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

Report of the Secretary-General

(in pursuance of General Assembly resolution 42/160 C)

1. The present report is submitted in pursuance of General Assembly resolution 42/160 C of 8 December 1987, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Determines that all such measures and actions taken by Israel in the Palestinian and other Arab territories occupied since 1967, including Jerusalem, are in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and constitute a serious obstacle to the efforts to achieve a comprehensive, just and lasting peace in the Middle East and therefore have no legal validity;

2. "Strongly deplores the persistence of Israel in carrying out such measures, in particular the establishment of settlements in the Palestinian and other occupied Arab territories, including Jerusalem;

"3. Demands that Israel comply strictly with its international obligations in accordance with the principles of international law and the provisions of the Geneva Convention;

* A/43/150.

"4. Demands once more that Israel, the occupying Power, desist forthwith from taking any action which would result in changing the legal status, geographical nature or demographic composition of the Palestinian and other Arab territories occupied since 1967, including Jerusalem;

"5. Urgently calls upon all States parties to the Geneva Convention to respect and to exert all efforts in order to ensure respect for and compliance with its provisions in all Arab territories occupied by Israel since 1967, including Jerusalem;

"6. Requests the Secretary-General to report to the General Assembly at its forty-third session on the implementation of the present resolution."

2. On 5 February 1988, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he requested, in view of his reporting responsibility under the resolution, that the Permanent Representative inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. On 7 July 1988, the Acting Permanent Representative of Israel to the United Nations replied as follows:

"Israel maintains that in view of the sui generis status of Judea, Samaria and the Gaza District, the de jure applicability of the Fourth Geneva Convention to these areas is doubtful. Israel prefers to leave aside the legal question of the status of these areas and has decided, since 1967, to act de facto in accordance with the humanitarian provisions of that Convention."
