

UNITED NATIONS

UN LIBRARY

JUL 21 1975



Distr.
GENERAL

GENERAL
ASSEMBLY



SECURITY
COUNCIL

A/10137
S/11762 ✓
17 July 1975
ENGLISH

ORIGINAL: ENGLISH/FRENCH/
SPANISH

GENERAL ASSEMBLY
Twenty-ninth session
Agenda item 109
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Thirtieth year

Note by the Secretary-General

At its 1315th meeting, on 21 February 1975, the Commission on Human Rights adopted resolution 6 A (XXXI), entitled "Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East". In conformity with paragraph 12, the Secretary-General has the honour to bring this resolution to the attention of the members of the General Assembly and the Security Council.

ANNEX

6 A (XXXI). Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East

The Commission on Human Rights,

Guided by the principles and purposes of the Charter of the United Nations, as well as the principles and provisions of the Universal Declaration of Human Rights and the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, a/

Recalling the pertinent United Nations resolutions on the situation in the occupied territories and the protection of the human rights and fundamental freedoms of the inhabitants of the occupied Arab territories, and in particular General Assembly resolutions 3236 (XXIX), 3240 (XXIX) and 3336 (XXIX),

Taking into account that the General Assembly has reaffirmed, in resolution 3236 (XXIX), the inalienable rights of the Palestinian people in Palestine, including:-

- (a) The right to self-determination without external interference,
- (b) The right to national independence and sovereignty,

Taking note of the reports of the United Nations and other international humanitarian organizations on the situation of the occupied Arab territories and their inhabitants, in particular the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (A/9817),

Greatly alarmed by the continuation of the violations of human rights and fundamental freedoms by Israel in the occupied Arab territories, in particular the continued occupation of these territories and the measures aiming at annexation as well as the continuing destruction of houses, expropriation of Arab properties and ill-treatment of prisoners,

Deeply concerned over Israel's persistence in establishing settlements in the occupied Arab territories, implementing massive programmes of immigration, continuing the deportation and transfer of the indigenous population and refusing their return,

a/ United Nations, Treaty Series, vol. 75, No. 973, p. 287.

Recalling also resolution IX adopted by the International Labour Conference at its fifty-ninth session, in 1974, which declares that any military occupation of territory constitutes in itself a permanent violation of basic human rights and fundamental freedoms and in particular of trade union and social rights,

Noting the conclusion of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories that the Israeli occupying forces were responsible for the deliberate and total destruction of Quneitra and that this constituted a violation of article 53 of the fourth Geneva Convention of 12 August 1949 and fell within the scope of article 147 of that Convention,

Seriously concerned that the population of the occupied Arab territories are hindered in the exercise of their inalienable rights to national education and cultural life,

Taking into consideration that the General Assembly has adopted resolution 3314 (XXIX), which qualifies as an act of aggression the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof,

1. Deplores Israel's continued grave violations, in the occupied Arab territories, of the basic norms of international law and of the relevant international conventions, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which have been considered by the Commission on Human Rights as war crimes and an affront to humanity, as well as its persistent defiance of the relevant resolutions of the United Nations and its continued policy of violating the basic human rights of the inhabitants of the occupied Arab territories;

2. Reaffirms the inalienable right of the Arab people to return to their homes and property from which they have been displaced and uprooted and calls for their return;

3. Reaffirms also that Israel's policy of settling parts of its population and new immigrants in the occupied territories is a flagrant violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and of the United Nations resolutions and urges all States to refrain from any action that might be exploited by Israel in carrying out its policy of colonizing the occupied territories;

4. Reaffirms further that all measures taken by Israel to exploit the human, natural and all other resources and wealth of the occupied Arab territories infringe upon the permanent sovereignty of the Arab people over their natural resources and calls upon Israel immediately to rescind all such measures and to compensate and make full restitution for the exploitation and depletion of their human and natural resources;

5. Reaffirms that military occupation of territory constitutes a grave threat to international peace and security and is in itself a permanent violation of the Charter of the United Nations and of the Universal Declaration of Human Rights;

6. Declares that Israel's policy of annexation, establishment of settlements and transfer of an alien population to the occupied territories is in contravention of the purposes and principles of the Charter of the United Nations, the principles and provisions of international law, the principles of sovereignty and territorial integrity and the basic human rights and fundamental freedoms of the people;

7. Further declares that all measures taken by Israel to change the physical character, the demographic structure and the status of occupied Arab territories are null and void;

8. Censures in the strongest terms all measures taken by Israel to change the status of Jerusalem;

9. Condemns Israel for its deliberate destruction and devastation of the town of Quneitra and considers these acts as a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949;

10. Calls upon Israel once more to comply with its obligations under the Charter of the United Nations and the Universal Declaration of Human Rights to acknowledge and abide by its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War and to implement all the relevant United Nations resolutions;

11. Calls upon all States to do their utmost to ensure that Israel respects the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and that it desists from all acts and policies aimed at colonizing and changing the physical character and demographic composition of the occupied Arab territories, particularly through the establishment of settlements and the deportation and transfer of the indigenous inhabitants;

12. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, specialized agencies and regional intergovernmental organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its next session;

13. Decides to place on the provisional agenda of its thirty-second session, as a matter of high priority, the item entitled "Question of the violation of human rights in the territories occupied as a result of hostilities in the Middle East".