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

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the attached report, which was submitted to him, in accordance with Assembly resolutions 32/91 B, paragraph 5, and 32/91 C, paragraphs 9 and 10, of 13 December 1977, by the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

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LETTER OF TRANSMITTAL

10 November 1978

Sir,

The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories has the honour to transmit to you the attached report, its tenth, formulated in accordance with the terms of General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D and 32/91 B and C.

The report of the Special Committee follows the same pattern as that in previous years. It contains a representative cross-section of the information received by the Special Committee since the adoption of its last report on 17 October 1977. This information was obtained in the absence of the co-operation of the Government of Israel which continues to constitute a serious hardship in the work of the Special Committee. It has been possible to follow the situation of the civilians in the occupied territories very closely by monitoring the situation in these territories. The Special Committee relied on information gathered from a plurality of sources such as the oral and written testimony of persons having first-hand experience of the situation of civilians in the occupied territories, reports of pronouncements of responsible persons in the Israeli Government, information submitted to it by Governments and non-governmental bodies and unedited film material of events in the occupied territories. The Special Committee made efforts to strengthen contacts with responsible persons in the occupied territories with a view to receiving information on the human rights situation in their areas; paid notices were inserted in a number of local newspapers informing the general public of the Special Committee's mandate and indicating that it would consider information on the situation in the occupied territories.

The information received by the Special Committee is analysed in section IV. Samples are given of this information, which falls into two categories, namely, that which concerns the policy of the Government of Israel of settlements and annexation and that which concerns the situation of civilians as a consequence of the occupation. Samples are also given, on information received, of the pattern of the incidents occurring in the occupied territories and their consequences in the form of arrests, trials and releases.

Section V of this report contains the special report requested by the General Assembly on the treatment of civilians in detention. It consists of information on prison conditions and a number of cases of alleged ill-treatment of detainees.

His Excellency
Mr. Kurt Waldheim
Secretary-General of the United Nations
New York

/...

Section VI contains the conclusions reached by the Special Committee based on the analysis of the information contained in sections IV and V. In it, the Special Committee finds that the Government of Israel persists in its policy of annexation and settlement of the occupied territories to the detriment of the human rights of the civilian population. The Special Committee has noted recent unequivocal statements by the Prime Minister and other members of the Government of Israel which prove that such a policy exists and that its application is being accelerated. The Special Committee took note of reports concerning the future of the Egyptian territory occupied by Israel in June 1967. Furthermore, the Special Committee considers it most regrettable that the Government of Israel is perpetuating the occupation of the other territories and is intensifying its efforts aimed at their annexation. In these circumstances, the Special Committee feels that the international community is put before its responsibilities more than in previous years and consequently that it should, in the interests of peace and human rights, act to end the military occupation of all the territories occupied by Israel as a result of the hostilities of June 1967.

Accept, Sir, on behalf of the members of the Special Committee and on my behalf, the assurances of our highest consideration.

(Signed) Borut BOHTE (Yugoslavia)
Chairman of the
Special Committee to Investigate Israeli Practices
Affecting the Human Rights of the Population
of the Occupied Territories

I. INTRODUCTION

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories was established by the General Assembly in resolution 2443 (XXIII) of 19 December 1968. By that resolution, the General Assembly decided to establish the Special Committee, composed of three Member States; requested the President of the General Assembly to appoint the members of the Special Committee; requested the Government of Israel to receive the Special Committee, to co-operate with it and to facilitate its work; requested the Special Committee to report to the Secretary-General as soon as possible and whenever the need arose thereafter; and requested the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.
2. The following Member States were appointed on 12 September 1969 to serve on the Special Committee: Somalia, Sri Lanka and Yugoslavia. The Government of Sri Lanka appointed Mr. H. S. Amerasinghe, Permanent Representative to the United Nations, as its representative on the Special Committee. The Government of Yugoslavia appointed Mr. Borut Bohte, Professor of the Faculty of Law of Ljubljana University and Member of the Federal Assembly of Yugoslavia, as its representative on the Special Committee. The Government of Somalia appointed Mr. A. A. Farah, and subsequently Mr. H. Nur-Elmi, Permanent Representative to the United Nations, as its representative on the Special Committee. On 26 April 1974, the President of the General Assembly at its twenty-eighth session informed the Secretary-General that Somalia had decided to withdraw from the Special Committee and that, in conformity with paragraph 2 of Assembly resolution 2443 (XXIII), he had appointed Senegal a member of the Special Committee. On 30 April 1974, the Permanent Representative of Senegal to the United Nations informed the Secretary-General that his Government had appointed Mr. Keba M'Baye, Chief Justice of Senegal (Premier Président de la Cour suprême du Sénégal), as its representative on the Special Committee. On 21 September 1976, the Permanent Representative of Sri Lanka to the United Nations informed the Secretary-General that Mr. H. S. Amerasinghe had resigned from the Special Committee upon his election as President of the General Assembly at its thirty-first session. On 18 February 1977, the Government of Sri Lanka informed the Secretary-General that Mr. V. L. B. Mendis, Sri Lanka High Commissioner to the United Kingdom of Great Britain and Northern Ireland, would serve on the Special Committee at the meetings at Geneva from 22 February to 1 March 1977.
3. On 26 April 1977, the Government of Sri Lanka informed the Secretary-General that it had appointed Mr. I. B. Fonseka, Deputy Permanent Representative of Sri Lanka to the United Nations, as its representative on the Special Committee. On 8 July 1977 the Government of Senegal informed the Special Committee that Mr. Keba M'Baye had resigned from the Special Committee and nominated in his stead Mr. Ousmane Goundiam, Procureur général près la Cour suprême, as its representative on the Special Committee.
4. On 20 July 1978, the Government of Sri Lanka informed the Secretary-General that it had appointed Mr. B. J. Fernando, Permanent Representative of Sri Lanka

to the United Nations, as its representative on the Special Committee. By a note verbale dated 28 September 1978, the Government of Sri Lanka designated Mr. K. Breckenridge to attend the meetings of the Special Committee at Geneva from 9 to 13 October 1978.

5. On 5 October 1970, the Special Committee submitted its first report 1/ in accordance with General Assembly resolutions 2443 (XXIII) of 19 December 1968 and 2546 (XXIV) of 11 December 1969. The report was discussed in the Special Political Committee at its 744th to 751st meetings, from 7 to 11 December 1970. On 15 December 1970, the Assembly examined the report of the Special Political Committee 2/ and adopted resolution 2727 (XXV).

6. On 17 September 1971, the Special Committee submitted its second report (A/8389 and Corr.1 and 2), prepared in accordance with the terms of General Assembly resolutions 2443 (XXIII), 2546 (XXIV) and 2727 (XXV). On 10 December 1971, the Special Committee submitted a third report (A/8389/Add.1 and Add.1/Corr.1 and 2) containing information which had become available after the completion of its second report. These reports were discussed in the Special Political Committee at its 798th to 803rd meetings, from 13 to 16 December 1971. On 20 December 1971, the General Assembly considered the report of the Special Political Committee 3/ and adopted resolution 2851 (XXVI).

7. On 25 September 1972, the Special Committee submitted its fourth report (A/8828) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV) and 2851 (XXVI). The report was discussed in the Special Political Committee at its 849th to 855th meetings, from 30 November to 7 December 1972. On 15 December 1972, the Assembly examined the report of the Special Political Committee 4/ and adopted resolution 3005 (XXVII).

8. On 15 October 1973, the Special Committee submitted its fifth report (A/9148) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI) and 3005 (XXVII). On 20 November 1973, the Special Committee submitted a supplement to its fifth report (A/9148/Add.1). The report and its supplement were discussed in the Special Political Committee at its 890th and 892nd to 897th meetings, from 19 to 26 November 1973. In addition, the Special Political Committee considered the report of the Secretary-General (A/9237) submitted pursuant to Assembly resolution 3005 (XXVII). On 7 December 1973, the Assembly examined the report of the Special Political Committee 5/ and adopted resolutions 3092 A and B (XXVIII).

1/ Official Records of the General Assembly, Twenty-fifth Session, agenda item 101, document A/8089.

2/ Ibid., Annexes, agenda item 101, document A/8237.

3/ Ibid., Twenty-sixth Session, Annexes, agenda item 40, document A/8630.

4/ Ibid., Twenty-seventh Session, Annexes, agenda item 42, document A/8950.

5/ Ibid., Twenty-eighth Session, Annexes, agenda item 45, document A/9374.

9. On 25 October 1974, the Special Committee submitted its sixth report (A/9817) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII) and 3092 B (XXVIII). The report was discussed in the Special Political Committee at its 927th to 932nd meetings, from 6 to 12 November 1974. In addition, the Special Committee considered the report of the Secretary-General (A/9843) submitted pursuant to Assembly resolution 3092 B (XXVIII). On 29 November 1974, the Assembly examined the report of the Special Political Committee 6/ and adopted resolutions 3240 A to C (XXIX).

10. On 13 October 1975, the Special Committee submitted its seventh report (A/10272) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII) and 3240 A and C (XXIX). The report was discussed in the Special Political Committee at its 985th to 991st meetings, from 26 November to 5 December 1975. In addition, the Special Political Committee considered the report of the Secretary-General (A/10370) submitted pursuant to General Assembly resolutions 3240 A and C (XXIX). On 15 December 1975, the Assembly examined the report of the Special Political Committee 7/ and adopted resolutions 3525 A to D (XXX).

11. On 17 September 1976, the Special Committee submitted its eighth report (A/31/218) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), and 3525 A and C (XXX). The report was discussed in the Special Political Committee at the 17th to 19th, 22nd to 26th and 28th to 32nd meetings of the thirty-first session, from 10 November to 6 December 1976. In addition, the Special Political Committee considered the reports of the Secretary-General (A/31/235 and Add.1 and 2 and A/31/302), submitted pursuant to General Assembly resolutions 3525 A, C and D (XXX). On 16 December 1976, the General Assembly examined the report of the Special Political Committee and adopted resolutions 31/106 A to D. 8/

12. On 17 October 1977, the Special Committee submitted its ninth report (A/32/284) in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX) and 31/106 C and D. The report was discussed in the Special Political Committee at the 23rd, 24th, 26th to 34th and 36th meetings of the thirty-second session from 14 to 30 November 1977. In addition, the Special Political Committee considered the report of the Secretary-General (A/32/308), submitted pursuant to General Assembly resolution 31/106 C. On 13 December 1977, the General Assembly examined the report of the Special Political Committee and adopted resolutions 32/91 A to C. 9/

13. The present report has been prepared in accordance with General Assembly resolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A and C (XXIX), 3525 A and C (XXX), 31/106 C and D and 32/91 B and C.

6/ Ibid., Twenty-ninth Session, Annexes, agenda item 40, document A/9872.

7/ Ibid., Thirtieth Session, Annexes, agenda item 52, document A/10461

8/ Ibid., Thirty-first Session, Annexes, agenda item 55, document A/31/399

9/ Ibid., Thirty-second Session, Annexes, agenda item 57, document A/32/407.

II. ORGANIZATION OF WORK

14. The Special Committee continued its work under the rules of procedure contained in its first report to the Secretary-General. 10/
15. The Special Committee held meetings from 13 to 17 March 1978 at Geneva. The Committee elected Mr. Borut Bohte (Yugoslavia) as its Chairman. At these meetings the Committee reviewed its mandate consequent upon the adoption by the General Assembly of resolutions 32/91 B and C and decided on the organization of its work for the year. It decided to continue its system of monitoring information on the occupied territories and to hold periodic meetings to analyse policies and practices in the occupied territories. It decided, with reference to paragraph 10 of Assembly resolution 32/91 C, to pay special attention to information on treatment of civilians in detention and, for that purpose, decided that individual case histories should be compiled; the special report requested by the General Assembly in that resolution would be included as a distinct part of its main report. The Committee reviewed information on the occupied territories which had become available since 17 October 1977, the date of the adoption of its last report (A/32/284); in that context, it decided that it should be kept informed separately on those situations or incidents which might require its special attention. The Committee examined the arrangements announced by the Israeli authorities concerning visits by delegates of the International Committee of the Red Cross (ICRC) to persons in detention. It held consultations with the expert who had been engaged for the purpose of carrying out the survey requested by the General Assembly in resolutions 3525 C (XXX) and 31/106 D, and with a representative of the Syrian Arab Republic on the implementation of General Assembly resolution 32/91 B. The Committee also examined communications received from Governments and individuals containing information on the situation in the occupied territories. It heard the testimony of Miss Fatma Barnawi, a Palestinian, who had been released after 10 years' imprisonment in the occupied territories. The Committee decided to address itself to the Governments concerned and to persons in the occupied territories whose experience and knowledge of certain facts were considered relevant to its mandate. It decided that the Mayors of Nablus, Hebron, Jericho and Ramallah should be invited to make submissions and possibly to appear before it. In the same context, it decided that paid notices be inserted in the local Israeli and Arab press, recalling the existence of the Special Committee and inviting persons with personal knowledge and experience of events in the occupied territories to communicate with it.
16. On 14 March 1978, letters were sent to the Governments of Egypt, Jordan and the Syrian Arab Republic and to the Palestine Liberation Organization referring to General Assembly resolution 32/91 C and requesting information relative to the mandate of the Special Committee. Several reports were received from the Governments, from the League of Arab States and from the Palestine Liberation Organization transmitting information on the situation in the occupied territories.

10/ Ibid., Twenty-fifth Session, agenda item 101, document A/3039, annex III.

17. On 14 March 1978, a letter was sent to the Secretary-General stating, inter alia:

"At its series of meetings held at Geneva from 13 to 17 March 1978, the Special Committee examined the above-mentioned resolution of the General Assembly and took note of the statements made by the representatives of Israel.

"During these meetings, the Special Committee examined information received by it since 17 October 1977, the date of the adoption of its last report, including information concerning the situation prevailing in the occupied territories in recent weeks.

"The Special Committee is of the view that the situation of civilians in the occupied territories continues to give cause for concern. This applies also to those civilians who are in detention. Information reaching the Special Committee indicates that treatment of detainees, in spite of recent changes, regarding the arrangements for visits by delegates of the International Committee of the Red Cross, remains serious. The Special Committee feels similar anxiety regarding other civilians not in detention, who are now in their twelfth year of military occupation or forced exile from their homes.

"In this context, the Special Committee considers that it would be appropriate, in spite of the statement made by the representatives of Israel at the last session of the General Assembly, to attempt once again to obtain the co-operation of the Government of Israel to enable the Special Committee to visit the occupied territories to carry out an on-the-spot investigation."

18. On 6 April 1978, the Secretary-General informed the Special Committee that the Israeli Mission to the United Nations had reaffirmed that its position remained unchanged.

19. On 23 March 1978, the Special Committee addressed the Permanent Representative of the Syrian Arab Republic to the United Nations Office at Geneva in connexion with the implementation of resolution 32/91 B as follows:

"The Chairman of the Special Committee wishes to express his appreciation for the kind co-operation extended by his Excellency during the exchange of views that took place on 16 March 1978 at the 231st meeting of the Special Committee.

"At that meeting it was indicated to his Excellency that, prior to proceeding to the survey requested by the General Assembly, the Special Committee would need to have a clear definition of those aspects of the destruction of Quneitra that have yet to be assessed in accordance with operative paragraphs 4 and 5 of the above-mentioned resolution. The Special Committee is of the view that, as a first step towards this

definition it would be useful to receive from his Excellency's Government a statement of the nature, extent and value of those aspects of the damage to Quneitra that are still deemed as requiring survey."

20. The Special Committee held a second series of meetings at United Nations Headquarters, New York, from 5 to 9 June 1978. At these meetings the Committee reviewed information that had become available since its March meetings and examined a number of communications received from Governments and private sources. It examined a number of cases of alleged ill-treatment of detainees. It also heard the testimony of Mr. Issa Askar. It decided to follow up certain cases that had been brought to its attention and to request additional information on a number of allegations contained in communications received by it. It examined the information received from the Mayors of the occupied territories. The Mayors of Nablus and Ramallah were away from the occupied territories and the Mayors of Hebron and Jericho informed the Committee that they could not appear before it abroad but were prepared to testify in the occupied territory. On 30 June 1978 the Committee sent the following letter to the four mayors:

" ...

"In spite of repeated efforts, the Special Committee does not have access to the occupied territories, the Government of Israel reconfirmed its refusal to co-operate with the Special Committee most recently on 6 April 1978. It, therefore, remains necessary for the Special Committee to inform itself in the best manner possible of the situation persisting in the occupied territories; it feels that persons holding public office such as yourself could communicate information on the situation in the occupied territories which would be useful to the Special Committee in the execution of its mandate. For these reasons, the Special Committee decided that its invitation to you should remain open.

"The Special Committee, in applying its mandate, recognizes the military occupation as a temporary situation. It considers as its mandate the safeguarding of the human rights of the civilian inhabitants of the occupied territories both as individuals and as a community. It, therefore, follows developments affecting the safety and well-being of their person and property in an effort to protect them until such time as the military occupation comes to an end. The Special Committee realizes the difficulties that surround the situation caused by the Israeli occupation of your area, by the lack of co-operation by the Government of Israel with the Special Committee and by its refusal to allow it access to and freedom to operate in occupied territories. In spite of this it has been the wish of the General Assembly of the United Nations that the Special Committee continue with its work to follow the situation in the occupied territories and to investigate Israeli practices affecting the human rights of the population of the occupied territories.

"In this context, the Special Committee would be interested in receiving information not only on the general situation prevailing in your area but also information on specific events and situations as, for example, the

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recent developments taking place in your area. In addition the Special Committee would be interested in receiving information on the treatment of civilians including the reaction of Israeli military personnel to manifestations against military occupation, prison conditions, and trials of persons from your region. The Special Committee would also benefit from receiving information on any situation that develops affecting the civilian population.

"This information could be communicated by yourself orally, or in writing or by a person or persons on your behalf.

"The Special Committee wishes to reassure you that the situation of the civilians in the occupied territories remains the subject of its attention and that it shall continue to do its utmost to ensure to the extent possible the protection of their rights until the end of the military occupation."

21. The Special Committee held a third series of meetings from 9 to 13 October 1978 at Geneva. At these meetings it reviewed information that had become available since its June meetings. It examined a number of cases of alleged ill-treatment of detainees and a number of reports on conditions in Israeli prisons. It viewed unedited films shot in the occupied territories relating to its mandate. It also examined information received in response to its requests for additional information on cases examined by it at its June meetings.

22. The Special Committee met again at United Nations Headquarters from 6 to 10 November 1978. At these meetings the Special Committee reviewed information on the occupied territories that had become available since its October meetings and heard the testimony of Mr. Abed El Assaly who had been invited by the Committee to appear before it. The Committee considered and adopted its report to the Secretary-General as requested by the General Assembly in resolution 32/91 C.

III. MANDATE

23. The General Assembly, in its resolution 2443 (XXIII) entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States.

24. The mandate of the Special Committee, as set out in the above resolution, was to "investigate Israeli practices affecting the human rights of the population of the occupied territories".

25. In interpreting its mandate, the Special Committee determined, in its first report, that:

(a) The territories to be considered as occupied territories referred to the areas under Israeli occupation, namely, the Golan Heights, the West Bank (including East Jerusalem), the Gaza Strip and the Sinai Peninsula. Following the implementation of the Egyptian-Israeli Agreement on disengagement of forces of 18 January 1974 and the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974, the demarcation of the areas under occupation were altered as indicated in the maps attached to those agreements;

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities. However, the Committee noted that resolution 2443 (XXIII) referred to the "population", without any qualification as to any segment of the inhabitants in the occupied territories;

(c) The "human rights" of the population of the occupied territories consisted of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII), the Special Committee was also required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories; the pillaging of the archaeological and cultural heritage of the occupied territories; and the interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "policies" and "practices" affecting human rights that came within the scope of investigation by the Special Committee referred, in the case of "policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" referred to those actions which, irrespective of whether or not they were in implementation of a policy, reflected a pattern of behaviour on the part of the Israeli authorities towards the Arab population of the occupied areas.

26. Since its inception the Special Committee has relied on the following international instruments in interpreting and carrying out its mandate:

- (a) The Charter of the United Nations;
- (b) The Universal Declaration of Human Rights;
- (c) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949; 11/
- (d) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949; 12/
- (e) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954; 13/
- (f) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land. 14/

27. The Special Committee has also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs, the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights, as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and the International Labour Organisation.

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

12/ Ibid., No. 972, p. 135.

13/ Ibid., vol. 249, No. 3511, p. 215.

14/ Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).

IV. ANALYSIS OF EVIDENCE

28. In this section, the Special Committee gives a breakdown of the information received by it from 17 October 1977 to the date of the adoption of the present report. It constitutes evidence of policies and practices followed by the Government of Israel in the occupied territories. Though by no means exhaustive, it extends over the entire period covered by the report and is a representative cross-section of the information received by the Special Committee. The main purpose of this section is to reflect, as completely as possible, the reality facing the civilian population of the occupied territories.

29. The Special Committee has continued to monitor events in the occupied territories in the best available manner in the absence of the co-operation of the Government of Israel. It has done so by:

(a) Hearing the testimony of persons with first-hand knowledge of the situation of civilians in the occupied territories;

(b) Examining reports in the Israeli press of pronouncements by responsible persons in the Israeli Government;

(c) Following reports appearing in other news media, including the Arab language press and other sectors of the international press;

(d) Examining reports submitted to it by Governments and non-governmental bodies on the situation in the occupied territories;

(e) Viewing unedited film material of events in the occupied territories.

30. The Special Committee heard the testimony of Miss Fatma Barnawi during its meetings from 13 to 17 March 1978 (reproduced as documents A/AC.145/RT.94, 95 and 96). During its meetings from 5 to 9 June 1978, the Committee heard the testimony of Mr. Issa Askar (reproduced as document A/AC.145/RT.97). During its meetings from 6 to 10 November 1978 the Committee heard the testimony of Mr. El Assaly (reproduced as documents A/AC.145/RT.246, 247, 248 and 251).

31. In addition, the Special Committee received reports from the Governments of Egypt, Jordan and the Syrian Arab Republic containing information on the situation in the occupied territories. It also received reports from the Womens International Democratic Federation, the Committee for the Defence of Palestinian Human Rights under Israeli occupation and from several individuals in the occupied territories and in other areas. The Committee took note of several expressions of concern that reached it on various aspects of the situation of the civilians of the occupied territories, in particular the plight of persons held in prison.

32. In the following paragraphs, the Special Committee gives examples of the kind of information that it has received and which, in its view, constitutes relevant evidence illustrative of the policies and practices followed by Israel in the occupied territories. In general it may be stated that this evidence can be classified under two categories:

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(a) That which relates to the policies and practices followed by the Government of Israel with regard to the occupied territories as such;

(b) That which concerns the situation of the civilians in the occupied territories as a result of the state of military occupation.

33. As regards the policies and practices with regard to the occupied territories, this evidence consists of a number of statements by members of the Government of Israel and by other persons in responsible positions which, together, reflect the Government's policies. In the same context, this evidence is supplemented by information reflecting the activities and measures undertaken to implement these policies.

34. As regards the information concerning the situation of the civilians as a result of the occupation, this consists of reports of incidents that have occurred in the occupied territories during the period covered by the present report, and arrests of groups of civilians, their trials and, where applicable, their releases.

35. The information received by the Special Committee relevant to the treatment of civilians who are under detention and information describing prison conditions in general are covered in the special report appearing in section V below.

36. The information is assessed in section VI below, where the Special Committee formulates the conclusions reached by it based on the analysis contained in the present section.

A. Evidence relating to policies and practices followed by the Government of Israel with regard to the occupied territories

37. The information reproduced in the following paragraphs is given in the form of summarized versions of the reports cited:

38. The Minister of Agriculture, Mr. Sharon, stated that priority would be given to the development of established settlements rather than to the creation of new settlements. (Jerusalem Post, 11 November 1977)

39. Mr. Sharon told the press on 28 November 1977 that about one fifth of the Agriculture Ministry's development budget for the coming fiscal year would be used for the establishment of new settlements. (Jerusalem Post, 29 November 1977)

40. Mr. Tzipori, Deputy Minister of Defence, said that top priority was given to the Golan in the Government's budget, and that two new settlements were to be established shortly. (Ma'ariv, 20 December 1977)

41. Plans to double the population of the settlements in and around the Rafah area were announced on 2 January 1978 at a meeting of the Jewish Agency Executive by Mr. Ra'anana Weitz, head of the Agency's Settlement Department. (Jerusalem Post, 3 January 1978; Asha'b, 4 January 1978)

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42. The World Zionist Organization presented a plan to the Minister of Agriculture, Ariel Sharon, calling for 510 new families to settle in the Rafah Salient, both in existing settlements and in new ones. (Jerusalem Post, 9 January 1978)
43. The Jewish Agency's Settlement Department, dealing with establishment of new settlements in the occupied territories, submitted a plan providing for the creation of 57 new settlements to the Twenty-ninth Zionist Congress; the settlements are to be created within the next four years, including some in the occupied territories. In addition, another plan is being elaborated for the creation of 14 new settlements in the Jordan Valley. (Ha'aretz, 20 and 27 February 1978)
44. Mr. Weizman, Minister of Defence, expressed support for the creation of civilian centres with tens of thousands of inhabitants in each, as distinct from settlements with a population of several dozen families or less. Mr. Weizman was quoted as being in favour of strengthening and thickening the following settlements: Gi'von (north-east of Jerusalem), which should have a population of 5,000 families; Maaleh-Adumim (east of Jerusalem), with 7,000 families; and the Etzion bloc (south of Jerusalem), with 8,000 families. According to the report, Mr. Weizman was of the view that other big urban centres should be created on the northern West Bank, namely: Haris, with 14,000 families; Karney-Shomron, with 2,000 families; and Naby-Saleh, with 2,000 families. All three are located west of Nablus. According to Mr. Weizman "the creation of big urban centres such as these could ward off political difficulties, since the sites have been approved by the Government, and civil nuclei already live there". (Ha'aretz, 13 March 1978)
45. Mr. Sharon, speaking as Chairman of the Ministerial Committee on Settlement, said it "intends to spend 180 million Israel pounds, a third of the settlement budget, on new sites in Judaea and Samaria". (Jerusalem Post, 6 March 1978)
46. The World Zionist Organization (WZO) and the Jewish Agency asked for a greater voice in the Government's decisions on where to build new settlements. According to WZO, "the final decision must continue to be the responsibility of the Government, but its partners must be seriously consulted and not just expected to implement cabinet decisions". "The Jewish Agency is currently responsible for carrying out settlement policy within the 'green line', and WZO for settlement in the Administered Territories. Their representatives sit jointly with the Government's settlement officials in a special committee, with each partner sending 10 members". (Jerusalem Post, 15 March 1978)
47. The Minister of Agriculture, Mr. Sharon, announced, during a statement to settlers in Ofra, that 30 settlements were to be established in 1978 "throughout the country". The Minister referred to progress achieved in the implementation of the settlement policy and quoted the examples of Sanur, where settlers now lived, Shomron, near Sebastia, currently housing 40 families, Kaddum, which had remained an illegal settlement for so long and which now had 64 housing units with an additional 70 under construction, the new settlements at Karney-Shomron and Haris, where 200 flats were under construction, Tapuah, which was ready to receive new settlers, and Beit-El, where the ground had been prepared for the establishment of a permanent settlement. In addition, Mr. Sharon disclosed that a new settlement, called Maaleh-Nahal, had been established at Silat-Ad-Dhahr. The choice of the

location of this settlement, according to Mr. Sharon, was determined by reasons of State security. Mr. Sharon referred briefly to a recent phenomenon, of an influx of Bedouins from the Mt. Hebron area and the coastal plain in Sinai, who squatted on lands earmarked for settlement, and said that this had reached a level of thousands of people - "we evacuate them" he said. (Ma'ariv, 29 June 1978)

48. The Ministerial Committee on Settlement received a plan giving details of settlement in the Jordan Valley. The plan includes the construction of a water-way from the "Sea of Galilee to the southern Jordan Valley and the construction of a road from northern Jerusalem, running parallel to the hills of Samaria". The plan involves the creation of 33 settlements in four years on the eastern side of the Samaria hills, at a cost of approximately one third of a billion dollars (£I 5 billion). (Al Hamishmar, 6 July 1978)

49. The Gush-Emunim movement had published a master plan to increase the number of Jewish settlers on the West Bank to 100,000 during the next three years; it proposed the establishment of 32 new settlements and the expansion of the existing ones to create the nucleus for the settlement of 750,000 Jews by the turn of the century. The plan was delivered to Government Ministers from whom support for the plan's implementation was expected. A spokesman for the Chairman of the Ministerial Committee on Settlement, Mr. Sharon, commented that the Minister was not likely to have anything to say on the plan since "The Minister had his own (plan) and that is what is being implemented". The report gave details of the long-range Gush-Emunim plan which envisaged the creation of two cities (in Kiryat-Arba and in the Haris area), four towns placed in the north, centre and south of the West Bank, 20 suburban quarters around Jerusalem, and 25 clusters of villages. The plan was presented to the Prime Minister on 10 July 1978. (Jerusalem Post, 7 and 11 July 1978)

50. The heads of the Settlement Department addressed a letter to the Ministers of Finance, Housing and Agriculture requesting a \$38 million (£I 700 million) supplement to the budget for the establishment of settlements on either side of the 1949 cease-fire line; without such a supplement the decisions of the Ministerial Committee on Settlement could not be executed. In the existing budget approximately \$0.6 billion (£I 2.5 billion) were earmarked for new settlements and the extension of existing ones. Additional allocations had been made from the budget of the Housing Ministry, \$40 million (£I 830 million) and \$30 million (£I 600 million) from the Ministry of Agriculture. Over \$2 million (£I 37 million) of the reserve budget had been allocated to the Yamit area settlements. (Al Hamishmar, 12 July 1978)

51. Mr. R. Weitz, Head of the Settlement Division of the World Zionist Organization, acting in his personal capacity, presented a master plan to Mr. Begin which envisaged the establishment of a Palestinian Arab State in Judaea and Samaria and gave details on its proposed materialization. Mr. Weitz laid down the following conditions for the acceptability of a Palestinian State on the West Bank: the increase of Israeli settlements in the Jordan Valley from 21 to 38 in five years; the doubling of the Rafah area settlements by 1983 from 13 to 27; the creation of 102 rural settlements with 9,900 families (nearly half to be inside the occupied territories) within five years; and the increase of the urban population

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in 30 selected areas such as Jerusalem and in 13 "development towns" in special need of strengthening. (Jerusalem Post, 27 August 1978)

52. Mr. Sharon, the Minister of Agriculture, stated during his tour of Israeli settlements on the West Bank, that the Government's "Settlement Programme" was "not to touch the large Arab concentrations but to establish Jewish populated strips" between the Mediterranean and Jordan and to encircle Jerusalem with Jewish settlements in order "to ensure Jerusalem's Jewishness even at the expense of the development of Jerusalem". Mr. Sharon considered this vital "since some 40,000 Arabs have moved from rural areas in Judaea and Samaria to East Jerusalem and its region". (Jerusalem Post, 8 August 1978; Ma'ariv, 8 August 1978)

53. Mr. Begin stated at a meeting with members of the "Ein-Vered" Group (members of collective agricultural settlements affiliated to the Labour Party, who are partisans of settling "in all parts of Israel") that diplomatic moves would not halt settlement, but that the timing of settlement would be decided by the Government at its discretion. (Ha'aretz, 31 August 1978; Jerusalem Post, 31 August 1978)

54. The Foreign Minister, Mr. M. Dayan, stated on 25 September 1978 that "there wasn't even the slightest fear that this Government would agree to remove even one settlement from Judaea and Samaria or from the Gaza District". (Ha'aretz, 26 September 1978)

55. Mr. Sharon announced on 5 October 1978 that the Government was to start setting up more settlements in the Jordan Valley once the three-month period following the signature of the Camp David accords was over. Mr. Sharon stressed that the Jordan Valley settlements would not be evacuated and said he had no doubt that Jews would not be under Arab sovereignty. He promised that the Government would start creating new settlements, in addition to expanding and consolidating the existing ones, and that the budget for the consolidation of the Jewish settlement in the Jordan Valley would be increased. (Ma'ariv, 6 October 1978)

56. In the course of the general debate at the current session of the General Assembly, the Foreign Minister, Mr. Dayan, stated on 9 October 1978: "The Israeli settlements in Judaea, Samaria and the Gaza district are there as of right. It is inconceivable to us that Jews should be prohibited from settling and living in Judaea and Samaria, which are the heart of our homeland." (A/33/PV.26, p. 42)

57. The Prime Minister, Mr. Begin, stated on 31 October 1978 that "the Jewish people's right to settle in all parts of the land of Israel is inalienable. This right has been carried out in the past, and will be in the future". (Jerusalem Post, 31 October 1978)

B. Evidence reflecting the activities and measures undertaken to implement the policies and practices of the Government of Israel with regard to the occupied territories

58. The settlement of Kassrout was established in the Latroun area, near the site of the village of Emmaus (totally demolished in July 1967), El Mandrasa. (Asha'b, 10 October 1977)
59. On 9 November 1977, the Ministerial Committee on Settlement, headed by the Minister of Agriculture, Mr. Sharon, approved the construction of a "cross-Samaria axis", to link the Dan bloc to Maaleh-Efraim and to expand the regional centre of the Etzion bloc. (Ha'aretz, 10 November 1977)
60. It was reported that the Ministries of Agriculture, Construction and Housing, and Industry, Commerce and Tourism were to move offices from Tel Aviv to Jerusalem. (Jerusalem Post, 24 November 1977)
61. On 1 December 1977, two groups of Israeli settlers moved into two Israeli army camps on the West Bank: Beit Horon and Gi'von. Beit Horon settlement is situated on the lands of the village of Beit-Hour El Fawqi. Most of the settlers are employed by the military industries (Israel Aircraft Industries and El Al). Gi'von settlement is situated on the lands of the village of Al-Jib. The families were expected to settle within the next three weeks, and a kindergarten was to be opened after the Hanukka holidays (in January). The two settlements were peopled by new immigrants from the Union of Soviet Socialist Republics and had been established in implementation of a government decision taken two months ago - after an arrangement between the Prime Minister, the Minister of Agriculture and the leaders of the "Emunim bloc" allowing the Gush Emunim to set up several settlements in army camps, on the West Bank, within the limit of the current fiscal year. (Ha'aretz, 1-2 December 1977; Jerusalem Post, 2 December 1977; Al Quds, 2 December 1977; Yediot Aharonot, 1 December 1977; Al-Hamishmar, 2 December 1977)
62. The settlement of Kfar Ruth was inaugurated on 11 December 1977 by a ceremony on a hilltop near the site where the settlers were living. Kfar Ruth was a moshav (semi-co-operative settlement), established in the former no man's land between Israel and Jordan. The settlers would grow flowers and vegetables for export. The settlement was part of a plan approved by the former Government. (Davar, 11 December 1977; Jerusalem Post, 12 December 1977)
63. Seven Arab families were evicted from the Latroun area, with their flocks, in order to "safeguard the natural surroundings". (Al Fajr, 15 December 1977)
64. The settlers of Karney-Shomron moved, during the first week of January 1978, to their permanent camp, south of Alon-Moreh. (Ha'aretz, 3-6 January 1978)
65. On 19 January 1978, Housing Ministry workers started preparing an area east of Qaddum to set up 60 prefabricated houses by April 1978. Workers of the Public Works Department started building a road to Qaddum. (Ma'ariv, 15 January 1978)

66. A group of immigrants from France (30 families) had been authorized to settle beyond the "green line" in an area called Rotem, near Fatzael in the Jordan Valley. (Ma'ariv, 20 January 1978)
67. During the first week of January 1978, two groups of settlers moved into a new Nahal outpost called Sal'it. The settlement was planned to become a civilian co-operative village (based on growing flowers for export and creating electronics, and plastic industries). (Ma'ariv, 25 January 1978)
68. A ceremony for the inauguration of Katzrin was held on 23 January 1978. It was attended by several official Israeli personalities, among them the Minister of Housing and Construction, Mr. Gideon Pat, who stated: "The Golan Heights is today a de facto part of Israel, and one day it will also be recognized de jure as such", and by the new "Joint Committee" of the Golan Heights. Katzrin was planned to be a "major settlement on the Golan ... (whose) industry and services will play a role in the daily life of Galilee as well". (Ha'aretz, 22-24 January 1978; Jerusalem Post, 24 January 1978)
69. A settlers' group moved on 15 February 1978 into its new settlement site on the Nablus-Qalqilya road. According to a Defence Ministry source "17 or 18 families moved from camp Kaddum, where they had been living since October 1977". (Jerusalem Post, 12-16 February 1978)
70. A group of 20 Gush-Emunim settlers moved to Haris settlement (situated east of Mes'ha, some 15 kilometres beyond the 1949 armistice line) at the beginning of February 1978. This advance group was preparing the infrastructure for the permanent settlement. (Jerusalem Post, 2-9 and 10 February 1978; Ha'aretz, 13 February 1978)
71. Two hundred housing units were under construction at Ofira, the Israeli settlement on the southern tip of the Sinai peninsula, in addition to the 300 already completed. A decision had been taken to construct a further 100 units after the 200 were completed. (Ma'ariv, 13 April 1978)
72. Sources in the Prime Minister's office had confirmed that the operational decisions with regard to the creation of settlements in the territories had been transferred, since 16 April 1978, from the Ministerial Committee on Settlement, headed by Mr. Sharon, to the Ministerial Committee on Security Affairs, headed by the Prime Minister. These "operational decisions" included the date of settling and the enlargement of existing settlements. (Ha'aretz, 19, 20 and 21 April 1978; Jerusalem Post, 20 April 1978)
73. A provisional settlement, situated in the Tulkarem area, was officially inaugurated by the Minister of Education and Culture, Mr. Hammer, on 25 April 1978. It was defined by the Government as a military outpost and not as a civilian settlement. (The Ha'aretz correspondent comments that in fact it was built as a civilian settlement to all intents and purposes, for the place is not attached to any army camp.) The present site was temporary; the permanent site was situated nearby on the two hills known as Abu Kornein (the two horns) which gave the settlement its name. (Ma'ariv, 26 April 1978; Asha'b, 26 April 1978; Ha'aretz, 26 April 1978; Jerusalem Post, 24 April 1978)

74. Land preparation works started at Tapuah settlement in the Northern West Bank, situated 12 kilometres south of Nablus, on the Nablus-Ramallah road. According to one report in Ha'aretz, "the military outpost of Tapuah, in Samaria, is to become civilian at the end of this month or the beginning of next month". (Ha'aretz, 16 May 1978; Jerusalem Post, 16 May 1978; Ha'aretz, 15 and 16 May 1978; Asha'b, 17 and 22 May 1978)
75. According to the Jerusalem Post "civilian contractors have started to prepare an interim settlement site for the Gush Emunim's Beit-El settlement nucleus, outside the army camp in which they now live", and the site has been levelled and prefabricated houses have been brought to it. (Jerusalem Post, 12 May 1978)
76. Fourteen enterprises with 137 workers are already operating in the new industrial zone of Maaleh Adumim (half way between Jerusalem and Jericho). The number of workers is to reach between six and seven hundred within the next six months, according to Mr. Hurvitz, the Minister of Industry, Commerce and Tourism. Until now about £I 50 million has been invested in the zone by the Jerusalem Economic Corporation which is planning to invest a further £I 40 million during the current fiscal year. Of the 2,400 dunams in the settlement area, 530 already have factories built on them. (Jerusalem Post, 23 May 1978; Asha'b, 23 May 1978)
77. Nine hundred and fifty prefabricated houses have been ordered by the Israeli Government for the use of the West Bank settlements. (Asha'b, 17 May 1978)
78. The Ministry of Housing and Construction budgeted £I 80 million (\$4 million) on provisional construction in new settlements of the northern region of the West Bank from a global provision of £I 170 million (\$8.5 million) earmarked for settlements. £I 53 million (approximately \$2.5 million) is to be spent by the Zionist Federation Settlement Department on procuring settlers for the settlements at Salit, Reyhan and Tapuah. The rest of the budget is to be spent on maintenance of the outposts established in the Rafah Salient. (Ha'aretz, 6 June 1978)
79. Three hundred and twenty housing units of various sizes are under construction in new settlements in the northern region of the West Bank. This statement is attributed to "settlement sources". These units are destined for the settlements of Qaddum (70 units), Tekoa (20 units), Beit-Horon (45 units), Sanur (45 units), Beit-El (45 units), Tapuah (5 units), and Nabey-Saleh (45 units). (Ma'ariv, 13 June 1978)
80. According to another report the budget for the establishment of new settlements forms part of the development budget of the Ministry of Agriculture and totals £I 415 million (\$20.7 million), the budget for new settlements is divided as follows: Golan Heights - £I 81 million (\$4 million); Jordan Valley - £I 69 million (\$3.4 million); Rafah Approaches (Gaza Strip) - £I 95 million (\$4.7 million); and £I 28 million (\$1 million) in "ground works". (Al Hamishmar, 13 June 1978)
81. Two hundred and fifty acres of land, seized in 1976 for security purposes, form part of an area currently being prepared for the establishment of a new

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settlement called Vafit, located in the central area of the Jordan Valley, near the settlement of Arzaman. (Al Hamishmar, 13 June 1978)

92. The Chairman of the Ministerial Committee on Settlement, Mr. Sharon, announced on 3 July 1978 that the first stage of the Government's plan for settling Jews on the northern West Bank had been completed and the Government was moving to double the Jewish population there to 1,000 families within a year. The present Government had established 15 settlements on the West Bank in addition to those established under the previous Government. The Minister was speaking at the settlement of Karney-Shomron where, according to the Minister, 100 housing units were to be added to the existing 38. The second stage of the settlement plan's implementation should be achieved smoothly and he expected little trouble when the third stage was implemented, i.e., when the settlers moved to permanent sites. According to the Minister the settlements had been located "partly to out-flank the 300,000 Arabs who straddle the former armistice line" near Netanya and Tulkarm. In addition to the strip of settlements stretching from North to South in Samaria, other settlements had been established along planned East-West routes: one route existed from Peta-Tikva, through Tikana (the new name of the settlement at Mash'a), Haris and Tapuah to Maaleh-Efraim, and a second route from the Hadera region through the settlements at Sanur and Maaleh-Nahal (formerly known as Silat-E-Dahar) to the northern part of the Jordan Rift. The Minister added that 120 families were to move into the Haris settlement by September and another 80 families by December. (Jerusalem Post, 4 July 1978; Al Hamishmar, 4 July 1978; Al Quds, 4 July 1978)

93. The Ministerial Committee on Settlement had approved the establishment of a town in the Maaleh-Adumim area, 11 kilometres from the centre of Jerusalem. The permanent site for the settlement was also chosen 4 kilometres east of the present location. The Housing Ministry had approved 5,000 housing units and preparation for the work was to get under way by November with construction of the first 1,000 flats starting during the first half of 1979. The new town was to be built on land expropriated in 1974 after a Government decision to establish an industrial zone there. (Ha'aretz, 6 July 1978)

94. With reference to the case of Mohammed Burkan, it was reported that the High Court of Justice had dismissed the petition by Mr. Burkan to allow him to purchase an apartment in the Jewish Quarter of the Old City of Jerusalem. Mr. Burkan and his family had been evicted from the site some years earlier and he had applied to purchase an apartment on his expropriated property. In dismissing the petition, the Court emphasized that restricting the Jewish Quarter to Jews did not constitute prejudice; any discrimination against Jordanian citizens is "legitimate and justified by political and security considerations in view of the atrocities perpetrated by Jordan in the Old City between 1948 and 1967". (Jerusalem Post, 5 and 7 July 1978; Ha'aretz, 18 July 1978)

95. The first settlers were to arrive in Maaleh-Efraim (mid-way between the north shore of the Dead Sea and the Sea of Galilee, 30 kilometres north of Jericho) on 12 July 1978. Five hundred housing units had been prepared and 75 were under construction. The settlement would have 2,000 flats in its final stage. In

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addition, a number of public buildings had also been completed. Maaleh-Efrain was to develop into an urban centre to provide services to the entire Jordan Valley area. (Ma'ariv, 9 July 1978; Jerusalem Post, 13 July 1978; Ha'aretz, 13 July 1978; Davar, 13 July 1978; Zu Haderekh, 19 July 1978; Al Quds, 13 July 1978)

86. In January 1978, the Government decided that the Haris settlement, south-west of Nablus, currently a military camp, should become the biggest city in the area, with 50,000 inhabitants and covering an area of 5,000 dunams (500 square kilometres). Work was being carried out simultaneously on both temporary and permanent construction, including a three-storey school on the permanent site, and 80 units had been completed while 40 others remained under construction. The first 47 settlers' families, members of a Gush-Ezraim nucleus of new immigrants from the USSR, had recently taken over permanent houses, although it was expected that the families would number 200 in the near future. (Ma'ariv, 8 August 1978; Jerusalem Post, 8 August 1978; Davar, 17 August 1978; Ha'aretz, 17 August 1978; Jerusalem Post, 17 and 18 August 1978; Ha'aretz, 18 August 1978; Asha'b, 18 August 1978)

87. The dedication ceremony for the Kibbutz Ortal, in the Golan Heights, was held on 4 September 1978. (Jerusalem Post, 5 September 1978)

88. According to another report, a new settlement was to be established in the Golan Heights during the three-month settlement freeze pledged by Mr. Begin. During the following week the Government was to start strengthening settlements on the West Bank, "since the undertaking to avoid settlement related only to new settlements". The report quotes the Prime Minister, Mr. Begin, as stating that "it must be made clear that Israel would act vigorously to strengthen settlements in Judea and Samaria as well as in the Golan Heights". Only by expanding the existing settlements and maintaining the Israeli military presence agreed upon in the Camp David talks, would Israel be able to ensure a "strong grasp" of those areas. (Ma'ariv, 27 September 1978)

C. Evidence relating to the day-to-day situation of the civilians in the occupied territories

89. Reproduced below is a representative cross-section of reports of incidents occurring in the occupied territories during the period covered by this report, showing the date, place and type of incident, and giving the source of the reports in chronological order (table 1). This is followed by a cross-section of reports of arrests of groups of 10 or more civilians and of trials and releases (tables 2-5). The Special Committee has followed information on arrests, trials and releases of civilians as reported in the press. It is in possession of detailed lists of such reports; however for the purposes of this report, the Special Committee has limited itself to information of arrests of groups of 10 or more civilians and to tables showing frequency of trials and releases. The

terminology used in the following tables is that found in the press reports and does not necessarily reflect the views of the Special Committee. 15/

90. In view of the conclusion reached by the Special Committee in its previous reports that the military occupation constitutes in itself a violation of the human rights of the civilians of the occupied territories, it considers that information on incidents (and their repercussions) directly attributable to the military occupation would be relevant to an examination of the human rights of the civilian population.

91. The reports listed below are descriptive of the current situation of the human rights of the civilian population. The Special Committee gives its evaluation of their effect on these human rights in section VI below.

15/ The following abbreviations of names of newspapers are used in the tables hereunder.

M.	MA'ARIV
H.	HA'ARETZ
JP.	JERUSALEM POST
ASH.	ASHA'B
ALQ.	AL QUDS
AFP.	Agence France Presse
ITIM.	Israel news service

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Table 1. Representative cross-section of reports of incidents

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
14 September 1977	Nablus	Explosive charge went off in the town's main square. Border guards arriving at the square were stoned by youths	M. 15 September 1977
11 September 1977	Nablus	Two molotov cocktails thrown at the guard's hut of the old Military Government building, opposite the Town Hall	M. 15 September 1977
3 October 1977	Jerusalem	Bomb explosion at the central bus station	JP. 3 October 1977
5 October 1977	Silwad	Riot of Arab students against the settlement policy	JP. 6 October 1977
8 October 1977	Jerusalem	Grenade explosion at the Baptist church	JP. 11 October 1977
15 October 1977	Old City of Jerusalem	Two bomb explosions	JP. 16 October 1977 ITIM
2 November 1977	Nablus	Partial business strike Pupils' demonstrations Leaflets (signed by FATH) distributed, calling for protest against new settlements and annexation of the territories	H. 3 November 1977
2 November 1977	Ramallah	Partial school strike	H. 3 November 1977
2 November 1977	Bir-Zeit	Partial strike at the Bir-Zeit College	H. 3 November 1977
4 November 1977	Jerusalem	Bomb explosion in an Egged bus	JP. 6 November 1977

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
4 November 1977	Jerusalem	Bomb explosion near soldiers' hitchhiking station on the Jerusalem-Bethlehem road	JP. 6 November 1977
11 November 1977	Nablus	Hand grenade thrown at an Army patrol circulating in the town's main street during the night	M. 13 November 1977 <u>Le Monde</u> , 12 November 1977
13 November 1977	Jerusalem (Christian quarter)	Bomb explosion blew out floor of a house	JP. 14 November 1977
13 November 1977	Near the village of Idna, west of Hebron-El-Khalil	Egged bus ambushed and shot at	JP. 14 November 1977 H. 14 November 1977
17 November 1977	Nablus	Students marched in the streets during class-hours singing anti-President Sadat songs	M. 18 November 1977
3 December 1977	Jerusalem (David Street, Old City)	Bomb explosion	<u>Le Monde</u> , 6 December 1977 AFP.
3 December 1977	Nablus	Violent student demonstrations and riots	M. 4 December 1977 H. 4 December 1977
11 December 1977	Nablus	Leaflets calling for a strike on 14 December 1977 distributed	<u>Davar</u> , 12 December 1977
14 December 1977	Bir-Zeit	Student demonstration following a call for a general strike	H. 15 December 1977
14 December 1977	Nablus	School disturbances - 15 arrests	H. 15 December 1977
18 December 1977	Jerusalem (Bethlehem road)	Grenade explosion	JP. 19 December 1977

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
24 December 1977	Bethlehem (in Manger Square near the Church of the Nativity)	Explosion of a hand-grenade	JP. 25 December 1977 <u>Yediot Aharonot</u> , 25 December 1977
25 December 1977	Jerusalem (Keren Kayemet Street)	Bomb explosion	<u>Yediot Aharonot</u> , 26 December 1977
26 December 1977	Ramallah area	Murder of Hamdi EL-Kadi, 40 (from Houssan village, near Bethlehem), Deputy Director of the Education Office of Ramallah	JP. 27 December 1977 <u>Davar</u> , 27 December 1977 <u>Yediot Aharonot</u> , 27 December 1977 H. 27 December 1977 M. 27 December 1977
"several weeks earlier"	Ramallah area	Murder of Selim Jamil, 23	H. 27 December 1977
25 December 1977	Jerusalem (outside the Rehavia high school)	Explosive charge went off	JP. 2 January 1978 <u>Yediot Aharonot</u> , 2 January 1978
27 December 1977	Jerusalem (Santadriya quarter)	Bomb explosion in an Egged bus	JP. 2 January 1978 <u>Yediot Aharonot</u> , 2 January 1978
31 December 1977	Bethlehem	Explosive charge went off outside the local courthouse	JP. 2 January 1978 <u>Yediot Aharonot</u> , 2 January 1978
1 January 1978	Jerusalem (near King David Hotel)	Explosive charge defused before explosion	JP. 2 January 1978 <u>Yediot Aharonot</u> , 2 January 1978
2 January 1978	Hebron-El-Khalil	Explosive charge went off near a taxi station	H. 3 January 1978
4 January 1978	East Jerusalem	Small bomb discovered outside of Bank Hapoalim, in A-Zahara Street	JP. 5 January 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
7 January 1978	Nablus (near the Balata refugee camp)	Border police patrol attacked by a group of rioters	M. 8 January 1978
7 January 1978	Nablus	Tourist coach stoned by rioters	M. 8 January 1978
7 January 1978	Ramallah (Teacher's training school)	Student demonstration against President Sadat's peace initiative The Teacher's training school was closed for 21 days by the Israeli authorities following these incidents	<u>Yediot Aharonot</u> , 8 January 1978
8 January 1978	Jerusalem	Hand-grenade explosion in bus terminus	ASH. 9 January 1978 JP. 9 January 1978 ALQ. 9 January 1978
9 January 1978	Jerusalem (Neve Yaacov quarter)	Bomb defused	JP. 10 January 1978 ALQ. 10 January 1978
15 January 1978	Jerusalem	Explosion in an Egged bus	ALQ. 16 January 1978 ASH. 16 January 1978 JP. 16 January 1978
25 January 1978	Northern Jerusalem (Shmuel Hanavi quarter)	Explosive charge went off	H. 26 January 1978
23 January 1978	Northern Jerusalem (Shoufat refugee camp)	Sabotage charge went off in the hands of a young Arab, 23	H. 26 January 1978
27 January 1978	Nablus	Youths demonstrated in protest against the new settlement operations in the territories Israeli cars and security vehicles stoned; tyres burned	H. 29 January 1978 <u>Le Monde</u> , 29-30 January 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
29 January 1978	Between Naby-Saleh and Kafr Ein	Murder of a "Dan" busdriver	H. 30 and 31 January 1978
		Curfew imposed on the villages of the Ramallah area	M. 30 and 31 January 1978
2 February 1978	Hebron-El-Khalil	Bomb explosion at the central taxi station	JP. 3 February 1978
3 February 1978	Jerusalem (at the Police Headquarters-Russian compound)	Bomb explosion	JP. 5 February 1978
5 February 1978	Nablus	Student demonstrations Partial business strike Israeli cars stoned Tyres burned	H. 6 February 1978
6 and 7 February 1978	Nablus	Student demonstrations against settlements and in support of PLO and the Algiers Conference	H. 8 February 1978 <u>Yediot Aharonot</u> , 6 February 1978 <u>Zu Haderekh</u> , 8 February 1978
8 February 1978	Ramallah	Murder of Abdul Nur Khalil Janhu, 54, a local businessman. Denounced by the PLO as an "agent collaborating with the Zionist authorities"	JP. 9 February 1978
			H. 10 February 1978
			H. 12 February 1978
			H. 13 February 1978
			H. 16 February 1978
			H. 26 February 1978
			<u>Le Monde</u> , 13 February 1978
			ASH. 9 February 1978
			<u>Yediot Aharonot</u> , 9 February 1978
10 February 1978	Jerusalem (in a supermarket on Agron Street)	Explosive charge went off	ALQ. 11 February 1978
13 February 1978	Jerusalem (near an army transport station in the south of the city)	Explosive charge dismantled	ALQ. 14 February 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
15 February 1978	Jerusalem	Bomb explosion in an Egged bus	<u>Herald Tribune</u> , 16 February 1978 <u>Le Monde</u> , 16 February 1978 <u>Agence Telegraphique Juive</u> , 16 February 1978
16 February 1978	Jerusalem (at a Zionist Youth farm)	Explosion of a charge - material damage, no injuries	ALQ. 17 February 1978
19 February 1978	Jerusalem (Hebrew University)	Explosion of a charge Another charge discovered and dismantled	H. 20 February 1978 M. 27 February 1978
25 February 1978	Gaza (on railway line linking Gaza to Rafah)	Explosive charge went off	ASH. 26 February 1978
1 March 1978	Northern Ramallah (near Ramoun village)	Explosives discovered	ALQ. 2 March 1978
3 March 1978	Jenin (in the Martyrs' Square in the town centre)	Explosive charge discovered and defused	ASH. 4 March 1978 ALQ. 5 March 1978
4 March 1978	Jerusalem (Ramat Eshkol)	Explosive charge went off under a car	ALQ. 5 March 1978 ASH. 5 March 1978
10 March 1978	Adna area (no man's land between the West Bank and Israel)	Bomb explosion	ALQ. 11 March 1978
16 March 1978	East Jerusalem - Beit Hanina, Shu'fat, Temple Mont and Old City	Students' riots and demonstrations Tyres burned Anti-Zionist placards waved Vehicles stoned	M. 17 March 1978 JP. 17 March 1978 M. 19 March 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
16 March 1978	Ramallah	Riots Students attempted to block the main road	M. 17 March 1978 JP. 17 March 1978 M. 19 March 1978
16 March 1978	Nablus	Students burned tyres and stoned vehicles	M. 17 March 1978 JP. 17 March 1978 M. 19 March 1978 JP. 19 March 1978
16 March 1978	Tulkarem	Students demonstrated and threw stones	M and JP. 17 March 1978 M and JP. 19 March 1978
16 March 1978	Beit Jala	Riots	M and JP. 17 March 1978 M and JP. 19 March 1978
16 March 1978	Hebron- El-Khalil	Secondary school students rioted, burned tyres and hurled stones at the border police	M. 17 March 1978 JP. 17 March 1978 M. 19 March 1978 JP. 19 March 1978
16 March 1978	Jericho	Riots in the town's main streets	M. 17 March 1978 JP. 17 March 1978 M and JP. 19 March 1978
17 March 1978	Gaza Strip (Jabaliya camp)	Demonstrations	M. 17 March 1978 JP. 17 March 1978 M. 19 March 1978 JP. 19 March 1978 ASH. 20 March 1978
17-18 March 1978	Nablus	Student demonstrations	M. 19 March 1978
19 March 1978	Gaza	Student demonstrations Vehicles stoned	M. 19 March 1978
19 March 1978	Khan Yunis	Student demonstrations Israeli vehicles stoned	M. 20 March 1978 JP. 20 March 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
19 March 1978	Dahiriya (Hebron-El-Khalil area)	Student riot Israeli cars stoned	M. 20 March 1978 JP. 20 March 1978
19 March 1978	East Jerusalem, Nablus, Hebron-El-Khalil, Bethlehem, Ramallah, Jericho, Gaza Strip	Disturbances continued	JP. 20 March 1978 M. 20 March 1978
20 March 1978	East Jerusalem, Khan Yunis, Gaza, Ramallah) Hebron-El-Khalil) Bethlehem)	Demonstrations continued and two-hour business strike	M. 21 March 1978 JP. 21 March 1978 JP. 22 March 1978
20 March 1978	Jerusalem (Talpiot quarter)	Explosive charge discovered and defused	JP. 21 March 1978
20 March 1978	On the road between Hebron-El-Khalil and Ein Jadda (in front of a branch of the POALIM Bank, a workers' bank)	Explosive charge discovered and defused	ALQ. 21 March 1978 ASH. 22 March 1978
22 March 1978	Deir Abu Mashal	"Dan" Co-operative bus ambushed and set on fire	M. 23 March 1978 JP. 23 March 1978 ASH. 23 March 1978
23 March 1978	Jerusalem (Atarot/Kalandiya Airport)	Explosive charge discovered and dismantled	JP. 24 March 1978 ASH. 24 March 1978
25 March 1978	Ramallah	Three explosive charges discovered and defused	ASH. 26 March 1978
end of March 1978	Jerusalem (French Hill)	Car set on fire	H. 30 March 1978 ALQ. 31 March 1978
30 March 1978	Nablus	Student demonstrations Partial business strike	H. 31 March 1978 M. 30 March 1978
30 March 1978	Tulkarem	Student demonstrations Partial business strike	H. 31 March 1978 M. 30 March 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
30 March 1978	Ramallah	Student demonstrations Partial business strike	H. 31 March 1978 M. 30 March 1978
1 April 1978	Jerusalem (between the Amud Gate and the Saphira Gate)	Bomb discovered and dismantled	ASH. 2 April 1978
2 April 1978	Jerusalem (Hebrew University)	Explosive charge discovered and dismantled	ASH. 3 April 1978 ALQ. 3 April 1978 H. 4 April 1978
6 April 1978	Nablus	Attempt by students to demonstrate Security forces stoned by students	H. 7 April 1978 JP. 6 April 1978 JP. 7 April 1978
6 April 1978	El Balata refugee camp	Disturbances	H. 7 April 1978 JP. 7 April 1978
9 April 1978	East Jerusalem (near the Rockefeller Museum)	Egged bus stoned by secondary school pupils	H. 10 April 1978
11 April 1978	Jerusalem (Old City citadel)	Small charge exploded	JP. 12 April 1978 ASH. 13 April 1978
14 April 1978	Jerusalem (French Hill)	Attempt at setting fire to a car	ALQ. 17 April 1978
16 April 1978	Qalandya refugee camp (near Jerusalem)	Molotov cocktail tossed into an Egged bus	JP. 16 April 1978 JP. 17 April 1978 ALQ. 17 April 1978 H. 18 April 1978 ASH. 17 April 1978
17 April 1978	Nablus	Student demonstrations Student strike Partial business strike	JP. 18 April 1978 H. 18 April 1978
17 April 1978	Jenin	Student demonstrations	JP. 18 April 1978 H. 18 April 1978
17 April 1978	Salfit area (halfway between Nablus and Ramallah)	Egged bus set on fire	ASH. 17 April 1978 H. 18 April 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
18 April 1978	Jenin	A young man from Burkin village killed by a pursuing army patrol after ignoring instructions to halt	JP. 19 April 1978
20 April 1978	Jerusalem (Gilo suburb)	Sabotage charge discovered	H. 21 April 1978 ALQ. 21 April 1978 ASH. 21 April 1978
20 April 1978	Jerusalem (Mt. Scopus)	Car set on fire	H. 21 April 1978 JP. 21 April 1978 ALQ. 21 April 1978
22 April 1978	Nablus	Molotov cocktail thrown at military vehicle in the town centre	JP. 24 April 1978 ALQ. 24 April 1978
24 April 1978	Jerusalem (Jaber Mukhaber village, near East Talpiot)	Two Molotov cocktails thrown at a bus	JP. 25 April 1978
24 April 1978	Jacob's well (east of Nablus)	Explosive charge went off	ASH. 25 April 1978
26 April 1978	Nablus (Clock Tower Square)	Hand-grenade thrown into a tourist bus	ALQ. 27 April 1978 ASH. 27 April 1978 JP. 27 April 1978 H. 27 April 1978 H. 30 April 1978 M. 30 April 1978 ASH. 30 April 1978 ALQ. 30 April 1978
28 April 1978	Near Wadi Tufha (Nablus area)	Road blocked with stones by unidentified persons	M. 30 April 1978
Late April	Ramallah (girls' school)	Tear-gas thrown by soldiers into a classroom full of students	M. 4 May 1978
2 May 1978	Jerusalem (French Hill)	Car set on fire	JP. 3 May 1978 <u>Davar</u> , 3 May 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
4 May 1978	Jerusalem (Binyenei Ha'ooma)	Explosive charge went off in empty bus	JP. 5 May 1978 <u>Al Hamishmar,</u> 5 May 1978 <u>Davar,</u> 5 May 1978
6 May 1978	Northern Jerusalem (Rassco Quarter)	Two Katyusha rockets landed and exploded in court yard of a house	JP. 7 May 1978 JP. 8 May 1978 H. 9 May 1978 JP. 9 May 1978 <u>Yediot Aharonot</u> 8 May 1978
8 May 1978	Nablus	Incendiary bottle hurled at an Egged bus	M. 9 May 1978
11 May 1978	Ramallah	Explosive charge discovered and dismantled	ASH. 12 May 1978 ALQ. 12 May 1978 JP. 12 May 1978 <u>Yediot Aharonot,</u> 12 May 1978
11 May 1978	Dahisha refugee camp (near Bethlehem)	Student demonstrations	<u>Yediot Aharonot,</u> 12 May 1978
13 May 1978	Nablus (near the employment office)	Explosive charge discovered and dismantled	ASH. 14 May 1978 ALQ. 14 May 1978 H. 14 May 1978 JP. 14 May 1978 <u>Yediot Aharonot,</u> 14 May 1978
13 May 1978	Nablus	Booby-trapped bomb discovered near a car in the town centre and detonated	M. 14 May 1978
13 May 1978	Nablus (main square)	Bomb discovered and detonated	M. 14 May 1978
13 May 1978	Qabalan village (near Tulkarem)	Attempt to set fire to the employment office	M. 14 May 1978
13 May 1978	near Nazalat-Issa village (Samaria)	Egged bus transporting workers from the West Bank to Jerusalem stoned	M. 14 May 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
15 May 1978	East Jerusalem	Riots and demonstrations marking the anniversary of Independence Day	M. 16 May 1978
15 May 1978	Nablus	Partial business and student strikes	H. 16 May 1978
15 May 1978	Ramallah	Partial business and student strikes	
16 May 1978	Beit-Jala	Car of a local inhabitant set on fire	H. 17 May 1978
17 May 1978	Izimut village (near Nablus)	Sabotage charges and weapons discovered	ASH. 17 May 1978 H. 18 May 1978 ASH. 25 May 1978 ASH. 26 May 1978
18 May 1978	Nablus	Incendiary bottle thrown at a civilian car	H. 18 May 1978 ASH. 21 May 1978
19 May 1978	Jordan Valley	Two boys killed by explosion of suspicious object	H. 21 May 1978
21 May 1978	El Askar refugee camp (near Nablus)	Curfew imposed after incendiary bottles were thrown at cars (lifted on 23 May)	ASH. 22 May 1978 H. 22 May 1978 ASH. 24 May 1978
24 May 1978	El Askar refugee camp	Curfew reimposed after new incendiary bottle incident	ALQ. 25 May 1978 ASH. 25 May 1978
End of May	East Jerusalem (Rockefeller Museum junction)	Several Israeli soldiers attacked and stoned by Arab youths	H. 1 June 1978
1 June 1978	Ramallah (El Manara quarter, in a garden)	Explosive charge set off	ALQ. 2 June 1978
2 June 1978	Jerusalem (Bayit Vegan quarter)	Bomb explosion in a bus	JP. 4 June 1978 ALQ. 4 June 1978 H. 5 June 1978
5 June 1978	Nablus	General business strike	H. 6 June 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
6 June 1978	Near Shuqba village (on the Ramallah- Lydda road)	"Dan" bus set on fire by three armed men	M. 6 June 1978 JP. 7 June 1978 ITIM 7 June 1978
11 June 1978	Tammun village (north-east of Nablus)	Bomb explosion in the doorway of the house of former village Mukhtar	M. 12 June 1978 JP. 12 June 1978
11 June 1978	Nablus (at the local employment office)	Incendiary bottle thrown	M. 12 June 1978
12 June 1978	Jerusalem	Home-made bomb found in a bus	ALQ. 13 June 1978 JP. 13 June 1978
15 June 1978	East Jerusalem (outside the Holy Land Hotel on El Rashid Street)	Bomb exploded under an empty tourist bus	JP. 16 June 1978 ALQ. 16 June 1978 ASH. 16 June 1978 <u>Al Hamishmar</u> , 16 June 1978 <u>Davar</u> , 16 June 1978
17 June 1978	East Jerusalem (near El Eizariya Church)	Sabotage charge exploded	M. 18 June 1978
24 June 1978	Nablus (Fayssal Street, near the employment office and Leumi Bank)	Bomb discovered and dismantled	ASH. 25 June 1978 ALQ. 25 June 1978
25 June 1978	Hebron-El-Khalil (near the Leumi Bank)	Explosive charge went off	ALQ. 26 June 1978
26 June 1978	Jerusalem (Mahane Yehuda)	Explosive charge went off	ASH. 26 June 1978
29 June 1978	Jerusalem (Mahane Yehuda's open-air market)	Bomb went off	JP. 30 June 1978 ALQ. 30 June 1978 <u>Al Hamishmar</u> , 30 June 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
4 July 1978	Nablus	Two bombs discovered at the same spot, one at 1.30 a.m. and another at noon	ALQ. 5 July 1978
6 July 1978	Nablus	One bomb discovered	ALQ. 7 July 1978
13 July 1978	Nablus	Three bombs found in centre of Nablus	ASH. 14 July 1978 <u>Al Fajr</u> , 14 July 1978
14 July 1978	Latrun-Ramallah road	Booby-trapped car found near check-point	JP. 16 July 1978 H. 16 July 1978
18 July 1978	Bethlehem	Bomb exploded	ASH. 19 July 1978
22 July 1978	Kafr-Sir (near Tulkarm)	Bomb exploded in the hands of a 14-year-old boy	JP. 23 July 1978
30 July 1978	East Jerusalem (Gilo)	Mortar shell exploded in olive grove	JP. 31 July 1978
4 August 1978	Hebron-El-Khalil (near the Leumi Bank)	Bomb explosion	JP. 6 August 1978 M. 6 August 1978 <u>Davar</u> , 6 August 1978
10 August 1978	East Jerusalem (Musrara quarter)	Border Police jeep stoned by Arab youths	H. 13 August 1978
12 August 1978	Jerusalem (Mount of Olives)	Bomb explosion	JP. 13 August 1978 ASH. 13 August 1978 ALQ. 13 August 1978 H. 14 August 1978
12 August 1978	Jerusalem (Jaffa Gate)	Bomb discovered and dismantled	JP. 13 August 1978 ASH. 13 August 1978 ALQ. 13 August 1978
14 August 1978	Jerusalem (at a soldiers' hitch-hiking station on the Hebron road)	Sabotage charge exploded	H. 15 August 1978 ALQ. 15 August 1978 ASH. 15 August 1978 H. 16 August 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
20 August 1978	Nablus (El Balata refugee camp)	Border Police patrol attacked with an incendiary bottle	JP. 20 August 1978 M. 21 August 1978
22 August 1978	Jerusalem (Old City)	Small home-made bomb discovered and dismantled	JP. 23 August 1978
23 August 1978	Gaza (Seje'iya quarter)	Explosive charge went off	JP. 24 August 1978 JP. 27 August 1978
23 August 1978	Kiryat Arba	Katyusha rocket fired	H. 25 August 1978 ASH. 25 August 1978
23 August 1978	Jerusalem (Talpiot-East)	Explosion under a bus	H. 25 August 1978 ALQ. 25 August 1978 ASH. 25 August 1978
25 August 1978	Jerusalem (Mount of Olives, near the Panorama Hotel and Southern District Police Station)	Explosion charge discovered and dismantled	JP. 27 August 1978
26 August 1978	Jenin (outside the Labour Exchange)	Mortar bomb attached to a timing device discovered and dismantled	JP. 27 August 1978
27 August 1978	Jerusalem	Explosion of a medium-sized bomb	JP. 28 August 1978
28 August 1978	El Balata refugee camp (near Nablus)	Molotov cocktail thrown at a Border Police patrol	JP. 29 August 1978 H. 29 August 1978
30 August 1978	Jenin (Education Ministry Building)	Explosive charge went off	H. 30 August 1978 ASH. 31 August 1978
30 August 1978	Jerusalem (Atarot/Maaleh-Adumim road)	Sabotage charge went off near a water pipe	H. 31 August 1978 ASH. 31 August 1978
31 August 1978	Nablus	Hand-grenade thrown at the Leumi Bank	M. 31 August 1978 ASH. 31 August 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
1 September 1978	Jerusalem (Old City, outside the Hospice Hospital)	Small bomb exploded	JP. 3 September 1978 H. 3 September 1978
1 September 1978	Nablus (near Jacob's Well)	Incendiary bottle and stones thrown at border policemen	H. 3 September 1978 H. 4 September 1978
6 September 1978	Jerusalem (Bethlehem road)	Terrorist bomb planted near a propane gas depot	ALQ. 6 September 1978 JP. 8 September 1978
6 September 1978	East Jerusalem (near the Dolphin Restaurant)	Molotov cocktail thrown at an Israeli vehicle	ALQ. 6 September 1978 JP. 10 September 1978
7 September 1978	Qalandiya suburb (north of Jerusalem)	Unidentified blazing object thrown at a group of soldiers	M. 8 September 1978
8 September 1978	East Jerusalem	Incendiary bottle thrown at an Israeli car	H. 10 September 1978
9 September 1978	Ramallah (Clock Square)	Bomb explosion	H. 10 September 1978
9 September 1978	Hebron-El-Khalil	Local inhabitant killed by an explosion	ALQ. 9 September 1978
10 September 1978	Mt. Hebron area (near Kharasq and Dura villages)	Two vehicles (one an Arab taxi) stoned	H. 12 September 1978
13 September 1978	Jerusalem (near the Rockefeller Museum)	Hand-grenade discovered and dismantled	H. 14 September 1978
13 September 1978	Tulkarm	Explosive charge found near the local labour office and dismantled	ASH. 14 September 1978

Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>	<u>Sources</u>
13 September 1978	Jewish National Fund pine grove east of Nur El Shams refugee camp	Pine grove set on fire (fourth attempt in two weeks to set grove on fire)	H. 17 September 1978
14 September 1978	Qalqilya (on the Kfar Saba road)	Bomb explosion	ASH. 15 September 1978 ALQ. 15 September 1978
15 September 1978	Jerusalem	Five explosive charges discovered and dismantled	H. 17 September 1978
17 September 1978	Jerusalem Old City (Rehov David)	Sabotage charge exploded injuring seven people	H. 17 September 1978 JP. 17 September 1978 ALQ. 17 September 1978 ASH. 17 September 1978
18 September 1978	El Bireh (near the Old Mosque)	Hand-grenade exploded in a bus transporting Israeli soldiers	ASH. 19 September 1978 ALQ. 19 September 1978
20 September 1978	Beit Hanun (Northern Gaza Strip)	Schoolboys rioted and burned tyres on the road	H. 21 September 1978
20 September 1978	Halhul, Nablus, Jenin, Ramallah, Bethlehem and other West Bank cities	Disturbances Demonstrations and student strikes Partial business strikes	JP. 21 September 1978 H. 21 September 1978 H. 22 September 1978 ASH. 22 September 1978 H. 26 September 1978
22 September 1978	Jerusalem (inside the Jaffa Gate)	Bomb discovered and dismantled	JP. 24 September 1978 H. 24 September 1978
22 September 1978	Jenin (near the Leumi Bank)	Two incendiary bottles discovered and dismantled	M. 24 September 1978 H. 25 September 1978
28 September 1978	Jerusalem (city centre)	Explosive charge went off	ASH. 29 September 1978

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Table 1 (continued)

<u>Date</u>	<u>Place</u>	<u>Type</u>		<u>Sources</u>
30 September 1978	Rafah	Explosive charge discovered in a van and dismantled	H. JP.	1 October 1978 1 October 1978
30 September 1978	Hebron-El-Khalil (near the Central Post Office)	Explosive charge discovered and detonated	H. ASH.	1 October 1978 1 October 1978
1 October 1978	Jerusalem (Jaffa Street, near the Central Post Office)	Explosive charge went off	ALQ.	2 October 1978
1 October 1978	Dura (near Hebron-El-Khalil)	Arson at the West Bank Labour Exchange	JP. H.	4 October 1978 4 October 1978
1 October 1978	Nablus (main Nablus-Qalandiya road)	Youths demonstrated; road blocked with stones	H. JP.	4 October 1978 4 October 1978
3 October 1978	Southern Gaza shore	Explosive charge discovered near a Bedouin tent and detonated	ALQ.	4 October 1978
5 October 1978	Jerusalem (Hebron road, near a soldiers' hitch-hiking station)	Bomb discovered and detonated	JP.	6 October 1978

Table 2. Representative cross-section of reports of arrests
 of groups of 10 or more individuals

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
31 persons	El Bireh (near Ramallah)	Laying explosives at a soldiers' post at Beit-Hanina (north of Jerusalem)	JP. 12 October 1977
			H. 12 October 1977
46 Arabs, "members of 6 terrorist cells"	Judaea and Samaria	Membership of FATH Carrying out a number of sabotage acts in the past two years	M. 14 November 1977
			JP. 14 November 1977
"several terrorist cells" comprising 30 members	Khan Yunis and Rafah	Membership of FATH and PFLP Possessing weapons and explosives	H. 24 November 1977
			JP. 24 November 1977
14 students	Nablus	Demonstrating and rioting Distributing leaflets Stoning Israeli vehicles	M. 4 December 1977
			H. 4 December 1977
31 persons	West Bank and Jordan Valley	Organized in 5 "cells" affiliated to an illegal organization	Davar, 3 January 1978
			JP. 4 January 1978
			H. 4 January 1978
Several persons	Beit Fajar	Obstructing the building of a power station in the village	Al Fajr, 5 January 1978
Several persons	Nablus and El-Balata refugee camp	Stoning cars and demonstrating	ALQ. 9 January 1978
37 students	Nablus	Demonstrating against the establishment of settlements	JP, H and ALQ. 7 February 1978

Table 2 (continued)

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
45 persons, members of 7 cells	Nablus El Azareya and Ramallah	Membership of FATH, DPF and El-Saika Receiving military training Possessing explosives, weapons and pamphlets Planting explosives in Kfar Saba on 18 January 1978	ASH, JP and H. 8 February 1978 <u>Agence télégraphique juive</u> 9 February 1978
11 persons (including 6 youths and 2 of the major merchants of the town)	Nablus	Smuggling explosives and weapons through Haifa Harbour, arriving from Cyprus Membership of FATH	ASH, JP and H. 6 February 1978 <u>Al Hamishmar, and Davar</u> 6 February 1978 <u>Agence télégraphique juive</u> 7 February 1978
11 persons	Nablus	Inciting to demonstrate and to strike during latest incidents	<u>Zu Haderekh</u> 8 February 1978 <u>Yediot Aharonot,</u> 12 February 1978 ASH. 13 February 1978
20 persons	West Bank	Suspected of hostile terrorist activity following the explosion of a charge in the Hebrew University in Jerusalem on 19 February 1978	H and M. 21 February 1978 H and M. 27 February 1978
Several persons	Ramallah refugee camp	Arrested for investigation following Janhu's murder	<u>Al Hamishmar</u> and H. 10 February 1978
Several persons	Jerusalem	Following the explosion of a charge in a supermarket on Argon Street on 10 February 1978	ALQ. 11 February 1978

Table 2 (continued)

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
Several arrests	Jerusalem	Following the explosion of a charge at a Zionist Youth farm on 17 February 1978	ALQ. 17 February 1978
30 persons	Several from the Bethlehem area	Following the Jerusalem Hebrew University explosion on 19 February 1978	ASH. 1 March 1978
10 youths	Al Askar refugee camp	Suspected of stoning Israeli soldiers	ASH. 9 March 1978
19 "members of a terror cell of Nayef Hawatmeh's PDF"	Nablus and Jenin	Inciting to join terror organizations Having received military training in the USSR	M. 17 March 1978
90 youths	Various towns in Samaria	Demonstrating and inciting to riot	M. 20 March 1978
45 persons, members of 7 cells	West Bank	Suspected of training in sabotage and carrying out several sabotage acts	JP, ALQ, ASH, H and M. 28 March 1978 (see article by Y. Tzuriel)
Several persons	Deir Abu Mashal	Suspected of setting a "Dan" bus on fire	ASH. 24 March 1978
10 youths	Nablus	"Security reasons" Membership of the Palestinian Students Association	M. 4 April 1978
40 youths	Salfit	?	?
30 persons, organized in 5 cells	West Bank	?	JP, H, ASH, ALQ and M. 20 April 1978
40 persons	Nablus and surrounding area	For interrogation following the bombing of a German tourist bus on 26 April 1978	H, ALQ and ASH. 27 April 1978 ASH 30 April 1978
11 persons, members of a cell	Qalandiya refugee camp (north of Jerusalem)	Throwing incendiary bottles at an army jeep on 11 April 1978 and at a bus transporting soldiers on 16 April 1978	H, JP, ASH and ALQ. 27 April 1978

Table 2 (continued)

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
Several persons	Ramallah	On suspicion of shooting a local policeman on 10 May 1978	ASH. 12 May 1978
Several persons	West Bank	Preventive arrests Suspicion of possible incitement towards 15th May (Israel's Independence Day)	H. 15 May 1978
Several persons	Nablus	Vast campaign of arrests after the discovery of a booby-trapped object near a car in the town centre and the attack on a bus transporting workers	ASH. 15 May 1978
12 sabotage cells	1 cell (13 persons) from Azmut village near Nablus 1 cell from the Nablus area Location of the other cells not given	Several acts of sabotage	JP, H and ASF. 18 May 1978 ALQ. 19 May 1978
Several persons	Nablus	Suspected of taking part in recent explosions	ASH. 26 May 1978
15 persons	East Jerusalem (Sur-Bahir village)	Suspected of stoning an Egged Bus on the Sur-Bahir road on 2 June 1978	H. 5 June 1978 <u>Al Ittihad</u> , 6 June 1978 <u>Al Fajr</u> , 14 June 1978
13 persons	Nablus area	Membership of terrorist cells Possessing weapons	H. 5 June 1978

Table 2 (continued)

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
11 persons	Nablus	Throwing an incendiary bottle at the local employment bureau on 11 June 1978	M. 12 June 1978 <u>Al Fajr</u> , 13 June 1978
Several persons	Bethlehem	Arrested following an explosion in a gas station in Al-Ayzariya on the Jerusalem-Jericho road	<u>Al Fajr</u> , 18 June 1978
A number of persons	Ramallah/ El-Bireh area	Arrested following an explosion on a bus in Manara (between Ramallah and El-Bireh)	<u>Al Fajr</u> , 2 June 1978
Several persons, members of a cell	Jerusalem area	Arrested following an explosion in a bus in West Jerusalem on 2 June 1978, killing 6 and wounding 19	<u>Al Fajr</u> , 3 June 1978 ALQ, 8 June 1978
29 persons	Gaza strip	Suspected of being terrorists Trained at PFLP camps	JP, H and <u>Davar</u> , 25 July 1978 ASH, 26 July 1978
15 persons	Jerusalem area	Suspected of causing 2 bomb explosions in the Abu Tor quarter on 20 August 1978	JP, 22 August 1978 ASH, 23 August 1978
5 terrorist cells, dozens of terrorists	West Bank	Participating in sabotage acts Possessing arms and explosives Planning to plant a bomb in Yad Eliahu (Tel Aviv)	M, JP and ASH, 8 August 1978 <u>Davar</u> , 8 August 1978
Dozens of youths	Jenin, Nablus and Ramallah	Membership of terror organizations Possessing arms and ammunition	M. 31 July 1978 H. 2 August 1978
40 persons	Nablus	Held for questioning after a hand-grenade was thrown at the Leumi Bank	M. 31 August 1978
40 persons	Qalqiliya	Arrested following an explosion at a coffee house in the town centre on 13 September 1978	M. 14 September 1978 ALQ, 15 September 1978

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Table 2 (continued)

<u>Number</u>	<u>From</u>	<u>Cause</u>	<u>Source</u>
30 persons	Jerusalem area	Arrested after an explosion on 17 September 1978 in a crowded alley in the Old City of Jerusalem	H. 17 September 1978
Several persons	Ramallah	Arrested after a bomb explosion on 9 September 1978	H. 10 September 1978
Several persons	Jerusalem	Arrested after a hand-grenade was discovered and dismantled near the Rockefeller Museum on 13 September 1978	ASH. 14 September 1978
Several youths	Beit Amrien (Nablus area)	Membership of a FATH cell Intending to plant a sabotage charge in a Tel-Aviv bus the day after their arrest Possessing explosives and sabotage material	ASH and H. 22 September 1978
12 persons	Nablus	Membership of a FATH cell Participating in small-scale terrorist activities such as distributing seditious pamphlets Throwing Molotov cocktails	JP, ALQ and M. 24 September 1978

Table 3. Number of trials by military tribunal recorded
by the Special Committee during the period
from November 1977 to October 1978

<u>Military tribunal</u>	<u>Number of trials</u>
El-Khalil-Hebron	54
Gaza	110
Jenin	61
Lod	83
Nablus	283
Ramallah	293
Tulkarem	58
Unspecified location	93

Table 4. Number of trials recorded by the
Special Committee by month
(November 1977-October 1978)

<u>Month</u>	<u>Number of trials</u>
November 1977	15
December 1977	57
January 1978	70
February 1978	26
March 1978	224
April 1978	124 (including 2 acquittals)
May 1978	104 (including 2 acquittals)
June 1978	78
July 1978	81 (including 3 acquittals)
August 1978	41
September 1978	49
October 1978	66

Table 5. Number of reported releases recorded
by the Special Committee by month
(November 1977--October 1978)

<u>Month</u>	<u>Number of reported releases</u>
November 1977	20 <u>a/</u>
December 1977	7
January 1978	-
February 1978	36
March 1978	73
April 1978	75
May 1978	46
June 1978	30
July 1978	7
August 1978	2
September 1978	11
October 1978	9

a/ In addition a report referring to an unspecified number of persons was recorded during this month.

V. SPECIAL REPORT ON THE TREATMENT OF CIVILIANS IN DETENTION

92. At its thirty-second session, the General Assembly adopted resolution 32/91 C by which it renewed the mandate of the Special Committee, requesting it to continue to investigate Israeli policies and practices in the occupied territories, to consult as appropriate with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories, and to report to the Secretary-General as soon as possible and whenever the need arose thereafter. By the same resolution the General Assembly requested the Special Committee to continue to investigate the treatment of civilians in detention in the Arab territories occupied by Israel since 1967 and to submit to the Secretary-General a special report on that subject as soon as possible and whenever the need arose thereafter.

93. At its meetings from 13 to 17 March 1978, the Special Committee decided that, in carrying out its mandate, special attention would be given to information on the treatment of civilians in detention and that the special report requested by the General Assembly would be included in its main report submitted under Assembly resolution 32/91 C.

94. Since its establishment, the Special Committee has examined information on the treatment of civilians in detention and its findings are reflected in the reports it has submitted on its activities to date. In its last report (A/32/284), the Committee analysed information on treatment of civilians in detention in Section IV and gave a summary of the information that it had received on this subject during the period covered by that report. The Committee gave its assessment of this information in section VI (Conclusions) of the same report. It referred to the caution that it had exercised in the past in expressing its views on the subject of torture of detainees. It had stated then that "the indication that cases of torture have occurred and continue to occur are very strong and the international community cannot afford to connive at a continuation of such an abhorrent practice". It stated that the arrangements for protecting prisoners against ill-treatment and torture were totally ineffective and provided no protection to prisoners. The Committee urged a total revision of existing procedures and renewed efforts at securing new and more effective arrangements.

95. During 1977, attention in the international press was focused on the question of ill-treatment of detainees in the occupied territories. The Special Committee had received oral and written testimony of a number of persons who had had direct experience of cases of ill-treatment or who had studied the question in depth. It had invited persons from all shades of opinion to testify before it to enable it to assess the truth and the extent to which this phenomenon prevailed in the occupied territories. Reports of worsening prison conditions were supplemented by the outbreak of disturbances in certain prisons and widespread hunger strikes, notably that by prisoners held at Ashkelon.

96. Subsequent to the adoption of its last report, the Special Committee took note of announcements made on 6 December 1977 by the spokesman for the Israeli Army to

the effect that arrangements for visits by ICRC delegates to prisoners under interrogation were to be improved. According to this information, subsequently confirmed by the ICRC, delegates would be allowed to visit detainees under interrogation within 14 days (as distinct from 30 days under the prior arrangement) of their arrest; the purpose of such visits was to enable the ICRC delegation to ascertain the state of health of the detainee. The statement by the spokesman of the Israeli Army reads as follows:

"Israel recently informed the International Committee of the Red Cross of a substantial extension of the arrangements for visits by ICRC delegates to security detainees in the territories. According to the new arrangements, the military government authorities will notify the ICRC of the arrest of security detainees within fourteen days of the arrest of the security detainees and an ICRC delegate will be entitled to visit without witnesses every such detainee within that period in order to ascertain the detainee's health.

"After the visit, if the ICRC delegate so requests, the detainee may promptly be examined without witnesses by a Red Cross physician.

"Agreement has been reached as to visits in special circumstances within less than fourteen days from the arrest." (A/32/429)

The statement by the ICRC reads as follows:

"For visits by ICRC delegates to security detainees, the military authorities proposed a new procedure: They will notify the ICRC of the arrest of security detainees within fourteen days of the arrest and ICRC delegates will be entitled to visit without witnesses every such detainee - including those under interrogation - within that period. The visiting delegate will enquire mainly into the detainee's health condition. If necessary a follow-up visit may be made by an ICRC doctor." (ICRC Bulletin No. 23 of 7 December 1977)

97. During the period covered by this report, the Special Committee continued to receive information on the conditions of prisons in general and of allegations of ill-treatment of individual prisoners. The Special Committee took cognizance of 34 cases of alleged ill-treatment and received information on conditions existing in the prisons at Kfar Yona, Damoun, Shatta, Beer-Sheba, Tulkarm, Ramallah and Ashkelon. As in the past, the Special Committee, deprived of access to the territories and therefore to the prisons concerned, relied on information gathered from other sources. It received extensive information on person conditions and treatment of detainees from Miss Fatma Barnawi who appeared before the Special Committee at its March series of meetings, following her release from 10 years' imprisonment and her expulsion. In addition, the Committee heard the testimony of Mr. Abed El Assaly, a lawyer with experience in trials of civilians accused of security offences. His testimony follows that of the others lawyers heard in previous years by the Committee. Information furnished by Mr. Assaly, follows from his first-hand experience and professional contact with his clients, provides the Committee with an insight into the human rights situation of persons accused of security offences. The Committee also benefited from reports and statements made

by prisoners themselves and communicated to it by third parties. On the basis on the sum total of the information reaching it, and taking into account its past experience, the Committee is able to make certain observations. Among these observations, it notes that the number of allegations of ill-treatment remains high despite the introduction of the reduced interrogation period without ICRC visits.

98. The following is a cross-section of the information received by the Special Committee on the treatment of civilians in detention:

A. Information on prison conditions

99. On 11 September 1977, a report in Ha'aretz stated that prisoners at Nablus prison held a strike in protest against bad conditions. The prisoners refused to work and to receive relatives' visits. A demonstration was held by relatives outside the prison which was dispersed by the Israeli Army.

100. On 18 November 1977, Ha'aretz published an article by Mr. D. Margulit giving an account, inter alia, of a visit to Ramallah prison, where "over-crowding is still serious"; according to this report administrative detainees were all held in one cell but detainees did not complain much about the situation in the prison itself. On the other hand, several prisoners complained bitterly about torture during their interrogation. The report adds that Israeli security officials dismissed the allegations as groundless.

101. A report published in Ha'aretz on 3 February 1978 by Mr. Y. Kotler on Ramle prison describes over-crowding in this prison as "unbearable...there is no place to be alone". The reporter knows that "everybody is studying, is improving his knowledge, is advancing towards the liberation of his homeland".

102. On 14 February 1978, Asha'b reported that several prisoners from Nablus prison had been transferred to Tulkarm prison because "the prison was full".

103. A number of reports appearing in the press and other information reaching the Special Committee reveal that a strike by detainees in Beer-Sheba and Tulkarm prisons started in March 1978. This strike continued until October in Beer-Sheba and at the time of the adoption of this report is still continuing in Tulkarm.

104. In Al Ittihad, on 11 and 28 July 1978, prisoners in Ramallah were reported to be on strike for the second consecutive month. They were protesting against ill-treatment and the prohibition of reading material in the Ramallah prison. Relatives were not permitted to visit them during the strike.

105. According to Asha'b, on 20 July 1978, the Commissioner of Prisons, Mr. H. Levy, was reported as having stated during a meeting attended by the Interior Minister and prison governors that the rapid increase in the number of prisoners in Israel and the failure to build new prisons led to shocking conditions due to over-crowding.

106. The Special Committee examined a memorandum submitted by Mrs. F. Langer on 28 July 1978, based on evidence given to her by several of her clients on adverse prison conditions prevailing in the prisons at Kfar Yona (from where, since then, all inmates have been moved), Damoun, Shatta, Beer-Sheba, Tulkarm, Ramallah and Ashkelon.

107. The Special Committee received a report by Mrs. Lea Tsemel on conditions at Beer-Sheba prison in September 1978, based on information communicated by prisoners held there. According to these reports, measures were being taken in reprisal against prisoners who had been on strike since March 1978. The allegation is made that Arab security prisoners are discriminated against in favour of Jewish criminal prisoners. The prisoners' demands include adequate medical care and an extension of the present one-hour walk per day.

108. In her testimony before the Special Committee (from 15 to 17 March 1978), Miss Fatma Barnawi gave a detailed description of the conditions of detention in Ramle prison (the women's wing is known as Neve Tirza), where she had served a 10-year prison term (she was arrested and imprisoned in October 1967 and released on 10 November 1977). According to these descriptions, Ramle prison is seriously over-crowded (a cell 3 by 4 metres large is shared by six detainees); the Arab women security detainees are held together with Jewish women who are "common criminals". Miss Barnawi described the difficulties in relations between the two categories of detainees. Arab detainees do not have the same prison conditions as Jewish detainees; working conditions are different, as are facilities for visits by relatives, study and access to reading material. Security detainees are punished severely when they refuse to undertake certain work imposed on them (such as sewing military uniforms); the punishment consists mostly of the suspension from classes and of visits of relatives; harsher treatment is inflicted by the prison authorities following complaints by inmates to journalists. Requests to meet ICRC delegates are not always granted. Strikes were staged as a result of these conditions. These strikes usually resulted in the transfer of the leaders to other prisons (Rasmiya Odeh was transferred in that context to Gaza prison).

109. Miss Barnawi gave details about several of her fellow inmates who were suffering from poor health and from inadequate medical attention. She referred in particular to the cases of: Maryam El Shahshir, Rasmiya Odeh, Aiysha Odeh, Aida Saad, Rabi'a Abu Shehade, Afifa Bennura, Sayid Abd Elli, Zakya Shammut, Therèse Asaba and Ni'mat Mohammad El Helwat.

B. Allegations of ill-treatment

110. On 11 December 1977, the Jerusalem Post noted a report by Amnesty International which referred to 22 cases of Arab prisoners and one Jewish prisoner who were alleged to have been ill-treated and which Amnesty International had requested the Israeli Government to investigate.

111. On 21 December 1977, a report in Zu Haderekh stated that Rasmiya Odeh, serving a life sentence at Neve Tirza prison since 28 February 1969, was being

subjected to "additional punishment" since the allegations about her torture were published in the Sunday Times of London on 19 June 1977.

112. Asha'b, on 16 January 1978, referred to a petition to the High Court of Justice by Mrs. Langer alleging that Israeli police had attacked four prisoners at Ashkelon while they were on strike.

113. Mrs. Raymonda Tawil, arrested on 23 March and held until 7 May 1978 for "security reasons", is reported in Ha'aretz on 6 April 1978, to have complained of being kept in solitary confinement at the Russian Compound in Jerusalem and that she was insulted and threatened with being beaten by her interrogators.

114. According to Al Fajr on 20 March 1978, Khalil Sharaa from Nablus, described as "old and sick" was imprisoned at Nablus because he could not afford the £I 3,000 (\$150) fine to which he had been sentenced by the Military Court. He was expected to be released after the deputy mayor of Nablus paid the fine on his behalf.

115. According to several reports appearing in the Israeli press and other information reaching the Special Committee, a group of boys from Qalandiya refugee camp, arrested and charged with attacking a military vehicle, were allegedly tortured by police during interrogation. On 16 May 1978 (i.e. approximately four weeks after their arrest) they were visited by their lawyer Mr. A. El Assaly, who attested to marks of ill-treatment on Ibrahim Khalil Abdel Muati, 13 1/2, Youssef Abdel Jafer Mohammad Abdel Rahman, 14, Mohammed Fakhri Ali Abu-El-Rub, 13 1/2, and Khaled Mohammed Mustafa, 14. Arraigned in a military tribunal, their trial was moved to a Jerusalem Juvenile Court after a successful plea to the High Court of Justice of non-competence of military tribunals on minors. Mr. El Assaly stated that the boys had been coerced into making confessions by the severe treatment they had suffered.

116. On 26 July 1978, Zu Haderekh reported that four persons had alleged that they were subjected to torture while under interrogation. They are: F. Abdul Kader Al-Barguti, Hassan Shawli Al-Barguti, Naif Sabah Al-Barguti and Abdul Jawad Yussef Al-Baz.

117. In addition to the above, the Special Committee examined allegations of ill-treatment of a number of individuals. The Committee established case histories and followed up information on each one seeking its verification and corroboration. Among these cases, the Special Committee considers that the ones reproduced in the following paragraphs deserve special attention.

118. Mr. Abd El Rahman El-Asafra, 42, arrested on 13 December 1975, sentenced to six years' imprisonment on 11 May 1977. Last known place of detention: Hebron prison. Allegations: Severe ill-treatment during interrogation including beating, immersion in hot water followed by exposure in cold weather, two months' solitary confinement. In addition it is alleged that his wife was arrested 10 days after giving birth and detained for four days; his son, aged 10 1/2 years, was arrested and detained for 25 days and ill-treated while being interrogated. Mr. El-Asafra has been blind since the age of 12, and is reported to have undergone surgery on

two occasions (in the hospitals at Ramle prison and at Sarafand) on the genitals, subsequent to the treatment received during his interrogation.

119. Mr. Ahmed Husmi El-Batch, 32, arrested on 4 March 1976, sentenced on 31 July 1976 to seven years' imprisonment and a suspended prison term of three years. Allegations: Mr. El-Batch was subjected to severe physical ill-treatment during interrogation, mainly through beating and other forms of physical abuse. His interrogation is reported to have lasted one month.

120. Mr. Soleiman Madi, 50, not arrested but called for interrogation on 21 February and on 1, 22 and 26 March 1978. Allegations: Prolonged ill-treatment during first round of questioning on 21 February 1978, including beating on head, feet and buttocks. The Special Committee is in possession of two medical certificates drawn up on 23 and 24 February 1978 attesting to the injuries apparent on the body of Mr. Madi, as well as a perforated eardrum (see annex II). The Special Committee has received a photograph of the wounds on Mr. Madi attested to by his lawyer, Mrs. Felicia Langer. In the course of his testimony before the Special Committee Mr. El Assaly communicated further details on the case of Mr. Madi. In particular, he described the physical state of Mr. Madi as he had witnessed it immediately after his interrogation.

121. Mr. Mohammad Hamed Nimr Sobran, 33, arrested on 13 June 1977, interrogated at the Russian Compound in Jerusalem. Last known place of detention: Ramallah prison. Allegations: Severe beating during interrogation. Mr. Sobran was treated at the Hadassa hospital between 22 and 26 June 1977. An administrative detainee since 13 June 1977, Mr. Sobran had completed an 18-month sentence in 1976.

122. Mr. Mohammad Ata Soleiman Akel, 56, arrested on 24 November 1975, sentenced on 9 September 1976 to three and a half years' imprisonment. Last known place of detention: Nablus prison. Allegations: Ill-treatment during interrogation, principally by severe beatings. Mr. Akel is reported to suffer from cancer and is said to have undergone surgery in 1954 and 1971.

123. Mr. Ibrahim Diab Hathe, 21, arrested on 20 February 1978, not charged but held in administrative detention since 17 April 1978. Last known place of detention: Bethlehem prison. Allegations: Ill-treated during interrogation by four persons, mainly by exposure to an extremely cold shower for several hours while his head was covered with a sack; this took place in a small room somewhere in Bethlehem prison.

124. Mr. Bader Ad Daana, 27, arrested on 16 September 1968, sentenced on 1 March 1970 to 22 years' imprisonment. Last known place of detention: Ramle prison. Allegations: Inadequate medical attention in spite of severe illness. Mr. Daana was in normal health at the time of his arrest but developed symptoms of mental illness early in 1972. An order nisi was issued on 18 July 1978 against the Minister of Police and the Prisons Commissioner calling upon them to explain why Mr. Daana should not be transferred to a mental hospital.

125. Miss Ayisha Odeh, 30, arrested in 1969 and sentenced in March 1969 to life imprisonment (three forced labour sentences plus 10 years). Last known place of detention: Gaza prison since 13 July 1977. Allegations: Severe ill-treatment including sexual assault and prolonged lack of medical attention. Miss Odeh has been punished together with other inmates of Ramle prison, for staging a strike against poor prison conditions and ill-treatment by the authorities. In her testimony before the Special Committee, Mrs. Barnawi communicated further details on the case of Miss Odeh, particularly her ill-treatment and lack of medical attention as witnessed by her during her own imprisonment.

VI. CONCLUSIONS

126. The information gathered by the Special Committee during the period covered by this report is reflected in the preceding two sections. In this, the concluding section, the Committee assesses this information in the light of its mandate.

127. In general, the Special Committee has not noted any significant changes in the human rights situation of the civilian population of the occupied territories from that recorded in previous years and reflected in its past nine reports.

128. The Government of Israel continues to implement a policy of settlement and annexation of the occupied territories. Recent unequivocal statements by the Prime Minister and other members of the Government of Israel prove that such a policy exists and that its application is being accelerated. The Special Committee took note of reports concerning the future of the Egyptian territory occupied by Israel in June 1967. Furthermore, the Special Committee considers it most regrettable that the Government of Israel is perpetuating the occupation of the other territories and is intensifying its efforts aimed at their annexation. In section IV above, the Special Committee has given a representative cross-section of information showing beyond any doubt the Israeli Government's stated aim to retain the other occupied territories. The Special Committee has noted in past reports that the Government of Israel bases its policy of annexation and settlement on the so-called "homeland" doctrine, that is, that the territories occupied in June 1967 form part of the Jewish homeland. The Special Committee considers that, regardless of the political aspects of the Middle East situation, the Government of Israel, by following such a policy, is denying the Palestinian people their fundamental right to self-determination. The restitution of the Palestinian people's fundamental rights is therefore contingent upon the end of the military occupation. By the same token, the Government of Israel should not persist in denying the right to return to the civilians who fled the territories during and immediately after the June 1967 hostilities. Rather than safeguard the rights of the people under their military occupation, the Government of Israel claims that its settlements in these territories are established as of right. In a statement made in the General Assembly on 9 October 1978, the Foreign Minister of Israel, Mr. Dayan, stated that "the Israeli settlements in Judaea, Samaria and the Gaza district are there as of right. It is inconceivable to us that Jews should be prohibited from settling and living in Judaea and Samaria, which are the heart of our homeland" (A/33/PV.26, p. 42). Again, on 31 October 1978, the Jerusalem Post reported a statement by the Prime Minister, Mr. Begin, according to which, "the Jewish people's right to settle in all parts of the land of Israel is inalienable. This right has been carried out in the past, and will be in the future". In the circumstances, the Special Committee cannot but conclude that the Government of Israel consciously follows a policy which is in violation of the fourth Geneva Convention, 16/ in particular, article 47 which prohibits annexation of territories under military occupation by the occupying Power and article 49 which prohibits the transfer of citizens of the occupying Power into the occupied territories.

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

The Special Committee notes that this policy is implemented largely through the financial support of the Jewish National Fund whose purpose it is "to make the land of Israel the inalienable property of Jewish people" (J.N.F. Questions and Answers, published by the Jewish National Fund, London). Thus, the Special Committee notes that measures continue to be taken in the occupied territories designed to consolidate their annexation. The map attached to this report (annex I) illustrates the extent to which settlements have been established by the Israeli authorities in the occupied territories in pursuance of this policy.

129. The Special Committee has stated, from its very first report, that the fundamental violation of human rights lies in the very fact of occupation. This is itself the direct cause of a day-to-day pattern affecting the life and liberty of the civilians in the occupied territories. Their life is marked with a pattern of incidents involving various forms of violence and repercussions of these incidents. The number of arrests recorded by the Special Committee during the period covered by the report amounts to 1,192. This is but a minimum figure since it is based on reports in the Israeli press which is subject to censorship. To this number must be added those cases that go unreported and several other reports which refer to the arrest of "several" or "dozens" or "a large number" of persons (the Committee observed over 20 such reports during the year). The same considerations apply to the information concerning incidents: 319 specific reports of incidents were recorded by the Committee. Several of these arrests and trials are the consequence of the incidents referred to, although a large proportion of the trials reported concerned non-violent offences. The pressure caused by the large number of arrests on the military tribunals is evidenced by the fact that a second tribunal has been established in Nablus to reduce the large number of outstanding trials. Compared to the figures for arrests and trials (1,035 recorded by the Special Committee), the record of releases is relatively small (316 persons, including 73 on religious holidays but not including 300 secondary school students who were arrested during demonstrations in March 1978 and subsequently released). The Special Committee notes that during the period covered by this report, 34 persons were still incarcerated without charges, by virtue of administrative order.

130. The policies and practices followed by the Government of Israel with regard to the population are complementary to those followed by the Government of Israel with regard to the establishment of settlements in these territories. These policies and practices are reflected in the measures taken by Israeli authorities with regard to civilians. These measures, purportedly taken in an effort to maintain order, fit more logically into the general context of the Israeli "homeland" policy, since their main purpose is to demoralize the civilian population by putting it before the constant reality of being a people under military subjugation. The Special Committee has noted several instances which would confirm this view. For example, the Committee has noted the practice in military courts of ordering the payment of fines or the serving of imprisonment sentences on parents for security offences committed by their minor children and for which the children have been tried and convicted. This is contrary to articles 33 and 67 of the fourth Geneva Convention which provide for the principle of individual responsibility (article 33) and that the penalty should be proportionate to the offence. The vast range of security offences of which a

civilian of the occupied territories may find himself guilty is a reflection of the arbitrary nature of the military orders which purport to lay down the law governing his conduct. For example, the Special Committee notes that several persons are charged and convicted of the offence of "membership of an illegal organization" or acts of a non-violent nature. Vague military orders lend themselves to a wide interpretation and render the average civilian inhabitant of the occupied territories liable to prosecution before the military tribunal. Such vague offences are usually accompanied by equally imprecise provisions as regards punishment. For example, a civilian may be sentenced to up to seven years' imprisonment for "membership of an illegal organization". Civilians are still subject to arbitrary measures such as reprisals on their property even when they are only suspects. In its annual report for 1977, the International Committee of the Red Cross stated: "The destruction of a number of houses, all of them on the West Bank, were reported to the ICRC in 1977. These cases consisted in the destruction of three houses, three shops, the wall of one house, one apartment and two rooms. The ICRC reiterated its request to the Israeli authorities that they desist from such measures, which are contrary to article 53 of the fourth Convention". The same applies to the treatment of civilians at large; for example, at Ramallah, Beit Jala and other towns, the behaviour of Israeli troops purporting to control student manifestations against the occupation resulted in serious injuries to several youngsters. Indeed, as a consequence of the Beit Jala incidents the Defence Minister dismissed the military Commander of the West Bank for allegedly abetting the falsification of reports on the behaviour of the Israeli troops in an effort to hide the reality.

131. The Special Committee noted that the Government of Israel continues to adopt other measures that reflect its policy of annexation and settlement of the occupied territories. Examples of such measures are contained in reports of expropriation of property by various methods, such as the arbitrary resort to reasons of military security for the purposes of the establishment of settlements, as has been the case in the El-Bireh area and several parts of the northern West Bank. Another example of such measures is reflected in the exploitation of the natural resources of the occupied territories, such as that of the petroleum resources of the Sinai and that of the water-table of the northern West Bank from which the occupying Power currently takes more than half of its water requirements.

132. The Special Committee is of the view that the policy of the Government of Israel referred to in the preceding paragraphs has provoked a pattern of resistance on the part of the civilian population. The frequency of the occurrence of incidents, amply illustrated in section IV C, reflects the civilian population's determination to oppose this Israeli policy and to assert its right to self-determination. The resistance thus manifested produces an ever-increasing prison population. In section V, the Special Committee sets out the information received by it on prison conditions and on the treatment of detainees. This information shows that prison conditions in general have continued to deteriorize; there is no evidence, on the other hand, of efforts at improvement. The periodic expressions of concern by which certain Israeli officials acknowledge the adverse prison conditions (reflected in sect. V) have not resulted in any measures being taken to improve them. Reports continue to reach the Special Committee of serious overcrowding and lack of adequate medical attention.

/...

133. The testimony of Mr. Abed El-Assaly, based on his first-hand experience as counsel for civilians accused of security offences, confirms the allegations that persons under interrogation are ill-treated and that no adequate remedies exist to safeguard such persons from abuse. The revision of the arrangements for ICRC delegates to visit persons under interrogation, announced on 6 December 1977 has not brought any significant diminution in the serious allegations of ill treatment of detainees.

134. In the circumstances, the Special Committee cannot but express its profound concern at the continuation of the military occupation and continued deprivation of human rights of the civilian population. The Committee would appeal once more to the international community, through the General Assembly, to assume its responsibilities to end the occupation, thereby safeguarding the most fundamental of the human rights of the population of the occupied territories. Pending the early termination of the occupation, the Committee recommends that a suitable mechanism be established to safeguard the human rights of the civilian population who have been exposed for such a long time to military occupation. In this context the Committee would refer to the proposal made by it since its first report. ^{17/} In addition, and in view of the serious deterioration in the situation of detainees, the Committee would urge the General Assembly to ensure that a mechanism similar to that suggested by ICRC of establishing commissions of inquiry be set up (ICRC Press Release No. 1303 of 19 September 1977).

17/ The Special Committee, in each of its reports, has recommended:

"(a) That the States whose territory is occupied by Israel appoint immediately either a neutral State or States, or an international organization which offers all guarantees of impartiality and effectiveness, to safeguard the human rights of the population of the occupied territories;

"(b) That suitable arrangements be made for the proper representation of the interests of the large population in the occupied territories which has not yet been given the opportunity of exercising the right of self-determination; and

"(c) That a neutral State or international organization, as described in (a) above, be nominated by Israel and be associated in this arrangement."

Under this arrangement, the State or States or international organization so nominated might be authorized to undertake the following activities:

"(a) To secure the scrupulous implementation of the provisions relating to human rights contained in the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949, and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and in particular to investigate and determine the facts in the case of allegations of the violation of the human rights provisions of these Conventions or of other applicable international instruments;

"(b) To ensure that the population of the occupied territories is treated in accordance with the applicable law;

"(c) To report to the States concerned and to the General Assembly of the United Nations on its work."

VII. ADOPTION OF THE REPORT

135. The present report was approved and signed by the Special Committee on 10 November 1978 in accordance with rule 20 of its rules of procedure.

(Signed) B. BOHTE (Yugoslavia)

B. J. FERNANDO (Sri Lanka)

O. GOUNDIAM (Senegal)

ANNEX II

Medical certificates relating to Mr. Soleiman Madi

A

Dr. Jihad Salih Aunallah, Specialist in General Surgery, F.R.C.S. (Edinburgh),
M.B.B.Ch. (Cairo)

Tel: Clinic 570
Residence 2655

Nablus, P.O.B. 322

Patient's name: Soleiman Hussein Soleiman MADI

From: Salfit

Date: 23 February 1978

To whom it may concern:

The above-mentioned is suffering from abrasions and serious congestion of the epidermis and the muscles of the upper back, shoulders and buttocks, as a result of blows inflicted with a hard object.

The patient requires home rest for two weeks and treatment.

(Signed) Jihad AUNALLAH

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B

Dr. Jamal Abdul Karim Abu Hijleh, Oto-rhino-laryngologist

Tel: 1588

Nablus

Patient's name: Soleiman Hussein Soleiman MADI

From: Salfit

Age: 49 years

Date: 24 February 1978

From an examination of the ears of the above-mentioned patient, I found that the left ear had been exposed to pressure resulting from something resembling a blow or from a direct blow on the ear. This resulted in a laceration of the eardrum and its distinct perforation, with traces of blood on the sides of this perforation.

I prescribe treatment and rest for a period of two weeks and also a re-examination.

(Signed) Jamal Abdul Karim Abu HIJLEH
