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

Report of the Secretary-General

1. On 16 December 1981, at the 100th plenary meeting of its thirty-sixth session, the General Assembly adopted resolution 147 D, the operative part of which reads as follows:

"The General Assembly,

...

"1. Demands that the Government of Israel, the occupying Power, rescind the illegal measures taken by the Israeli military occupation authorities in expelling and imprisoning the Mayors of Hebron and Halhul and in expelling the Sharia Judge of Hebron and that it facilitate the immediate return of the expelled Palestinian leaders so that they can resume the functions for which they were elected and appointed;

"2. Requests the Secretary-General to report to the General Assembly as soon as possible on the implementation of the present resolution."

2. The present report is submitted in pursuance of paragraph 2 of that resolution.

3. On 18 February 1982, the Secretary-General addressed a note verbale to the Permanent Representative of Israel, in which he requested, in view of his reporting obligation under the resolution, that the Permanent Representative inform him as soon as possible of the action which the Government of Israel had taken or envisaged to take in regard to the implementation of the resolution. The

* A/37/50.

Secretary-General associated himself in this connexion with the appeals previously addressed to Israel by his predecessor (see A/36/85-S/14350) and urged that the decisions concerning the Palestinian leaders be reconsidered in the interests of peace and the welfare of the population in the area.

- ✓ 4. On 19 March 1982, the Permanent Representative of Israel addressed to the Secretary-General the following reply:

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the latter's note verbale of 18 February 1982 and to state that the position of Israel with regard to the former Mayors of Hebron and Halhoul and the former Qadi of Hebron remains consistent with that elaborated by the Permanent Representative of Israel both in the Security Council on 19 December 1980 (S/PV.2259) and also in his letter to the Secretary-General of 23 January 1981.

"Israel's approach in this matter has been guided by a concern for the cause of peace and the welfare of the population in the area in question. In keeping with the latter consideration, the holding of municipal elections was facilitated in 1976. In accord with Israel's liberal policies, candidates like Mr. Kawasmeh and Mr. Milhem were not disqualified because of their personal views, in the expectation that those elected would perform their duties in a responsible and lawful manner.

"However, Mr. Kawasmeh, Mr. Milhem and Mr. Attamimi abused their public and official positions in order to incite the Arab population to acts of violence and subversion. The situation facing Israel, which is subject to open threats of war and terror, obliges the Government of Israel to attach the utmost importance to its duty to safeguard public order and security. It is not an accident that the expulsion of the three men in question contributed to a general improvement in the maintenance of public order in Hebron and Halhoul.

"The Permanent Representative of Israel would, in this connexion, like to draw the attention of the Secretary-General to the fact that the former Mayors of Hebron and Halhoul and the former Qadi of Hebron have never recanted their statements and actions, and have never committed themselves to desist from inciting anti-Israel hatred. They are engaged in a continuous propaganda campaign throughout the world against Israel in co-ordination with and with the assistance of the terrorist PLO."

5. In submitting this report, the Secretary-General wishes to add that he will continue his efforts to secure the implementation of the relevant decisions of the General Assembly and the Security Council.
