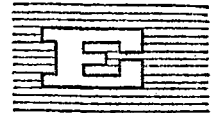


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/CN.4/1473
10 March 1981

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Thirty-seventh session
Agenda item 13

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE
TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Note Verbale dated 10 March 1981 from the Permanent Mission of Israel
addressed to the Division of Human Rights

"The Permanent Mission of Israel presents its compliments to the Division of Human Rights and has the honour to transmit to it the attached statement issued by the Secretary-General of the United Nations on 10 February 1981.

The Permanent Mission of Israel would be grateful if the Division of Human Rights would kindly circulate this statement as an official document of the Commission on Human Rights under item 13 of the agenda of the present session.

The Permanent Mission of Israel avails itself of this opportunity to renew to the Division of Human Rights the assurances of its highest consideration."

GE.81-10944

STATEMENT BY THE SECRETARY-GENERAL OF THE UNITED NATIONS

(10th February 1981)

It will be recalled that the Secretary-General decided on 15 January 1981 to establish a United Nations Board of Enquiry to look into an incident which occurred on 25 December 1980 at Wadi Al Ayn in South Lebanon, a place outside the area of full UNIFIL control.

The Board of Enquiry was composed of Brigadier-General Stig Waldenstrom (Sweden), Chief Military Observer of the United Nations Military Observer Group in India and Pakistan (UNMOGIP), as Chairman, Colonel Osmo U. Karanka (Finland), and Lieutenant-Colonel Brian D. Hanly (Canada), both of the United Nations Disengagement Observer Force (UNDOF).

During this incident, personnel of the Israeli Defence Forces (IDF), killed five Palestinian armed elements. The Board of Enquiry was asked, in particular, to deal with the controversy which had arisen between UNIFIL and IDF over their different versions of this incident. In this connection, UNIFIL had issued a press bulletin on 31 December 1980 which, inter alia, stated that the IDF soldiers had piled the bodies on each other and detonated an explosive charge on top of them. These allegations were denied by the Israeli authorities.

The Board convened at Naqoura, Lebanon, on 17 January 1981. The Board interviewed UNIFIL and IDF senior staff. Detailed interviews were also conducted with UNIFIL and IDF soldiers who were involved in the incident itself. The Board travelled to the site of the incident in the company of UNIFIL soldiers and again in the company of IDF personnel. The Board also interviewed several specialists.

The Secretary-General has now received the report of the Board of Enquiry. After intensive investigations, the Board has concluded that it has not found evidence to support the account contained in the UNIFIL press bulletin mentioned above. The Board believes that distance, angle of observation, smoke resulting from the explosions when the IDF soldiers blew up the ammunition and equipment of the Palestinian armed elements, and the prevailing tension all contributed to the Dutch soldiers of UNIFIL reporting what they thought they had seen, rather than what had actually occurred.

An acceptance of these reports by superiors in the Netherlands' battalion and at UNIFIL Headquarters, without taking adequate measures to verify the details, led to the errors in the Bulletin.

The Board unanimously agreed, however, that the UNIFIL soldiers had no intention of deliberately making incorrect statements.

The Secretary-General deeply regrets that UNIFIL issued a press bulletin containing an incorrect statement of the facts and wishes the record to be corrected, in keeping with the standards of integrity and objectivity that must characterize the peace-keeping efforts of the United Nations.

The Secretary-General has instructed the Commander of UNIFIL to study, as a matter of urgency, ways and means of improving the reporting procedures of the Force and, in particular, of verifying and checking the reports received from the battalions. In this connection, there is also a need to improve liaison arrangements with all concerned. The Secretary-General wishes to thank the Chairman and members of the Board for the thorough and objective enquiry.