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COMMISSION ON HUMAN RIGHTS  
Fifty-eighth session  
Agenda item 8**QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE  
OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE**

**Algeria, Austria, Belgium, Bulgaria\*, Czech Republic, Denmark\*, Egypt\*, Estonia\*,  
Finland\*, France, Germany, Greece\*, Hungary\*, Iceland\*, Ireland\*, Italy,  
Luxembourg\*, Madagascar\*, Malta\*, Netherlands\*, New Zealand\*, Norway\*,  
Portugal\*, Saudi Arabia, Slovakia\*, Slovenia\*, South Africa, Spain, Sweden,  
Switzerland\*, Turkey\*, United Kingdom of Great Britain and Northern Ireland:  
draft resolution**

**2002/... Israeli settlements in the occupied Arab territories***The Commission on Human Rights,*

*Reaffirming* that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable instruments,

*Mindful* that Israel is a party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to Palestinian and all Arab territories occupied by Israel since 1967, including East Jerusalem, and recalling the Declaration made by the Conference of High Contracting Parties to the Fourth Geneva Convention, held in Geneva on 5 December 2001,

*Recalling* its previous resolutions, most recently resolution 2001/8 of 18 April 2001, as well as General Assembly resolution 56/61 of 10 December 2001, in which, inter alia, the illegality of the Israeli settlements in the occupied territories was reaffirmed,

*Expressing its concern* regarding the security threats related to the presence of the settlements in the occupied territories, as expressed in the Report of the Sharm el-Sheikh Fact-Finding Committee (the Mitchell Report),

1. *Welcomes* the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967 (E/CN.4/2002/32) and calls upon the Government of Israel to cooperate with the Special Rapporteur to allow him fully to discharge his mandate;

2. *Expresses its grave concern:*

(a) At the dramatic escalation of the Israeli-Palestinian conflict, which has led to a spiral of anger, hatred and further violence, and to increased suffering for both Israelis and Palestinians;

(b) At the continuing Israeli settlement activities, including the expansion of the settlements, the installation of settlers in the occupied territories, the expropriation of land, including agricultural land, the demolition of houses, the confiscation or destruction of property, the expulsion of Palestinians and the construction of bypass roads, which change the physical character and demographic composition of the occupied territories, including East Jerusalem, since all these actions are illegal, constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and are a major obstacle to peace;

(c) At and strongly condemns all acts of violence, including all acts of terror, provocation, incitement and destruction, in particular the indiscriminate terrorist attacks over the past weeks, killing and injuring civilians;

(d) At the closures of and within the Palestinian territories and the restriction of the freedom of movement of the Palestinians, which contribute, together with other factors, to the intolerable level of violence that has been prevailing in the zone for more than a year;

3. *Urges* the Government of Israel:

(a) To comply fully with the previous Commission resolutions on the subject, most recently resolution 2001/8 of 18 April 2001;

(b) To reverse its settlement policy in the occupied territories, including East Jerusalem, and to stop the expansion of existing settlements, including "natural growth" and related activities;

(c) To prevent any new installation of settlers in the occupied territories;

(d) To implement the recommendations regarding the settlements made by the United Nations High Commissioner for Human Rights in her report to the Commission at its fifty-seventh session on her visit to the occupied Palestinian territories, Israel, Egypt and Jordan (E/CN.4/2001/114);

(e) To take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and other measures to guarantee the safety and protection of the Palestinian civilians in the occupied territories;

4. *Urges* the parties to implement immediately Security Council resolutions 1397 (2002) and 1402 (2002), and calls for the Israeli and Palestinian sides and their leaders to cooperate in the implementation of the Palestinian-Israeli Security Implementation Work Plan (Tenet ceasefire plan) and Mitchell Report recommendations with the aim of resuming negotiations on a political settlement based on Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002 and other relevant United Nations resolutions, the principles of the Peace Conference on the Middle East, held in Madrid on 30 October 1991, the Oslo Accords and subsequent agreements, including the inadmissibility of acquisition of territory by war, the end to the occupation of 1967 and the principle of land for peace, which will allow two States, Israel and Palestine, to live in peace and security and play their full part in the region;

5. *Decides* to continue its consideration of this question at its fifty-ninth session.

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.