



General Assembly

Distr.
GENERAL

A/43/806
21 November 1988

ORIGINAL: ENGLISH

Forty-third session
Agenda item 77

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

Report by the Secretary-General

(in pursuance of General Assembly resolution 43/21)

1. On 3 November 1988, the General Assembly adopted resolution 43/21 entitled "The uprising (intifadah) of the Palestinian people", the operative paragraphs of which read as follows:

"1. Condemns Israel's persistent policies and practices violating the human rights of the Palestinian people in the occupied Palestinian territories, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and detentions, as well as denial of access to the media;

"2. Strongly deplores the continuing disregard by Israel, the occupying Power, of the relevant decisions of the Security Council;

"3. Reaffirms that the occupation by Israel of the Palestinian territories since 1967, including Jerusalem, in no way changes the legal status of those territories;

"4. Demands that Israel, the occupying Power, abide immediately and scrupulously by the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and desist forthwith from its policies and practices that are in violation of the provisions of the Convention;

"5. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;

"6. Invites Member States, the organizations of the United Nations system, governmental, intergovernmental and non-governmental organizations, and the mass communications media to continue and enhance their support for the Palestinian people;

"7. Urges the Security Council to consider the current situation in the occupied Palestinian territories, taking into account the recommendations contained in the report of the Secretary-General; 1/

"8. Also requests the Secretary-General to examine the present situation in the occupied Palestinian territories by all means available to him and to submit periodic reports thereon, the first such report no later than 17 November 1988."

2. Given the background of resolution 43/21, which was adopted under agenda item 77, entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories", the Secretary-General considered it appropriate that the Centre for Human Rights assist in the preparation of the report requested of him in paragraph 8 and, to this end, that a mission be sent to the area.

3. On 10 November 1988, the Centre for Human Rights, on behalf of the Secretary-General, contacted the Permanent Mission of Israel to the United Nations Office at Geneva regarding the dispatch to the occupied territories of a senior official of the Secretariat to examine the situation on the spot. On 14 November 1988, the Israeli Mission replied that the Secretary-General's request was being considered by the Government. To this date no further response has been received.

4. In these circumstances, the Secretary-General instructed the Centre for Human Rights, which serves as the secretariat for the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, to provide an update to the information contained in the Special Committee's last report (A/43/694). The update, which is annexed to the present report, consists of a summary of Israeli press reports regarding incidents that have occurred in the occupied territories in September and October 1988. In addition, the annex includes information provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and by the International Committee of the Red Cross (ICRC).

5. It is evident from the information provided in the attached annex that the overall situation in the occupied Palestinian territories has worsened. Civilian deaths and injuries continue to be widespread and so do other serious violations of human rights. The Secretary-General has on numerous occasions during the current year expressed his grave concern at these developments. He is deeply distressed by the high number of casualties, and he has noted that Israeli measures, such as deportation, administrative detention and other collective punishments, such as the imposition of curfews and the blowing up of houses, can only aggravate the tension that already prevails in the area. He has received persistent appeals protesting these measures and other human rights violations, in particular, the closure of schools and the lack of access to detention centres.

6. As the Secretary-General emphasized in his report to the Security Council on 21 January 1988, 1/ submitted in accordance with resolution 605 (1987), the civilian population of the occupied territories is entitled to safety and protection under the Fourth Geneva Convention. This is clearly stated in the first paragraph of article 27, which reads:

"Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity".

The responsibility of the occupying Power is underlined in article 29, which reads:

"The Party to the conflict in whose hands protected persons may be is responsible for the treatment accorded to them by its agents, irrespective of any individual responsibility which may be incurred."

7. The Security Council has repeatedly reaffirmed the applicability to the occupied Palestinian territories of the Fourth Geneva Convention. On 26 August 1988, the President of the Council issued a statement on behalf of the members of the Council which reads as follows: 2/

"The members of the Security Council are gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the current grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths that have occurred.

"The members of the Council are profoundly concerned by the persistence of Israel, the occupying Power, in continuing its policy of deporting Palestinian civilians in contravention of Security Council resolutions and the Fourth Geneva Convention, as demonstrated on 17 August 1988 by its expulsion

of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members request Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported.

"The members of the Council consider that the current situation in the occupied territories, described in paragraph 1 above, has grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East.

"They reaffirm that the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and request the high contracting parties to ensure respect for the Convention.

"Recalling Security Council resolutions, the members of the Security Council will keep the situation in the occupied Palestinian territories, including Jerusalem, under review."

8. The Secretary-General fully shares the views expressed by the members of the Security Council. He considers it essential that the occupying Power apply scrupulously the provisions of the Fourth Geneva Convention. In this connection, he would like to draw attention once again to the detailed recommendations he made on this subject in his report to the Security Council of 21 January 1988.

9. However, as the Secretary-General has repeatedly stated since the uprising began nearly a year ago, measures to enhance the safety and protection of the Palestinian people in the occupied territories, urgent as they are, will not resolve the underlying problem. A resolution of the problem can only be reached through a comprehensive, just and lasting settlement based on Security Council resolutions 242 (1967) and 338 (1973), and taking into account the legitimate rights of the Palestinian people, including self-determination. The Secretary-General remains fully committed to the search for such a settlement, and will do his utmost in this respect.

ANNEX

I. Summary of reports on events in the occupied territories published in the Israeli press* from 1 September through 1 November 1988

1. On 1 September 1988, it was reported that the number of Palestinians killed in the territories since the beginning of the uprising had reached 212. According to UNRWA reports, the number of victims reached 258, and included 13 cases of suffocation from tear gas, 12 cases of death as a result of beating and 14 cases of death following shooting by Israeli civilians. (Ha'aretz, 1 September 1988)
2. On 1 September 1988, it was reported that 67 residents of the territories had been arrested in various towns of the Galilee region, northern Israel, for illegally staying in Israel. All were reportedly employed in Israeli construction, agriculture, etc. A Galilee police spokesman said that such arrests would continue and that residents of the territories who wished to stay overnight in the area could apply for special permits. (Ha'aretz, 1 September 1988)
3. On 1 September 1988 it was reported that two settlers from Hebron who handed a wounded Arab youth to the police, claiming that they captured him after he had thrown stones at them, were later arrested by the police on suspicion of having attacked and injured the youth. They were identified as Noam Arnon and Yoav Paniri, a "Gush Emunim" activist. Arnon's pistol was confiscated on suspicion that the settler had used it to beat the Arab youth on his face. The two settlers were questioned and released on bail. (Ha'aretz, 1 September 1988)
4. On 4 September 1988, the Commander of the Military Police, Tat-Aluf (Brig.-Gen.) Emil Elimelech, gave details about the number of Arabs from the territories held in prison. There were 2,461 administrative detainees, 519 convicted prisoners, 987 detainees (by order of a police officer) and 1,643 detained until the end of the legal proceedings (by order of a judge). The total number was 5,640 persons. Since December 1987, the Investigating Military Police had opened 430 inquiry files regarding "irregular accidents" in the territories. In 350 cases the inquiries were completed and in the remaining, 80 inquiries were still under way. Some 154 inquiries concerned death circumstances of young Arab demonstrators, 71 concerned cases of injuries, and 200 concerned other irregular acts by soldiers, including beatings, destruction of property, etc. (Ha'aretz, 5 September 1988)
5. On 4 September 1988 Hatem Abd el-Kader, 33, a journalist in the East-Jerusalem daily Al Fajr, was arrested by the Jerusalem police and placed under administrative detention for six months. (Ha'aretz, 5 September 1988)

* This summary is based on two sources, the Hebrew-language daily Ha'aretz and the English-language daily, The Jerusalem Post. The terminology used in the summary is that which appeared in the original source.

6. On 4 September 1988, it was reported that several residents of Jericho had alleged being harassed and ill-treated by Israeli Defence Forces (IDF) reservists during the previous months. Such harassment involved the deliberate throwing of a tear-gas canister into a private house, and forcing people to travel on the hood of a jeep. (Ha'aretz, 4 September 1988)

7. On 5 September 1988, the High Court of Justice upheld an IDF ban on international telephone calls from the territories, based on an emergency regulation dating back to 1945. The High Court ruled that the ban, issued by Central Region Commander Amram Mitsna on 10 April 1988, fell within the latter's powers to "restrict, regulate or impose conditions" on telephone use in order to prevent exchange of information among hostile elements. The court dismissed the petitioners' claim that the ban constituted a form of collective punishment. (The Jerusalem Post, 6 September 1988)

8. On 5 September 1988, two journalists were arrested: Salah Zuheika, the acting editor of A-Sha'ab and Hassan el-Khatib, the sports editor of Al Fair. (Ha'aretz, 6 September 1988)

9. On 6 September 1988, the security forces embarked on an unprecedented operation of searches and arrests in the town of Kalkilya. A curfew was imposed, and was lifted eight days later, on 14 September 1988. The operation started before dawn. Troops surrounded the town of 25,000, blocked access roads and diverted traffic. Phone links were cut. Soldiers carried lists of names, and detainees were taken handcuffed and blindfolded to a school, where they were questioned by General Security Service agents. A military prosecutor signed detention orders and prisoners were taken to the Far'a detention camp near Nablus. Some 150 people were arrested during the first day of the operation. Military sources said the detainees were found in possession of knives and hatchets. On 8 September 1988, it was reported that some residents had complained to reporters during the searches. Palestinian sources said four houses had been demolished. On 14 September 1988 it was reported that residents had been complaining of a shortage of fresh food and milk for infants. Electricity and water supplies had been periodically interrupted, and fruit trees and other crops outside the town were being damaged because of lack of irrigation during the curfew. By 15 September 1988, 28 roads had been blocked in Kalkilya, to prevent stone-throwing at Israeli cars passing on the main road. (Ha'aretz, The Jerusalem Post, 7, 8, 11, 14 and 15 September 1988)

10. On 6 September 1988, it was reported that, following a report by a team of doctors and toxicology experts who warned that the use of tear gas in closed spaces could be fatal, the IDF General Staff issued a directive prohibiting soldiers from using gas in closed areas while breaking up demonstrations in the territories. (Ha'aretz, The Jerusalem Post, 6 September 1988)

11. On 6 September 1988, it was reported that the civil administration in the West Bank was acting against Palestinian attempts to hold classes in place of schools closed down by the military government. On 5 September 1988 the IDF closed down the Society of Friends of Al-Najah University in Nablus after classes were held on the premises. On 7 September 1988, security forces raided several

vocational training centres in Tulkarem, on suspicion that classes were being held there. On 20 September 1988, it was reported that 14 educational centres that provided supplementary courses to secondary school students had been shut down. A civil administration spokesman said that classes at the centres violated an order closing down all educational institutions in the West Bank until 1 October 1988. (Ha'aretz, The Jerusalem Post, 6, 8 and 20 September 1988)

12. On 8 September 1988, the civil administration in the Gaza Strip and the IDF southern command released 70 detainees, residents of Gaza, who were held in the Ketziot detention centre. (Ha'aretz, 9 September 1988)

13. On 8 September 1988, the military court in Gaza sentenced a 60-year-old woman, Raki'a Abu-Samadna, to five months' imprisonment, five months' suspended term, and a fine of NIS 1000 (\$650). She was found guilty of attacking warders and of trying to pass Fatah messages to her son, detained in the Gaza prison. (Ha'aretz, 9 September 1988)

14. On 10 September 1988, security forces uncovered in Gaza 37 Fatah "popular committees" and arrested 200 people, including leaders of the underground and heads of local committees in camps and neighbourhoods. (Ha'aretz, The Jerusalem Post, 11 September 1988)

15. On 14 September 1988, it was reported that the IDF had staged an operation similar to the one in Kalkilya, in the village of Kafr Malek, north-east of Ramallah. The village was sealed off and placed under curfew. Soldiers with prepared lists of suspects moved from house to house, backed by a helicopter used to spot fleeing youths. The village was reportedly targeted because of its proximity to a road leading to neighbouring Jewish settlements, and because it had been the site of attacks on settlers' vehicles. Similar operations were also reported in four villages in the Tulkarem area: Kafr Zibad, Kafr Abush, Kafr Sur and Kafr Jamal. Some 40 suspects were arrested. In Deir Balut, east of Rosh-Ha'avin, 20 persons were arrested. It was also reported that villagers in Tell and Iraq' Burin, near Nablus, which had been sealed off for over a month, complained that they could not market their fig produce, their principal source of livelihood. (Ha'aretz, The Jerusalem Post, 14 September 1988)

16. On 18 September 1988, it was reported that the civil administration in the West Bank had banned the distribution in the territories of the East-Jerusalem daily Al Fajr for 45 days, following the publication of an "antisemitic cartoon". In response, the editorial board of the newspaper decided to hold a one-week strike. (Ha'aretz, 18 September 1988)

17. On 19 September 1988, IDF sources were reported as saying that, since new plastic bullets started to be used in the territories, troops had been authorized to use such bullets against stone-throwers and demonstrators, even when there was no danger to the soldiers' safety. The authorization was reportedly given in order to step up the struggle against "violators of the order", without resorting to shooting of live bullets. IDF sources estimated that the large number of persons with bullet injuries following recent clashes with soldiers resulted from the authorization to shoot at stone-throwers. According to a report appearing on

20 September 1988 Defence Minister Rabin had changed orders regarding the firing of plastic bullets, cancelling an earlier restriction which had limited the use of such bullets to especially trained officers. Now, most soldiers in the territories might carry plastic bullets, after being instructed about their range and effectiveness. (Ha'arets, 19 September 1988; The Jerusalem Post, 20 September 1988)

18. On 19 September 1988, it was reported that an IDF reservist, Hillel Bardin of Jerusalem, had been sentenced to two weeks in prison for attempting to mediate an agreement between his unit and Ramallah residents during his period of service in the town. Bardin reportedly held contacts with local community leaders with the intention of reaching an agreement whereby residents would demonstrate peacefully and the unit would not intervene in the non-violent protest. Military sources said that Bardin had violated orders by initiating the contacts, and had acted on his own, without the permission of his superiors. (The Jerusalem Post, 19 September 1988)

19. On 19 September 1988, the military court in Nablus sentenced Khaled Naif Hirallah, 20, to 10 years' imprisonment and 10 years' suspended term. He was convicted of trying to stab a female soldier. (Ha'arets, 20 September 1988)

20. On 23 September 1988 it was reported that the Judge Advocate-General had decided to put on trial four soldiers - a staff-sergeant and three privates - of the "Givati" brigade, who were allegedly involved in beating a Gaza resident, Aani Shami, to death. The incident occurred in August 1988, when some 20 soldiers forced their way into Shami's home, searching for stone-throwing children. When Shami tried to protect his children, the soldiers caught him and started beating him violently on all parts of his body. Aani Shami died of his wounds several hours later. On 26 September 1988 the President of the Southern Command military court ordered the remand of the four suspects until the end of the legal proceedings. According to a report published on 27 September 1988, the four suspects were staff-sergeant Yitzhak Adler and privates Ron Hakhel, Arieh Luzzato and Yitzhak Kibudi. They were being charged with manslaughter, and it was the first time since the beginning of the uprising in the territories that soldiers were being charged with beating an Arab to death. According to the charge sheet, the soldiers beat Shami with their rifles, a stick, by kicking him and by jumping on his body. The soldiers told their military police interrogators that they had received explicit orders to beat Arabs even when they were not offering resistance to arrest. "Such orders were displayed on notice-boards in the dining hall and in the military base", they said. On 4 October 1988, the Military Appeals Court heard the appeal by the four "Givati" soldiers. Lawyers for the four soldiers claimed that the use of beating "as punishment" was ordered by "most senior authorities" in the IDF. One of the lawyers quoted an affidavit by the soldiers' immediate commander, stating that their "action was in accordance with the customary procedures in the area". On 5 October 1988, the Military Appeals Court decided that the four soldiers should remain in jail pending their trial. (Ha'arets, 23 and 27 September 1988, The Jerusalem Post, 5 and 6 October 1988)

21. On 27 September 1988, Defence Minister Rabin declared in a press conference that the IDF was using plastic bullets in the territories to increase injuries among Palestinian rioters. Other equipment, such as tear-gas and rubber bullets,

had proved inadequate against stone-throwing from 30 to 50 metres, he said. He added that, in addition to the use of plastic bullets, the IDF had increased its pre-emptive raids on villages in order to block the organisation of violent protests. (The Jerusalem Post, 28 September 1988)

22. On 27 September 1988, it was reported that the El-Bireh based "Family Welfare Association" that was ordered closed by the West Bank military commander had applied to the High Court of Justice against the order. (Ha'arets, 27 September 1988)

23. On 29 September 1988, a journalist from Gaza, held at the Ketsiot detention centre in administrative detention, was sentenced by an IDF officer to two weeks' solitary confinement. He was charged with causing riots among hundreds of detainees. (Ha'arets, 30 September 1988)

24. On 2 October 1988, it was reported that all schools and educational institutions in the West Bank would be closed, by order of the civil administration, until 15 November 1988. (Ha'arets, 2 October 1988)

25. On 2 October 1988, it was reported that the administrative order closing the Palestinian Office for Press services in East Jerusalem, headed by Raymonda Tawil and Ibrahim Karain had been extended by one year. (Ha'arets, 2 October 1988)

26. On 5 October 1988, the IDF issued an administrative detention order against Naila A'ish, 26, from El-Bireh, whose husband, Jamal Zakut, had been expelled from the country two months earlier on suspicion of being a member of the Democratic Front for the Liberation of Palestine organisation. She was the seventh female administrative detainee since the beginning of the uprising in the territories and, more generally, since the beginning of the occupation in 1967. (Ha'arets, 6 October 1988)

27. On 6 October 1988, it was reported that the IDF had been threatening villagers in the Tulkarem district that unless calm was restored in their villages they would be prevented from harvesting their olive trees. It was further reported that civil administration's income tax officers had threatened over 100 oil-press owners that unless they paid their debts to the income tax authorities they would not be allowed to use their oil presses. (Ha'arets, 6 October 1988)

28. On 7 October 1988, Defence Minister Rabin said that since the beginning of the uprising in the territories, 250 persons had died and 18,000 arrests had been carried out. He said that plastic bullets were fired by officers and especially-trained soldiers in order to injure anyone involved in stone-throwing, organization of riots, or incitement. "In any confrontation with rioters, we are interested not only to arrest rioters but, if the violence continues, that they should suffer injuries", Mr. Rabin said. (Ha'arets, 9 October 1988)

29. On 8 October 1988, security forces uprooted a plantation and demolished a house in Deir el-Balah, the Gaza Strip, after a hand-grenade had been thrown at a road in the area. It was further reported that the village of Bidia remained under curfew, after villagers had killed the local mukhtar who was suspected of

collaboration with Israel. Electricity was cut off and the villagers were prohibited from harvesting their olive trees and from going abroad. (Ha'aretz, 9 October 1988)

30. On 9 October 1988, Attorney-General Yosef Harish defended the use of plastic bullets in the territories and said that their aim was not deterrence through injury, but dispersal of violent riots. Harish said he had approved guidelines for use of the bullets before they were issued to troops. (Ha'aretz, The Jerusalem Post, 10 October 1988)

31. On 10 October 1988, it was reported that a spokeswoman of the Women's Organization for Political Prisoners said that 43 female "political prisoners" were at present in detention. She estimated that over 1,000 women had been arrested since the start of the uprising. She claimed that almost all the women were tortured, most often by various forms of sexual degradation and by having their hands and feet tied together and their head covered with a bag, often for several days. (The Jerusalem Post, 10 October 1988)

32. On 12 October 1988, the IDF demolished four houses in Nablus and sealed five others. The houses belonged to families of men suspected of killing three other Palestinians whom they alleged were collaborating with the security authorities. The houses demolished were in the Ras el-Ein neighbourhood and in the Casbah area. (Ha'aretz, The Jerusalem Post, 13 October 1988)

33. On 12 October 1988, Dr. Ibrahim al-Yazuri, head of the "Mujam'a al-Islami" organization in the Gaza Strip, was arrested by security forces, reportedly for questioning. The organization was described as an "umbrella body" of all the Islamic associations in the region. According to security sources, several other Palestinians linked with Islamic organizations had also been arrested recently. (Ha'aretz, 13 October 1988)

34. On 16 October 1988, it was reported that the deputy Mufti of Jerusalem, Sheikh Jamal a-Rifai, had been charged by the Jerusalem police with encouraging an illegal assembly. It was reportedly the first time that such a serious Wakf official (Rifai also heads the Moslem religious courts in East Jerusalem and the West Bank) was being charged with a criminal offence. The incident giving rise to the charge had occurred several months earlier, when workers for the Religious Affairs Ministry started excavations in Via Dolorosa, in the Old City of Jerusalem. At the time, Sheikh a-Rifai had used a loudspeaker to call upon Moslem worshippers to defend the Temple Mount from a Jewish attempt to gain control of it, and his call reportedly prompted widespread rioting in the Old City. (The Jerusalem Post, 16 October 1988)

35. On 17 October 1988, it was reported that a group of reservists had complained to the Defence Minister about the behaviour of a reserve tank unit in Kalkilya and its area in September 1988. According to the complainants beatings of Palestinian detainees by the unit's officers and soldiers were routine, and the detainees were kept in "dehydration facilities", an improvised open-air lock up surrounded by a barbed-wire fence where it was extremely cold at night and very hot during the day. Detainees were kept there for several days and then released. The soldiers

thus avoided regular arrest procedures. Further charges in the complaint included the tying of a man to an electricity pylon, the transportation of offenders to an orchard for beating and the shooting at a mosque of the muezzin's loudspeaker. One of the complainants, a medical student, said he had been prevented from giving aid to a Palestinian who had been badly beaten by the soldiers. (Ha'aretz, The Jerusalem Post, 17 October 1988)

36. On 18 October 1988, it was reported that cases of temporary confiscation of cars belonging to Arab residents in the territories had recently increased. The cars were being confiscated for army use, for various purposes, for several hours and sometimes even for a whole day. Replying to a letter on the subject by members of the Knesset (MK) Dedi Zucker, Defence Minister Rabin said that that practice was in keeping with international law. (Ha'aretz, 18 October 1988)

37. On 18 October 1988, troops broke into the home of Said Kanaan, a well-known public figure in Nablus; they carried out a search and set up a temporary observation post on the roof, from where they watched over a funeral procession. (Ha'aretz, 19 October 1988)

38. On 20 October 1988, it was reported that, since the beginning of the uprising, the IDF had demolished about 100 houses in the West Bank and Gaza Strip. (Ha'aretz, 20 October 1988)

39. On 20 October 1988 the IDF demolished the house of Khaled Jassin Abu Jenida, suspected of throwing petrol bombs at troops. In addition, it was reported that the IDF had demolished eight houses and three villages. The houses had allegedly been built without a permit. (The Jerusalem Post, 21 October 1988)

40. On 20 October 1988, the Israeli press reported on two recent publications by the West Bank Data Bank Project, headed by Dr. Meron Benvenisti. One publication, entitled "The Price of Insurgency", was the first comprehensive report on human rights violations in the territories since the beginning of the uprising. The report, compiled by attorney Carmel Shalev, indicated an "alarming increase in the number of human and civil rights violations as a result of measures adopted by the Israeli authorities in their efforts to quell the uprising by the Palestinian population. That phenomenon was accompanied by government acts - legislative, administrative and judicial - which have been granting legitimacy to these violations, and have been causing a qualitative change in the human and civil rights situation of the population". According to the report, by September 1988, over 250 persons had been killed in the territories, compared with eight in 1986 and 22 in 1987. During the period under consideration, over 5,000 people were injured, some 2,500 administrative detention orders issued, compared with 37 in 1986 and 62 in 1987, and over 18,000 people arrested. The freedom of movement of hundreds of thousands of individuals was restricted by the imposition of curfews and by the sealing off of localities. Thus, the entire West Bank and Gaza Strip were totally sealed off for three days in March and four in April 1988. The report also alleged that there was a dual system of justice in civil and military courts, that discriminated against Arabs. The report further noted a discrepancy between official policy guidelines on the use of force by Israeli soldiers and their implementation. The second publication was "The West Bank and Gaza Atlas", which

included maps and statistics on Jewish and Arab population growth and distribution, infrastructure and transport, cultivation, town planning and various Israeli political plans for border demarcation. One of the major findings in the atlas concerned the increase in the Palestinian population of the territories. According to the atlas, the West Bank Palestinian population was greater by some 200,000 than figures released by the Central Bureau of Statistics, and reached 1,067,873. The Gaza Strip Palestinian population stood at 633,000. (Ha'aretz, The Jerusalem Post, 20 October 1988)

41. On 21 October 1988, the security forces demolished a house in the Jabaliya refugee camp, in the Gaza Strip, and sealed another house in the same camp. The owners of both houses, who had allegedly thrown petrol bombs at troops, applied to the High Court of Justice against the demolition and the sealing, but their petition was rejected. (Ha'aretz, 23 October 1988)

42. On 23 October 1988, Reuter News Agency reported - on the basis of Palestinian allegations - that an undercover army unit, code-named "Duvdevan" ("Cherry") was operating in the West Bank to capture Arabs throwing petrol bombs and rocks, and that the unit had verbal orders to shoot to kill fugitives "with blood on their hands". According to Reuter, foreign correspondents alleged that members of the force had impersonated journalists several times to arrest or photograph Arab suspects. According to the Reuter report, three West Bank residents killed in clashes on 8 and 9 October in the villages of Yatta and Yaabad were shot dead in cold blood by members of this unit. The news agency further alleged that a similar unit, code-named "Samson", was operating in the Gaza Strip. On 24 October 1988, the IDF flatly denied the existence of an undercover "death squad" operating in the West Bank and Gaza. The announcement by the IDF spokesman's office read as follows: "In reaction to media reports in Israel and abroad concerning alleged illegal activities of IDF units in Judea, Samaria and the Gaza Strip, the IDF spokesman emphasizes that IDF units carry out varied operational activities to preserve security and order, in accordance with the law. There is no unit in the IDF which is authorized to act, or which acts, against the well-known rules for opening fire which are grounded in law". The statement did not deny the existence of undercover units whose task was to arrest throwers of rocks and petrol bombs. (Ha'aretz, The Jerusalem Post, 24, 25 and 28 October 1988)

43. On 23 October 1988, the Vice-President of the Jerusalem District Court, Justice Elishu Noam, confirmed the six-month administrative detention order issued by the Defence Minister against Feisal Hussein, director of the Centre for Arab Studies in East Jerusalem. (Ha'aretz, 24 October 1988)

44. On 23 October 1988, it was reported that 60 administrative detainees and prisoners from the Gaza Strip held at the Ketziot prison in the Negev desert, known as Ansar 3, were being released from prison, as a gesture on the occasion of the holiday marking the birth of the Prophet Muhammad, on 22 October 1988. (Ha'aretz, 23 October 1988)

45. On 23 October 1988 it was reported that MK Dedi Zucker had asked Defence Minister Rabin to order that the practice of mock executions as a means of pressure on witnesses, or as a form of ill-treatment, be ceased. According to MK Zucker he

had received two complaints of such a practice over the past fortnight. (The Jerusalem Post, 23 October 1988)

46. On 26 October 1988, Defence Minister Rabin told a reporter that the Defence establishment had no intention of changing the orders and procedures given to IDF soldiers in the territories with regard to beating residents who threw stones or petrol bombs. (Ha'aratz, 27 October 1988)

47. On 27 October 1988, the IDF Judge Advocate-General, Brigadier-General Amnon Strashnow reported that the army was holding 1,600 Palestinians in administrative detention, compared with some 3,000 a few months earlier. Most of the detainees had filed appeals, and all but 200 of which had already been heard by military court judges. The remaining appeals were to be heard the following week. In addition, the judge reported that 32 IDF soldiers and officers had been tried since the beginning of the uprising for unbecoming conduct towards the residents of the occupied territories. (The Jerusalem Post, 28 October 1988)

48. On 29 October 1988, the security forces carried out many arrests, described as "preventive measures", in connection with the forthcoming elections in Israel and the United States of America, the Balfour Declaration Day, and the meeting of the Palestine National Council in Algiers. Many public figures were arrested, including eight journalists, eight trade unionists and the son of Abd el-Hamid A-Sayeh, chairman of the Palestine National Council. (Ha'aratz, 30 October 1988)

49. On 30 October 1988 an Israeli woman, Rahel Weiss, and her three children were burned to death when a civilian bus travelling from Tiberias to Jerusalem was attacked near Jericho with several petrol bombs. (Ha'aratz, 31 October 1988, The Jerusalem Post, 31 October 1988)

50. On 31 October 1988, the houses of three Palestinians of the A-Takruri family were demolished. The three had confessed to the petrol bomb attack the previous day in which an Israeli woman and her three children were burned to death. The houses were located in Jericho. According to one report, seven houses were demolished in the town following the attack. (Ha'aratz, The Jerusalem Post, 1 November 1988)

51. On 1 November 1988, it was reported that the IDF Judge Advocate-General, Amnon Strashnow, was seriously considering - at the request of Defence Minister Rabin - demanding the death penalty for the perpetrators of the petrol bomb attack on 30 October 1988 in Jericho, in which an Israeli woman and her three children were killed. Sources close to Mr. Rabin said that the Defence Minister was "determined to carry out that change in the policy" which consisted of refraining from demanding capital punishment in military trials. (The Jerusalem Post, 1 November 1988)

Palestinian casualties as reported in The Jerusalem Post
and Ha'arets

52. The following is a list of the Palestinians killed between 27 August and 31 October 1988 in the occupied territories.

<u>Date</u>	<u>Name (age)</u>	<u>Place of residence</u>
27.08.88	Aiman Yamin (14)	A-Til
28.08.88	Samikh Yusuf Muhammad Dababseh (22)	Yatta
31.08.88	Manawi Munir el-Arashi (17)	Rimel neighbourhood in Gaza
31.08.88	Iman Ahmed el-Najar (16)	Rafah
31.08.88	Fahri el-Bargouti (22)	Ramallah neighbourhood
07.09.88	Abd el-Karim Mahmud Abed (17)	Rafah
08.09.88	Muhammad Ahmed Abu-Salah (36)	Silat al-Hartiya
10.09.88	Ali Ahmed a-Dabsa (26)	Nuba, near Hebron
10.09.88	Rayek Farash (26)	Sinjil, near Ramallah
10.09.88	As'ad Abu Ghosh (28)	Nablus
10.09.88	Issa Yassin (30)	Anin, near Jenin
10.09.88	Unidentified	
14.09.88	Rami Khalil Abu-Samra (11)	Gaza
14.09.88	Adli a-Thalagi (30)	
17.09.88	Imad el Arkawi (18)	Jenin
17.09.88	Munjid Ismail Sirhan (26)	Luban ash-Sharkiya
19.09.88	Imad Abu-Thuria (18)	Gaza
21.09.88	Hani Abu-Meidan (18)	Bureij camp, Gaza
24.09.88	Nahil a-Tuhi (12)	Amari camp, near Ramallah
26.09.88	Jamal Shukeirat (23)	Jebel Mukabar neighbourhood, East Jerusalem

<u>Date</u>	<u>Name (age)</u>	<u>Place of residence</u>
26.09.88	Naim A. Satatiya (50)	Nablus
26.09.88	Jihad a-Zinu (22)	Gasa
26.09.88	Nabil al-Jamal (21)	Beit-Surik
26.09.88	Nasser el-Jundi (22)	
27.09.88	Hussam al-Gharbawi (20)	Gasa
27.09.88	Imad Abu-Sharar (17)	Nuseirat
27.09.88	Osama Baraikeh (17)	Khan Yunis camp
29.09.88	Naser Abu Sabit (19)	Balata camp
30.09.88	Kaid Salah (42)	Hebron
30.09.88	Muhammad el-Karaki (18)	Hebron
05.10.88	Nidham Abu-Hawila (24)	Balata
06.10.88	Mustafa Salim Abu Baker (45)	Bidin
06.10.88	Ahmed Za'rur	Anin village, near Jenin
06.10.88	Adnan Abu Hanfa (31)	Nablus
07.10.88	Samir al-Bahlul (26)	Nablus
07.10.88	Nidal Ali al-Najar (29)	Nablus
07.10.88	Ali Az e-Din a-Sayeh (20)	Nablus
07.10.88	Muhammad al-Masharawi (17)	Nablus
07.10.88	Ahmed Ziad al-Kilani (28)	Yaabed
07.10.88	Muhammad Aref Salah (36)	Burka
08.10.88	Muhammad Fawzi Abd el Kader (23)	Ein Beit Alma refugee camp
09.10.88	Osama Subhi Ahmed	Rafah
09.10.88	Kamal Muhammad Hassan al-Dari'a (23) Fadel Ibrahim Shehadeh Najjar (25)	Yatta

<u>Date</u>	<u>Name (age)</u>	<u>Place of residence</u>
10.10.88	Nisam Abu Judeh (17)	Dheisheh refugee camp
13.10.88	Mahmud Abu Khader (18)	Judeida, near Jenin
14.10.88	Omar al-Asi Ba'arat (23)	Kafr Malek
14.10.88	Ahmed al-Arja (19)	Kibya
16.10.88	Osama Walsfi a-Shalabi (18)	A-Til, near Tulkarem
18.10.88	Ziya Haj Muhammad (5) Khaled Tbeileh (14)	Nablus
24.10.88	Abdel Munim Shahin Shahmawi (17)	Far'a refugee camp
25.10.88	Manal Samour (14)	Shati refugee camp
26.10.88	Nisrin A-Nawajha (3)	Khan Yunis
27.10.88	Ziad Sabad (16)	Nuseirat refugee camp
29.10.88	Basal Mustafa Dweikat (17)	Rujeib
30.10.88	Iyad Bishara Abu-Saadeh (20)	Beit Sahur

II. Information provided by the United Nations Relief and Works Agency for Palestine Refugees in the Near East

53. On 4 October 1988, after returning from a visit to the occupied territories, UNRWA Commissioner-General Giorgio Giacomelli said that he had been able to witness and to verify personally that the number of casualties inflicted on the refugees by different means continued to be alarmingly high. UNRWA had noted in the previous two weeks, in particular, an alarming increase in the number of injuries from gunfire - whether by normal aluminium or plastic bullets. In his meetings with the Israeli authorities, the Commissioner-General had expressed once again his deep concern about this trend and his hope that the security forces could find more proportionate means of responding to protests and demonstrations.

54. On 11 October 1988, UNRWA expressed concern over the effects of the prolonged closure of schools for Palestinian children in the Israeli-occupied West Bank and Gaza Strip. The Commissioner-General noted that UNRWA was responsible for educating over 130,000 young people in the occupied territories, refugees who constituted a high proportion of the Palestinian population there. For over 10 months the Agency had faced many difficulties in running their biggest programme, education, which accounted for two-thirds of their resources. UNRWA's three training centres in the

West Bank, catering to some 1,500 students, and its training centre in Gaza, with 600 students, had been closed since late 1987. That loss of a year of instruction placed the future of these students, and those who would have been admitted during 1988, in serious doubt. It was of critical importance for UNRWA to be able to resume its education programme. The Agency had contingency plans in hand for when they could resume full operations. The Commissioner-General considered that the loss of class-room time was tragic and costly, for the refugees and for UNRWA. Security considerations had been invoked to justify the closure of educational institutions, but a major consequence was that a generation of Palestinian children - of whom the refugees were such a large share - were unable to exercise their basic right to education.

55. In his statement of 9 November 1988 in the Special Political Committee (see A/SPC/43/SR.22), the Commissioner-General commented on some of the developments that had taken place since 30 June 1988, the date marking the end of the period covered by the latest report to the General Assembly, in the area of UNRWA's operations. He recalled that the Agency's programmes had been seriously affected during the previous five months, especially with respect to education. The Agency remained gravely preoccupied with maintaining its activities in the Israeli occupied territories. The number of casualties among the refugees had increased and widespread suffering had resulted from beatings, destruction of shelters, curfews and other punitive measures. Interference with the performance of the Agency's activities and violations of its premises had undermined its efforts to work quickly and effectively.

III. Information provided by the International Committee of the Red Cross

56. The Secretary-General has been informed by ICRC that, since the beginning of the intifadah, the International Committee has pursued its tasks in favour of the civilian population in the territories occupied by Israel, in accordance with the Fourth Geneva Convention. The ICRC delegations in Tel Aviv, Jerusalem, Gaza and Nablus, the staff of which has been increased and which currently totals 36 expatriates, focused on the following main activities:

(a) Visits to persons detained in connection with the events

About 6,200 people are currently visited by ICRC delegates in eight military detention centres (Atlit, Meggido, Far'a, Tulkarem, Dahariye, Ketzich, Katiba and Ofer). During those visits, the ICRC delegates notably checked on the detention conditions of administrative detainees, who now number over 2,100.

(b) Supervision of the medical infrastructure

The ICRC doctor and the two nurses based in the occupied territories are monitoring the area's medical facilities. In addition, particular attention is given to the local branches of the Red Crescent: six ambulances have already been provided to the local branches, and eight others are planned before the end of the year.

(c) Assessment of the general situation in the camps and villages

The ICRC delegates are continuing regular visits to towns, villages and camps, and more particularly to those under curfew or which have been the scene of clashes with the Israeli armed forces, in order to solve a number of problems of humanitarian concern and to investigate violations of international humanitarian law. Material aid is also being provided to families whose houses had been ordered destroyed.
