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

Report of the Secretary-General

(in pursuance of General Assembly resolution 41/63 A)

1. The present report is submitted in pursuance of General Assembly resolution 41/63 A of 3 December 1986, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Calls upon Israel to release all Arabs arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories;

"2. Notes the initial release of Palestinian prisoners on 20 May 1985;

"3. Deplores the Israeli subsequent arbitrary detention or imprisonment of hundreds of Palestinians;

"4. Demands that the Government of Israel, the occupying Power, rescind its action against the detainees and imprisoned Palestinians and release them immediately;

"5. Requests the Secretary-General to report to the General Assembly as soon as possible but not later than the beginning of its forty-second session on the implementation of the present resolution."

\* A/42/150.

2. On 23 January 1987, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he requested, in view of his reporting responsibility under the resolution, that the Permanent Representative inform him of any steps which the Government of Israel had taken or envisaged taking in implementation of the relevant provisions of the resolution.
3. On 17 June 1987, the Permanent Representative of Israel replied as follows:

"The position of the Government of Israel on General Assembly resolution 41/63 A was set out in the statement made by Israel's representative in the Special Political Committee on 8 November 1985 (A/SPC/40/PV.27) and on 13 November 1986 (A/SPC/41/SR.27).

"Operative paragraph 1 of resolution 41/63 A 'calls upon Israel to release all Arabs arbitrarily detained or imprisoned as a result of their struggle for self-determination and for the liberation of their territories'.

"The Government of Israel explicitly rejects this paragraph. All people imprisoned by Israel undergo a fair trial and their criminal guilt has been established beyond a reasonable doubt in a court of law. Equating them with those seeking political redress not only emphasizes the extent to which the General Assembly has fallen victim to the contorted language of extremists, but also undermines the rule of law and justice.

"In light of these facts, the Government of Israel continues to view resolution 41/63 A as unwarranted and completely void of substance. As such it should be dropped from the General Assembly's agenda."

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