventing the West Bank Military government from demolishing eight houses in Silwad, north of Ramallah, whose inhabitants were suspected of involvement in "... a rash of apparently politically motivated murders in the village over the past year". (Jerusalem Post, 16 January 1981).

365. Mrs. Felicia Langer submitted an application to the High Court of Justice on behalf of the Arab residents of Salfit and Tubas, near Nablus, concerning the confiscation by military authorities of 15,000 dunams (15 sq. km) of their land that had been declared "state land". (Jerusalem Post, 9 and 17 February; Ha'aretz, 9 February; Asha'b, 10 February; The Times, 9 February 1981).

366. Yussuf Alan and Wajady Saber from the village of El-Jib, in the area of Ramallah, submitted an application to the High Court of Justice, filed by their attorney, Mrs. Felicia Langer, against the Defense Minister and the commander of the West Bank, concerning the seizure of, according to one source, 40 dunams of their land by settlers "... apparently for the planned settlement of Givat Zelev". Alan and Saber maintained that they were not informed of the expropriation and stated that their lands were sown with barley and corn and constituted the only source of livelihood for their families. They further claimed that their land had been surveyed, and in one area settlers "... from a previously illegal settlement attempt have not removed a caravan and other building tools". (Ha'aretz, 9 February; Jerusalem Post, 9 February; The Times, 9 February; Al-Fajr Weekly, 15-21 February 1981).

367. Palestinian residents of Beit Dago (south-west of Ramallah) appealed to the Ramallah Military Court in an effort to prevent the expropriation of 500 meters of their land which had been surveyed by settlers shortly before. At the hearing on 2 February 1981 the residents "... submitted legal documents and proof certifying that they have owned the land for hundreds of years". (Al Fajr Weekly, 5-21 February 1981).

368. A number of reports appeared in February 1981 on appeals submitted to the authorities by Palestinians whose land had been seized either as "state land" by military authorities, or by settlers. In a letter dated 11 February 1981 to the Attorney-General of Israel, Mr. Elias Khouri, an attorney, raised the issue of West Bank land expropriation and stated "The common denominator of ... the land problem in the West Bank ... is the military authorities and the settlers in the settlements adjoining their property, and the ongoing and increasing tendency to dispossess the said landowners of their land. According to Order No. 59, dealing with Government property, when a certain area has been declared state property, the Government appointee is able to take possession of it and 'take any measures he deems necessary'. In such circumstances, complaints registered by the landowners ... will be brought before a committee accredited under Order No. 172, concerning appeal committees. On the surface the procedures of the appeal committees seem simple, but in reality it is different, since the 'burden of proof' principle is reversed and the burden falls on the appellants ... who must prove their rights, ownership and tenure on the land. This can be a very complicated procedure, often involving ordering from Turkey documents proving ownership, all of which must usually be completed within an allotted amount of time, usually 21 days, although occasionally extensions are granted. In the meantime and as of the issuing of the order, the appointee and/or settling authorities work to change the character of the land, at worst. At best, the landowners ... are prevented from entering the property and continuing their hold on it. The military authorities ... and other authorized elements working on their behalf violate the law and use their power to confiscate land for the settlements and ignore the landowners' basic legal rights. Mr. Khouri requested the Attorney-General to investigate the aforementioned subjects as well as the bans on the building and land seizure orders (mentioned in his letter) and requested their cancellation. (Al Fajr Weekly, 22-28 February 1981).

369. Landowners in Abu Dis and Al Azariyah were to appeal to the Israeli Military Court in an effort to prevent Israeli settlers from confiscating thousands of dunams of land. (Al Fajr Weekly, 1-7 March 1981).

370. Mrs. Langer and Mr. Abd El Assaly submitted two applications to the High Court of Justice of Israel concerning land in the Hebron area. The first one was submitted on behalf of landowners from Tarqumiya, who stated that Jewish settlers had started working on their lands, despite a decision of the Military Review Board which had

ordered the suspension of all development works pending a final decision by the Court. The second application concerned land that had been taken for the expansion of Kir'yar-Arba. (Asha'b, 6 March; Ha'aretz, 13 March 1981).

371. Mrs. Langer, Mr. Abd El Assaly and Mr. Walid Fahum submitted an application to the High Court of Justice of Israel on behalf of 62 landowners from the villages of Kafr Haress, Sarta, Salfit, Farkha and Burqeen in the Nablus district. The landowners asked the Court to prohibit any use of their land (allegedly some 4,000 dunams (4 sq. km)), that had been declared "state land" shortly before the use of the Ariel settlement. (Jerusalem Post, Ha'aretz, 10 March; Asha'b, 11 March 1981).

372. Landowners in the villages of Al Jib, Beitunia, Rafat and Al Jderiah obtained an order nisi from the High Court of Justice of Israel preventing Israeli settlers from fencing off their land. (Al Fajr Weekly, 15-21 March 1981).

373. Mrs. Langer and Mr. Abd El Assali submitted an application to, the High Court of Justice of Israel on behalf of 20 landowners from Ramin, Kafr Allabad, Beit Lid and Anabta in the Tulkarem area. They demanded that work for the Shaveh-Shomron settlement be stopped immediately. A period of 21 days had been given to lodge a complaint, but despite this notification, work had started three days later. (Ha'aretz, 17, 18, 19, and 25 March; Ma'ariv, 17 March; Jerusalem Post, 18 March; Asha'b, 17 and 18 March 1981).

374. Three Arab citizens from Beitunia, Beit Amar and Ras Karkar submitted an application to the High Court against the seizure of their lands for the Gush Etzion settlement. The Military Government considered their land "State-owned land". Another source stated that in addition 73-year-old Christian inhabitant of Beit Jala, Mr. Nicolas Saras, petitioned the Court for an order nisi against the Military authorities with regard to 20 dunams of land he owns but which was given to the Alon-Shevut settlement. The report added that 9 applications have been submitted by Mrs. Langer concerning land in "Judea and Samaria". (Asha'b, 17 March, Ha'aretz, 18 March 1981).

375. Four inhabitants of Kafr-Qaddum submitted through Mrs. Langer an application to the High Court of Justice of Israel demanding that work be stopped in an area of 131 dunams which allegedly belonged to them, because they possessed documents proving their ownership back to the Ottoman administration. (Jerusalem Post, Ha'aretz, 19 March 1981).

376. Landowners from the villages of Beitunia in the Ramallah area petitioned the High Court of Justice to order the Military Government to vacate more than 2,300 dunams (2.3 sq. km) of their lands. In their submission they maintained that the land was being used for the Givon settlement. In a similar development, inhabitants from Se'ir and Shuyuhh in the Hebron area, petitioned the Court to request the cancellation of an order closing off an area of 600 dunams. (Ha'aretz, 20 March; Jerusalem Post, 23 March 1981).

377. Supreme Court Justice Moshe Cohen issued a temporary injunction stopping all work in an area called "Hirbet Beit Sawir", near Alon-Shevut in the Etzion bloc. Mrs. Langer, on behalf of the landowners, claimed that the land in question is arable and constituted the source of livelihood for several families.

378. In April 1981, the Military Appeals Board considered the case of the Al Khada and Turqumiya lands, an area of 2,500 dunams (2.5 sq. km) seized 14 months earlier and belonging to 21 citizens. It was reported that the Board allocated 60 dunams for opening up a road leading to the Mitzpe-Govrin settlement. The Arab Lawyers Committee in Hebron decided to apply directly to the High Court of Justice on the matter, because of "shameful bargaining" between members of the Military Appeals Board and the lawyers representing the landowners and because of the "legal intrigues" of the Appeals Board. Subsequently, the Military Government's Advisory Committee on Land Affairs extended by 45 days the ban on carrying out work near Tarqumiya for the construction of the Mitzpe-Govrin settlement. (Asha'b, 1 and 13 April; Ha'aretz, 13 and 22 April 1981).

379. The High Court of Justice of Israel issued a temporary injunction ordering the West Bank Military Government to show cause within 30 days why it should not cancel an order seizing land for public purposes from 12 villages in the Kalhiliya area. The land was being used for the road to the new settlement of Karney Shomron C. The Court ruled that work on one side of the road, which was nearly completed, 'night continue. Counsel for the applicants, Mrs. Langer, stated that under the cover of "acquisition for public purposes", a settlement was being created for "electoral purposes". Under Jordanian law, she added, the "public" is the local population and not the Jewish settlers to whom the law does not apply. (Jerusalem Post, 5 May; Ha'aretz, 5 May; Al Ittihad, 8-15 May 1981).

380. An inhabitant of the Abu-Tor suburb in Jerusalem, Mr. Abu Mohammed Ruken, obtained an order nisi from the High Court of Justice against the Minister of Finance and the State Land Administration. In his petition, Mr. Ruken accused the State Land Administration of expropriating his land and house in the Armon Hanatzvi quarter to make possible the construction of a villa neighborhood financed by the Swiss Jewish businessman, Mr. Nessim Gaon. In addition to the period of 45 days given to respondents, the High Court also issued a provisional injunction prohibiting the respondents from taking possession of the house and land during this period, pending a final decision by the Court. (Jerusalem Post, 13 May; Ha'aretz, 13 May 1981).

381. Mr. Darwish Nasser, an attorney from Jerusalem, submitted an application to the High Court of Justice of Israel asking it to annul the declaration of West Bank lands as government property. In his application, Mr. Darwish stated that this method of acquisition of property ran counter to Israeli law and international law. In addition, it was not reasonable, since most of the West Bank lands were "not arranged" (i.e., their ownership had not been determined through a land settlement procedure). He also maintained that this procedure was used to circumvent the Eilon Moreh ruling regarding "expropriation for military needs". Tens of thousands of dunams of West Bank land had been transferred at that time by that method and, in particular, several thousand dunams located east of the village of Yatta. (Ha'aretz, 14 and 18 May; Jerusalem Post, 18 May 1981).

382. The High Court of Justice rejected an application by an Arab landowner from Beit Jala concerning 15 dunams of land in the Gush Etzion area, which he claimed were designed for the expansion of the Alon-Shevut settlement. Mr. Nicola Halil Jiryis argued that his land, a cultivated tract known as "Hirbet Beit Suweir", was fenced off on

15 February 1981 by 17 settlers from Alon-Shevut, accompanied by a soldier. He stated that he had not been notified in advance of the action, which he claimed was to expand the settlement. The High Court determined that the land had been lawfully seized for "military needs", in order to set up a military post, and that it therefore "had no grounds for intervening in that case". (Jerusalem Post, 14 May; Ha'aretz, 14 May 1981).

383. Sixteen landowners from seven West Bank villages petitioned the High Court of Justice, challenging the legal basis of orders they had just received from the "Judea and Samaria" Commander and the Custodian of Abandoned Government Property affecting their tenure over the land. This was the second application on the same matter to be submitted to the Government. The first one was submitted by an inhabitant from Ramallah through Mrs. Langer and was transferred by Justice Aharon Barak to a three-justice panel. The second application concerned several cases of land seizure:

(a) Three landowners from Tarqumiya in the Hebron district maintained that their lands were declared "government property" for building a road to the Mitzpe-Govrin settlement.

(b) Four inhabitants from Hebron alleged that their lands, located in the Wadi Nassara area, were seized and declared "government property" to increase the surface of Kiryat-Arba.

(c) Three inhabitants from Ramin in the Anabta area (Tulkarem district) complained that lands were expropriated to establish the Karney Shomoron B settlement.

(d) A group of landowners from Haris and Salfit (Tulkarem district) stated that their lands were seized and declared "government property" in order to build an industrial center for the town of Ariel.

(e) Villagers from Al Khadr (Bethlehem district), Qaddum (Nablus district) and Biddu (Ramallah district) also alleged that their lands were seized and declared "state property" in violation of Jordanian law and Israeli law, according to which it is forbidden to declare any area as "state land" without court judgement. (Jerusalem Post, 18 May; Ha'aretz, 18 May 1981).

384. The High Court of Justice determined that there was no ground to the allegation made by the inhabitants of Hebron that the "Hadassa" building settlers were "invaders" ("squatters" according to one source). In the application by the Acting Mayor of Hebron, Mr. Mustafa A-Natshe, and 10 other inhabitants of Hebron, it had been argued that the "Jordanian Custodian of Enemy Property" had let the building in "protected tenancy" to UNWRA and that "Hadassa" settlers harassed the inhabitants with the purpose of intimidating them and causing their departure so that they could exercise their right to settle in the town. Justice Ben Porat, who wrote the judgement, stated that allegations of harassment - when they were specific and clear - "seem to us, in part, weighty". She referred to the shopkeeper whose ceiling collapsed after the "Purim" holiday and stated that "this complaint which we regard as serious, was not dealt with appropriately". She then pointed out that many other complaints by inhabitants of Hebron against the "Hadassa" settlers were "lacking specific data and stretching over a long period". In addition, she ruled that Hadassa settlers were not mere "invaders" because the building is Jewish property. Thirdly, "there are grounds for supposing that the Custodian of Absentee Property was aware of the presence in the building of its Present occupants and he nevertheless chose to refrain from reacting". Above all, the Government of Israel decided to act on 23 March 1980 for developing the "Jewish Court" in the Jewish Quarter of Hebron and to add a third floor to the "Hadassa" building' this was done "without prejudicing the owners' rights". She pointed out that "it therefore appears that the holding of the 'Hadassa' building by the Jews is with the Government's knowledge and has its full consent". (Jerusalem Post, 21 May; Ha'aretz, 22 May; Ma'ariv, 22 May 1981).

385. Arab landowners applied to the High Court of Justice in a number of land cases. The Court issued a provisional injunction prohibiting the Military Government authorities in "Judea and Samaria" from carrying out work in the areas seized near Kiryat-Arba, Ariel and the new settlements of Mitzpe-Govrin and Tel-Hadasha. The injunction would be effective pending the Court's decision on the application by 30 landowners, who claimed ownership of the lands which the Israeli authorities declared "state land". It was subsequently reported that 12 landowners from villages in the Ramallah and Hebron district obtained an order nisi against the "Judea and Samaria" Region Commander and the Custodian of Absentee and Government Property who had declared their lands "state lands" for the purpose of establishing the settlements of Neve Tzif and Mitzpe-Govrin. The order asked the defendants to show cause within 45 days why they should not cancel their declaration of the land as government property. A temporary injunction was issued prohibiting the authorities from carrying out work pending the decision on the application. Applicants from the villages from Umm Safa, Ajjul and Tarqumiya also maintained that their lands were declared "state lands" in June 1981 and that work had started without consideration of the period of 21 days in which landowners are allowed to appeal a decision. (Ha'aretz, 12 and 21 July 1981).

386. The High Court's Counselor announced the Government's decision to revoke the seizure order on the "Deir Ammar" lands (Ramallah area) before the Court was to discuss the case. Mrs. Langer and Mr. Abd Assali were acting as counsel on behalf of 52 inhabitants. In addition the Military Appeals Board issued a temporary injunction preventing the military authorities from using lands north of Ramallah on the condition that the applicants pay bail set at I.S. 100,000. The High Court granted an application for a temporary injunction by inhabitants of El Bireh to issue an interim injunction to stop the creation of a settlement on Jebel Tawil. (Asha'b, 7 and 13 July; Al Ittihad, 7 July; Ha'aretz, 28 July 1981).

387. Inhabitants of Azun village in the Nablus area obtained a temporary injunction requesting the Military Governor to show cause within 30 days why he should not enforce a judgement by a local Nablus Court, deciding upon the invalidation of the sale of land to the Israeli company called "Company for Development and Trade in Judea and Samaria". (Asha'b, 14 July; Yediot Aharonot, 23 July 1981).

388. The Military Appeals Board rejected the request by Arab landowners in the Gush Etzion area to annul the seizure of an area of 1,000 dunams for the Israeli settlement of Efrat, which is built off the Bethlehem-Hebron road. Villagers in "Judea and Samaria" claimed "over 30,000 dunams" that had been seized by the Military Government shortly before. Mrs. Langer presented, on behalf of Mrs. Lamia Hassan Al Qadumi and Mrs. Husniya Al Qaduni, an application concerning plot of 135 dunams in Qaddum and asked the Court to issue a temporary injunction to stop

work on the land. The judge in the Municipal Court in Al Jamb village (Ramallah area) stopped a transaction of land through the "village league", because the transaction had taken place without prior notice to the landowners. (Ha'aretz, 19 July; Asha'b, 19 and 28 July; Al Ittihad, 28 July 1981).

389. The High Court of Justice issued a temporary injunction prohibiting the Ramallah District Commander from demolishing the house of an inhabitant of the village of Beit Izza in "Judea", whose lands border on the settlement of Hadasha. The applicant maintained that he had built the house three years earlier with the Military Government's permission and on land that had been his family's property for many years. In addition, he asserted that settlers wanted to buy his house and land. The High Court also issued an order nisi against the Ramallah District Commander, instructing him to show cause within 45 days why he should not refrain from demolishing the applicant's house. (Ha'aretz, 13 August 1981).

V. CONCLUSIONS

390. During the period covered by the report (1 August 1980 to 31 August 1981), the Special Committee continued to follow the situation of human rights in the occupied territories. The General Assembly last renewed the mandate of the Special Committee by adopting resolution 35/122 C on 11 December 1980. The Government of Israel has continued to deny its co-operation to the Special Committee; in section II above the Special Committee reproduces its request to the Secretary-General to secure the co-operation of the Government of Israel. The Special Committee regrets to note that no reaction whatsoever was communicated to the Secretary-General. Section IV summarizes the information before the Special Committee. Subsection B of section IV describes the subdivision of this information for the purposes of evaluation. Subsection C reproduces examples of the information gathered by the Special Committee. This information constitutes the evidence before the Special Committee. As stated in previous reports, the Special Committee considers its mandate as having a continuing nature and this report should be considered as complementary to previous reports prepared by the Special Committee.

391. In the present section, the Special Committee gives its assessment of the information and evidence reflected in the preceding sections. This information is subdivided under three general headings, namely:

- (a) Policies and implementation;
- (b) Situation of civilians;
- (c) Judicial remedies.

A. Policies and implementation

392. The information on the policy of annexation and settlement and its implementation is further subdivided into parts relating to the existence of a deliberate policy (section IV B and C 1 (a)), to the measures adopted officially to implement this policy (section IV B and C 1 (b)), to information on the implementation of these measures (section IV B and C 1 (c)) and to activities of Israeli settlers (section IV B and C 1 (d)). The statements reproduced in Section IV C 1 (a) above, attributed to members of the Government of Israel, leave no doubt as to the Government's intention to continue with the policy of annexation and settlement of the occupied territories. The Special Committee draws special attention to statements made by the Prime Minister of Israel. For example, in the course of a visit to an Israeli settlement in the occupied territories in May 1981, Mr. Begin was reported to have made the following pledge: "I, Menachem, son of Ze'ev and Hassya Begin, hereby pledge my word that as long as I serve the nation ... as Prime Minister, we shall not abandon any area in the territories of Judea, Samaria, the Gaza district and the Golan Heights". He was also quoted as having said that the Likud Government wants to live "in peace and respect with the millions of Arab inhabitants of the territories, but we shall not hand over any part of the land of Israel to a foreign rule" (see para. 56). On another occasion, he is reported to have stated that the policy guidelines of the Government stipulated "that Israel will 'raise its claim to sovereignty, over the West Bank after a period of self-rule" (see para. 57). This pronouncement, which is a reiteration of the announced guidelines of the policy of the new Government of Israel, leads the Special Committee to the conclusion that this policy directly affects the situation of human rights of the civilian population of the occupied territories and in particular its right to self-determination indeed, as the Special Committee has stated in previous reports, the fact of the occupation in itself constitutes a violation of the human rights of the civilian population. The policy enunciated by the Government of Israel is contrary to article 47 of the Geneva Convention relative to the protection of civilian persons in time of war, Of 12 August 1949, which expressly prohibits annexation of occupied territories. 12/

393. In addition to the statements of policy referred to, the Government of Israel has officially adopted plans and projects to carry out this policy. These are illustrated in section IV B and C 1 (b). Furthermore, these plans and projects are being carried out continuously. As shown in section IV B and C 1 (c), this consists mainly of construction of new settlements and expansion of existing ones. Property is being expropriated to accommodate these settlements. The implementation of these projects involves considerable budgetary allocations. An illustration of this is afforded by the examples of reports reproduced in paragraphs 125 to 131, which, among them reflect a sum exceeding \$64 million in the period covered by the report.

394. Section IV B and C 1 (d) reflects information on activities by Israeli settlers in the occupied territories. The period covered by this report has witnessed a considerable increase over previous years of the role played by Israeli settlers in the implementation of the Government's policy of annexing the occupied territories. In spite of sporadic reports of steps taken by the authorities aimed at protecting civilians from infringement by Israeli settlers of their rights, the overall picture emerging from this information confirms the connivance and complicity of the authorities, at all levels, with these settlers. The Special Committee has pointed out that the transfer of Israeli civilians to the occupied territories is contrary to article 49 of the fourth Geneva convention. 13/ In section IV B and C 1 (c) (i), the Special Committee observes that, during the period covered by the report, it

received information on some 40 settlements that were either established or inaugurated or whose construction commenced; in addition the Special Committee noted the continuing construction and expansion of Israeli settlements in occupied Jerusalem. In section IV B and C 1 (c) (ii), the Special committee noted information on expropriation of property including a report of the allocation of some 200 square kilometers to Israeli settlements on the West Bank. Moreover, the Government of Israel, in the exercise of its responsibilities under article 29 14 / of the Convention is responsible for the acts of its agents in the occupied territories.

1 / Official Records of the General Assembly, Twenty-fifth Session, agenda item 101, documents A/8089; A/8389 and Corr.1 and 2; A/8389/Add.1 and Add.1/Corr.1 and 2; A/8828; A/9148 and Add.1; A/9817; A/10272; A/31/218; A/32/284; A/33/356; A/34/631 and A/35/425.

2 / Official Records of the General Assembly, Twenty-fifth Session, Annexes, agenda item 101, document A/8237; ibid., Twenty-sixth Session, Annexes, agenda item 40, document A/8630; ibid., Twenty-seventh Session, Annexes, agenda item 42, document A/8950; ibid., Twenty-eighth Session, Annexes, agenda item 45, document A/9374; ibid., Twenty-ninth Session, Annexes, agenda item 40, document A/9872; ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461; ibid., Thirty-first Session, Annexes, agenda item 55, document A/31/399; ibid., Thirty-second Session, Annexes, agenda item 57, document A/32/407; ibid., Thirty-third Session, Annexes, agenda item 55, document A/33/439; ibid., Thirty-fourth Session, Annexes, agenda item 51, document A/34/691 and Add.1; and ibid., Thirty-fifth Session, Annexes, agenda item 57, document A/35/674.

3 / Ibid., Twenty-fifth Session, agenda item 101, document A/8089, annex III.

4 / United Nation, Treaty Series, vol. 75, No. 973, p. 287.

5 / Ibid., No. 972, p. 135.

6 / Ibid., Vol. 249, No. 3511, p. 215.

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

8 / General Assembly resolution 2200 A (XXI).

9 / Report of the Director-General, Appendices, Appendix III (General International Labor office, 1981).

10 / World Health Organization, thirty-fourth World Health Assembly, document A/34/17.

11 / "Report and recommendations of an Amnesty International mission to the Government of the State of Israel from 3 to 7 June 1979, including the Government's response and Amnesty International comments."

12 / Article 47 states:

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

13 / Article 49 states:

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

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

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

"The Protecting Power shall be informed of any transfers and evacuations as soon as they have taken place.

"The Occupying Power shall not detain protected persons in an area particularly exposed to the dangers of war unless the security of the population or imperative military reasons so demand.

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

14 / Article 29 states:

"The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred."

B. Situation of civilians

395. Section IV B and C 2 (a), (b) and (c) contains information on the situation Of civilians in the occupied territories. This is subdivided into information' concerning treatment of civilians (subsection (a)), information on civilians in detention (subsection (b)) and information on day-to-day events in the occupied territories which are deemed by the Special Committee to reflect the day-to-day reality faced by the civilians in the occupied territories (subsection (c)). This information is the subject of day-to-day reports from the occupied territories. It may be noted that during the period covered by the report, the occupation authorities followed, in accordance with several announcements to that effect, what has been characterized as an "iron fist" policy vis-à-vis civilians. The Special committee has noted in the past that the Government of Israel continues to persist in following a policy, both directly and through the action of the Israeli settlers, of extreme provocation of the civilian population and of severe repression of any reaction by civilians to this provocation. Section IV B and C 2 (a) gives information on several aspects of the treatment of civilians including information on demolition and sealing of habitations and commercial premises (subsection (ii)), imposition of curfews, (subsection (iii)), interference with education and educational institutions (sub-section (iv)) and information on curtailment of freedom of movement which affects both local Palestinian leaders and populations of villages or towns collectively (subsection (v)).

396. The treatment of civilians by the occupying Power is strictly governed by the regulations respecting the laws and customs of war on land annexed to the Hague Convention of 1907 (IV), in particular section III thereof, and by articles 33 15/ and 53 16/ of the fourth Geneva Convention. These instruments have been repeatedly violated, in particular, by the imposition of punishment on civilians for offences not committed by them and by the collective penalties and measures of reprisal inflicted on the civilian population.

15/ Article 33 states:

"No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

"Pillage is prohibited.

"Reprisals against protected persons and their property are prohibited."

397. Section IV B and C 2 (b) concerns the treatment of civilians who are in detention. The hardship prevailing in the prisons, reflected in earlier reports of the Special Committee, continues to exist. The Special Committee considers that this aspect of the human rights situation gives rise to particular concern. The situation emerging from the information before it is extremely serious and warrants priority attention by the international community. As the Special Committee has stated in its earlier reports on this aspect of human rights in the occupied territories, the absence of a serious mechanism established by the Government of Israel to supervise detention conditions and to examine allegations of ill-treatment in individual cases makes it impossible to establish the existence of the truth or otherwise of such allegations. In the light of reports that have reached it during the period covered by the report and taking into account the totality of this information as illustrated in section IV B and C 2 (b), the Special Committee is in a position to confirm that interrogation procedures continue to be accompanied by violence and that conditions of detention in general remain extremely poor. The Special Committee has noted a statement made by the Israeli Prison Service Commissioner, Mr. H. Levi, upon his retirement, where this is confirmed (see para. 334 above). The Special Committee reiterates its view that interrogation procedures and prison conditions must undergo drastic revision. In this context, articles 64 17/ and 76 18/ of the fourth Geneva Convention continue to be violated.

16/ Article 53 states:

"Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations."

398. The examples given in the list of incidents reproduced in section IV C 2 (c) reflect the day-to-day reality prevailing in the occupied territories. It is clear from this list, which is based on sources which have not been contradicted, that the population of the occupied territories is subjected to a continued military rule accompanied by grave breaches of the

17/ Article 64 states:

"The penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where they constitute a threat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the effective administration of justice the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws.

"The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfil its obligations under the present Convention, to maintain the

orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them."

18/ Article 76 states:

"Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein. They shall, if possible, be separated from other detainees and shall enjoy Conditions of food and hygiene which will be sufficient to keep them in good health, and which will be at least equal to those obtaining in prisons-in the occupied country.

"They shall receive the medical attention required by their state of health.

"They shall also have the right to receive any spiritual assistance which they may require.

"Women shall be confined in separate quarters and shall be under the direct supervision of women.

"Proper regard shall be paid to the special treatment due to minors.

"Protected persons who are detained shall have the right to be visited by delegates of the Protecting Power and of the International Committee of the Red Cross, in accordance with the provisions of Article 143.

"Such persons shall have the right to receive at least one relief parcel monthly." fourth Geneva Convention that can only bring about a further deterioration in the human rights situation of the population.

399. Indeed, article 146 of the fourth Geneva Convention provides for the enactment of legislation to impose penal sanctions on persons committing grave breaches of the Convention. 19/ Article 147 defines acts which are declared to be grave breaches of the Convention. 20/

C. Judicial remedies

400. The reports quoted in section IV B and C 3 concern the remedies resorted to by the civilian population to obtain redress against measures affecting the person (sect. IV B and C 3 (a)) and remedies resorted to against measures affecting property (sect. IV B and C 3 (b)). The Special Committee considered this aspect in its last report in some depth; it found in its last report that there were no judicial remedies available to the civilian population other than a residual possibility of making an application to the High Court of Justice of Israel. In the period covered by the present report, it became apparent that even this residual possibility was meaningless to the civilian population, mainly because of conscious efforts by the Government of Israel to circumvent the judicial authorities. The information before the Special Committee shows that the High Court of Justice found in favor in only one case (January 1981) whereas nine applications (during the period covered by the report) were rejected on the merits (see paras. 340, 343, 346, 354, 355, 362, 382, 384 and 388 above). However, several orders nisi were granted (9 against 1 rejected) (see paras. 344, 352, 359, 372, 380 and 389 above) and temporary injunctions (13 against 1 rejected) (see paras. 341, 356, 359, 360, 363, 364, 377, 379, 385, 386, 387 and 389 above). The Special Committee took note of the establishment of a "Military Appeals Board" to whom persons alleging illegal expropriation of their property on the grounds of such property being declared "state land" could appeal within 21 days of the receipt of an order of expropriation. In fact, the Special Committee has noted that this Board has no meaningful role in protecting the civilians in the occupied territories) it appears to be intended rather to ensure a more rapid means of taking over Palestinian land by an organism which is totally dependent on the military authorities. The Special Committee, in its last report, concluded that the occupying authorities have in fact changed the law governing the occupied territories in virtually every field and substituted for it a legal regime based on Israeli lines. This form of creeping legal annexation continues to manifest itself, inter alia, by extension of the competence of the Military Appeals Board to objections against orders of expropriation of land declared "state land" by the authorities.

19/ Article 146 states:

"The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present convention defined in the following Article.

"Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its Own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a prima facie case.

"Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

"In all circumstances, the accused persons shall benefit by safeguards of proper trial and defense, which shall not be less favorable than those provided by Article 105 and those following of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949."

20/ Article 147 states:

"Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: willful killing, torture or inhuman

treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or willfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of Property, not justified by military necessity and carried out unlawfully and wantonly."

401. In the view of the Special Committee, the foregoing reflects a situation in which the civilian population of the occupied territories are denied even their most basic rights. The situation is such that the threat to international peace and security due to the policy followed by the Government of Israel in this area is more serious than ever. The duty upon the international community to intervene by all means at its disposal has become more manifest than ever. The policies and practices followed by the Government of Israel in the occupied territories as amply illustrated in this report need to be checked. In particular, pursuit of the "homeland" policy by the Government of Israel in the occupied territories has to be curtailed. This policy not only denies the right to self-determination of the population of the occupied territories but also constitutes the source of a continuing and systematic violation of human rights. The Special Committee, in each of its earlier reports has recommended the establishment of a mechanism that would act as a moderating influence in these circumstances. 21/ In this manner, the continuing deterioration of the human rights situation in the occupied territories which the Special Committee has witnessed in the period covered by the report may be remedied and the long-term policy of annexation reversed.

VI. ADOPTION OF THE REPORT

402. The present report was approved and signed by the Special Committee on 4 September 1981 in accordance with rule 20 of its rules of procedure.

(Signed) O. GOUNDIAM (Senegal)

I. B. FONSEKA (Sri Lanka)

B. MEHOLJIC (Yugoslavia)

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

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

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

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

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

"(a) To secure the scrupulous implementation of the provisions relating to human rights contained in the Geneva Convention relative to the Treatment of Prisoners of war, of 12 August 1949, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular to investigate and determine the facts in the case of allegations of the violation of the human rights provisions of these conventions or of other applicable international instruments;

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

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

MAP

MAP

