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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED
ARAB TERRITORIES, INCLUDING PALESTINE

Letter dated 18 September 1989 from the Permanent Observer for
Palestine to the United Nations Office at Geneva addressed to the
Under-Secretary-General for Human Rights

1. The Palestinian people in the occupied territories are still being daily subjected to the most heinous crimes perpetrated by Israeli military forces. Neither repeated appeals to desist from such atrocities, made by international bodies as the International Committee of the Red Cross, the Commission on Human Rights, the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, nor warnings by other organizations such as Amnesty International, the International Commission of Jurists, nor the outcry of world public opinion, have had the slightest effect on Israel. It refuses to abide even by its own commitments to implement United Nations resolutions, to respect the Geneva Conventions and to comply with the principles of international law. Ever since its occupation of the Palestinian territories in 1967, and even now, it persists in violating human rights. It has intensified such violations following the advent of the intifada on 8 December 1987. Veritable crimes against humanity, war crimes, crimes against the peace of mankind are being committed by Israel in its pursuit of the so-called iron-fist policy against defenceless Palestinian civilians, particularly women, children and the elderly, who are resisting Israeli military occupation with their bare hands. The occasional stone they throw is but a symbol of their utter rejection of Israeli occupation and an expression of their determination to wrench their freedom and independence from the occupier. They are exercising their legitimate right to lead a free, dignified life in their own land; self-determination is their goal, and is a fundamental human right recognized by the United Nations Charter and the principles of international law.

2. The deliberate, premeditated killing of Palestinians (more than 900 have fallen martyrs in the past 21 months) cannot but be an act of genocide. Such practice has persisted for years, and the number of victims is rising every day.

3. The diversity of the means used for deliberate murder and genocide by the Israeli occupation forces is astonishing. Live ammunition, plastic bullets, poison-gas bombs thrown into enclosed places are some of the lethal weapons wielded against Palestinians in their own land. Massacres such as the Nahalin blood-bath on 13 April 1989, the Nuseirat Camp slaughter on 5 May 1989 and the Jabalya mass murder of 25 May 1989 are but part of the order of the day now. Burying and burning people alive, causing pregnant women to abort through the use of poison gas or by beating them, as already indicated in my previous communications, are but another facet of Israeli practices. Sixteen women aborted by inhaling poison gas or from excessive beating in the Gaza Strip last August. Cases of forced abortion have exceeded 4,000 since the beginning of the intifada. Schoolgirls were poisoned to render them barren in Tulkarem and Jenin in 1983. Men and children have had their limbs and skulls broken, as seen by the whole world on television screens. Towns, villages and camps have been subjected to impossible living conditions intended to drive their population to death, as was the case with the town of Rafah last August, and as is the case with the city of Nablus at present. Israeli occupation forces imposed a curfew on this city, which has been in force since Saturday, 2 September. The inhabitants of the city are desperately short of food, milk for babies and basic medicines.

4. Such diverse means of murder and annihilation have been used by the Israeli occupation authorities against the Palestinians for years. Could there be any doubt, therefore, that they constitute a systematic, established policy, and are not a mere accident, coincidence or mistake? Nor are such practices confined to certain conditions or a transient period of time; they are deliberate, premeditated acts of genocide prohibited by the Convention on the Prohibition and Punishment of the Crime of Genocide adopted by the General Assembly in resolution 260 A (III) dated 9 December 1948.

5. Genocide has been systematically practised by the Israeli occupation authorities against the Palestinian people ever since the Deir Yassin massacre in 1948, not to mention the massacres they perpetrated at Quibya, Samou', Kafr Kassem, Sabra and Shatila. Genocide was condemned at the time by the world community, but is still practised today and since the beginning of the great intifada. Gross violations of human rights (such as the right to life, as defined in article 3 of the Universal Declaration of Human Rights and in article 6 of the International Covenant on Civil and Political Rights, which confirm that the right to life is a birthright of every human being, that the law must protect this right, and that no human being is to be deprived of it arbitrarily) are being committed daily by Israel against the Palestinian people.

6. The seriousness of premeditated murder perpetrated by the Israeli occupation authorities is even worse when the murderous hand reaches out for innocent children, after having murdered unborn babies in their mothers' wombs. Israeli rifles are daily aimed at children, as though they were mere game or unwanted animals. The crime is even uglier when the hands of Israelis (God's chosen people) stain the face of human civilization with the blood of

innocent Palestinian children, at a time when the entire world is about to conclude the convention on the rights of the child at the current session of the United Nations General Assembly. Such disdain for human values has prompted the director of Israel's Information Centre for Human Rights to demand that the Israeli ministers of defence and the police start an inquiry into the killing of 13 out of 25 Palestinian children killed between 1 and 25 August 1989, according to the Davar newspaper of 27 August 1989. Most prominent among such wanton murders was the murder of the Palestinian 14-year-old Amjad Hussein Jibril (of United States nationality), abducted by the Israelis on 18 August 1989 and subsequently tortured to death.

7. The enumeration of Israeli atrocities should not overlook the equally serious crimes committed by the Israeli forces against those they have failed to reach directly. More than 50,000 detainees are kept without trial in Israeli prisons under so-called administrative detention lasting from 6 to 12 months.

8. Physical and psychological torture is part of the intolerable living conditions in detention camps. Practices in contravention of article 5 of the Universal Declaration of Human Rights, of article 7 of the International Covenant on Civil and Political Rights, as well as of articles 3, 32, 85, 86, 91, 93, and 100 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, have resulted in the death of many civilians, as with Omar Al-Kassem, who died on 4 June 1989 after having spent 21 years in Askelon military prison. More than 6,000 Palestinians now suffer permanent disability, apart from other crimes against detainees at the Ansar 3, Askelon, Juneid and other prisons. Such violations are but a natural outcome of the Israeli military occupation which aims at usurping the land and destroying the Palestinian society, a crime in itself against the peace of mankind.

9. Destruction of the Palestinian society and evacuation of the land is a systematic policy pursued by the Israeli occupation authorities and reflected in deportation, expulsion and separation from property and family. Palestinians deported by military orders now total 1,361 citizens: 1,300 deported after the June 1967 war, and 61 since the beginning of the intifada on 8 December 1987. These measures are yet another violation of article 49 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, and a flagrant disregard of the resolutions of the Security Council, the General Assembly and the Commission on Human Rights, which confirmed the applicability of the Fourth Geneva Convention of 1949 to the occupied Palestinian territories, and to Palestinian citizens. Israel has also disregarded repeated appeals to respect the said Convention, desist from deporting and expelling citizens, and allow deportees to return to their homeland. The International Committee of the Red Cross has expressed its deep concern at Israel's continued violation of the Fourth Geneva Convention through press releases on 13 January 1988, 18 August 1988, 19 August 1988 and 14 April 1989. Mr. Cornelio Sommaruga, President of ICRC, expressed his indignation at Israel's persistent violation of the said Convention following his recent visit to Israel on 24 June 1989.

10. Further crimes have been perpetrated against thousands of Palestinians subjected to collective punishment in violation of articles 33 and 53 of the Fourth Geneva Convention. The closure of universities, schools and institutes for a whole calendar year, the imposition of constant curfews, and the declaration of towns and villages as closed military zones deprived 67,000 university students and 300,000 schoolchildren of their right to education during the academic year 1987/1988, as part of the collective sanctions imposed by Israel. Demolition of houses over the past two years is another form of collective punishment which has left tens of thousands homeless. On this subject, the Papal Friendship and Peace Committee said in a statement issued on 12 September 1989 in Jerusalem that the Israeli authorities had demolished 806 houses during the first 18 months of the intifada and rendered 8,000 Palestinians homeless. The Committee, led by the French Cardinal Roger Etchegaray, also said that the demolitions had included a four-room flat housing 18 persons.

11. Perseverance in crime has not spared even the flora of Palestine. The death administered by the Israeli occupation authorities to the Palestinians has been the lot of their citrus and olive trees, tens of thousands of which have been uprooted and destroyed by the Israeli occupation authorities in a savage vendetta campaign beginning on 13 July 1989, when 32,000 vines were destroyed in Halhoul and Hebron alone by spraying with poison.

12. As I present this memorandum to Your Excellency, the greater part of occupied Palestinian territories is under siege and curfew, and Palestinian citizens are daily falling victim of the aggression of the Israeli occupation authorities.

13. I kindly request you to submit the present memorandum to H.E. Mr. Marc Bossuyt, Chairman of the forty-fifth session of the Commission on Human Rights, as well as to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, and to consider this document as an official document of the forty-sixth session of the Commission on Human Rights.

(Signed)

Nabil RAMLAWI

Permanent Observer for Palestine to the
United Nations Office at Geneva
