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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
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Letter dated 9 December 1973 from the Permanent Representative of Israel
to the United Nations addressed to the Secretary-General

On instructions of my Government, I have the honour to enclose a copy of the grave complaint submitted today by the Government of Israel to the International Committee of the Red Cross regarding crimes of murder, torture, acts of brutality and other serious breaches of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949, perpetrated by the Egyptian authorities upon Israeli soldiers taken captive by Egyptian forces in the course of the hostilities in October and November 1973.

I have the honour to request that this letter be circulated as an official document of the General Assembly and the Security Council.

(Signed) Yosef TEKOAH
Permanent Representative of Israel
to the United Nations

ANNEX

Complaint by the Government of Israel respecting grave breaches
of the Geneva Convention of 12 August 1949 relative to the
Treatment of Prisoners of War perpetrated by the Egyptian
authorities in the course of the hostilities in October and
November 1973

1. The Government of Israel hereby submits to the International Committee of the Red Cross a grave complaint respecting crimes of murder, torture, acts of brutality and other serious breaches of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 1/ perpetrated by the Egyptian authorities upon Israeli soldiers taken captive by Egyptian forces in the course of the hostilities in October and November 1973.
2. Information from various sources indicating crimes perpetrated upon Israeli prisoners of war in the hands of the Egyptian authorities came to the knowledge of the Government of Israel during the course of the fighting. With the return of the Israeli prisoners of war, who had been in Egyptian captivity, this information was wholly confirmed. The comprehensive investigation now being undertaken by the Israeli authorities into the treatment meted out to the Israeli prisoners of war by the Egyptian authorities has already revealed a shocking chronicle of inhuman acts of cruelty perpetrated on the Israeli soldiers who were taken captive by units of the Egyptian Army - deeds unimaginable in relations between civilized nations.
3. The Government of Israel would be failing in its duty if, at this stage of the investigation, it did not submit a preliminary report on the murders and on the monstrous acts of brutality committed in the case of Israeli prisoners of war who were in the hands of the Egyptian authorities. Additional reports and evidence to supplement the particulars enumerated in the present complaint will be transmitted to the International Committee of the Red Cross in due course.

WILFUL MURDER

4. The Government of Israel is in the possession of proved evidence indicating beyond any doubt that a large number of officers and men of the Israel Defence Forces taken prisoner by Egyptian troops were deliberately murdered, many of them while lying wounded and helpless. It is not open to doubt that the many instances of murder, acts of brutality and calculated humiliation are the result of a planned policy of the Egyptian authorities. A decisive proof of this may be found in a pocket booklet for the Egyptian soldier, published on 30 June 1973 by the Armed Forces Command of the Egyptian Army, entitled, "Our Religious Belief - Our Road to Victory". On page 9 of the booklet may be found a message of the Chief of the

1/ United Nations, Treaty Series, vol. 75, No. 972, p. 135.

General Staff of the Egyptian Army, General Saad al Shazli, addressed to the officers and men under his command in the following terms:

"Kill them wherever you find them and be careful that they do not trick you, for they are a people of deceivers, pretending to surrender, so that they may overcome you and kill you easily. Kill them and do not show any pity or mercy."

A number of cases of proved wilful murder are described below. Additional cases will be submitted to the International Committee of the Red Cross as soon as possible:

- (i) On 7 October 1973, the garrison of a strong-point of the Israel Defence Forces north of Kantara East was taken into captivity. An Egyptian officer assembled the prisoners of war and handed them over to the commander of the local Egyptian force. This commander drew his revolver and killed one of the captured soldiers. At the same place, three other soldiers of the Israel Defence Forces, who had previously been taken prisoners, were also shot dead by Egyptian troops.
- (ii) On 8 October 1973, members of an Israel Defence Forces unit withdrew from a strong-point near Kantara East, in an attempt to link up with the Israeli forces. Seventeen soldiers from this position entered a house in the town of Kantara East. After discovery by Egyptian forces, they were forced to surrender. Eight of them left the room in which they had concentrated with their hands raised and gave themselves up to soldiers of the Egyptian Army. Nine others remained lying in the room, wounded and helpless. These men indicated to the Egyptians in the clearest possible way their intention to surrender. Despite this, Egyptian soldiers shot and killed all the wounded soldiers lying there in cold blood.
- (iii) On 8 October 1973, the garrison of an Israel Defence Forces strong-point at the southern end of the Suez Canal surrendered after their position had been surrounded by units of the Egyptian Army. The Israeli soldiers came out of the entrance of the strong-point with their hands raised. Egyptian troops opened fire and four Israeli soldiers were shot and killed. Another soldier was wounded.
- (iv) On 8 October 1973, a member of the garrison of the Israel Defence Forces strong-point opposit the Firdan Bridge, on the Suez Canal, attempted to surrender. He left the entrance of the strong-point and approached the soldiers of the Egyptian Army with his hands raised. Egyptian troops opened fire and killed him.
- (v) On 8 October 1973, 10 men of the Israel Defence Forces from a strong-point situated north of Kantara East on the Suez Canal were taken

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prisoner by Egyptian forces. An Israeli officer, who was also taken prisoner, has testified that a number of Israeli soldiers remained stretched out on the ground at the entrance to the strong-point, some dead and some wounded. According to the officer, Egyptian soldiers went up to the soldiers lying on the ground and stabbed them with their bayonets, killing the wounded among them. The Egyptian soldiers accompanied their foul deed with cries of joy and triumph.

(vi) On 8 October 1973, an Israeli tank was damaged by a missile near a strong-point of the Israel Defence Forces about 10 kilometres east of the Firdan Bridge. Some of the members of its crew managed to escape from it. One of them, a tank gunner, fell to the ground in a state of exhaustion. Two Egyptian soldiers approached him and kicked him in the stomach. They then opened fire on him at close range and killed him on the spot.

(vii) On 21 October 1973, an Israeli tank was hit in the Suez sector. The four members of the crew and two other soldiers who were on the tank were taken prisoner. The Egyptian soldiers, into whose hands they had fallen, lined up the six prisoners of war and shot them point-blank. All six were killed.

(viii) On 21 October 1973, another Israeli tank was hit in the Suez sector. Two members of the crew, including an officer of the rank of captain, fell into the hands of Egyptian soldiers. The Israeli prisoners of war were made to sit down next to each other in a depression in the ground. After they had been in the depression for an hour and a half, one of their guards came up and, without any reason, shot the Israeli officer in the chest. The officer died on the spot and his head fell on the shoulder of the Israeli soldier who was sitting next to him.

(ix) On 21 October 1973, an Israeli tank was hit by a missile near an Israel Defence Forces strong-point half way between Tassa and Ismailiya. The members of the crew, who jumped from the disabled tank, hid in a hole in the ground near by. After they had been surrounded by Egyptian soldiers, they surrendered and were taken prisoner. One of them, who had been wounded in the foot, was shot and killed by an Egyptian soldier as soon as he noticed the wound.

(x) On 21 October 1973, a number of Israeli tanks were hit near a strong-point situated north of the Great Bitter Lake. The crews jumped from the disabled tanks into a depression in the ground near by. After they had been surrounded by Egyptian troops, they surrendered and were taken prisoner. One of the Israeli prisoners of war, who had been wounded, was then shot and killed by an Egyptian soldier.

CRUEL AND INHUMAN TREATMENT

5. From the testimony of former Israeli prisoners of war who have returned from Egypt, there emerges a horrifying chronicle of incessant tortures and humiliation, which were the lot of the Israeli prisoners of war throughout the duration of their captivity. All of them report that, notably during the early part of their captivity, they were most cruelly beaten all over their bodies, particularly while being transferred from the place where they had been taken captive to prisons in Egypt, and during the course of interrogation. The cruelty and callousness of the Egyptian soldiers, who were entrusted to look after the prisoners of war, was especially brutal. They did not confine themselves to beating and kicking the prisoners of war in every part of their bodies, but made a point of stopping at inhabited places en route and inciting the local populations to assault physically the helpless Israeli prisoners of war. As a result, several of the Israeli prisoners of war arrived at the prisons beaten and bruised all over their bodies, while some of them had open wounds in their heads caused by blows of rifle butts. The unbridled savagery of the Egyptian soldiers is seen, more than anything else, in the fact that they made a point of assaulting wounded soldiers more than the others. Many of the returned Israeli prisoners of war have testified that Egyptian soldiers kicked them cruelly on their open wounds and even spat on them instead of bandaging them.

6. When the captives finally reached prisons in Egypt, their Egyptian gaolers made a point of competing with each other in inventing acts of brutality and humiliation, such as forcing the prisoners of war to kneel on the floor of the prison and lick it with their tongues, or urinating into the palms of their hands. The following is a representative sample of the acts of brutality and degradation as related by the returning prisoners of war.

(i) Blows

The Israeli prisoners of war were beaten over all parts of their bodies with any weapon that came to hand, from rifle butts to clubs, whips and palm branches. Many of the returnees still bear marks of the beatings on their bodies, despite the long period of time that has passed since then.

A particularly favoured means used by the Egyptian gaolers was the beating of the prisoners of war over their heads and on the soles of their feet with rubber truncheons.

(ii) Torture and degradation

The Egyptian gaolers made a practice of putting out the stubs of their cigarettes on the necks and backs of the prisoners of war. Some of them would order the prisoners of war to kneel on the ground and would then sit on their shoulders and order them to crawl the length of the room with their gaolers astride them. Another system of torture used by the gaolers was to perform their bodily functions on the faces and hands of the prisoners of war. On several

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occasions, they prevented the prisoners of war from performing their own bodily functions and brought them to a stage where they were forced to perform these functions in their clothes accompanied by the shouts and laughter of their gaolers.

(iii) Medical treatment

As described above, in a great number of cases the Egyptian soldiers did not give any first aid treatment to the wounded prisoners of war and even made a point of persistently hitting them on their wounds in order to aggravate their suffering and pain. Many of the Israeli prisoners of war refrained from asking for medical treatment in the knowledge that any such request would be answered with blows and torture.

(iv) Food

During the first days of their imprisonment, the prisoners of war were deliberately deprived of sufficient food and water. A most common system of torture employed by the Egyptian gaolers was to pour a glass of water on the ground before the eyes of a wounded prisoner of war suffering torments of thirst. When the prisoners of war were finally given food, it consisted of dry bread (pitta), uncooked potatoes and onions. The prisoners of war were hungry most of the time and many of them lost considerable weight during their captivity.

(v) Sanitary conditions

The Egyptian gaolers systematically deprived the Israeli prisoners of war of washing and minimal sanitary facilities. When they were finally permitted to wash after about three weeks in captivity, they were put into a trough filled with sewage water in which they were required to wash. The cells of the prisoners of war were full of bugs, lice and other insects, whose depredations deprived them of sufficient sleep.

(vi) Sexual assaults

According to the testimony of some of the prisoners of war, sexual assaults, unnatural acts and sodomy were committed on a number of Israeli prisoners. There are attested cases of sharp objects having been inserted into the anus of Israeli prisoners of war.

CONCLUSIONS

7. It is clear from the foregoing that the murders and acts of brutality described herein were part of a deliberate policy and were committed in accordance with systematic instructions issued by a high central authority.

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8. The murder of prisoners of war is a serious breach of article 13 of the Geneva Convention relative to the Treatment of Prisoners of War (the Third Geneva Convention). Under article 130 of the Convention, the wilful killing of a prisoner of war is defined as a grave breach of the Convention.

9. Acts of brutality committed on prisoners of war and the display of prisoners of war to gratify public curiosity constitute a breach of articles 13, 14 and 17 of the Convention. Torture and inhuman treatment of a prisoner of war is a grave breach of article 130 of the Convention.

10. The abandonment of wounded soldiers on the battlefield without providing medical treatment for them and the deliberate infliction of suffering or a serious abuse of the body of a soldier constitute grave breaches of articles 12 and 50 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949 2/ (First Geneva Convention).

11. In accordance with the first paragraph of article 12 of the Third Geneva Convention, the detaining Power is responsible for the treatment given to prisoners of war who fall into its hands. There is, therefore, no doubt that the Egyptian authorities bear responsibility for the heinous crimes committed by their troops.

DEMANDS OF THE GOVERNMENT OF ISRAEL

12. The Government of Israel calls upon the International Committee of the Red Cross to condemn the barbaric and revolting crimes committed by members of the Egyptian Armed Forces.

13. The Government of Israel demands of the Egyptian authorities that they give firm undertakings and issue clear instructions to ensure that there shall be no repetition of the horrendous crimes described in this complaint and that the Government of Egypt will respect the laws of war and the relevant international conventions.

14. The Government of Israel demands of the Egyptian authorities that, in accordance with the provisions of article 121 of the Third Geneva Convention, they conduct an official inquiry into the acts of murder and brutality described in this complaint and that they forward a report on the matter to the International Committee of the Red Cross.

15. The Government of Israel, in accordance with article 52 of the First Geneva Convention and article 132 of the Third Geneva Convention, demands that an inquiry shall be instituted into the grave violations of these conventions by the authorities of the Arab Republic of Egypt as enumerated in this complaint.

The Government of Israel will submit to the inquiry statements, attestations, medical reports and other evidence in support of the charges contained in the present complaint.

2/ Ibid., No. 970, p. 31.