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

Letter dated 24 April 1980 from the Permanent Representative
of Jordan to the United Nations addressed to the Secretary-
General

I have the honour to convey to Your Excellency the statement made by the Government of Jordan concerning the Israeli occupation authorities' alterations of the Jordanian Labour Law in the occupied West Bank.

The most drastic changes have been made on article 83 of the Jordanian Labour Law, No. 21 (1960) by a military order which was recently issued by the Israeli occupation authorities.

In view of the flagrant violation of the Fourth Geneva Convention of 1949 1/ by the occupation authorities, I request that the attached statement be circulated as an official document of the General Assembly under item 57 of the preliminary list.

(Signed) Hazem NUSEIBEH
Ambassador
Permanent Representative

* A/35/50.

1/ United Nations, Treaty Series, vol. 75, No. 973 (p. 287).

ANNEX

Statement by the Government of Jordan concerning Israel's
modification of the Jordanian Labour Law on the occupied
West Bank

Under the terms of a recent military decree the Israeli occupation authorities have radically modified article 83 of the Jordanian Labour Law No. 21 of 1960. This article concerns membership of the administrative boards of trade unions and reads as follows:

"Only workers or full-time employees of a trade union can be elected as members of the administrative board and no person who has been convicted of a criminal or moral offence can be a member of a trade union administrative board."

In taking this action, Israel has committed a flagrant violation of the established principles of international law as laid down in international legal conventions and agreements and, in particular, in the Fourth Geneva Convention and the Hague conventions relating to the powers and jurisdictions of occupying authorities, under which the latter are required to respect the laws in force in the occupied territory and are not permitted to suspend, modify or replace such laws or to interfere with any civil laws in force or with judicial bodies which continue to operate and issue their decisions as though no occupation had taken place. All of this is by virtue of the fact that the occupation does not negate the sovereign rights which the State legally enjoys with respect to its occupied territory and the occupying authority is only a temporary administration which does not preclude the continued validity of the laws and regulations in force prior to the occupation.

This action on the part of the Israeli occupation authorities is a blatant confirmation of Israel's defiance of all the resolutions adopted by the United Nations and its specialized agencies calling for the withdrawal of the Israeli military forces from the occupied Arab territories and the termination of the occupation and affirming the inadmissibility of the annexation of territories by force and the invalidity of the measures being taken by the Israeli authorities to change the character of the occupied Arab territories.

In the light of the above, the Government of Jordan wishes to affirm the following:

* The illegality of the decree issued by the Israeli Military Governor in connexion with the modification of article 83 of the Jordanian Labour Law No. 21 of 1960, since that decree constitutes a blatant encroachment on the Jordanian legal prerogative with regard to the promulgation, modification, suspension and repeal of laws, legislation and regulations.

* This act constitutes a flagrant violation of trade union rights and freedoms and open interference in the freedom of union activity and the internal affairs of trade unions of a non-political nature. This act is also incompatible with international labour agreements emanating from international labour conferences on the protection of trade union rights and freedoms and non-interference in their internal affairs and which have been ratified by Israel.

The purpose of the Israeli military occupation authorities in making this illegal modification is as follows:

* To curb national trade union activity, to prevent Arab workers with nationalist inclinations on the West Bank from organizing themselves in national trade-unionist groupings, to bar them from the administrative boards of professional or trade unions with a view to depriving the labour force of its vigilant national leaders and, consequently, driving manpower away from the occupied Arab territories as part of the judaization and settlement policy which is being pursued by those authorities.

* To invest the so-called "Israeli Labour Officer" with full power to intervene in the affairs of the Arab trade unions and, in particular, in the election of their administrative boards by disallowing the membership or candidacy of trade unionists who are unacceptable to the Israeli occupation authorities by virtue of their nationalist attitudes and advocacy of Arab labour rights and by rendering ineffective any decisions taken by the administrative boards of those trade unions and which do not meet with the approval of the Israeli occupation authorities.

* The above-mentioned military decree makes reference to "Israel" in the modification, thereby proving that it is the intention of the Israeli occupation authorities to pursue their expansionist plans for the judaization of the West Bank and its annexation to the Zionist entity.

In taking this action, Israel is once again defying world public opinion and the resolutions adopted by the organs and specialized agencies of the United Nations which have condemned Israel's violation of trade union and other human rights and freedoms and the policy of oppression and racial discrimination which it is pursuing in Palestine and the occupied Arab territories in wanton disregard of the principles of contemporary international law. Israel is once again demonstrating that its annexation of Arab territories and its persecution of Arab nationals constitutes the fundamental obstacle to the achievement of a just and comprehensive peace in the region.

The Government of Jordan, which is concerned with the application of the Labour Law and the monitoring of Israeli arbitrary actions against Arab workers and their trade unions, will be making the necessary representations to the United Nations, the International Labour Organisation and the Arab Labour Organization, calling on them to intervene immediately to condemn this latest action on the part of the Israeli authorities, to affirm the illegality of the Israeli military decree and to declare null and void the modification of article 83 of the current Jordanian Labour Law as a serious violation of international laws, conventions, agreements and resolutions.

The Government of Jordan will be taking appropriate action in this respect in conjunction with Arab and other friendly States members of the International Labour Organisation during the forthcoming session of the International Labour Conference at Geneva in June of this year.
