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RAPPORT DU COMITE SPECIAL CHARGE D'ENQUETER SUR LES PRATIQUES
ISRAELIENNES AFFECTANT LES DROITS DE L'HOMME DE LA POPULATION
DES TERRITOIRES OCCUPES

Note du Secrétaire général

Le Secrétaire général a l'honneur de transmettre aux membres de l'Assemblée générale le rapport joint en annexe qui lui a été présenté, conformément au paragraphe 16 de la résolution 40/161 D de l'Assemblée en date du 16 décembre 1985, par le Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés.

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LETTRE D'ENVOI

Le 10 septembre 1986

Monsieur le Secrétaire général,

Le Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés a l'honneur de vous transmettre ci-joint son dix-huitième rapport, qui a été établi conformément aux résolutions de l'Assemblée générale relatives au Comité spécial et, notamment, à la résolution 2443 (XXIII) du 19 décembre 1968, instituant ledit Comité, et à la résolution 40/161 D du 16 décembre 1985, dernière en date des résolutions par laquelle l'Assemblée générale a renouvelé son mandat.

Le présent rapport porte sur la période allant du 30 août 1985, date à laquelle le Comité a adopté son précédent rapport, au 31 août 1986. Ce rapport est fondé sur des renseignements reçus par le Comité spécial sous forme de dépositions orales de personnes pouvant fournir des informations de première main sur la situation dans les territoires occupés ainsi que sur de la documentation provenant de différentes sources. Le Comité spécial a choisi parmi ces dépositions et cette documentation des renseignements, des extraits et résumés pertinents pour en faire état dans le présent rapport. Aux fins de recueillir des dépositions orales, le Comité spécial a organisé des séances d'auditions à New York, à Genève et à Amman. Il a continué à examiner des comptes rendus de déclarations de membres du Gouvernement israélien indiquant la politique suivie par ce gouvernement dans les territoires occupés et des informations sur les mesures prises pour appliquer cette politique. Le Comité spécial a pris connaissance des lettres adressées à vous-même et au Président du Conseil de sécurité pendant la période couverte par ce rapport, ayant trait au mandat du Comité spécial, publiées comme documents de l'Assemblée générale et du Conseil de sécurité. Il a reçu des renseignements émanant d'organisations et ayant trait à divers aspects de la situation dans les territoires occupés. Il convient de mentionner spécialement une série de documents et de statistiques que le Département des affaires des territoires occupés et le Département de l'éducation et de l'enseignement supérieur de l'Organisation de libération de la Palestine à Amman ont présentés au Comité spécial et qui reflètent les divers aspects des pratiques affectant les droits de l'homme de la population civile dans ces territoires.

Le Gouvernement israélien n'a pas modifié sa position à l'égard du Comité spécial malgré les efforts déployés à cet effet. Par contre, le Comité spécial a bénéficié de la coopération des gouvernements de la République arabe d'Egypte, du Royaume hachémite de Jordanie, de la République arabe syrienne et de l'Organisation

Son Excellence
Monsieur Javier Pérez de Cuéllar
Secrétaire général de l'Organisation
des Nations Unies
New York

de libération de la Palestine dans l'exercice de son mandat. Le Comité spécial regrette toutefois que compte tenu des restrictions budgétaires bien connues de vous, il n'ait pu procéder, dans l'accomplissement de son mandat, à des auditions de témoins au Caire et à Damas.

En établissant son rapport, le Comité spécial a essayé de vous dresser un tableau complet de la vie réelle dans les territoires occupés dans la mesure où elle affecte les droits de l'homme de la population civile. Par cette lettre, le Comité spécial souhaite appeler votre attention sur plusieurs aspects qui méritent d'être relevés.

Comme il ressort des renseignements contenus dans ce rapport, les autorités israéliennes continuent d'appliquer une politique d'annexion et d'implantation de colonies. Le sort des civils expulsés de leur terre natale est un sujet de grave préoccupation pour le Comité spécial, un exemple particulièrement éloquent en étant la situation des habitants d'Emmaüs, de Beit-Noula et de Yalou, réduits à l'état de réfugiés errants depuis qu'en 1967 les autorités occupantes ont rasé leurs villages. Le Comité spécial juge particulièrement alarmant le fait que ces villageois continuent de se voir refuser le droit de récupérer leurs terres sur lesquelles le Fonds national juif du Canada a construit le parc Canada et où les autorités israéliennes auraient l'intention de planter une forêt et non d'autoriser la reconstruction des villages détruits.

Le rapport fait état de nouveaux éléments qui aggravent encore les difficultés de la population civile. Le Comité spécial s'inquiète de l'escalade de la violence engendrée par le retour de la politique de la "main de fer" annoncée par les autorités elles-mêmes. Plusieurs mesures rigoureuses affectant les droits de l'homme de la population palestinienne des territoires occupés illustrent cette politique, dont la recrudescence des arrestations et des procès qui se traduit par la détention de nombreux civils (y compris des mineurs) sous l'inculpation de délits politiques ou d'atteintes à la sécurité et l'imposition de mesures d'internement administratif. Un autre aspect préoccupant de cette politique de la "main de fer" est la reprise massive des mesures d'expulsion et d'interdiction.

La situation créée par cette politique sur la rive occidentale et dans la bande de Gaza et le régime sévère appliqué dans les hauteurs du Golan ont anéanti tout espoir d'amélioration de la situation en ce qui concerne les droits de l'homme dans les territoires arabes occupés pendant la période considérée.

Les dépositions orales recueillies et la documentation rassemblée par le Comité spécial sur la vie quotidienne de la population civile font apparaître à l'évidence de graves violations des libertés et droits fondamentaux. Les civils sont en butte à maintes mesures de harcèlement et sont notamment victimes de châtements collectifs, dont la démolition de maisons, le comportement hostile des colons qui ne manquent pas une occasion d'étendre leur autorité, les restrictions à la liberté de circulation, caractérisées par le nombre croissant d'assignations à résidence, les atteintes à la liberté de l'enseignement, marquées notamment par l'expulsion arbitraire d'enseignants et de professeurs d'université. A cet égard, le Comité spécial exprime l'espoir que les membres du corps enseignant, qui ont été expulsés sans raison valable, seront rapatriés et réintégrés dans leurs fonctions aussi rapidement que possible.

Un certain nombre de déclarations ont été faites par des personnalités officielles sur la restitution des municipalités des territoires occupés à des dirigeants locaux. Malgré de fréquentes déclarations dans ce domaine et certaines initiatives qui semblent avoir été prises pour les mettre en oeuvre, le Comité spécial éprouve certaines difficultés pour se prononcer, à ce stade, quant aux motifs qui sous-tendent ses déclarations.

Cette situation continue d'entraîner de nombreuses arrestations pour délits politiques ou atteintes à la sécurité, qui ne font que perpétuer les problèmes liés aux conditions carcérales et difficultés de détenus de tous âges et qui sont à l'origine d'un flux constant d'allégations graves concernant le traitement des détenus.

Dans ces conditions, le Comité spécial s'est efforcé de donner une image aussi claire que précise de la situation des droits de l'homme dans les territoires occupés. La gravité de cette situation qui ne cesse d'empirer exige de la part de la communauté internationale qu'elle intensifie son action pour améliorer le sort de la population civile dans les territoires occupés.

Comme vous le savez, Monsieur le Secrétaire général, dans un esprit de coopération constructive, le Comité spécial est convenu de restreindre ses activités, pour se conformer à la demande que vous avez adressée à tous les organes de l'ONU et contribuer aux efforts que vous déployez pour surmonter la crise financière qui frappe l'Organisation cette année. Mes collègues et moi-même nous sommes attachés à remplir notre mandat au mieux de nos possibilités compte tenu de ces restrictions, dont nous souhaitons qu'elles ne soient pas maintenues, espérant qu'au cas où le mandat du Comité spécial serait reconduit celui-ci pourra exercer ses fonctions dans des conditions qui ne limiteront pas l'efficacité de ses travaux.

Veillez agréer, Monsieur le Secrétaire général, au nom de mes collègues et au mien, les assurances de notre très haute considération.

Le Président du Comité spécial chargé
d'enquêter sur les pratiques
israéliennes affectant les droits
de l'homme de la population des
territoires occupés,

(Signé) N. WIJewardane

I. INTRODUCTION

1. Le Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés a été créé par l'Assemblée générale par sa résolution 2443 (XXIII) du 19 décembre 1968. Par cette résolution, l'Assemblée a décidé de créer le Comité spécial, composé de trois Etats Membres; prié le Président de l'Assemblée de nommer les membres du Comité spécial; prié le Gouvernement israélien de recevoir le Comité spécial, de coopérer avec lui et de faciliter sa tâche; prié le Comité spécial de faire rapport au Secrétaire général aussitôt que possible et, par la suite, selon les besoins; et prié le Secrétaire général de fournir au Comité spécial tous les moyens nécessaires à l'exécution de sa tâche.
2. Le 12 septembre 1969, les Etats Membres suivants ont été désignés pour faire partie du Comité spécial : Somalie, Sri Lanka, et Yougoslavie. Le Gouvernement de Sri Lanka a désigné M. H. S. Amerasinghe, représentant permanent auprès de l'Organisation des Nations Unies, pour le représenter au Comité spécial. Le Gouvernement de Yougoslavie a désigné M. Borut Bohte, professeur à la faculté de droit de l'Université de Ljubljana et membre de l'Assemblée fédérale de Yougoslavie, pour le représenter au Comité spécial. Le Gouvernement de la Somalie a désigné M. A. A. Farah et, par la suite, M. H. Nur-Elmi, représentant permanent auprès de l'Organisation des Nations Unies, pour le représenter au Comité spécial. Le 26 avril 1974, le Président de l'Assemblée générale, à sa vingt-huitième session, a informé le Secrétaire général de la décision de la Somalie de se retirer du Comité spécial et, conformément au paragraphe 2 de la résolution 2443 (XXIII) de l'Assemblée générale, de la nomination du Sénégal comme membre du Comité spécial. Le 30 avril 1974, le Représentant permanent du Sénégal auprès de l'Organisation des Nations Unies a informé le Secrétaire général que son gouvernement avait désigné M. Keba Mbaye, premier président de la Cour suprême du Sénégal, pour le représenter au Comité spécial. Le 21 septembre 1976, le Représentant permanent de Sri Lanka auprès de l'Organisation des Nations Unies a informé le Secrétaire général que M. H. S. Amerasinghe s'était démis de ses fonctions au Comité spécial en raison de son élection à la présidence de la trente et unième session de l'Assemblée générale. Le 18 février 1977, le Gouvernement de Sri Lanka a fait savoir au Secrétaire général que M. V. L. B'Mendis, haut commissaire de Sri Lanka auprès du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, avait été désigné pour participer aux travaux du Comité spécial lors des réunions qu'il tiendrait à Genève du 22 février au 1er mars 1977.
3. Le 26 avril 1977, le Gouvernement de Sri Lanka a informé le Secrétaire général qu'il avait désigné M. I. B. Fonseka, représentant permanent adjoint de Sri Lanka auprès de l'Organisation des Nations Unies, pour le représenter au Comité spécial. Le 8 juillet 1977, le Gouvernement sénégalais a informé le Comité spécial que M. Keba Mbaye s'était démis de ses fonctions de représentant du Sénégal au Comité spécial et que M. Ousmane Goundian, procureur général près la Cour suprême, avait été désigné pour le remplacer. Le 20 juillet 1978, le Gouvernement de Sri Lanka a informé le Secrétaire général qu'il avait désigné M. B. J. Fernando, représentant permanent de Sri Lanka auprès de l'Organisation des Nations Unies, pour le représenter au Comité spécial. Par une note verbale datée du 11 septembre 1979, le Gouvernement de Sri Lanka a désigné M. D. R. Perera pour assister aux réunions du Comité spécial du 10 au 21 septembre 1979.

4. Par une note verbale datée du 23 avril 1980, le Gouvernement de Sri Lanka a désigné M. Nadarajan Balasubramaniam, ambassadeur et chargé d'affaires a.i. de la Mission permanente de Sri Lanka auprès de l'Organisation des Nations Unies pour le représenter aux réunions du Comité spécial du 19 au 30 mai 1980. M. Balasubramaniam a été nommé représentant de Sri Lanka auprès du Comité spécial par une note verbale datée du 14 juillet 1980. Durant les réunions tenues du 21 au 25 juillet 1980, Sri Lanka était représentée par M. K. K. Breckenridge, désigné pour ce faire par une note verbale datée du 18 juillet 1980.
5. Par une lettre datée du 16 janvier 1981, le Gouvernement yougoslave a informé le Secrétariat qu'il avait désigné M. M. Becir Meholic, professeur à la faculté de droit à l'Université de Sarajevo et président de la Commission pour les affaires étrangères de la ville de Sarajevo (Bosnie - Herzégovine), pour le représenter au Comité spécial. Par une note verbale du 10 avril 1981, le Gouvernement de Sri Lanka a informé le Secrétaire général qu'il avait désigné M. I. B. Fonseka, représentant permanent de Sri Lanka auprès de l'Organisation des Nations Unies, pour le représenter au Comité spécial lors de ses réunions du 21 avril au 1er mai 1981. Par une note verbale datée du 12 juin 1981, le Secrétaire du Ministère des affaires étrangères de Sri Lanka a informé le Secrétaire général qu'il avait désigné M. Fonseka pour le représenter au Comité spécial. Par une note verbale datée du 31 août 1981, le Gouvernement du Sénégal a informé le Secrétariat qu'il avait désigné M. Alioune Sene, ambassadeur du Sénégal à Berne et représentant permanent désigné auprès de l'Office des Nations Unies à Genève, pour le représenter auprès du Comité spécial.
6. Par une note verbale datée du 4 avril 1984, le Gouvernement de Sri Lanka a notifié le Secrétariat qu'il avait désigné M. Nissanka Wijewardane, représentant permanent de Sri Lanka auprès de l'Organisation des Nations Unies, pour remplacer M. I. B. Fonseka au Comité spécial. Par une lettre datée du 4 avril 1984, le Gouvernement yougoslave a informé le Secrétariat du décès de M. Becir Meholic. Par sa lettre datée du 15 mai 1984, le Gouvernement a désigné M. Dragan Jovanic, professeur de droit, président du Comité de direction, Faculté de droit, Université de Rijeka, pour remplacer M. Meholic au Comité spécial.
7. Depuis octobre 1970, le Comité spécial a présenté 17 rapports 1/. Ces rapports ont été examinés par la Commission politique spéciale qui a ensuite fait rapport à l'Assemblée générale 2/. Sur la recommandation de la Commission politique spéciale, l'Assemblée a adopté les résolutions 2727 (XXV) du 15 décembre 1970, 2851 (XXVI) du 20 décembre 1971, 3005 (XXVII) du 15 décembre 1972, 3092 A et B (XXVIII) du 7 décembre 1973, 3240 A à C (XXIX) du 29 novembre 1974, 3525 A à D (XXX) du 15 décembre 1975, 31/106 A à D du 16 décembre 1976, 32/91 A à C du 13 décembre 1977, 33/113 A à C du 18 décembre 1978, 34/90 A à C du 12 décembre 1979, 35/122 A à F du 11 décembre 1980, 36/147 A à G du 16 décembre 1981, 37/88 A à G du 10 décembre 1982, 38/79 A à H du 15 décembre 1983, 39/95 A à H du 14 décembre 1984 et 40/61 A à G du 16 décembre 1985.
8. Le présent rapport a été établi conformément aux résolutions 2443 (XXIII), 2546 (XXIV), 2727 (XXV), 2851 (XXVI), 3005 (XXVII), 3092 B (XXVIII), 3240 A et C (XXIX), 3525 A et C (XXX), 31/106 C et D, 32/91 B et C, 33/113 C, 34/90 A à C, 35/122 C, 36/147 C, 37/88 C, 38/79 D, 39/95 D et 40/161 D.

II. ORGANISATION DES TRAVAUX

9. Le Comité spécial a poursuivi ses travaux conformément au règlement intérieur figurant dans le premier rapport qu'il avait adressé au Secrétaire général 3/. M. N. Wijewardane (Sri Lanka) a continué de remplir les fonctions de président.

10. Le Comité spécial a tenu la première de ses séries de réunions du 2 au 6 décembre 1985 à New York après l'acceptation par l'Assemblée générale de la tenue, dans des circonstances spéciales, de ces réunions en attendant que son mandat soit reconduit par l'Assemblée. Le Comité spécial a décidé de maintenir en vigueur le système qu'il avait adopté pour recueillir des renseignements au sujet des territoires occupés et, eu égard au paragraphe 15 de la résolution 39/95 D, il est convenu d'accorder une attention particulière aux renseignements concernant le traitement des civils en détention. Il a examiné les renseignements concernant la situation dans les territoires occupés pendant la période écoulée depuis la date d'adoption de son rapport à l'Assemblée générale (A/39/591), le 14 septembre 1984. Il a examiné aussi un certain nombre de communications qui lui avaient été transmises concernant des cas individuels d'allégations de violation des droits de l'homme dans les territoires occupés. Il a arrêté l'organisation de ses travaux pour l'année à venir. Le Comité spécial est convenu de s'adresser lui-même au Gouvernement d'Israël ainsi qu'aux Gouvernements de l'Egypte, de la Jordanie et de la République arabe syrienne afin d'obtenir qu'ils coopèrent à l'exécution de son mandat. Il est convenu aussi de s'adresser à l'Organisation de libération de la Palestine. Enfin, il a décidé qu'à sa prochaine série de réunions, il procéderait à des auditions dans la région afin de recueillir des renseignements ou des éléments de preuve. Le 16 décembre 1985, l'Assemblée générale a adopté la résolution 40/161 D. Par cette résolution, l'Assemblée :

"16. Prie le Comité spécial, en attendant la fin prochaine de l'occupation israélienne, de continuer à enquêter sur les politiques et pratiques israéliennes dans les territoires arabes occupés par Israël depuis 1967, de procéder, selon qu'il conviendra, à des consultations avec le Comité international de la Croix-Rouge pour assurer la sauvegarde du bien-être et des droits de l'homme de la population des territoires occupés et de faire rapport au Secrétaire général le plus tôt possible et, par la suite, chaque fois que le besoin s'en fera sentir."

11. Le 19 décembre 1985, le Comité spécial a adressé une lettre au Représentant permanent d'Israël auprès des Nations Unies. Le texte de la lettre est le suivant :

"...

Le Comité spécial a tenu une série de réunions et pris des décisions relatives à l'exécution de son mandat. Il a décidé de se mettre en rapport avec les gouvernements concernés pour solliciter leur coopération, en particulier celle de sources qui ont une connaissance et une expérience directes de la situation des droits de l'homme dans les territoires occupés.

Le Comité spécial connaît la position que le Gouvernement de
Votre Excellence a adoptée dans le passé et dont il est fait état dans les documents officiels de l'Assemblée générale correspondant aux dates auxquelles

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les rapports du Comité spécial ont été examinés. Malgré cette position négative le Comité spécial estime qu'il doit continuer à faire tout son possible pour s'assurer la coopération du Gouvernement de Votre Excellence. A son avis, le Gouvernement israélien doit revoir sa politique de manière à permettre au Comité spécial de se rendre dans les territoires occupés et ainsi de s'acquitter pleinement de son mandat. Le Comité spécial ayant l'intention d'organiser une série de réunions du 20 avril au 10 mai 1986, je serais très reconnaissant si possibilité lui était donnée de tirer parti des témoignages directs qu'il pourrait ainsi obtenir.

Le Comité spécial demande instamment au Gouvernement israélien de revoir sa position et de permettre à la population civile des territoires occupés de bénéficier de la protection que leur accorde le droit international."

12. Le 19 décembre 1985, le Comité spécial a adressé aux représentants permanents de l'Egypte, de la Jordanie et de la République arabe syrienne, la lettre dont le texte suit:

"...

Le Comité spécial a tenu une série de réunions et pris des décisions relatives à l'exécution de son mandat. Il a décidé de se mettre en rapport avec les gouvernements concernés pour solliciter leur coopération, en particulier celle de sources qui ont une connaissance et une expérience directes de la situation des droits de l'homme dans les territoires occupés.

Déjà dans le passé, le Comité spécial, avec la coopération du Gouvernement de Votre Excellence, a tenu des auditions (en République arabe d'Egypte, République arabe syrienne et [dans le] Royaume hachémite de Jordanie), où il a pu recevoir des personnes venant des territoires occupés. Les dépositions de ces personnes ont été très utiles pour les travaux du Comité spécial; le Comité envisage de tenir des auditions dans la région du 20 avril au 10 mai 1986. Sauf objection du Gouvernement de Votre Excellence, le Comité spécial souhaiterait que ces auditions se déroulent (en République arabe d'Egypte, République arabe syrienne et [dans le] Royaume hachémite de Jordanie) à des dates appropriées pendant cette période."

13. Une lettre analogue a été adressée à l'Organisation de libération de la Palestine le même jour.

14. Le 6 février 1986, le Représentant permanent d'Israël auprès de l'Organisation des Nations Unies a adressé la lettre suivante au Président du Comité spécial en sa qualité de représentant permanent du Sri Lanka auprès de l'Organisation :

"Se référant à votre lettre G/SO 234 (16-2-3), datée du 19 décembre 1985, le Gouvernement israélien, ayant une nouvelle fois examiné sa politique à l'égard du 'Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés', réaffirme la position qu'il a adoptée précédemment.

/...

Cette position se fonde sur des raisons qui ont été exposées à maintes reprises dans le passé et qui ressortent des documents officiels de l'Assemblée générale établis lors de l'examen des rapports du 'Comité spécial'.

La résolution 40/161 D ne fait que conforter Israël dans sa détermination de ne pas modifier sa politique actuelle à l'égard du 'Comité spécial'. Comme toutes les résolutions précédentes du 'Comité spécial', la résolution 40/161 D dénature les faits car elle est fondée sur des hypothèses tendancieuses, qui préjugent de la situation de la population dans les territoires administrés par Israël. Le Gouvernement israélien estime donc qu'il est impossible de coopérer avec un organe qui prend pour principes directeurs de telles hypothèses partiales et fallacieuses.

Dans la société ouverte et la démocratie florissante qu'est Israël, une presse libre publie des informations aussi abondantes que précises sur les territoires. Ces informations sont à la disposition de toutes les personnes intéressées. Il est à regretter que le Comité choisisse des éléments d'information de manière sélective, à seule fin d'étayer ses allégations, et semble faire délibérément abstraction de tous les renseignements qui ne confirment pas ses conclusions préétablies. Le Gouvernement israélien continuera pour sa part à publier des informations sur les territoires en ce qui concerne des secteurs tels que l'éducation, la santé, le logement, l'agriculture, l'irrigation, etc.

Par ailleurs, la démocratie israélienne laisse à toute personne intéressée le loisir de se rendre dans les territoires pour y constater directement l'évolution positive et les améliorations qui y sont intervenues sous l'administration d'Israël depuis les 19 dernières années."

15. Par la suite, les Gouvernements de l'Egypte, de la Jordanie et de la République arabe syrienne ont répondu au Comité spécial pour reconfirmer qu'ils étaient prêts à maintenir leur coopération avec lui.
16. Le 18 février 1986, l'Observateur permanent de l'Organisation de libération de la Palestine auprès de l'Office Nations Unies à Genève a adressé une lettre au Président du Comité spécial pour confirmer que son organisation coopérerait avec le Comité et lui faire savoir que l'Organisation était prête à faciliter les auditions que le Comité spécial entendait organiser.
17. Le 14 janvier 1986, le Secrétaire général a adressé au Président du Comité spécial une lettre dans laquelle il rappelait que l'Organisation des Nations Unies était confrontée à de graves problèmes de budget et il demandait au Comité, compte tenu de la situation, de revoir le calendrier et le lieu de ses réunions afin de réduire au minimum les frais de voyage et les dépenses connexes. Dans une autre lettre qu'il a adressée au Président du Comité spécial le 11 avril 1986, le Secrétaire général a évoqué la possibilité d'annuler les réunions du Comité qui devaient se tenir en août à Genève afin de réduire les dépenses.
18. Le 26 mars 1986, le Comité spécial a adressé aux représentants permanents de l'Egypte et de la République arabe syrienne auprès de l'Office des Nations Unies à Genève une lettre qui était ainsi libellée :

"...

... eu égard à l'incidence générale de la situation sur ses travaux, le Comité spécial a entrepris un examen de ses activités pour la période à venir et a, en conséquence, décidé que les auditions projetées (en République arabe d'Egypte/République arabe syrienne) seraient reportées à une date ultérieure. Le Comité spécial informera bien évidemment votre gouvernement des nouvelles dates qui pourront être fixées pour ces auditions et il espère sincèrement que celui-ci lui apportera une nouvelle fois son concours."

19. Le même jour, le Comité spécial a adressé au Représentant permanent de la Jordanie auprès de l'Office des Nations Unies à Genève une lettre ainsi libellée :

"...

... eu égard à l'incidence de la situation générale sur ses travaux, le Comité spécial a entrepris un examen de ses activités pour la période à venir et a, en conséquence, décidé que les auditions projetées dans la région auraient lieu à Amman du 24 avril au 1er mai 1986. Le Comité serait reconnaissant à votre gouvernement de bien vouloir lui confirmer qu'il lui accordera sa coopération pour l'organisation de ses réunions à Amman pendant la période indiquée."

20. Une lettre analogue a été adressée à l'Organisation de libération de la Palestine.

21. Le Comité spécial a tenu, à Genève et à Amman, du 21 avril au 1er mai 1986, une série de réunions au cours desquelles il a examiné des informations relatives à des faits nouveaux qui se sont produits dans les territoires occupés de décembre 1985 à avril 1986. Il était saisi de diverses communications en rapport avec son mandat que lui avaient adressées des gouvernements, des organisations et des particuliers. Il a pris note de plusieurs lettres que lui avait adressées l'Observateur permanent de l'Organisation de libération de la Palestine à Genève et d'un certain nombre de lettres que les représentants permanents d'Israël, de la Jordanie et de la République arabe syrienne avaient adressées au Secrétaire général au sujet de questions concernant son rapport. A Genève et à Amman, le Comité spécial a écouté les dépositions qu'ont faites sur la situation dans la rive occidentale et dans la bande de Gaza des personnes habitant dans ces territoires.

22. A Amman, le Comité spécial a été reçu par le Ministre des affaires des territoires occupés du Royaume hachémite de Jordanie, M. Marwan Dudin. Des rapports sur la situation dans les territoires occupés, établis par le Ministère des affaires des territoires occupés, lui ont été remis et lors de l'entretien qu'il a eu avec le Ministre, il a évoqué divers aspects de son mandat. Il a également reçu des Départements des affaires des territoires occupés et de l'éducation et de l'enseignement supérieur de l'Organisation de libération de la Palestine une série de rapports et de statistiques sur la situation dans les territoires occupés. La liste des documents présentés par l'Organisation de libération de la Palestine figure à l'annexe II au présent rapport.

/...

23. Le 17 juin 1986, la Mission permanente de la République arabe syrienne auprès de l'Organisation des Nations Unies a adressé au Comité spécial, par l'intermédiaire du Secrétaire général, le texte suivant :

"Le Chargé d'affaires par intérim de la République arabe syrienne présente ses compliments au Secrétaire général de l'Organisation des Nations Unies et exprime les regrets de son gouvernement que la durée des réunions du Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés soit abrégée et que le Comité spécial ne se rende pas en République arabe syrienne comme cela était prévu dans son programme annuel, ce qui l'empêchera de s'acquitter de la mission que lui a confiée l'Assemblée générale, et en particulier d'entendre les dépositions de témoins venant des hauteurs occupées du Golan et d'interroger directement des témoins venant des hauteurs occupées du Golan où les autorités d'occupation sionistes intensifient leurs pratiques répressives et barbares contre la population..."

24. Le 7 août 1986, la Mission permanente de la République arabe syrienne auprès de l'Office des Nations Unies à Genève a adressé au Sous-Secrétaire général aux droits de l'homme une note verbale qui était ainsi libellée :

"La Mission permanente de la République arabe syrienne auprès de l'Office des Nations Unies à Genève présente ses compliments au Sous-Secrétaire général aux droits de l'homme et a l'honneur de communiquer ci-joint le rapport établi par le Ministère des affaires étrangères sur les pratiques israéliennes dirigées contre la population arabe syrienne du territoire occupé des hauteurs du Golan. Nous sommes certains que vous communiquerez ce rapport au Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés, qui n'a pas pu se rendre à Damas cette année, et que vous prierez le Comité de le joindre au rapport ordinaire qu'il présentera à l'Assemblée générale."

Le Comité spécial a dûment examiné le rapport en question et il en est rendu compte à la section IV.C ci-après.

25. Après un échange de correspondance entre le Président du Comité spécial et le Secrétaire général (lettres du 27 avril et du 8 mai 1986), une procédure a été arrêtée pour permettre aux membres du Comité de se consulter et d'examiner, d'achever et d'approuver le rapport malgré l'annulation de la session officielle de deux semaines initialement prévue pour le mois d'août à Genève. Les membres du Comité spécial se sont donc réunis à Genève du 8 au 10 septembre 1986 et ont examiné et adopté le présent rapport.

III. MANDAT

26. L'Assemblée générale, par sa résolution 2443 (XXIII) intitulée "Respect et mise en oeuvre des droits de l'homme dans les territoires occupés", a décidé de créer un comité spécial, composé de trois Etats Membres, chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés.

27. Le mandat du Comité spécial, tel qu'il est défini dans la résolution précitée et dans les résolutions suivantes, consiste à "enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés".

28. Le Comité spécial, interprétant son mandat, a déterminé dans son premier rapport que :

a) Les territoires qui devaient être considérés comme territoires occupés étaient les zones qu'occupe Israël, à savoir les hauteurs du Golan, la rive occidentale (y compris Jérusalem-Est), la bande de Gaza et la presqu'île du Sinaï. A la suite de l'application de l'Accord égypto-israélien sur le dégagement des forces du 18 janvier 1974 et de l'Accord sur le dégagement des forces israéliennes et syriennes du 31 mai 1974, la ligne de démarcation des zones occupées a été modifiée comme indiqué sur les cartes jointes auxdits accords. Les zones du territoire égyptien occupées militairement par Israël ont été modifiées ultérieurement, conformément au Traité de paix entre la République arabe d'Egypte et l'Etat d'Israël, signé le 26 mars 1979 et entré en vigueur le 25 avril 1979. Le 25 avril 1982, le territoire égyptien, restant sous occupation militaire israélienne, a été restitué au Gouvernement égyptien, conformément aux dispositions de l'accord susmentionné. Par conséquent, dans le rapport, les territoires qui devaient être considérés comme territoires occupés sont ceux qui restent sous occupation israélienne, à savoir les hauteurs du Golan, la rive occidentale (y compris Jérusalem-Est) et la bande de Gaza;

b) Les personnes que vise la résolution 2443 (XXIII) et qui, par conséquent, font l'objet de l'enquête du Comité spécial étaient les civils résidant dans les zones occupées à la suite des opérations militaires de juin 1967 et les personnes résidant normalement dans les zones occupées qui ont quitté ces zones en raison des hostilités. Le Comité a toutefois noté que la résolution 2443 (XXIII) se rapportait à la "population" sans se référer à une partie déterminée des habitants des territoires occupés;

c) Les "droits de l'homme" de la population des territoires occupés comportaient deux éléments : d'une part, les "droits de l'homme essentiels et inaliénables" aux termes de la résolution 237 (1967) du Conseil de sécurité du 14 juin 1967; d'autre part, les droits qui s'inscrivaient dans le cadre de la protection qu'assure le droit international dans certaines circonstances, telles que l'occupation militaire d'un territoire et la capture de prisonniers de guerre. Conformément à la résolution 3005 (XXVII) de l'Assemblée générale, le Comité spécial a également été chargé d'enquêter sur les allégations relatives à l'exploitation et à la spoliation des ressources des territoires occupés, au pillage du patrimoine archéologique et culturel des territoires occupés et aux entraves à la liberté du culte dans les lieux saints des territoires occupés;

d) Les "politiques" et "pratiques" affectant les droits de l'homme de la population des territoires occupés qui entraient dans le cadre de l'enquête se rapportaient, pour ce qui est des politiques, à toute ligne d'action délibérément adoptée et poursuivie par le Gouvernement israélien pour atteindre des objectifs déclarés ou implicites et, pour ce qui est des pratiques, aux actes qui, s'insérant ou non dans le cadre d'une politique quelconque, étaient révélateurs d'une certaine attitude des autorités israéliennes envers la population civile des zones occupées.

29. Depuis sa création, le Comité spécial s'est fondé sur les instruments internationaux et les résolutions ci-après dans l'interprétation et l'accomplissement de son mandat :

- a) La Charte des Nations Unies;
- b) La Déclaration universelle des droits de l'homme;
- c) La Convention de Genève du 19 août 1949 relative à la protection des personnes civiles en temps de guerre 4/;
- d) La Convention de Genève du 12 août 1949 relative au traitement des prisonniers de guerre 5/;
- e) La Convention de la Haye du 14 mai 1954 pour la protection des biens culturels en cas de conflit armé 6/;
- f) Les Conventions de la Haye de 1899 et de 1907 concernant les lois et coutumes de la guerre sur terre 7/;
- g) Le Pacte international relatif aux droits civils et politiques et le Pacte international relatif aux droits économiques, sociaux et culturels 8/.

30. Le Comité spécial s'est également fondé sur les résolutions relatives à la situation des personnes civiles dans les territoires occupés adoptées par des organes de l'Organisation des Nations Unies (l'Assemblée générale, le Conseil de sécurité, le Conseil économique et social et la Commission des droits de l'homme) ainsi que sur les résolutions pertinentes de l'Organisation des Nations Unies pour l'éducation, la science et la culture, l'Organisation mondiale de la santé et l'Organisation internationale du Travail.

IV. RENSEIGNEMENTS ET TEMOIGNAGES RECUEILLIS PAR LE COMITE SPECIAL

31. Au cours de l'exécution de son mandat, le Comité spécial s'est fondé sur les sources suivantes :

- a) Témoignages de personnes pouvant fournir des renseignements de première main sur la situation de la population des territoires occupés;
- b) Comptes rendus publiés dans la presse israélienne de déclarations émanant de personnalités du Gouvernement israélien;
- c) Articles publiés par d'autres organes d'information, y compris la presse de langue arabe dans les territoires occupés par Israël ainsi que dans la presse internationale;
- d) Renseignements fournis au Comité spécial par des gouvernements, des organisations non gouvernementales et des particuliers sur la situation dans les territoires occupés.

Le Comité spécial a reçu des déclarations écrites des Gouvernements de la Jordanie et de la République arabe syrienne, et de l'Organisation de libération de la Palestine.

32. Le Comité spécial a organisé une série d'auditions à New York et à Amman pendant ses réunions du 2 au 6 décembre 1985 et du 21 avril au 1er mai 1986, respectivement. Au cours de ces réunions, le Comité spécial a entendu le témoignage de personnes connaissant de première main la situation des droits de l'homme dans les territoires occupés. Ces témoignages sont contenus dans les documents A/AC.145/RT.441 et 445 à 453 et repris ci-après.

33. Le Comité spécial a pris particulièrement soin de recourir à des renseignements publiés dans la presse israélienne et qui n'ont pas été démentis par le Gouvernement israélien ou qui sont généralement considérés par ce gouvernement comme étant dignes de foi.

34. Au cours de l'exécution de son mandat, le Comité spécial a pris note de renseignements qui lui sont parvenus, émanant de sources diverses, à savoir de particuliers, d'organisations et de gouvernements. Lors de ses réunions, le Comité était saisi de plusieurs communications qui lui avaient été adressées directement ou qui lui avaient été renvoyées par le Secrétaire général, émanant de sources intérieures aux territoires occupés ainsi que d'autres régions du monde. Lorsque cela s'est avéré nécessaire, le Comité a cherché à obtenir des précisions sur les renseignements figurant dans ces communications.

35. L'annexe III ci-après (publiée en anglais seulement), qui regroupe les sections A et B du chapitre IV, contient un résumé des renseignements étudiés par le Comité spécial, classés dans les catégories suivantes :

Témoignages oraux;

Informations recueillies dans la presse israélienne et la presse de langue arabe publiées dans les territoires occupés.

36. On trouvera ci-après, à la section C du chapitre IV, des informations transmises par les Gouvernements de la Jordanie et de la République arabe syrienne, par l'Organisation de libération de la Palestine et par d'autres organisations.

C. Informations transmises par les Gouvernements de la Jordanie et de la République arabe syrienne, par l'Organisation de libération de la Palestine et par d'autres organisations

1. Situation générale

(Voir annexe III (publiée seulement en anglais), par. 2 à 4 et 85 à 102)

Politique de restitution des municipalités aux dirigeants locaux

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

37. Pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport daté du 17 mars 1986 établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine concernant les municipalités de la rive occidentale. Ce rapport soulignait le rôle essentiel joué par ces

municipalités pour assurer des services de base à la population civile. Il rappelait que depuis les premiers jours de l'occupation en 1967, les autorités d'occupation avaient pris des mesures spéciales, notamment une série d'ordonnances militaires qui violaient le droit international ainsi que la législation jordanienne. Il rappelait que les élections municipales qui avaient eu lieu en 1976 avaient confirmé la victoire des listes électorales nationalistes pro-OLP, et il ajoutait :

Conscientes du rôle nationaliste de ces conseils municipaux qui assuraient divers services aux citoyens, qui défendaient leurs droits et qui s'opposaient aux plans visant à l'émigration forcée, la judaïsation, les confiscations, et à affamer les citoyens et les soumettre à un état de dépendance, les autorités militaires multiplièrent les mesures répressives à l'encontre des maires, des conseillers municipaux et des municipalités elles-mêmes, en attaquant les conseillers, en lançant contre eux de fausses accusations, en tentant parfois de les assassiner, ou en ayant recours à l'expulsion. Les autorités militaires resserrèrent aussi leur étaiu autour de ces municipalités, en limitant leur liberté et en les empêchant de recevoir de l'aide.

38. En ce qui concerne la politique israélienne de nommer de nouveaux maires, le rapport citait M. Bassam Shaka'a qui avait déclaré :

L'appel lancé par le gouvernement israélien en faveur de la nomination de nouveaux maires est une initiative visant à trouver des remplaçants arabes aux maires élus, qui exécuteraient la politique d'Israël ce qui éviterait le recours à des gouverneurs militaires. Ceci permettrait en outre l'application des lois de l'administration civile, la judaïsation des territoires occupés, l'élargissement des colonies de peuplement et le resserrement de l'étaiu autour de notre peuple pour le soumettre à la domination israélienne et l'obliger à émigrer.

39. Le rapport mentionnait une série de mesures prises par les autorités d'occupation à l'encontre des conseils municipaux. Cette partie du rapport est reproduite ci-dessous :

Mesures prises à l'encontre des conseils municipaux

1. Dissolution des conseils municipaux et villageois

- | | |
|----------------|---|
| 21 août 1980 | Le fonctionnaire du Ministère de l'intérieur en Cisjordanie dissout le conseil villageois d'El Azzariya dépendant de la juridiction de Bethléem. |
| 8 juillet 1981 | Les autorités d'occupation révoquent le maire du village d'El Dhahiriya, Ali Yassin El Kharza. |
| 19 mars 1982 | Menahem Milsson, directeur de l'administration civile, décrète la dissolution du conseil municipal d'El Bireh et nomme une commission d'administration du conseil dirigée par le colonel Youssef Barkourhia et composée de quatre autres fonctionnaires de l'administration civile "israélienne". |

- 11 avril 1982 Menahem Milsson signe une décision nommant Shlomo Cohen, officier responsable des communications en Cisjordanie, maire de Naplouse.
- 16 Juin 1982 Les autorités de l'administration civile décident de dissoudre le conseil municipal de Dura-Hébron.
- 7 juillet 1982 L'administration civile décide de dissoudre le conseil municipal élu de Jénin dirigé par Ahmed Shawki El Mahmoud.
- 12 juillet 1982 Les autorités de l'administration civile décident de dissoudre le conseil municipal de Dir Dibwan.
- 27 juillet 1982 Une décision similaire est prise à l'encontre du conseil municipal de Qalqilya.
- 9 mars 1983 Les autorités de l'administration civile prorogent d'une année la révocation des maires de Naplouse, de Ramallah et d'El Bireh (fixée initialement a une année) et cette décision est appliquée jusqu'à ce jour.
- 7 juillet 1983 Le Commandant de la région centrale ordonne la révocation du conseil municipal d'Hébron et du maire suppléant Mustafa Natche et la nomination d'un fonctionnaire juif de l'administration civile au poste de maire de cette municipalité.

2. Tracasseries et mesures dilatoires

- 16 avril 1979 Les autorités d'occupation refusent d'accorder à la municipalité le permis de construction du marché aux fruits et aux légumes d'Hébron, bien que ce projet ait déjà été approuvé.
- 14 avril 1980 Le responsable israélien chargé des affaires fiscales décide que les avoirs des municipalités seront saisis par les autorités d'occupation.
- 17 juin 1981 Les forces israéliennes encerclent le bâtiment abritant la municipalité de Naplouse, empêchent les citoyens de s'en approcher, en interdisent l'entrée au maire et aux conseillers; il avait été en effet décidé d'interdire les festivités prévues pour l'inauguration d'une centrale électrique moderne et pour le vingt-cinquième anniversaire du projet d'électrification de la ville de Naplouse
- 24 mai 1986 Les autorités israéliennes empêchent le maire de Salfit, M. Hassan El Zir, de se rendre à Amman où il devait retirer de la Banque arabe dans cette ville des fonds déposés au nom de la municipalité.

3. Restrictions à la liberté de mouvement

- 10 mai 1979 Les autorités militaires empêchent Haj Amin El Nasr, maire de Qalqilya, de se rendre à Amman où il devait discuter de questions relatives à l'usine des agrumes.
- 26 mai 1979 Les autorités retirent le permis de voyage accordé au maire de Bani Zeid, Yehia El Himaoui, qui devait se rendre à Amman, sous le prétexte qu'il avait participé à une manifestation anti-Gush Emunim.
- 7 juin 1979 Les autorités militaires informent le maire de Ramallah, Karim Khalaf, qu'il ne pourrait se rendre à Amman parce qu'il avait tenu une conférence de presse pour protester contre le dynamitage de son domicile et la fermeture de quatre autres maisons de la région de Ramallah.
- 14 juin 1979 Les autorités interdisent au maire de Naplouse un voyage en Italie et aux Etats-Unis via Amman, sous prétexte qu'il avait participé à des conférences et à des colloques politiques sur la question palestinienne.
- 16 mars 1980 Les autorités militaires empêchent les maires de Naplouse et de Halhul (Bassam Shaka'a et Mohammed Milhem) de se rendre à Washington où ils avaient été invités à participer à une réunion sur les droits de l'homme des Palestiniens.
- 18 avril 1980 Les autorités d'occupation empêchent les maires des municipalités de Cisjordanie de se rendre dans la ville de Nazareth pour participer aux festivités de solidarité organisées par l'Association des amis des détenus à l'occasion de la Journée internationale du détenu.
- 7 juillet 1980 Les autorités militaires interdisent à M. Mohammed Moussa Amr, maire de Dura et Président de la délégation conjointe des municipalités de Ramallah et d'El Bireh et à M. Mustafa Natche, maire suppléant d'Hébron, de se rendre à Amman pour y présenter leurs condoléances à l'occasion du décès du Premier Ministre jordanien.
- 9 septembre 1980 Les autorités israéliennes refusent de permettre au maire d'El Bireh, Ibrahim Tarwil de se rendre au Royaume-Uni suite à l'invitation que lui avait adressée le Gouvernement britannique et au cours de laquelle il devait visiter diverses municipalités et organismes de ce pays.

- 26 avril 1982 Le tribunal militaire de Tulkarem condamne le maire d'Anabta, Wahid Hamdallah, à une peine d'emprisonnement de cinq mois avec sursis.
- 23 octobre 1982 La compagnie d'électricité nationale israélienne coupe le courant électrique de la ville d'Hébron sous prétexte que la municipalité n'a pas payé ses dettes.
- 6 janvier 1984 La police israélienne arrête Wahid Hamdallah, maire d'Anabta, sous l'accusation mensongère d'avoir tué Mahmoud Rajab, de Kafr El Labad.

4. Expulsions, détentions administratives et assignations à résidence

Décidées à appliquer leur politique visant à vider les territoires occupés de leurs cadres nationaux actifs et compétents, les autorités sionistes ont eu recours à la loi d'urgence de 1945 et en particulier aux articles 111 et 112 de ladite loi qui autorisent l'expulsion de leur patrie des combattants palestiniens, la détention administrative des suspects, sans jugement ni droit de recours ou de défense. Ces mesures ont touché tant les municipalités que les individus, comme l'indique le tableau ci-après :

a) Expulsions

1.	Ruhi Al Khatib	Maire de Jérusalem	26 février 1968
2.	Mohammed Tewfik Hassan	Maire adjoint de Jenin	25 novembre 1967
3.	Nedim Al Zrou	Maire de Ramallah	6 octobre 1969
4.	Youssef Marar	Conseiller municipal de Jéricho	
5.	Abdel Jawad Saleh	Maire d'El Bireh	10 décembre 1973
6.	Mohammed Milhem	Maire de Halhul	2 mai 1980
7.	Fahd Al Kawasme	Maire d'Hébron	2 mai 1980
8.	Alfred Tobassi	Conseiller municipal de Ramallah	21 novembre 1974
9.	Azmi As Shweibi	Conseiller municipal d'El Bireh	31 janvier 1986
10.	Hani Arafat	Ingénieur de la municipalité de Naplouse	6 juin 1969

b) Assignations à résidence

Wahid Hamdallah	Maire d'Anabta	depuis le 18 février 1981, assigné à résidence six fois, pour une période de six mois chaque fois.
Ibrahim Tawil	Maire d'El Bireh	18 février 1981
Tehsin Al Shakhshir	Conseiller municipal de Naplouse	12 novembre 1981
Yasser Aslan	Conseiller municipal de Naplouse	12 novembre 1981
Khaldun Abdel Hak	Conseiller municipal de Naplouse	12 novembre 1981
Mustafa Natche	Maire suppléant d'Hébron	17 février 1982
Mohammed Moussa Amr	Maire de Dura	17 février 1982
Ahmed Shawki Amr	Maire de Jenin	28 février 1982
Bassam Shaka'a	Maire de Naplouse	5 juin 1982
Dr Azim As Shweibi	Conseiller municipal d'El Bireh	16 janvier 1983
Jamil Osman	Maire de Jéricho	1er mars 1983
Haj Amin Al Nasr	Maire de Qalqilya	6 août 1983
George Hazbun	Maire adjoint de Bethléem	10 septembre 1984

c) Menaces contre la vie

Au matin de 10 juin 1980, le maire de Naplouse, Bassam Shaka'a, sortait de chez lui et se dirigeait vers sa voiture et le maire de Ramallah, Karim Khalaf, faisait de même. Dès qu'ils eurent mis le contact, deux énormes conflagrations se produisirent dans les deux villes. Bassam dû être amputé des deux jambes et Karim d'un pied.

Quant à Ibrahim Tawil, ce dernier alerta la police dès qu'il eut appris ces explosions, et une troisième bombe explosa au visage de l'artificier qui tentait de la désamorcer. Les aveux des coupables, membres d'une organisation

terroriste secrète juive qui ne furent arrêtés que quatre ans après cet acte odieux, et après une tentative d'attaque contre trois autocars de tourisme, révélèrent qu'ils avaient agi en pleine coordination et connaissance de cause avec les autorités militaires de Cisjordanie.

2. Informations concernant les arrestations, jugements et condamnations

(Voir annexe III (publiée seulement en anglais), par. 5 à 10 et III à 193)

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

40. Pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif à la situation des civils dans les territoires occupés pendant 1985 et le premier trimestre de 1986. Ce document contenait une liste de personnes gardées en détention ou assignées à résidence pendant cette période, avec le nom de la victime, et de la région et d'autres renseignements pertinents.

41. Ce document contenait également des renseignements sur les condamnations prononcées contre des citoyens palestiniens pendant le premier trimestre de 1986 :

Pendant le premier trimestre de 1986, les tribunaux militaires sionistes ont condamné 761 combattants palestiniens à des peines d'emprisonnement de durées diverses.

Les chefs d'accusation portés contre eux étaient notamment les suivants : jet de pierres contre des véhicules israéliens, jet de cocktails Molotov, pose d'engins explosifs, appartenance à des organisations locales ou à des mouvements de résistance palestiniens.

...

Le tableau ci-après indique les diverses peines d'emprisonnement prononcées contre les combattants palestiniens :

<u>Durée</u>	<u>Nombre de condamnations</u>
Moins de 3 mois	50
De 3 mois à 2 ans	326
De 2 ans à 10 ans	212
Plus de 10 ans	59
Perpétuité	2
Indéterminée	<u>114</u>
Total	761

En outre, les tribunaux militaires ont infligé de lourdes amendes allant de 50 shekels à 5 millions de shekels.

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42. Le document donnait le nom des personnes condamnées, et indiquait la source du renseignement, la date, la région, la durée de la peine d'emprisonnement ferme ou avec sursis, les amendes éventuellement infligées, les chefs d'accusation et d'autres indications pertinentes.

3. Traitement des civils, y compris les libertés fondamentales

(Voir annexe III (publiée seulement en anglais),
par. 11 à 53 et 199 à 344)

a) Faits généraux

i) Harcèlement des civils

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

43. Comme mentionné précédemment, pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif à la situation des civils dans les territoires occupés pendant 1985 et le premier trimestre de 1986. Ce rapport donnait des renseignements sur le harcèlement des civils dans les territoires occupés au cours de cette période. Il dressait une liste des personnes tuées et blessées en 1985 sur la rive occidentale et à Gaza, donnant la date et le lieu de l'incident, le nom de la victime, et une brève indication du dommage subi. Il fournissait également des renseignements sur un certain nombre d'incidents qui ont eu lieu au cours du premier trimestre de 1986 et à la suite desquels des civils ont été tués ou blessés. Il était fondé sur des informations diffusées par la presse ou la radio locales, et était accompagné d'un certain nombre de documents tels que des copies d'articles de presse, des témoignages écrits de personnes ayant eu directement connaissance des incidents (victimes elles-mêmes, maires des municipalités intéressées, membres du CICR ou de l'Association jordanienne du Croissant-Rouge, etc.) et des rapports médicaux établis par les autorités médicales compétentes. Un certain nombre de cas mentionnés dans ce rapport sont aussi mentionnés dans les paragraphes correspondants où sont résumés les renseignements recueillis dans la presse israélienne et dans la presse de langue arabe des territoires occupés (voir annexe III (publiée seulement en anglais), par. 199 à 220).

ii) Châtiments collectifs, y compris démolitions de maisons

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

44. Comme indiqué précédemment, durant son séjour à Amman le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine relatif à la situation des civils dans les territoires occupés en 1985 et pendant le premier trimestre de 1986. Le document fait état, sur la base d'informations publiées dans la presse locale, de l'imposition, à plusieurs reprises, de mesures de couvre-feu dans plusieurs villes et camps de réfugiés des territoires occupés. Il établit, pour l'année 1985, une

liste chronologique des destructions et fermetures de maisons et boutiques sur la rive occidentale et dans la bande de Gaza. De même, il fournit des informations sur de nombreux cas de démolitions et fermeture de maisons durant le premier trimestre de 1986 sous divers prétextes, tels que l'appartenance de ces maisons à des suspects ou le fait que les propriétaires n'aient pas obtenu de permis de construire. Les copies de certaines pièces justificatives sont également fournies, telles celles de certificats confirmant fermeture, établis par la Croix-Rouge internationale.

45. En ce qui concerne la démolition de maisons sur la rive occidentale et dans la bande de Gaza, le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine a également remis au Comité spécial, pendant son séjour à Amman, une liste détaillée où sont énumérées, région par région, les 1 366 maisons situées sur la rive occidentale et dans la bande de Gaza qui ont été démolies par les autorités d'occupation pendant la période allant de 1967 à 1985. La liste indique : pour la bande de Gaza, 694 maisons; pour le district de Ramallah, 74 maisons; pour le district de Jérusalem, 24 maisons; pour le district de Naplouse, 160 maisons; pour le district d'Hébron, 206 maisons; pour le district de Bethléem, 89 maisons; pour le district de Tulkarm, 24 maisons; pour le district de Jenin, 56 maisons; pour le district de Qalqilya, 24 maisons et pour le district de Jéricho, 16 maisons.

46. La liste indique notamment le nom de la victime, la ville (ou le village ou le camp de réfugiés) où la démolition a eu lieu, l'année de la démolition, ainsi que le nombre de pièces de chaque maison.

iii) Expulsion et déportation

Renseignements communiqués par le Gouvernement de la Jordanie

47. Durant son séjour à Amman, le Comité spécial a été saisi d'un aide-mémoire établi par le Ministère jordanien des affaires des territoires occupés concernant le problème des expulsions et déportations de civils des territoires occupés. Dans cet aide-mémoire il est rappelé que la politique d'expulsion pratiquée par les autorités israéliennes depuis 1967 est en contradiction avec les dispositions de la quatrième Convention de Genève, de la Déclaration universelle des droits de l'homme, ainsi que les arrêtés du Tribunal de Nuremberg. Le caractère arbitraire des mesures d'expulsion est souligné, ainsi que la procédure expéditive et la brutalité avec laquelle cette procédure s'applique aux personnes expulsées. Il est également noté que 2 061 personnes ont été expulsées de 1967 à février 1986 par les autorités israéliennes, dont 34 de 1985 à février 1986, chiffre le plus élevé depuis 1972. L'aide-mémoire cite enfin plusieurs cas d'expulsions qui se sont produits durant la période de 1985-début 1986, et dont la plupart sont reflétés dans la rubrique correspondante traitant des informations recueillies dans la presse israélienne et la presse de langue arabe publiées dans les territoires occupés (voir plus haut, par. 285 à 298).

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

48. Comme mentionné précédemment, pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif à la situation des civils dans les territoires occupés pendant 1985 et le premier trimestre de 1986. Ce document rendait compte également de la politique d'expulsion des autorités israéliennes. Dans un autre document intitulé "Personnes expulsées de la rive occidentale et de la bande de Gaza" et portant sur la période allant de 1967 à 1985, il était déclaré ce qui suit :

Bien que l'on estime à 1 600 le nombre total de personnes expulsées, nous n'avons pu recenser que 1 067 cas d'expulsion, répartis entre les régions suivantes :

<u>Région</u>	<u>Nombre de personnes expulsées</u>
Hébron	175
Jenin	66
Naplouse	171
Tulkarem	19
Qalqilya	12
Jéricho	14
Ramallah	107
Jérusalem	62
Bethléem	75
Bande de Gaza	366

49. Ce document donnait une liste des personnes expulsées indiquant le nom des victimes de l'expulsion, la région en cause, la date de l'expulsion et la profession de la victime.

iv) Aspects économiques

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

50. Pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif au chômage dans ces territoires. Ce document faisait l'analyse des facteurs de la crise économique dans le territoire, eu égard en particulier au problème du chômage. Le rapport rappelait que depuis 1967 "plus de 52 p. 100 des terres arabes de la rive occidentale ont été confisquées, sans compter les zones contrôlées indirectement par les autorités israéliennes où l'agriculture et la construction sont interdites". De plus, 42 p. 100 de la superficie totale de la bande de Gaza ont été placés sous le contrôle direct des autorités israéliennes.

51. Divers facteurs compromettant la croissance du secteur industriel et, partant, empêchant l'industrie locale d'absorber la main-d'oeuvre disponible sur le marché, étaient également mentionnés. Le rapport soulignait l'état de dépendance dans

lequel les territoires se trouvent à l'égard de l'économie israélienne, ainsi que les profondes modifications des structures sociales et démographiques qui en sont résultées. Il était accompagné de tableaux décrivant la situation actuelle de la main-d'oeuvre dans les territoires occupés, qui révélaient une exploitation de la main-d'oeuvre palestinienne. Le rapport constatait en outre que la crise économique que l'économie israélienne traverse depuis plusieurs années avait de graves conséquences pour les habitants des territoires occupés, les travailleurs étant tout particulièrement touchés. Un autre élément affectant la situation en matière d'emploi dans les territoires occupés divulgué par le rapport est la politique de licenciement collectif arbitraire pratiquée par les établissements israéliens, y compris l'organisation Histadrout. Ces institutions appliquent le principe de l'emploi d'une "main-d'oeuvre hébraïque" plutôt que d'une "main-d'oeuvre arabe", avec les encouragements et le soutien des milieux dirigeants israéliens.

52. Le rapport indiquait que le 3 décembre 1984, Al Ittihad (un journal de Haïfa) avait publié une déclaration de Moshe Moghab, ministre du travail et du bien-être social, dans laquelle le Ministre divulguait un plan visant à licencier des dizaines de milliers de travailleurs arabes pour les remplacer par des travailleurs juifs, ce qui signifiait que les Palestiniens devraient supporter les conséquences négatives du chômage généralisé qui affligeait la société israélienne.

53. Le rapport indiquait en outre que d'après la revue Palestine Al Thawra du 21 février 1985, les autorités israéliennes imposaient aux travailleurs arabes l'obligation d'être titulaires de permis de travail et d'entrée et limitaient leur présence en Israël aux heures diurnes seulement. Les tribunaux israéliens, avec le concours des bureaux d'emploi, étaient habilités à appliquer la politique en vertu de laquelle les travailleurs arabes n'étaient autorisés à traverser la "ligne verte" que lorsqu'ils étaient munis de tous les permis. Les règlements en matière de permis ont été établis pour limiter encore davantage les possibilités d'emploi s'offrant aux Arabes, ce qui a fait grossir les rangs des chômeurs. Ce fait est corroboré par le refus des bureaux d'emploi de délivrer les permis, sous le prétexte que les demandes avaient déjà été rejetées par les autorités militaires. De plus, les autorités refusaient de renouveler les permis existants détenus par des travailleurs palestiniens, sans donner aucune raison de leur décision. Un porte-parole d'Histadrout a déclaré que le nombre de travailleurs licenciés dépasse 10 000. Il a indiqué en outre que ces travailleurs ne recevraient aucune allocation de chômage, bien que jusqu'à 50 p. 100 de leurs salaires aient parfois été retenus à titre de contribution. Le rapport citait plusieurs cas de licenciements arbitraires de travailleurs arabes sans indemnisation aucune.

b) Informations sur les mesures affectant certaines libertés fondamentales

i) Liberté de circulation

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

54. Comme indiqué précédemment, durant son séjour à Amman le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine relatif à la situation des civils dans les territoires occupés en 1985 et pendant le premier trimestre de 1986.

55. Ce document fait état, sur la base de rapports publiés dans la presse locale durant cette période, de cas d'assignation à résidence et d'interdictions de voyage frappant un certain nombre de citoyens palestiniens, soit à titre individuel, soit collectivement. Certains des cas cités dans ce document apparaissent dans la rubrique correspondante consacrée à l'information recueillie dans la presse israélienne et la presse arabe publiées dans les territoires occupés (voir annexe III (publiée seulement en anglais), par. 275).

56. En ce qui concerne les assignations à résidence, le Comité spécial a été également saisi, pendant son séjour à Amman, d'un rapport détaillé présenté par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, concernant les personnes assignées à résidence au cours de la période 1980-1985. Le rapport mentionne 186 personnes qui ont été assignées à résidence pendant des périodes plus ou moins longues, et indique la région concernée, la durée de la période pendant laquelle l'ordonnance d'assignation à résidence est demeurée en vigueur, la date à laquelle l'ordonnance a été prise, la profession de la victime et d'autres éléments pertinents.

ii) Liberté d'enseignement

Renseignements communiqués par le Département de l'éducation et de l'enseignement supérieur de l'Organisation de libération de la Palestine

57. Pendant son séjour à Amman, le Comité spécial a été saisi d'une série de rapports et de statistiques établis par le Département de l'éducation et de l'enseignement supérieur de l'Organisation de libération de la Palestine concernant la situation de l'enseignement dans les territoires occupés. Etant donné le volume des informations reçues, il s'est avéré difficile d'en faire intégralement état dans le présent rapport. Ce qui suit est donc un résumé des documents reçus, qui donne un aperçu général des principaux faits et problèmes concernant l'enseignement dans les territoires occupés.

58. En ce qui concerne la situation générale de l'enseignement dans les territoires occupés, les informations reçues dénotent la détérioration des conditions pédagogiques résultant de facteurs divers, à savoir la déformation des manuels et programmes scolaires; l'interdiction de la circulation de certains livres, la distribution tardive des manuels au début de chaque année scolaire; l'exercice de la censure dans les bibliothèques; l'insuffisance des bâtiments et équipements scolaires, la fermeture répétée des établissements d'enseignement sous prétexte de mesures de sécurité, la suspension des cours. De nombreuses illustrations de ces difficultés sont fournies, notamment une description de l'insuffisance des bâtiments scolaires en Cisjordanie et des listes chronologiques de mesures de fermeture et suspension de cours concernant les universités de Bir Zeit, Al Najah, Bethléem, Gaza, Hébron, ainsi qu'un certain nombre d'écoles.

59. Il est également rappelé que l'application d'ordonnances militaires constitue une grave violation des libertés académiques dans les institutions éducatives, en contradiction flagrante avec les dispositions pertinentes de la Déclaration universelle des droits de l'homme, de l'Acte constitutif de l'Organisation des Nations Unies pour l'éducation, la science et la culture (Unesco), et des

résolutions et décisions de l'Assemblée générale de l'Organisation des Nations Unies et de la Conférence générale et du Conseil exécutif de l'Unesco dans ce domaine. Les textes des ordonnances militaires 854, 34, 65 et 938 arrêtées par les forces de défense israéliennes et s'appliquant à l'éducation, à la culture, aux conditions de séjour et de déplacement et au permis d'enseigner sont cités comme autant d'exemples de restrictions au droit à la liberté d'éducation dans les territoires occupés.

60. Décrivant la situation des écoles en Cisjordanie au cours de l'année scolaire 1984/85, l'un des rapports identifie les problèmes essentiels suivants :

1. La discipline.
2. La déperdition scolaire (en faveur de l'emploi).
3. La supervision pédagogique et l'orientation professionnelle limitée (sur la plan technique), leur inefficacité.
4. Le niveau de compétence professionnelle des membres du corps enseignant.
5. L'insuffisance des moyens techniques : laboratoires, bibliothèques, auxiliaires pédagogiques.
6. L'insuffisance des biens et services généraux : terrains de sport, mobiliers, unités, salles, chambres claires de dimensions appropriées.
7. L'absence de sécurité et de stabilité pour les membres du corps enseignant.
8. Les difficultés matérielles dues aux revenus limités, à la hausse vertigineuse des prix, à l'augmentation continue du coût de la vie et à la dépréciation du shekel.
9. Le malaise professionnel : l'enseignant travaille sans enthousiasme, sans trop s'intéresser ou se dévouer à sa tâche, sans se préoccuper de ce qui l'entoure; divers revers sont à l'origine du malaise professionnel qui caractérise le processus pédagogique.

Le rapport cite un certain nombre de statistiques sur le nombre d'écoles et les effectifs scolaires.

61. Quant aux enseignants, il leur est souvent demandé de coopérer avec les autorités d'occupation et ils peuvent faire l'objet de mesures, telles que la mutation dans une école située loin de leur domicile, le licenciement arbitraire et l'arrestation.

62. On relève également que :

Les mauvaises conditions professionnelles et autres conditions de vie que connaissent les enseignants des écoles publiques de Cisjordanie sont dues à diverses pratiques arbitraires notamment les licenciements, les mutations non

motivées, la mise à la retraite anticipée, l'imposition d'un lieu de résidence, la retenue sur le traitement des journées de grève, le gel des grades et des augmentations de salaire, les mesures répressives prises à l'encontre de leurs familles et leur convocations au bureau du Gouverneur militaire.

63. On observe aussi que les licenciements arbitraires du personnel enseignant n'ont cessé d'augmenter, comme le montre la progression allant de 8 enseignants en 1980 à 29 en 1984. Une liste chronologique d'enseignants licenciés durant l'année scolaire 1985/86, est fournie, ainsi que les noms d'enseignants dont les domiciles ont été perquisitionnés.

64. Une liste d'enseignants arrêtés en 1985 et au début de 1986 figure parmi les documents.

65. A propos de la situation de l'enseignement dans la bande de Gaza, il est noté que :

Le Département de l'enseignement de Gaza dépend directement de l'officier chargé de l'éducation et de l'enseignement au sein du cabinet du Gouverneur militaire de la bande de Gaza, qui reçoit ses ordres des institutions sionistes supérieures en Palestine occupée.

Cet officier a le droit d'émettre des ordres ou des instructions de caractère militaire : fermer des écoles, les empêcher d'accomplir leur fonction, emprisonner, suspendre, renvoyer ou expulser des élèves, des enseignants ou des personnels du système d'enseignement sous l'accusation de résistance aux autorités d'occupation. Les institutions d'enseignement de notre peuple sont soumises quotidiennement à ces pratiques arbitraires.

La situation est encore plus dramatique lorsqu'il s'agit des programmes d'enseignement. En effet, les autorités d'occupation ont frappé d'interdiction l'étude de dizaines d'ouvrages concernant l'enseignement de l'Islam, de la langue arabe, de l'histoire, de la géographie et de la sociologie.

L'enseignement dépend, dans la bande de Gaza, du financement assuré par diverses sources et parmi celles-ci l'Office de secours et de travaux des Nations Unies pour les réfugiés de Palestine dans le Proche-Orient (UNRWA) qui accueille dans ses établissements un nombre d'élèves dépassant les effectifs scolaires combinés des écoles publiques et privées.

L'Office menace cependant de réduire ses activités et de fermer certains de ses centres. Les frais scolaires payés par les élèves des établissements d'enseignement supervisés par les autorités d'occupation sionistes constituent la deuxième source de financement. La troisième source provient du "système éducatif privé" financé par les droits et frais de scolarité payés aux établissements qui lui sont rattachés.

Cette introduction nous permet de comprendre que les établissements pédagogiques de la bande de Gaza occupée connaissent des conditions matérielles déplorables et ceci a des effets sur le déroulement du processus

pédagogique : pénurie de bâtiments, de laboratoires et d'équipements scolaires. Les élèves sont entassés dans des classes et les écoles fonctionnent sans interruption, avec des cours du matin et des cours du soir. Cet état de choses se répercute aussi sur les salaires des enseignants, sur les conditions psychologiques et économiques et a des effets néfastes sur l'enseignement lui-même.

66. Un certain nombre de données statistiques sur la situation de l'enseignement dans la bande de Gaza sont également fournies.

67. La situation de l'enseignement supérieur dans les territoires occupés fait l'objet d'un document détaillé. Il y est stipulé que :

Les diverses pratiques et mesures auxquelles ont recours les autorités d'occupation sionistes visant à combattre l'éducation et l'enseignement en Cisjordanie et dans la bande de Gaza ont provoqué une réaction de la part des habitants de la Cisjordanie occupée, qui s'intéressent davantage à l'enseignement universitaire.

...

Ce mouvement a favorisé l'ouverture de plusieurs établissements universitaires destinés à accueillir le plus grand nombre possible d'étudiants et à leur permettre d'acquérir une nouvelle arme, celle du savoir. C'est pourquoi l'enseignement supérieur fait l'objet d'une attention particulière de la part des habitants et des établissements pédagogiques dans nos territoires occupés et retient aussi l'intérêt du monde arabe et en particulier de la Commission mixte jordano-palestinienne et du secrétariat général de l'Association des universités arabes.

...

Du fait qu'il n'existe pas d'autorité nationale à l'intérieur de la patrie occupée, les oeuvres et les institutions pédagogiques se sont employées à jeter des ponts entre les diverses universités, ce qui a permis la tenue d'une série de conférences qui ont abouti à la formation d'un Conseil de l'enseignement supérieur en 1977. Ce Conseil assure la coordination des activités universitaires : amélioration du niveau pédagogique, création de nouveaux établissements, appui financier, formation et perfectionnement des cadres. Le Conseil a réussi, par le biais de son comité exécutif, à asseoir son existence matérielle et morale.

Il convient d'ajouter que le Conseil de l'enseignement supérieur fait l'objet de nombreuses mesures arbitraires de la part des autorités d'occupation qui assignent ses membres à résidence. Nous pouvons résumer ces mesures comme suit :

1. Promulgation d'ordonnances militaires et amendement des lois existantes, au mépris du droit et des coutumes internationales.
2. Refus d'accorder des permis de résidence à des membres du corps enseignant, s'ils refusent de signer un document politique anti-OLP.

/...

3. Assignation à résidence et arrestations des professeurs et des étudiants.
4. Arrêt des travaux d'agrandissement du campus universitaire.
5. Imposition de droits de douane abusifs sur les auxiliaires pédagogiques et le matériel de laboratoire qui étaient normalement exemptés de ces droits avant 1967.
6. Interdiction de nombreux ouvrages et périodiques, frappant plus de 5 000 ouvrages divers.
7. Permis de travail limités à une année, renouvelables par autorisation du gouverneur militaire, d'où la situation instable des universités.
8. Fermeture des universités par ordonnances militaires, mesures visant à interdire l'accès des universités aux membres du corps enseignant et aux étudiants.

68. Le document en question fournit un certain nombre de données sur les ressources des universités :

Les universités de Cisjordanie et de la bande de Gaza sont financées par la Commission mixte jordano-palestinienne, et les responsables de ces institutions universitaires s'emploient à titre individuel à obtenir des fonds et des dons supplémentaires auprès des Palestiniens en exil, des Etats arabes et d'autres pays, et des organisations internationales. En outre, les organismes responsables de l'aide financière paient, pour chaque étudiant la somme de 100 dinars, à titre de participation aux frais d'études universitaires (100 dinars par étudiant ont été payés pour chaque étudiant rien qu'en 1983) outre les exemptions de frais d'inscription limitées qui ont été consenties par les universités de la patrie occupée au cours des années suivantes.

Le document fournit aussi des renseignements sur les universités et leur supervision, le nombre d'étudiants (11 454 sur la rive occidentale et 5 620 à Gaza), ainsi que des informations détaillées sur les diverses universités des territoires occupés, leur organisation et leurs programmes. Il établit aussi une liste des noms des professeurs expulsés de l'Université Al-Najah depuis l'année universitaire 1982/83; une liste de professeurs interdits d'enseignement, détenteurs de passeports étrangers et interdits de séjour en Palestine, une liste de professeurs n'ayant pu obtenir de permis d'entrée en Cisjordanie, et une liste de 34 professeurs expulsés, en août 1985, de l'Université islamique de Gaza.

69. L'ingérence continue des autorités militaires dans la vie des universités sur la rive occidentale, illustrée par l'application de l'ordonnance militaire No 854 de 1980 qui habilite l'officier responsable de l'éducation à exercer une supervision de fait sur les universités, et de la loi israélienne 564 de 1969 qui place tous les établissements pédagogiques sous contrôle israélien, est également

mentionnée dans les documents. Il est rappelé que l'abrogation de la loi jordanienne No 16 (1964) régissant l'éducation et l'enseignement, et son remplacement par la loi israélienne, sont en contradiction flagrante avec la Convention internationale de Genève de 1949.

70. Les informations reçues concernent également les mesures de répression prises à l'encontre des étudiants. Une liste détaillée des cas d'arrestation d'étudiants arabes sur la rive occidentale au cours de l'année scolaire 1985 et au début de 1986 est fournie.

71. Les documents soumis par l'Organisation de libération de la Palestine font également état de la situation de l'enseignement dans les écoles relevant de l'UNRWA durant l'année scolaire 1985/86. Des informations sont données sur le nombre d'élèves, d'écoles et d'enseignants sur la rive occidentale et dans la bande de Gaza. Il est rappelé que les autorités israéliennes refusent dans certains cas d'autoriser l'importation de manuels scolaires. Une description du programme de formation des enseignants, ainsi que des bourses de perfectionnement pédagogique, est fournie. En conclusion, un certain nombre de problèmes touchant les institutions supervisées par l'UNRWA sont évoqués, qui peuvent être résumés comme suit :

L'UNRWA tente de réduire les services éducatifs destinés aux enfants des réfugiés palestiniens, ceci est confirmé par les fluctuations annuelles des effectifs scolaires. En effet, ces effectifs s'élevaient à 336 207 élèves en 1982/83, contre 338 386 l'année précédente, et 345 844 en 1983/84.

L'Office de secours déclenche une campagne psychologique contre les enseignants dans ses écoles. Il laisse entendre chaque année qu'il mettra fin aux services de beaucoup d'entre eux, par manque de ressources financières et ceci a des répercussions sur l'état d'esprit et sur le travail des instituteurs.

Le nombre des écoles de l'UNRWA ainsi que les effectifs scolaires ne cessent de diminuer. Il existait 651 écoles pendant l'année scolaire 1982/83 et 640 en 1983/84, soit 11 écoles de moins. Il en est résulté que les écoles et les salles de classe sont surchargées et que la capacité de concentration et de compréhension des élèves s'en ressent. Nous avons aussi constaté le mauvais état des bâtiments scolaires de l'UNRWA, en particulier dans la bande de Gaza occupée où les écoles ont conservé leurs toits en tôle pendant l'année scolaire 1985/86. En outre, certaines salles de classe en Syrie, dans la bande de Gaza et en Cisjordanie menacent de s'écrouler si elles ne sont pas renouvelées. Cet état de choses a été reconnu par le Commissaire général de l'Office de secours dans son rapport adressé au Directeur général, dans lequel il prétendait que ceci était dû à des contraintes budgétaires.

L'Office de secours ne supervise que les cycles primaire et préparatoire et néglige l'éducation préscolaire ainsi que les cycles secondaire et universitaire.

Pour le cycle postsecondaire, l'UNRWA accorde quelques bourses d'études : 349 bourses en 1982/83 dont 272 renouvellements et 77 nouvelles bourses, 353 pour 1983/84 dont 271 renouvellements et 82 nouvelles bourses. Ces chiffres n'ont pratiquement pas changé depuis que l'UNRWA a été chargé de veiller aux intérêts des réfugiés, ce qui prouve que ce type de service ne cesse de diminuer et qu'il ne correspond pas aux besoins réels.

Les classes des écoles de l'UNRWA accueillent 50 élèves alors que ce chiffre s'élève à 28 élèves en Jordanie, à 20 au Royaume-Uni, à 16 en Suède et à 15 au Koweït.

L'UNRWA applique le système du temps scolaire partagé, (2 à 3 séries de classes par jour) dans 95 p. 100 des écoles qu'il supervise.

Au cours de ces dernières années, l'UNRWA a demandé aux parents de payer les cahiers et les manuels scolaires de leurs enfants, prétextant le manque de fonds.

72. Le Comité spécial a aussi reçu un document sur la formation professionnelle et technique dans les territoires occupés en 1985/86. Ce document donnait un aperçu général de la situation de la formation professionnelle sur la rive occidentale et dans la bande de Gaza. Pour la rive occidentale, il indiquait les différents moyens de formation professionnelle et technique : écoles techniques secondaires, cours de formation professionnelle et technique des collèges communautaires de niveau moyen, établissements de formation professionnelle supervisés par l'UNRWA, établissements supervisés par le Département du travail des autorités militaires et divers autres établissements de formation professionnelle. Il contenait pour chaque établissement des renseignements détaillés et des statistiques sur les questions suivantes : historique, nombre d'enseignants et d'étudiants, nombre d'étudiants par spécialisation, conditions d'admission, durée des études. Il fournissait aussi des tableaux statistiques comparatifs sur l'enseignement de type classique et la formation professionnelle ainsi que sur les autorités chargées de la supervision. Se fondant sur les chiffres des tableaux qui indiquaient le pourcentage des étudiants qui avaient obtenu le certificat général d'éducation et de ceux qui s'étaient présentés aux examens de l'enseignement technique et professionnel général pendant la période 1979-1984, les auteurs du rapport ont formulé les conclusions suivantes :

1. L'éducation sur la rive occidentale est limitée à l'enseignement de type classique, le nombre des élèves inscrits dans les sections techniques ne dépassant pas 3 p. 100 du nombre total des élèves des établissements secondaires.

2. La plupart des élèves achèvent leurs études secondaires alors qu'ils ne sont pas encore à même de subvenir à leurs besoins ni de venir renforcer l'économie nationale. De plus, ils représentent une charge financière pour leurs parents; certains veulent s'inscrire à l'université et d'autres y suivre des cours, mais ce n'est pas fréquent. On peut trouver là une cause de la montée du chômage chez les diplômés universitaires, car ceux qui n'ont pas de qualifications commerciales ou techniques ont très peu de chances de trouver du travail, faute d'emplois.

3. A notre avis, il faudrait qu'un certain nombre de ces diplômés puissent suivre les cours de centres et d'établissements de formation technique et professionnelle.

73. Le rapport traitait ensuite l'enseignement agricole sur la rive occidentale. Il retraçait l'historique de la question et rappelait qu'après la guerre de 1967, cet enseignement avait été interrompu sur la rive occidentale où il n'était plus guère différent des autres formes d'enseignement placées sous le contrôle des autorités d'occupation israéliennes. Le rapport donnait la liste des établissements actuels d'enseignement agricole et contenait des renseignements détaillés sur les questions suivantes : historique, nombre d'étudiants, matières enseignées, niveau d'études et matériel. A propos du niveau d'études dans un institut d'agriculture, les auteurs du rapport indiquaient ce qui suit :

Le niveau des diplômés de l'Institut est actuellement considéré comme inférieur à la moyenne. Les diplômés n'ont pas les compétences voulues pour trouver dans l'agriculture un emploi de technicien ou de moniteur agricole. Les programmes ne sont pas au point et, de plus, le matériel et les outils utilisés sont périmés. Les moyens matériels sont limités, de même que les applications pratiques. Les centres de formation et de travaux pratiques ne sont pas dotés de méthodes et d'outils modernes, et cela depuis 1967. S'y ajoute, pour contribuer à la médiocrité du niveau d'études, le fait que l'Institut admet des étudiants dont les résultats ne sont pas bons et d'autres que les études n'intéressent pas vraiment. De plus, l'enseignement mixte incite les étudiants à s'inscrire dans les universités et dans d'autres établissements d'enseignement supérieur de la rive occidentale et de la bande de Gaza, au détriment de l'Institut. Les candidats à l'Institut sont donc exclusivement des étudiants qui ont des résultats très médiocres.

A l'occasion de deux réunions, il est apparu qu'un certain nombre d'ingénieurs de l'Institut voulaient le quitter et changer d'emploi afin d'améliorer leur situation financière et d'avoir une plus grande sécurité à cet égard, ce qui se répercutait sur leur efficacité, sans parler des obstacles dressés par les autorités. Tous ces facteurs entravent le développement de l'Institut.

74. Le rapport a permis de formuler la conclusion ci-après à propos de l'enseignement agricole sur la rive occidentale :

L'enseignement agricole sur la rive occidentale est pour ainsi dire inexistant, que ce soit au Collège d'agriculture d'Al-Hussein, à l'école d'agriculture d'Al-Arub ou dans les centres de formation horticole. Il faut l'attribuer au manque d'intérêt des étudiants pour ce genre de formation en raison des facteurs déjà mentionnés et de l'incapacité des exploitations agricoles de s'acquitter de leur tâche en matière de formation et d'applications pratiques. Les écoles sont dotées d'outils et de matériel périmés et n'appliquent pas les méthodes modernes. Par ailleurs, elles ne se sont pas développées du tout depuis 1967.

75. A propos des établissements d'enseignement professionnel et technique dans la bande de Gaza, le rapport faisait état des trois autorités chargées de superviser la formation professionnelle et technique dans la bande de Gaza, à savoir le

Ministère de l'éducation, le Ministère des affaires sociales et l'UNRWA, et donnait des renseignements sur les différents centres de formation professionnelle supervisés par ces autorités. Il décrivait enfin la situation de l'enseignement agricole et de la formation commerciale dans la bande de Gaza et fournissait des données statistiques à ce sujet. La conclusion du rapport concernant l'école secondaire d'agriculture dans la bande de Gaza était la suivante :

A cause du chômage qui règne dans la bande de Gaza, en particulier parmi les diplômés universitaires et les ingénieurs agricoles, le nombre des étudiants de l'école est resté stationnaire et devrait baisser, si bien que l'école finira par être fermée. La fermeture sera due aussi à la dégradation générale de la situation économique dans la bande de Gaza, qui touche en particulier les étudiants en agriculture. Il y a 250 diplômés en agriculture qui sont au chômage, ce qui a conduit à une désaffection générale pour les professions agricoles.

c) Informations sur les activités des colons affectant la population civile

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

76. Comme mentionné précédemment, pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif à la situation des civils dans les territoires occupés pendant 1985 et le premier trimestre de 1986. Ce rapport mentionne diverses pratiques et activités des colons israéliens affectant la population civile dans les territoires occupés :

Les colons patrouillent sans cesse les villes et villages palestiniens, braquant leurs armes et tirant sur les passants. Ils ferment les boutiques, détruisent les biens, pénètrent de force dans les maisons, encerclent les camps, confisquent habitations et terres, établissent des zones de peuplement et attaquent les habitants arabes.

Le rapport donne une liste chronologique des pratiques auxquelles les colons israéliens se sont livrés contre les Arabes et leurs biens pendant l'année 1985. Ce document fait aussi état des pratiques des colons israéliens affectant la population civile durant le premier trimestre de 1986 telles que l'inscription sur les murs de slogans anti-arabes, le rassemblement de membres de mouvements racistes près de Lieux saints musulmans, l'attaque physique de civils arabes entraînant coups et blessures provoquant parfois la mort, l'incendie de voitures et entrée par effraction au domicile de civils. Ces informations se basent sur des rapports publiés dans la presse locale, et sont étayées, dans un certain nombre de cas, par des pièces justificatives, telles que les copies de témoignages signés des incidents, les mémoires des incidents établis par avocats, les copies de certificats de décès, les photographies des véhicules incendiés ou des maisons endommagées, les procès verbaux des incidents. Certains des cas cités apparaissent dans la rubrique correspondante consacrée à l'information recueillie dans la presse israélienne et la presse arabe publiées dans les territoires occupés (voir annexe III (publiée seulement en anglais), par. 319 à 344). Le document fait également mention de manifestations provocatrices organisées par des colons devant les universités, l'établissement de barrages barrant l'accès aux universités, etc.

4. Annexion et implantation de colonies

(Voir annexe III (publiée seulement en anglais), par. 378 à 425)

a) Politique

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

77. Pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine sur la question de Jérusalem. Ce rapport déclarait que la politique d'implantation de colonies des autorités d'occupation, qui avaient créé 26 colonies au cours des 18 dernières années, constituait la menace la plus grave pour la Jérusalem arabe. Il citait diverses pratiques utilisées pour assurer la judaïsation de Jérusalem, telles que le meurtre de civils, la démolition de bâtiments arabes, la fermeture des tribunaux jordaniens, la mainmise des autorités israéliennes sur l'éducation, les services médicaux et les services sociaux, la judaïsation des services de distribution d'eau et d'électricité, l'assignation à résidence de personnalités, les mesures d'encouragement de l'émigration juive vers la Jérusalem arabe et la politique d'implantation de colonies. Il mentionnait aussi des mesures d'oppression et la violation de Lieux saints musulmans et chrétiens à Jérusalem par les autorités d'occupation ou par des institutions telles que le Gush Emunim, le "Kakh", le mouvement "La terreur contre la terreur" ou le "Jabal-al-Bait". Le rapport parlait enfin du projet de la "grande Jérusalem", adopté en 1982 et qui devait être le dernier d'une série de mesures administratives et législatives et d'opérations d'implantation de colonies commencée dès 1948 et dont les principales étapes ont déjà été dûment exposées dans les précédents rapports du Comité spécial. En ce qui concerne le projet de la "grande Jérusalem", le rapport indique :

Ce projet consiste à annexer et à judaïser, non seulement la ville arabe de Jérusalem et les villages avoisinants, mais aussi les agglomérations et les camps de la zone de Ramallah et de Birah d'une part et de la zone de Bethléem, de Beit Jala et de Beit Sahur d'autre part. Il convient de signaler à cet égard que la superficie de ces zones représente environ 8 p. 100 de la superficie totale de la rive occidentale occupée en 1967.

L'opération susmentionnée doit être interprétée comme un prélude à l'annexion et à la judaïsation des autres zones de la rive occidentale, qui comprennent les deux gouvernorats de Naplouse et d'Hébron, et de la bande de Gaza.

...

Aucune date précise n'a été fixée pour le projet, et un comité de district sioniste a été habilité à adopter des règlements, à construire des bâtiments, des routes et à réglementer les cultures fruitières et a été aussi doté d'autres pouvoirs, afin qu'il puisse exercer ces pouvoirs essentiellement pour faciliter la réalisation du projet d'expansion sioniste et exercer des pressions sur les habitants arabes de cette région, comme cela se passe dans

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les autres régions des territoires occupés. Le projet prévoit que les terres sur lesquelles il porte, et qui représentent une superficie de plus de 446 000 dounams, seront réparties comme suit :

Pourcentage	Affectation
13,00	Logements arabes
17,00	Logements juifs
6,50	Vergers publics
4,00	Routes
59,50	Agriculture

Ce tableau montre en fait que la superficie des terres agricoles va être réduite, ce qui contribuera à faire encore baisser la production agricole de la rive occidentale.

...

Le projet de la "grande Jérusalem" fait partie des plans israéliens d'aménagement du territoire. En d'autres termes, l'extension d'Israël - de son réseau routier à travers la ligne verte - a surtout pour but de lui permettre de réaliser les objectifs suivants :

- a) Renforcer l'emprise de l'autorité occupante sur la région arabe occupée et de maintenir celle-ci asservie;
- b) Empêcher le peuple arabe palestinien de créer son Etat indépendant sur sa terre natale;
- c) Assiéger les villes et villages palestiniens;
- d) Dépouiller et assiéger chaque Palestinien;
- e) Détruire l'infrastructure de la production palestinienne de manière à priver le peuple palestinien de ses racines, pour l'expulser ensuite de ses terres;
- f) Rattacher la région centrale à la partie de la Palestine qui a été occupée pendant l'année 1948 sans tenir aucun compte des conditions sociales et des conditions de vie des habitants de ladite région.

L'importance de la région de la "grande Jérusalem" (région centrale) tient au fait qu'elle occupe une position intermédiaire dans la rive occidentale et qu'elle fait le lien entre le nord et le sud et entre la partie de la Palestine qui a été occupée en 1948 et les régions de la vallée du Jourdain. Quoi qu'il en soit, les objectifs immédiats du projet susmentionné sont les suivants :

/...

- a) Accroître le nombre des habitants juifs jusqu'à ce qu'il soit trois fois plus élevé que celui des habitants arabes;
- b) Affecter de vastes zones à l'agriculture en vue d'une planification future;
- c) Développer le réseau de grandes routes reliant le nord et le sud et reliant également la partie de la Palestine occupée à la vallée du Jourdain;
- d) Etendre les limites de la ville de Jérusalem (la grande Jérusalem).

b) Mesures

Renseignements communiqués par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine

78. Comme mentionné précédemment, pendant son séjour à Amman, le Comité spécial a été saisi d'un rapport établi par le Département des affaires des territoires occupés de l'Organisation de libération de la Palestine, relatif à la situation des civils dans les territoires occupés pendant 1985 et le premier trimestre de 1986. Ce rapport contient une liste des biens confisqués dans la rive occidentale et la bande de Gaza pendant 1985, établie dans l'ordre chronologique. Les données énumérées comprennent la source du renseignement, la date, le lieu, la superficie de la terre en dounams et la raison invoquée pour la confiscation. Ce document fait aussi état de nombreux cas de confiscation de terres au cours du premier semestre de 1986, ainsi que d'un certain nombre d'activités liées à cette politique de confiscation, telles que l'arrachage d'arbres fruitiers appartenant à des civils des territoires occupés, le déblayage de terres, la confiscation de bétail, la promulgation d'ordonnances déclarant terres d'Etat des terres appartenant à des particuliers. Les informations contenues dans ce document se basent sur des rapports publiés dans la presse locale et sont étayées dans un certain nombre de cas, par des pièces justificatives telles les procès-verbaux établis par les municipalités concernées, les déclarations et attestations faites en justice, les mémoires de recours présentés par les propriétaires terriens menacés de confiscation ou les copies de décisions des curateurs des biens de l'Etat.

5. Les hauteurs du Golan

(Voir annexe III (publiée en anglais seulement), par. 426 à 446)

Renseignements communiqués par le Gouvernement de la République arabe syrienne

79. Le Comité spécial a été saisi d'un rapport soumis par le Ministre des affaires étrangères de la République arabe syrienne traitant de la situation de la population civile dans les hauteurs du Golan. Ce rapport est reproduit ci-dessous :

Depuis l'occupation du territoire arabe syrien des hauteurs du Golan en juin 1967, les autorités d'occupation israéliennes n'ont pas cessé d'appliquer et d'intensifier leur politique de répression et d'expansion et se sont livrées à toutes sortes d'actes de terrorisme et de persécution raciale,

économique, politique et culturelle à l'encontre de la population du territoire. Par la coercition, ils ont voulu imposer l'identité israélienne aux habitants du territoire et ont confisqué leurs terres et leurs biens, les ont expulsés pour établir des colonies où ils ont installé des colons et ont tout fait pour essayer de modifier les caractéristiques naturelles, géographiques, culturelles et démographiques du territoire occupé et de prendre possession de ses ressources naturelles en violation flagrante et délibérée des principes du droit international et de la Charte des Nations Unies, des résolutions pertinentes de l'Assemblée générale, du Conseil de sécurité et des institutions spécialisées ainsi que des dispositions des Conventions de La Haye de 1899 et de 1907 et de la quatrième Convention de Genève de 1949 relative à la protection des personnes civiles en temps de guerre.

1. Pratiques israéliennes en matière de détention et de terrorisme

Israël s'est livré à des campagnes de terrorisme et de détention en violation des droits de la population des villages du territoire occupé des hauteurs du Golan immédiatement avant et après la visite de Shimon Peres à Majdal Shams. On peut en faire le résumé suivant :

1. Le 26 janvier 1986, les autorités d'occupation ont arrêté 11 citoyens syriens qu'elles accusaient de faire paître leur bétail à proximité de leurs villages dans des zones qu'elles avaient déclarées zones militaires. Les autorités israéliennes ont saisi 72 têtes de bétail appartenant à ces citoyens et les ont transportées dans des véhicules militaires vers des enclos situés dans la partie méridionale de la Palestine occupée. Quand les propriétaires du bétail ont essayé d'empêcher les troupes israéliennes et la police d'enlever leur bétail, ils ont été battus à coups de crosses de fusil et de matraques, puis arrêtés.
2. Le 26 février 1986, il y a eu des accrochages à Majdal Shams entre les autorités israéliennes et des citoyens arabes syriens qui protestaient contre la visite de Shimon Peres. A la suite de ces accrochages, dont des images ont été montrées à la télévision, Israël a arrêté 18 citoyens du Golan parce qu'ils avaient participé à la manifestation.
3. Le 14 février 1986, les autorités israéliennes ont arrêté 10 citoyens parce qu'ils avaient participé à une manifestation pour célébrer le quatrième anniversaire de la fameuse grève qui avait éclaté pour protester contre l'imposition de l'identité israélienne. La police a ouvert le feu sur les manifestants et les a frappés à coups de matraques, comme on l'a vu à la télévision.
4. Le 27 février 1986, 17 autres personnes se sont ajoutées à celles qui avaient été arrêtées le 26 février 1986.
5. Le 1er mars 1986, 16 autres citoyens du Golan ont été arrêtés.

6. Le 3 mars 1986, 11 citoyens du Golan ont encore été arrêtés parce qu'ils avaient participé à la manifestation de protestation contre la visite de Shimon Peres. Entre le 26 février et le 3 mars 1986, 47 personnes au total ont été arrêtées pour cette raison.

7. Le 2 mars 1986, Itzhak Navon, ministre israélien de l'éducation, s'est rendu au village de Buq'ata pour assister à l'ouverture d'une école primaire. A sa surprise, la population a hissé le drapeau arabe syrien sur l'école qu'elle a appelée du nom de notre vaillant président, Hafez al-Assad, ce qui a déclenché un affrontement entre les citoyens et les troupes ennemies. Après le départ de Navon, toutes les routes qui reliaient les villages du Golan ont été fermées et de nombreux citoyens ont été arrêtés, dont les suivants : Afif Mahmoud, Waheeb al-Sayyid Ahmad, Alamuddin Mahmoud Abu Zeid, Muhammad Ali Rubah, Hayel As'ad al-Halabi, Ayman, Nabih et Daniel, fils de Salman Taher Abu Saleh, Fakhri Suleiman al-Maqt, Qasim Abbas al-Safadi, Adel Saleem Abu Jabal, Ziyad Fuad al-Qal'ani, et Nasir, Mansour et Nabih, fils de Said Abu Jabal. Y compris ces derniers, le nombre total des détenus est passé à plus de 55.

8. Le 5 mars 1986, selon le journal Al-Ittihad publié à Haifa, le juge du tribunal central de Haifa a refusé de libérer 18 détenus du Golan, y compris des jeunes. Les détenus ont alors entonné l'hymne national arabe syrien dans la salle du tribunal pour exprimer leur appartenance nationale. Les autorités d'occupation les ont aspergés d'une substance gazeuse pour ramener le calme. Elles ont aussi menacé d'arrêter des femmes et des jeunes filles.

9. Le 6 mars 1986, le tribunal central de Nazareth a prolongé la durée de la détention de quatre étudiants du Golan (Kanj Ismail Abu Saleh, Badi Sayyid Ahmad, Hasan Faiz al-Safadi et Fahd Aref al-Safadi), tous âgés de 18 ans.

10. Le 8 mars 1986, les autorités israéliennes ont ordonné la prolongation, jusqu'à nouvel avis, de la détention de 45 citoyens syriens et la fermeture du secteur d'Al-Suyyah à l'est de Majdal Shams pour empêcher les habitants de prendre contact avec leurs parents de l'autre côté de la ligne frontière.

Le même jour, le général Uri Ur, commandant de l'armée israélienne pour la région du nord, a déclaré le Golan zone militaire fermée jusqu'à nouvel avis.

Le même jour, cinq habitants de Majdal Shams ont été arrêtés.

11. Le 10 mars 1986, la télévision ouest-allemande a diffusé un film sur les pratiques israéliennes dans les territoires occupés, y compris le Golan. Le film montrait les méthodes appliquées pour persécuter les citoyens arabes, y compris les arrestations arbitraires et les tortures infligées aux prisonniers (suffocation, exposition au froid glacial, coups douloureux aux endroits sensibles du corps, traitement humiliant des détenus et de leurs familles).

12. La population du territoire occupé est harcelée par les agents des services fiscaux, et est soumise à maintes provocations du fait des actes de terrorisme des autorités israéliennes.

13. Des descentes sont opérées dans les maisons de citoyens arabes sans avertissement, sous prétexte de procéder à des perquisitions, au petit matin.
14. Les citoyens arabes du territoire occupé des hauteurs du Golan ne peuvent pas obtenir de passeports.
15. Le 14 mars 1986, les autorités d'occupation ont arrêté neuf citoyens arabes de Majdal Shams (Mustafa Qasim Mahmoud, Nazih Nu'man Abu Jabal, Wadi Hasan Ayyoub, Badi Hasan Ayyoub, Hayel Faris al-Sha'ir, Yussuf Shibli al-Sha'ir, Yussuf Fakhreddin, Rafiq Ali Ibrahim et Faris Ali Abu Sa'da), ainsi qu'un citoyen de Mas'ada (Suleiman Hasan Ibrahim), tous accusés de s'être opposés à la visite de Shimon Peres.

Le 14 mars 1986, 11 citoyens de Majdal Shams ont été arrêtés pour avoir participé à la manifestation collective. La radio israélienne a annoncé que 65 citoyens avaient déjà été arrêtés pour la même raison. Radio Monte-Carlo a annoncé que le général Uri Ur, commandant de la région du nord, avait pris des mesures draconiennes pour écraser l'opposition de la population à la politique et à l'occupation israéliennes.

16. Le 18 mars 1986, le tribunal central de Nazareth a prolongé la détention de deux personnes des hauteurs du Golan (Muad al-Safadi et Kalim Hamad Uweidat) et, en même temps, a libéré 16 citoyens moyennant le paiement d'une caution exorbitante, allant de 1 000 à 1 500 shekels, payable en espèces, et d'une garantie personnelle d'un montant de 2 000 shekels. Les détenus qui ont été libérés moyennant versement de ces montants exorbitants sont les suivants :

Majeed Ahmad al-Qudhmani
Yussuf Salman al-Maqt
Fakhreddin Suleiman al-Maqt
Daniel Salman Abu Saleh
Hassan Hayel Abu Jabal
Jamil Salman Abu Jabal
Zeid Said al-Halabi
Hamoud Mahmoud al-Safadi
Faiz Said Mahmoud
Sa'adeh Aref al-Safadi
Dr. Ali Abu Awwad
Waheeb Tawfiq Ayyoub
Fadhel Nayef Abu Saleh
Waleed Mut'ib Abu Saleh
Fawzi Hamad Mahmoud
Salama Mazyad Abu Saleh

La famille du détenu Kalim Uweidat a déposé en vain une plainte dans laquelle elle faisait savoir que l'intéressé, dont la détention avait été prolongée, souffrait d'une fracture de l'épaule qui compromettait sa santé, car il n'avait pas reçu de soins en prison.

17. Le 19 mars 1986, les autorités israéliennes ont assigné à résidence 16 habitants de Majdal Shams.

18. Le 20 mars 1986, le juge du tribunal central de Haifa (Eliazar Bar) a rejeté l'appel formé par un groupe de personnes du Golan qui avaient été arrêtées le 13 mars 1986 et dont la détention avait été prolongée de 12 jours par le tribunal d'instance d'Acre. Les personnes qui se trouvent toujours en détention sont les suivantes : Mustafa Qasim Mahmoud, Rafiq Ali Ibrahim, Izzeddin Hussain Ibrahim, Faris Ali Abu Sa'ada, Nazih Nu'man Abu Jabal, Hussain Yussuf Abu Saleh, Hayel Faris al-Sha'ir et Suleiman Yussuf Fakhreddin. Le même jour, les autorités israéliennes ont arrêté trois citoyens syriens du territoire occupé des hauteurs du Golan après que des agents des services fiscaux israéliens eurent opéré une perquisition et une inspection qui s'étaient soldées par la confiscation de trois charrettes chargées de pommes.

Il a été signalé qu'un citoyen avait été blessé à la tête lors d'affrontements entre la population et des agents des autorités d'occupation.

Le même jour, le tribunal de Nazareth a assigné à résidence 74 habitants des hauteurs du Golan, accusés d'avoir participé aux manifestations contre Peres le mois précédent. Selon des renseignements émanant de la justice, les condamnés doivent rester à leur domicile du coucher au lever du soleil et ne doivent pas quitter leurs villages sans autorisation préalable.

Des agents du fisc se sont aussi rendus dans les entrepôts frigorifiques de pommes près du village de Majdal Shams, où ils ont fait sauté les serrures et confisqué 2 634 caisses de pommes, pesant environ 53 tonnes et appartenant à des habitants du Golan. Des membres des forces de police et des gardes frontière ont agressé ceux qui étaient venus protéger leurs produits. Ils ont aussi immobilisé le directeur de l'entrepôt ainsi que Ghassan Ahmad al-Safadi, âgé de 20 ans, qu'ils ont roué de coups.

19. Le 21 mars 1986, la population du territoire occupé des hauteurs du Golan a fait une grève de 24 heures et organisé une manifestation à Majdal Shams au cours de laquelle elle a scandé des slogans contre Israël, déclarant son appartenance indéfectible à la Syrie et condamnant les arrestations arbitraires et la politique de harcèlement dont elle était victime. Les autorités israéliennes ont étendu la superficie de leurs champs de mines.

20. Le 22 mars 1986, une manifestation a été organisée à l'est de Majdal Shams pour protester contre le couvre-feu qui avait été imposé dans le secteur et contre les pratiques et les arrestations arbitraires. Les manifestants portaient des bannières sur lesquelles on pouvait lire "Oui à la faim, Non à la soumission" et "Plutôt mourir que d'avoir l'identité israélienne".

21. Le 24 mars 1986, le tribunal central de Haifa a ouvert le procès de 75 citoyens arabes syriens du territoire occupé des hauteurs du Golan, accusés d'avoir pris part au soulèvement populaire qui avait éclaté dans tous les villages du Golan pendant la dernière visite de Shimon Peres (rapport publié dans le journal jordanien Al Rai du 25 mars 1986).

22. Le 25 mars 1986, des habitants de Mas'ada et de Buq'ata ont manifesté contre les autorités d'occupation israéliennes, en arborant le drapeau syrien et en scandant des slogans contre l'occupation.

23. Le 5 avril 1986, l'agence Tass a cité un article publié dans le journal israélien Ha'aretz, selon lequel 12 000 agriculteurs avaient été totalement isolés dans leurs villages, qui avaient été fermés par des clôtures de fil de fer barbelés et encerclés par les troupes israéliennes, si bien qu'ils étaient privés de nourriture, de médicaments et de soins médicaux.

24. Le 8 avril 1986, les autorités israéliennes ont ouvert le feu sur le citoyen syrien Ibrahim Hasan al-Safadi, 19 ans, habitant de Majdal Shams, qui a été gravement blessé.

25. Le 14 avril 1986, le général israélien Saul Levi, commandant de la police israélienne de Galilée, a annoncé que la police n'autoriserait pas les citoyens arabes syriens à organiser des manifestations ou des fêtes à l'occasion de l'anniversaire de l'évacuation des troupes étrangères le 17 avril.

26. Le 17 avril 1986, une unité israélienne d'environ 10 000 soldats a encerclé le village de Majdal Shams, où elle a décrété le couvre-feu. Des forces importantes ont été envoyées pour disperser les défilés qui avaient été organisés par la population pour célébrer l'anniversaire de l'évacuation des troupes étrangères. Des accrochages se sont produits (le 18 avril 1986, des images d'accrochages avec la police dans le village d'Ain Qunia ont été diffusées à la télévision). Dans la soirée du 16 avril 1986, les routes entre les villages ont été bloquées et de nombreux manifestants ont été arrêtés. Radio Monte Carlo a annoncé que les manifestations des citoyens arabes syriens sur les hauteurs du Golan avaient été dispersées par la violence, ce qui avait causé de nombreux blessés, cinq personnes ayant été arrêtées pour avoir insulté des autorités d'occupation. Le 22 avril 1986, trois des personnes arrêtées ont été identifiées comme étant Hisham Faris Sha'lan, Farhan Hayel Sha'lan et Rateb Hayel Sha'lan.

27. Le 2 mai 1986, le tribunal militaire de Lod a condamné 11 citoyens du Golan à des peines de prison pour s'être élevés contre l'occupation (Agence France-Presse), bien que tout un chacun ait le droit légitime de s'opposer à l'occupation de ses terres. Les détenus sont les suivants :

1. Bashir Suleiman al-Maqt, condamné à 27 ans
2. Sidqi Suleiman al-Maqt, condamné à 27 ans
3. Essam Nimr al-Bulis, condamné à 27 ans
4. Hayel Hussain Abu Zeid, condamné à 27 ans
5. Asim Mahmoud al-Bulis, condamné à 27 ans
6. Ayman Hayel Abu Jabal, condamné à 12 ans
7. Ziyad Aref Abu Jabal, condamné à 12 ans
8. Esmat Muhammad al-Maqt, condamné à 11 ans
9. Essam Jamil Abu Zeid, condamné à 10 ans
10. Abdul Latif Yussuf al-Sha'ir, condamné à 7 ans
11. Kheireddin Tawfiq al-Halabi, condamné à 4 ans.

28. Le 2 juin 1986, la radio israélienne a annoncé que de nombreuses familles syriennes avaient été obligées de quitter leurs maisons dans les villages du territoire occupé des hauteurs du Golan en quête de meilleures conditions de vie. Leur départ était dû à une situation économique déplorable et aux terribles conditions de vie auxquelles Israël soumet la population arabe syrienne du Golan.

2. Pratiques israéliennes en matière de santé et d'affaires sociales

1. Les autorités d'occupation israéliennes insistent pour qu'une carte d'identité israélienne soit produite par quiconque désire recourir aux services de santé existants dans le cadre du régime d'assurance maladie (Kupat Holim) ou bénéficier des prestations offertes dans le cadre du régime national de sécurité sociale (Keren Habituah Haleumi), telles que pensions de retraite et allocations pour enfants à charge. De ce fait, les habitants des villages du territoire occupé des hauteurs du Golan ne peuvent pas bénéficier de leurs droits, car ils ont refusé la carte d'identité israélienne.

2. Le coût des examens et des traitements médicaux est tel qu'il dépasse les moyens de la population des villages du territoire occupé des hauteurs du Golan. Par exemple :

Le prix d'une nuit d'hôpital est estimé à 50 000 shekels, soit l'équivalent de 75 dollars (30 p. 100 du salaire mensuel d'un travailleur).

Le prix de l'accouchement dans une maternité est estimé à 750 dollars.

3. Quand le couvre-feu est imposé dans les villages du Golan, les malades ne peuvent pas se rendre chez le docteur pour se faire soigner, car ils doivent auparavant demander à un médecin militaire l'autorisation de se déplacer, lequel leur refuse cette autorisation sous le prétexte qu'ils n'ont pas besoin de traitement.

4. Il n'y a pas d'hôpital dans les villages du Golan. Ces villages n'ont que quatre dispensaires qui ne peuvent pas répondre aux besoins des citoyens car ils manquent de matériel, de lits ou de spécialistes. Il n'y a pas de femmes médecins ni de dentistes.

5. Les médecins ne travaillent dans les dispensaires que trois heures par jour, trois jours par semaine, et ils se bornent à faire des diagnostics et à délivrer des ordonnances.

6. Il n'y a de pharmacie dans aucun village du territoire occupé des hauteurs du Golan. Les médicaments sont achetés dans les pharmacies des villes de la Palestine occupée.

7. Dans les villages du Golan il n'y a qu'un pharmacien, Gandhi Kahlouni, diplômé de l'Université de Damas, mais les autorités israéliennes ne l'autorisent pas à pratiquer sa profession car elles ne reconnaissent pas son diplôme.

8. Les médicaments sont très chers et difficiles à trouver.
9. Il n'y a pas de services de santé scolaire. Dans les écoles des cinq villages, il n'y a pas de médecin.
10. La population des cinq villages se fait soigner gratuitement dans les centres hospitaliers de bienfaisance arabes de la rive occidentale tels que : le dispensaire Al-Magassed de Jérusalem, le dispensaire Daoud pour les Terres saintes de Bethléem et le dispensaire de la Fédération des femmes de Naplouse.
11. Les autorités d'occupation israéliennes n'autorisent pas les malades des cinq villages à aller se faire soigner dans leur patrie, la Syrie.
12. Les autorités d'occupation ont interdit la création d'associations de bienfaisance pour venir en aide aux malades démunis des villages du Golan.
13. En 1960, l'expatrié syrien Yussuf al-Safadi a établi un dispensaire de 20 lits dans la ville de Majdal Shams, mais les autorités d'occupation israéliennes y ont installé les bureaux du Gouverneur militaire et de ses collaborateurs.
14. Les services d'assurance-maladie (Kupat Holim) refusent de fournir des ambulances aux citoyens des villages du territoire occupé des hauteurs du Golan, alors qu'ils en fournissent à la population des colonies israéliennes du territoire.
15. La santé de la population des villages du Golan est menacée par les moustiques, mais les autorités israéliennes ne font rien pour lutter contre ce fléau.
16. Les autorités israéliennes n'assèchent pas les mares d'eau de mer stagnante, qui sont à l'origine de nombreuses maladies dans la population.
17. Les autorités israéliennes refusent de fournir des médicaments et des vivres et, pendant les couvre-feux, empêchent les villages du Golan de recevoir l'aide médicale et alimentaire qui vient de Syrie ainsi que des organisations nationales et des associations de bienfaisance de la Palestine.
18. La population des villages du Golan se plaint de la pollution de l'eau de boisson, que les autorités d'occupation ne font rien pour purifier. La population de Majdal Shams a creusé un puits à ses frais mais les autorités israéliennes lui interdisent d'en utiliser l'eau qu'elles ont détournée vers les colonies du Golan.
19. La compagnie des eaux Mekaroth coupe fréquemment l'eau des villages du Golan pendant de longues périodes, jusqu'à deux mois, sous différents prétextes.
20. Les autorités israéliennes n'assurent aucun soin de santé aux détenus et prisonniers du territoire occupé des hauteurs du Golan.

3. Pratiques israéliennes en matière d'éducation

1. Les autorités israéliennes s'occupent des programmes d'enseignement afin d'en oblitérer le caractère arabe syrien et de les remplacer par des programmes israéliens.
2. Le 4 avril 1986, les habitants des villages occupés des hauteurs du Golan ont demandé l'autorisation de franchir la ligne frontière pour que leurs enfants puissent faire leurs études dans des universités syriennes, les autorités israéliennes interdisent les déplacements aux fins d'études. Outre le manque d'hôpitaux et d'écoles, les autorités israéliennes procèdent au licenciement arbitraire des enseignants. Le nombre des enseignants ainsi licenciés s'élève actuellement à 170.
3. Les diplômés universitaires du Golan ne sont pas engagés alors qu'ils auraient besoin d'enseigner dans les écoles.
4. Les enseignants qualifiés ne sont pas recrutés dans les écoles et, en revanche, des personnes incompetentes sont affectées à des postes d'enseignement.
5. Les étudiants des villages du territoire syrien occupé des hauteurs du Golan qui veulent étudier dans des universités hors de la Palestine occupée n'obtiennent de laissez-passer que s'ils présentent une déclaration écrite de l'université où ils veulent étudier, indiquant qu'ils y sont admis, ce qui est fait pour les empêcher de s'inscrire dans les universités des Etats socialistes qui veulent bien les accepter, mais qui n'envoient généralement pas de lettre d'admission à chaque étudiant, les organisations et organes concernés étant avertis oralement de leur admission.

4. Pratiques israéliennes en matière d'agriculture et confiscation des terres

1. Des terres agricoles sont confisquées et par la suite transformées en champs de mines déclarés zones militaires. Le 29 janvier 1986, le journal Al Sha'ab, qui est publié à Jérusalem, a signalé que Salim Asad Milhem Abu Awwad, jeune habitant du Golan, avait été blessé par l'explosion d'une mine sous le tracteur agricole qu'il conduisait près du village de Buq'ata, et que les médecins avaient dû lui amputer la jambe à cause de la gravité de ses blessures.
2. Le 11 mars 1986, l'Agence France-Presse a signalé qu'un certain nombre de représentants des citoyens arabes syriens du Golan avaient tenu dans la ville occupée de Jérusalem une conférence de presse, au cours de laquelle ils avaient affirmé qu'ils étaient des Arabes syriens. L'un d'eux, Salman Fakhreddin, a déclaré : "Nous sommes Syriens et nous tenons à le faire savoir durant la visite de provocation de Shimon Peres à Majdal Shams".

Hayel Abu Jabal a déclaré que, depuis 1967, les autorités israéliennes avaient confisqué 350 hectares de terres appartenant à des villages arabes syriens du Golan. Ces terres avaient été déclarées zones militaires et remises à plus de 7 000 colons sionistes. Les autorités ennemies exerçaient aussi un contrôle sur les principales sources d'eau du Golan.

3. Le 12 avril 1986, les autorités d'occupation israéliennes ont encerclé le secteur d'al-Qati, qui s'étend du sud-ouest de la ville de Majdal Shams au nord du pont de Su'ad de la ville de Mas'ada, pour en préparer l'expropriation. Ce secteur comprend plus de 1 000 dounams de terres agricoles fertiles.

4. Le 22 avril 1986, Israël a installé une clôture de fil de fer barbelé autour d'une zone de 150 dounams à al-Balan près de Majdal Shams, et a refusé l'accès de cette zone à la population.

Les témoins qui viennent de quitter le territoire occupé des hauteurs du Golan et qui peuvent faire une déposition devant le Comité spécial chargé d'enquêter sur les pratiques israéliennes affectant les droits de l'homme de la population des territoires occupés sont les suivants :

1. Dr Ihsan Qudhmani, résidant en République arabe syrienne;
2. M. Nabil Mahmoud, résidant en République arabe syrienne;
3. M. Ahmad Ali al-Qudhmani, résidant actuellement en Union soviétique où il reçoit des soins pour des blessures aux yeux dues aux suites d'une raclée que les forces d'occupation israéliennes lui ont infligée. C'est l'un des dirigeants du Mouvement national au Golan.

Renseignements communiqués par la Ligue israélienne pour les droits de l'homme et les droits civils

80. Un rapport daté du 15 mai 1985, concernant la situation dans les hauteurs du Golan, a été communiqué au Comité spécial par la Ligue israélienne pour les droits de l'homme et les droits civils. Dans ce rapport, la Ligue fait état d'un certain nombre d'incidents récents tels que ceux qui ont eu lieu lors de la visite, le 25 février 1986, du premier ministre Shimon Peres à Majdal Shams, ou lors de la célébration, le 17 avril 1986, de la fête de l'indépendance syrienne.

81. Le rapport reflète également la détérioration de la situation économique dans les hauteurs du Golan. La Ligue insiste sur l'effet négatif de la politique fiscale sur la population civile.

Depuis février dernier, le fisc a, lui aussi - avec l'aide de la police et des gardes frontière - multiplié les opérations de harcèlement contre les habitants.

...

Le fisc impose les agriculteurs au taux d'imposition le plus élevé. Du fait du chômage qui sévit dans les villages du Golan, la misère des familles pauvres s'est aggravée.

82. La Ligue mentionne les contraintes imposées aux villageois à qui on interdit de cultiver leurs terres ou de faire paître leurs troupeaux :

Jamil Naif Mari de Masaada peut raconter une histoire kafkaïenne. L'été dernier, des agents de l'administration des réserves naturelles ont saisi son troupeau dans les pâturages et l'ont vendu. Après quelques jours Jamil Naif Mari est parvenu à retrouver son troupeau à Petah-Tikva, mais il manquait environ 40 moutons. Jamil Naif Mari a racheté son troupeau à la personne qui le gardait et l'a ramené chez lui. Pendant le transport et faute de soins, 40 autres bêtes sont mortes. Bien sûr, les recherches et le transport des animaux ont coûté à Jamil Naif Mari beaucoup d'argent, sans compter le prix qu'il a été forcé de payer pour racheter son propre troupeau. Avec l'aide de l'un des membres de la Knesset, Jamil Naif Mari est arrivé à contacter la direction de l'administration des réserves naturelles qui ont fini par reconnaître que la confiscation de son troupeau était injustifiée. La direction lui a rendu l'argent provenant de la vente de son troupeau à une personne de Petah-Tikva. Il est évident que le propriétaire du troupeau a subi un préjudice. Il a perdu environ 80 bêtes, il a payé les dépenses occasionnées par les recherches en vue de retrouver son troupeau et les frais de transport de celui-ci, sans parler des souffrances et du chagrin que lui ont causés cette affaire.

83. Dans le rapport, la Ligue mentionne aussi les pratiques utilisées par les autorités d'occupation comme peine collective :

Le jour où une délégation de la Ligue israélienne pour les droits de l'homme et les droits civils s'est rendue dans le Golan, des habitants de Majdal Shams ont parlé avec des réfugiés des villages de Zaoura, d'Ain-Fit et de Baniyas qui avaient été démolis par l'armée israélienne après l'occupation. Ces conversations se font par cris (ce lieu est appelé la "zone des cris") et par gestes de part et d'autre de la ligne, sur des collines séparées par une vallée, en quelque sorte un no man's land clôturé. En guise de vengeance et de peine collectives, les autorités d'occupation interrompent périodiquement ces conversations bruyantes entre habitants des deux côtés des lignes qui sont la conséquence de la séparation tragique qui leur a été imposée par une occupation qui dure depuis 19 ans.

84. Le rapport donnait également une liste non exhaustive des habitants du Golan occupé qui sont en détention, avec indication de l'âge des intéressés.

V. CONCLUSIONS

85. Le Comité spécial a établi le présent rapport conformément à son mandat, que l'Assemblée générale a renouvelé dans sa résolution 40/161 D du 16 décembre 1985.

86. On trouvera exposé au chapitre II la manière dont le Comité spécial a organisé ses travaux au cours de la période qui s'est écoulée depuis le 30 août 1985, date de l'adoption de son rapport précédent (A/40/702). Comme il ressort de ce même chapitre, le Gouvernement israélien s'est abstenu, comme par le passé, de coopérer avec le Comité spécial. Par contre, le Comité spécial a bénéficié de la coopération des Gouvernements égyptien, jordanien et syrien ainsi que de celle de l'Organisation de libération de la Palestine. Le chapitre III énonce le mandat du Comité spécial tel qu'il a été défini les années précédentes. Ce mandat avait été

élargi de manière à permettre au Comité spécial d'enquêter sur les allégations concernant "l'exploitation et la spoliation des ressources des territoires occupés", "le pillage du patrimoine archéologique et culturel de ces territoires" et "les entraves à la liberté du culte dans les lieux saints des territoires occupés", conformément à la résolution 3005 (XXVII) du 15 décembre 1972.

87. Le chapitre IV [voir aussi l'annexe III (publiée seulement en anglais)] contient un résumé des témoignages oraux et des informations reçues par le Comité spécial. Ce dernier n'ayant pas été autorisé à se rendre dans les territoires occupés, il a procédé à New York en décembre 1985 et à Amman en avril et mai 1986, à une série d'auditions au cours desquelles il a recueilli les dépositions de personnes qui avaient une expérience et une connaissance directes de la situation des droits de l'homme dans les territoires occupés. Le Comité spécial regrette toutefois que compte tenu des restrictions budgétaires il n'ait pu procéder, dans l'accomplissement de son mandat, à des auditions de témoins au Caire et à Damas. Le Comité spécial a suivi au fil des jours la situation dans les territoires occupés en se fondant sur les articles parus à cet égard dans la presse israélienne et palestinienne. Pendant la période considérée, le Comité spécial a reçu et examiné plusieurs communications et informations émanant de gouvernements, d'organisations et de particuliers dans les territoires occupés. Certains de ces rapports ont révélé pour la première fois des détails intéressants concernant l'éducation et la vie culturelle des civils des territoires occupés.

88. Les conclusions formulées dans la présente section reposent sur les informations dont il a été fait état au chapitre IV et sur celles qui sont reproduites dans les annexes au présent rapport. A cet égard, il ne faut pas oublier que le Comité spécial reçoit et examine un tel volume d'informations qu'il ne peut en rendre compte intégralement dans le présent rapport, aussi a-t-il cherché à y faire figurer un échantillon fidèle des informations reçues afin d'illustrer, dans son ensemble, la réalité de la situation des droits de l'homme dans les territoires occupés pendant la période considérée.

89. Le chapitre IV comprend trois sections. La section IV A [qui figure à l'annexe III (publiée en anglais seulement)] contient une analyse des dépositions orales recueillies par le Comité spécial qui illustrent la situation dans les territoires occupés en ce qui concerne les problèmes municipaux, l'administration de la justice, le traitement des civils et des détenus. La section IV B [qui figure à l'annexe III (publiée en anglais seulement)] rend compte des informations recueillies dans la presse israélienne et la presse de langue arabe publiées dans les territoires occupés et examinées par le Comité spécial. La section IV C traite les informations transmises par les Gouvernements de la Jordanie et de la République arabe syrienne, par l'Organisation de libération de la Palestine et par d'autres organisations.

90. A partir des informations et des témoignages qu'il a reçus, le Comité spécial conclut que le Gouvernement israélien poursuit dans les territoires occupés la politique qu'il appliquait déjà les années précédentes, une politique qui part du principe que les territoires occupés en 1967 font partie de l'Etat d'Israël. Ce principe est à l'origine de la politique d'annexion et d'implantation de colonies dans les territoires occupés qui constitue une violation flagrante des obligations internationales qui incombent à Israël en tant qu'Etat partie à la quatrième

Convention de Genève relative aux traitements des populations civiles en temps de guerre (voir plus loin, annexe I). Le Comité spécial rappelle, à ce propos, qu'aux termes de cette convention, l'occupation militaire doit être considérée comme une situation temporaire de facto qui ne donne en aucun cas à la puissance occupante le droit d'empiéter sur l'intégrité territoriale des territoires occupés. Maintes illustrations de cette politique sont fournies dans le présent rapport, notamment aux paragraphes 378 à 383 de l'annexe III (publiée seulement en anglais), notamment l'approbation par le Comité financier de la Knesset d'un budget d'environ 3,5 millions de dollars pour l'implantation de colonies dans les territoires occupés (Ha'aretz, 31 décembre 1985) et la déclaration faite par le Ministre de l'énergie et de l'infrastructure, Moshe Shahal, selon laquelle "la vallée du Jourdain continuera de faire partie de l'Etat d'Israël dans le cadre de tout arrangement futur avec la Jordanie" (Ha'aretz, 15 janvier 1986). A cet égard, on peut se référer aussi aux déclarations faites au sujet des négociations relatives à l'"autonomie" et au "condominium" dans la bande de Gaza [voir par. 78, 79 et 84 de l'annexe III (publiée seulement en anglais)].

91. Cette politique s'est traduite par une escalade de la violence et l'instauration de la politique de la "main de fer", caractérisée par l'application de nouvelles mesures de sécurité dans les territoires occupés et l'aggravation des tensions entre les forces de défense israéliennes et la population civile, qui s'est parfois soldée par des manifestations de protestation et des grèves de la part de la population civile. Particulièrement révélatrice à cet égard est la situation des commerçants arabes de l'immeuble Hadassa, à Hébron qui, on le voit au paragraphe 211 de l'annexe III (publiée seulement en anglais), sont sans cesse harcelés par les autorités. Les renseignements et les dépositions examinés par le Comité spécial témoignent de différentes formes de harcèlement qui ont à maintes reprises provoqué des incidents au cours desquels des civils ont été blessés ou tués dans les territoires occupés, ainsi que de la recrudescence des repréailles ou des châtements collectifs, dont la démolition des maisons de suspects ou leur mise sous scellés. Les renseignements examinés par le Comité spécial montrent clairement que les grands arguments avancés par les autorités israéliennes pour justifier ces actes par de prétendues raisons de "sécurité" sont sans fondement. Par exemple, dans le cas signalé au paragraphe 242 de l'annexe III (publiée seulement en anglais), de la démolition de trois maisons dans le village de Burka, en avril 1986, qui a laissé sans abri 11 personnes, sans compter les suspects, aucune condamnation n'avait été prononcée au moment de la démolition. Le Comité est donc au regret de relever le caractère illégal de ces pratiques assimilables à des châtements collectifs extrajudiciaires. Parmi les autres mesures de répression, on peut signaler les assignations à résidence dont le nombre augmente et qui portent gravement atteinte à l'exercice du droit à la liberté de circulation ainsi que les ordres d'expulsion et d'interdiction, eux aussi de plus en plus nombreux. Le Comité spécial appelle tout particulièrement l'attention sur le caractère illégal de la procédure d'expulsion appliquée par les autorités militaires, qui ne donne aucune possibilité aux expulsés de prendre connaissance des accusations qui sont portées contre eux et qui semblent le plus souvent motivées par des considérations purement politiques et non justifiées par des raisons de sécurité. Les autorités d'occupation ont aussi pris des mesures qui portent atteinte à la liberté d'expression. Le Comité spécial a relevé que plusieurs journaux étaient soumis à la censure et frappés d'ordonnances de fermeture et que la liberté de circulation des journalistes palestiniens était

limitée. Maintes restrictions entravent aussi la liberté de l'enseignement. A cet égard, outre les renseignements et dépositions reçus, le Comité spécial a examiné une série de documents et de statistiques établis par le Département de l'éducation et de l'enseignement supérieur de l'Organisation de libération de la Palestine, qui (voir par. 57 à 75 ci-dessus) font apparaître la dégradation du système d'enseignement dans les territoires occupés, due à des facteurs tels que la modification des manuels et des programmes, l'inadéquation du matériel et des bâtiments scolaires, l'encombrement des classes, le manque d'enseignants, etc. Les informations reçues révèlent diverses violations du droit à la liberté de l'enseignement, dont le licenciement ou l'expulsion arbitraires d'enseignants ou de professeurs d'université, des campagnes de répression et des arrestations de professeurs et d'étudiants, la fermeture d'écoles et d'universités.

92. La période considérée dans le présent rapport a aussi été marquée par une augmentation sensible du nombre des arrestations et des mesures d'internement administratif. Nombre de civils palestiniens, dont des mineurs, ont été condamnés par des tribunaux militaires pour atteintes à la sécurité. En revanche, des membres du mouvement clandestin juif et d'autres Israéliens accusés d'homicide ou de mauvais traitements à l'encontre de civils arabes ont bénéficié d'une indulgence relative de la part des autorités. C'est ainsi qu'Avraham Shalom et trois agents des services de sécurité générale inculpés dans l'assassinat de deux terroristes arabes en 1984 ont été graciés.

93. Le rapport contient des renseignements sur la politique du Gouvernement israélien visant à rendre aux dirigeants locaux les municipalités des territoires occupés. Il faut placer cette politique dans l'optique générale de l'évolution historique de ces municipalités dont les conseils dûment élus ont été dans la plupart des cas dissous, les conseillers étant remplacés par des membres de l'administration civile israélienne. L'appel lancé par le Gouvernement israélien en faveur de la nomination de nouveaux maires arabes - qui a été reçu avec méfiance par la population civile quant à ses motivations et qui a été suivi de l'assassinat du maire désigné de Naplouse, Zaafer el Masri - n'a jusqu'à présent eu aucun effet notable [voir par. 2 à 4 et 85 à 102 de l'annexe III (publiée seulement en anglais)].

94. Le rapport du Comité spécial contient aussi des renseignements qui lui ont été communiqués par d'anciens prisonniers selon lesquels le traitement des détenus continue à être contraire aux dispositions pertinentes de la Convention de Genève. L'un des problèmes particulièrement préoccupant à cet égard est celui des détenus mineurs soumis à des pratiques humiliantes dans les camps de détention. S'y ajoutent l'entassement dans les cellules, les mauvais traitements physiques et psychologiques et l'absence de services de santé appropriés. Ces conditions déplorables provoquent souvent des grèves de la faim.

95. Pendant la période considérée, le Gouvernement israélien a poursuivi sa politique d'annexion, aussi résolu que les années précédentes à agrandir les colonies existantes et à en créer de nouvelles dans les territoires occupés. La mise en oeuvre du projet de la grande Jérusalem visant à annexer et à judaïser une superficie représentant 8 p. 100 de l'ensemble du territoire de la rive occidentale occupée, l'ouverture par la Knesset de crédits importants pour l'expansion des colonies, l'inauguration de nouvelles colonies, ainsi que l'expropriation illégale

et la confiscation de terres arabes, qui ont donné naissance, sur la rive occidentale à de vastes opérations foncières de caractère frauduleux [voir par. 387 de l'annexe III (publiée seulement en anglais)] témoignent de l'importance que les autorités israéliennes attachent à la poursuite de cette politique qui, on l'a déjà dit, constitue une violation flagrante de la quatrième Convention de Genève.

96. De l'avis du Comité spécial, le tableau dressé à partir des dépositions et des informations examinées pendant la période considérée montre que la situation de la population civile a encore empiré en ce qui concerne l'exercice de ses libertés et de ses droits fondamentaux. Les dispositions de la quatrième Convention de Genève, qui reste le principal instrument international de droit humanitaire applicable aux territoires occupés, sont sérieusement mises en cause. A mesure qu'Israël poursuit sans répit sa politique d'annexion, les mesures de répression et les actes de harcèlement frappent de plus en plus lourdement la population civile. Parallèlement, les expulsions arbitraires ont pour effet de grossir les rangs des centaines de milliers de Palestiniens qui se trouvent encore hors des territoires occupés et auxquels est refusé le droit de retourner dans leur patrie.

97. Le Comité spécial souligne une fois de plus la responsabilité qui incombe à la communauté internationale d'inverser cette situation. Il lance un appel aux parties concernées pour qu'elles s'efforcent d'empêcher toute nouvelle dégradation et adoptent des mesures de nature à assurer efficacement la protection des droits fondamentaux de la population civile des territoires occupés.

VI. ADOPTION DU RAPPORT

98. Le présent rapport a été approuvé et signé par le Comité spécial, conformément à l'article 20 de son règlement intérieur, le 10 septembre 1986.

(Signé) N. WIJewardane (Sri Lanka) (Président)

(Signé) A. SENE (Sénégal)

(Signé) D. JOVanic (Yougoslavie)

Notes

1/ Documents officiels de l'Assemblée générale, vingt-cinquième session, point 101 de l'ordre du jour, document A/8089; A/8389 et Corr.1 et 2; A/8389/Add.1 et Add.1/Corr.1 et 2; A/8828; A/9148 et Add.1; A/9817; A/10272; A/31/218; A/32/284; A/33/356; A/34/631; A/35/425; A/36/579; A/37/485; A/38/409; A/39/591 et A/40/702.

2/ Documents officiels de l'Assemblée générale, vingt-cinquième session, Annexes, point 101 de l'ordre du jour, document A/8237; Ibid., vingt-sixième session, Annexes, point 40 de l'ordre du jour, document A/8630; Ibid., vingt-septième session, Annexes, point 42 de l'ordre du jour, document A/8950; Ibid., vingt-huitième session, Annexes, point 45 de l'ordre du jour, document A/9374; Ibid., vingt-neuvième session, Annexes, point 40 de l'ordre du jour, document A/9872; Ibid., trentième session, Annexes, point 52 de l'ordre du jour,

document A/10461; Ibid., trente et unième session, Annexes, point 55 de l'ordre du jour, document A/31/399; Ibid., trente-deuxième session, Annexes, point 57 de l'ordre du jour, document A/32/407; Ibid., trente-troisième session, Annexes, point 55 de l'ordre du jour, document A/33/539; Ibid., trente-quatrième session, Annexes, point 51 de l'ordre du jour, document A/34/691 et Add.1; Ibid., trente-cinquième session, Annexes, point 57 de l'ordre du jour, document A/35/674; Ibid., trente-sixième session, Annexes, point 64 de l'ordre du jour, document A/36/632/Add.1; Ibid., trente-septième session, Annexes, point 61 de l'ordre du jour, document A/37/698; Ibid., trente-huitième session, Annexes, point 69 de l'ordre du jour, document A/38/718; Ibid., trente-neuvième session, Annexes, point 71 de l'ordre du jour, document A/39/712 et Ibid., quarantième session, Annexes, point 75 de l'ordre du jour, document A/40/890.

3/ Documents officiels de l'Assemblée générale, trente-cinquième session, Annexes, point 101 de l'ordre du jour, document A/8089, annexe III.

4/ Nations Unies, Recueil des Traités, vol. 75, No 973, p. 287.

5/ Ibid., No 972, p. 135.

6/ Ibid., vol. 249, No 3511, p. 215.

7/ Fondation Carnegie pour la paix internationale, The Hague Conventions and Declarations of 1899 and 1907 (Les Conventions et les Déclarations de La Haye de 1899 et 1907) (New York, Oxford University Press, 1915).

8/ Résolution 2200 A (XXI) de l'Assemblée générale.

ANNEXE I

Les articles de la Convention de Genève relative à la
protection des personnes civiles en temps de guerre,
du 12 août 1949

1. En ce qui concerne l'annexion des territoires occupés, on peut citer l'article 47, qui stipule :

"Les personnes protégées qui se trouvent dans un territoire occupé ne seront privées, en aucun cas ni d'aucune manière, du bénéfice de la présente convention, soit en vertu d'un changement quelconque intervenu du fait de l'occupation dans les institutions ou le gouvernement du territoire en question, soit par un accord passé entre les autorités du territoire occupé et la puissance occupante, soit encore en raison de l'annexion par cette dernière et de tout ou partie du territoire occupé."

2. En ce qui concerne le transfert des colons israéliens dans les territoires occupés, on peut se référer à l'article 49 qui stipule :

"Les transferts forcés, en masse ou individuels, ainsi que les déportations de personnes protégées hors du territoire occupé dans le territoire de la puissance occupante ou dans celui de tout autre Etat, occupé ou non, sont interdits, quel qu'en soit le motif."

Toutefois, la puissance occupante pourra procéder à l'évacuation totale ou partielle d'une région occupée déterminée, si la sécurité de la population ou d'impérieuses raisons militaires l'exigent. Les évacuations ne pourront entraîner le déplacement de personnes protégées qu'à l'intérieur du territoire occupé, sauf en cas d'impossibilité matérielle. La population ainsi évacuée sera ramenée dans ses foyers aussitôt que les hostilités dans ce secteur auront pris fin.

La puissance occupante, en procédant à ces transferts ou à ces évacuations, devra faire en sorte, dans toute la mesure du possible, que les personnes protégées soient accueillies dans des installations convenables, que les déplacements soient effectués dans des conditions satisfaisantes de salubrité, d'hygiène, de sécurité et d'alimentation et que les membres d'une même famille ne soient pas séparés les uns des autres.

La puissance protectrice sera informée des transferts et évacuation dès qu'ils auront eu lieu.

La puissance occupante ne pourra retenir les personnes protégées dans une région particulièrement exposée aux dangers de la guerre, sauf si la sécurité de la population ou d'impérieuses raisons militaires l'exigent.

La puissance occupante ne pourra procéder à la déportation ou au transfert d'une partie de sa propre population civile dans le territoire occupé par elle."

3. En ce qui concerne le comportement des colons israéliens dans les territoires occupés en particulier, les actes de violence contre la personne et la propriété des personnes civiles, on peut citer l'article 29, qui stipule :

"La Partie au conflit au pouvoir de laquelle se trouvent des personnes protégées est responsable du traitement qui leur est appliqué par ses agents sans préjudice des responsabilités individuelles qui peuvent être encourues."

4. En ce qui concerne les mesures de peine collectives comme le couvre-feu arbitraire; la démolition des maisons et autres formes de représailles, on peut se référer aux articles 33 et 53, qui stipulent :

Article 33

"Aucune personne protégée ne peut être punie pour une infraction qu'elle n'a pas commise personnellement. Les peines collectives, de même que toute mesure d'intimidation ou de terrorisme, sont interdites.

Le pillage est interdit.

Les mesures de représailles à l'égard des personnes protégées et de leurs biens sont interdites."

Article 53

"Il est interdit à la puissance occupante de détruire des biens mobiliers ou immobiliers, appartenant individuellement ou collectivement à des personnes privées, à l'Etat ou à des collectivités publiques, à des organisations sociales ou coopératives, sauf dans les cas où ces destructions seraient rendues absolument nécessaires par les opérations militaires."

5. En ce qui concerne le traitement des détenus, on peut se référer aux articles 64 et 76, qui stipulent :

Article 64

"La législation pénale du territoire occupé demeurera en vigueur, sauf dans la mesure où elle pourra être abrogée ou suspendue par la puissance occupante si cette législation constitue une menace pour la sécurité de cette puissance ou un obstacle à l'application de la présente convention. Sous réserve de cette dernière considération et de la nécessité d'assurer l'administration effective de la justice, les tribunaux du territoire occupé continueront à fonctionner pour toutes les infractions prévues par cette législation.

La puissance occupante pourra toutefois soumettre la population du territoire occupé à des dispositions qui sont indispensables pour lui permettre de remplir ses obligations découlant de la présente convention, et

d'assurer l'administration régulière du territoire ainsi que la sécurité soit de la puissance occupante, soit des membres et des biens des forces ou de l'administration d'occupation ainsi que des établissements et des lignes de communication utilisés par elle."

Article 76

"Les personnes protégées inculpées seront détenues dans le pays occupé et si elles sont condamnées, elles devront y purger leur peine. Elles seront séparées si possible des autres détenus et soumises à un régime alimentaire et hygiénique suffisant pour les maintenir dans un bon état de santé et correspondant au moins au régime des établissements pénitentiaires du pays occupé.

Elles recevront les soins médicaux exigés par leur état de santé.

Elles seront également autorisées à recevoir l'aide spirituelle qu'elles pourraient solliciter.

Les femmes seront logées dans des locaux séparés et placées sous la surveillance immédiate de femmes.

Il sera tenu compte du régime spécial prévu pour les mineurs.

Les personnes protégées détenues auront le droit de recevoir la visite des délégués de la puissance protectrice et du Comité international de la Croix-Rouge, conformément aux dispositions de l'article 143.

En outre, elles auront le droit de recevoir au moins un colis de secours par mois."

6. En plus de ces articles, le Comité spécial appelle l'attention sur l'article 146 de la quatrième Convention de Genève qui prévoit la promulgation de la législation imposant des sanctions pénales sur des personnes comme étant des violations graves à la Convention. Des actes déclarés comme violation grave sont définis dans l'article 147.

L'article 146 stipule ce qui suit :

"Les Hautes Parties contractantes s'engagent à prendre toute mesure législative nécessaire pour fixer les sanctions pénales adéquates à appliquer aux personnes ayant commis, ou donné l'ordre de commettre, l'une ou l'autre des infractions graves à la présente convention définies à l'article suivant.

Chaque Partie contractante aura l'obligation de rechercher les personnes prévenues d'avoir commis, ou d'avoir ordonné de commettre, l'une ou l'autre de ces infractions graves, et elle devra les déférer à ses propres tribunaux, quelle que soit leur nationalité. Elle pourra aussi, si elle le préfère, et selon les conditions prévues par sa propre législation, les remettre pour

jugement à une autre Partie contractante intéressée à la poursuite, pour autant que cette partie contractante ait retenu contre lesdites personnes des charges suffisantes.

Chaque Partie contractante prendra les mesures nécessaires pour faire cesser les actes contraires aux dispositions de la présente convention, autres que les infractions graves définies à l'article suivant.

En toutes circonstances, les inculpés bénéficieront de garanties de procédure et de libre défense qui ne seront pas inférieures à celles prévues par les articles 105 et suivants de la Convention de Genève relative au traitement des prisonniers de guerre du 12 août 1949."

L'article 147 stipule ce qui suit :

"Les infractions graves visées à l'article précédent sont celles qui comportent l'un ou l'autre des actes suivants : s'ils sont commis contre des personnes ou des biens protégés par la Convention : l'homicide intentionnel, la torture ou les traitements inhumains, y compris les expériences biologiques, le fait de causer intentionnellement de grandes souffrances ou de porter des atteintes graves à l'intégrité physique ou à la santé, la déportation ou le transfert illégaux, la détention illégale, le fait de contraindre une personne protégée à servir dans les forces armées de la puissance ennemie, ou celui de la priver de son droit d'être jugée régulièrement et impartialement selon les prescriptions de la présente convention, la prise d'otages, la destruction et l'appropriation de biens non justifiées par des nécessités militaires et exécutées sur une grande échelle de façon illicite et arbitraire."

ANNEXE II

Liste des documents présentés par l'Organisation
de libération de la Palestine

Documents présentés par le Département des affaires des territoires occupés

1. Pratiques israéliennes sur la rive occidentale et dans la bande de Gaza au cours de 1985
2. Pratiques israéliennes sur la rive occidentale et dans la bande de Gaza au cours du premier trimestre de 1986 :
 - A. Condamnations prononcées contre des citoyens palestiniens
 - B. La patrie occupée : détentions administratives, couvre-feu, interdictions de voyage, assignations à résidence, démolition et fermeture de maisons
 - C. La patrie occupée : pratiques des colons israéliens, pratiques portant atteinte à l'enseignement, pratiques portant atteinte aux travailleurs et à leurs mouvements syndicaux
 - D. La patrie occupée : confiscation des terres
3. Les municipalités locales sur la rive occidentale et les visées sionistes
4. Chômage dans les territoires arabes occupés
5. Jérusalem : la Ville sainte face au danger sioniste
6. Personnes expulsées de la rive occidentale et de la bande de Gaza : 1968-1985
7. Démolitions de maisons sur la rive occidentale et dans la bande de Gaza : 1967-1985
8. Personnes assignées à résidence au cours de la période 1980-1985

Documents présentés par le Département de l'éducation et de l'enseignement supérieur

1. Les universités dans les territoires occupés : problèmes, obstacles, recommandations
2. Situation de l'enseignement supérieur dans les territoires occupés : 1985-1986
3. Rapport soumis au Comité spécial
4. Situation de l'enseignement au sein de l'UNRWA : 1985-1986

5. Enseignement professionnel et technique dans les territoires occupés : 1985-1986
6. Situation de l'enseignement dans les territoires occupés : 1985-1986
7. Pratiques agressives israéliennes dans les domaines de l'éducation et de la culture dans la patrie occupée

ANNEX III*

Information and evidence received by the Special Committee
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* Available in English only.

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A. Oral evidence

1. As has been the practice of the Special Committee, hearings were conducted in the course of which the Special Committee received information from persons having first-hand experience of the situation in the occupied territories. The records of the testimonies received by the Special Committee are contained in documents A/AC.145/RT.441 and 445 to 453. The following paragraphs contain a selection of excerpts of these testimonies that the Special Committee considered illustrative of several aspects of the situation of human rights in the occupied territories. Where these aspects correspond to excerpts reproduced in the part dealing with written information an appropriate cross reference is made. They are subdivided according to the subject-matter, as follows:

1. General situation;
2. Information concerning the administration of justice;
3. Treatment of civilians, including fundamental freedoms;
4. Treatment of detainees.

1. General situation

(see paras. 85-102 below and sect. IV.C, paras. 37-39 above)

Policy of returning municipalities to local leaders

2. Some witnesses referred to the question of municipal councils. Dr. Azmi As Shweibi, who had been elected in 1976 to the municipal council of El Bireh and held this position until 1982, when the council was disbanded by order of the Israeli Minister of Defence, replied to a question on the profound aspirations of the Arab population in the occupied territories regarding the municipalities issue as follows:

"Generally speaking, the Arab population in these areas, the taxpayers, prefer to be represented by the duly-elected mayors, councils and mayors. Most of these municipal councils were democratically elected in 1976 by the population itself. But in response to pressure from the settlers, and due to the fact that the Israeli authorities were not sympathetic to the political aspirations of the population, the Arab population which had expressed itself clearly, its preference for municipal elections, for elected mayors, the Israeli authorities preferred to do away with these municipal councils. The municipal councils were asked by Peres - who at that time was Minister of Defence - to accept a kind of civil or civilian administration which would be under the authority of the occupation officials in place. When we refused, the Israeli authorities started to get rid of the municipal councils, and this was started in 1980, against Mohammed Milhem of Halhul and Kawasme of Hebron. And in addition, I believe, they bombed the cars of Bassam Shaka'a and Karim Khalaf and Ibrahim Tawil, the mayors of Nablus, Ramallah and El Bireh.

Following this, the municipal councils were disbanded immediately. The civilian population in El Bireh, which is what I am talking about, prefer that the members of the municipal council be directly elected by them. The Israeli authorities informed us - and I personally was informed - that there would be no elections for municipal councils in the West Bank because any elections would bring to power people who would not accept the occupation policies of the authorities. This is simply a confirmation of the desire of the people in the occupied territories to uphold their right of self-determination, their right to a State and their right to a free life. No agent of the Israeli occupation authorities could possibly succeed in any of these elections. What happened in El Bireh was that, under pressure from the authorities, the civilian population accepted a choice - not elections but a choice - of people to represent them from two lists, one headed by A-Tarifi and the other by Walid Hamad - not Ibrahim A-Tawil. As far as the other municipalities are concerned, the people would not accept the Israeli-imposed nominees to represent them." (A/AC.145/RT.446)

3. On the same subject, Dr. Shweibi had stated earlier:

"The object of controlling these municipalities in the main Arab cities of the West Bank is to plan the infrastructure of these towns and cities in such a way as to limit considerably the land given to Arabs to construct or to live on, while considerably expanding the land provided for the Israelis. This could not have happened in the presence of Arab-elected municipal councils. The Israelis completely reject the question of election to municipal councils for these cities, and what the Israeli authorities are trying to do now is substitute for the Israeli military officers, who are in charge of these municipalities, agents who would be, let us say, open to applying Israeli policy in these cities. In El Bireh, the military commander, Josef al Kukhbar, who is known as "Maurice", has been appointed administrator of this municipal council. What the Israeli officers are now doing is to mismanage and spend the budget of these municipal councils and spoil their organization and finance and the administrative framework to such an extent that, even if the Arabs were to be elected eventually to these municipal councils, they would have a difficult time in setting them up correctly again." (A/AC.145/RT.446)

4. Another witness, Dr. Mohamed A. Saker, the expelled President of the Islamic University of Gaza, referring to the fact that the autonomy issue had been raised with him several times by the Israeli authorities, said:

"... They tried to sell the idea of autonomy to me. What is meant by 'autonomy' in the Israeli mind? Autonomy means leaving things as they are but to persuade Arabs to play the game for the Israelis. Land will not be the responsibility of the 'autonomy' authorities, nor water, nor police, etc. 'Autonomy' is just an Arab face covering Israeli policy, no more, no less. The Arabs would not be allowed to take any serious decision in the actual affairs of the State." (A/AC.145/RT.453)

2. Information concerning the administration of justice

(see paras. 111-193 below and sect. IV.C, paras. 40-42 above)

5. Several witnesses described various aspects of the constraints hindering the administration of justice in the occupied territories. One particularly preoccupying problem mentioned was the practice of arresting and detaining minors.

6. Mr. Ali Abu Hilal stated in the course of his testimony:

"On the imprisonment of children or adolescents, in 1984 - and I'm talking about the area that I know, Abu Dis - there was imprisonment of children who were in the preparatory stage, aged between 10 and 15. They were imprisoned in a military camp called Al Fara'a, which is near my village of Abu Dis, near Nablus. One of the boys is called Ziyad Jafal, another Khalil Maksen, and a third Taysir Jafal. All of them are in the preparatory stage of education." (A/AC.145/RT.446)

7. The absence of juvenile courts was mentioned, in her testimony, by a lawyer practising in the occupied territories:

"There is no juvenile court. The judge who passes sentence on a man of 40 does the same thing for a boy of 12. I attended the sentencing of two children, one was 14 and one was 15 years old, from Dheisheh camp in Bethlehem. The charge was that they threw fire bombs at Meir Kahane when he tried to break into the camp. The Israeli authorities did not arrest Meir Kahane, they arrested the two boys. The two bombs did not cause any damage. The younger boy was sentenced to four years and the elder boy to four and a half years. They are serving their sentences now in Al Fara'a prison." (A/AC.145/RT.449)

8. The same witness referred to the various difficulties that the Arab lawyers confronted in the exercise of their profession in the occupied territories:

"Because I am a lawyer I shall speak on the situation of Arab lawyers in those territories occupied in 1967. They are subjected to provocations and annoyances in their work by the occupying military authorities. For instance, they are prevented from meeting their clients, namely, Palestinian detainees in Israeli prisons. The lawyers are bodily searched outside the Israeli prisons and prior to entering courtrooms. They are obliged to raise their hands as they are being searched, and their briefcases are also searched and papers thrown about, and there are also attempts to read the papers and files they are carrying. Arab lawyers are forced to remain for hours in the courts of the prisons, frequently without being given permission to meet their clients, the Palestinian detainees, even when a date had been set by the general prison administration.

"...

/...

"Another matter which is of concern to the lawyers is Military Order 1164 issued by the military authorities to prevent them from exercising their basic right to set up a committee of Arab lawyers. ... In the occupied Arab territories there are 200 practising lawyers, and they work without any legal framework. They have no professional association or syndicate. So the lawyers met and set up a committee and raised the matter before the High Court of Justice in Jerusalem in order to have a licence to set up their own organization. This case was several times postponed, and it was during this period of postponement that the Military Order 1164 was issued which provided that the administrative officers of that committee be appointed. In other words, instead of having elections, which is the legitimate right of lawyers in setting up their own organization, the civil administration officer would appoint that committee. The lawyers rejected that provision, insisting on their right to hold elections for their legitimate representatives.

"...

"Lawyers in Israel have their professional association which defends them, like any lawyers' syndicate anywhere in the world, but we do not have such a legal framework for our profession. We have no right to present a defence before an Israeli court in Jerusalem, but Israelis can practise in the West bank and in any Israeli court. Some Arab lawyers have asked for the same treatment as the Israeli lawyers within Israel, but that request was refused." (A/AC.145/RT.449)

9. In reply to a question concerning the illegal enforcement by the occupying Power of the British Emergency Regulations of 1945, the witness stated:

"I know that the civilian population and the organizations representing them in the occupied territories have objected to them. Statements by lawyers before Israeli military courts have rejected these regulations and have asked for their deletion. Amongst the legal statements made by the lawyers before the Israeli courts has been the request for these regulations to be deleted because they are null and void." (A/AC.145/RT.449)

10. Mr. Wilhelm Joseph, a United States attorney, member of a delegation of American lawyers who spent one week in Israel in November 1985 to investigate the deportation order issued against four Palestinian leaders, referred to the discrimination in the administration of justice:

"We understand that when a Palestinian in the West Bank is charged with a violation - and this is also documented in the annual report on human rights which is presented by the United States Trade Department to the Senate and House Committees on Foreign Relations, that is, when a Palestinian is alleged to have committed an offence in the West Bank - the military authorities may choose whether that person is tried in a military court or a regular criminal court. Of course, if you are tried in a criminal court you are afforded all the usual protections of due process: evidence against you, the charges against you and the opportunity to cross-examine witnesses. However, if they choose to prosecute you in military proceedings you are not afforded these

/...

protections. On the other hand, any Israeli citizen who commits the same offence in those territories can only be tried in a criminal court and in fact has the choice of being tried in a criminal court nearest his or her home, or one near the scene of the alleged incident. For example, if such a citizen is a resident of Tel Aviv, he may elect to be tried in a criminal court in Tel Aviv even though the offence may have been committed in the West Bank." (A/AC.145/RT.441)

3. Treatment of civilians, including fundamental freedoms

(see paras. 199-344 below and sect. IV.C, paras. 43-76 above)

(a) General information

(i) Harassment of civilians

11. Several witnesses gave an account of the daily harassment suffered by the civilian population. Hereunder are a few relevant excerpts from their testimonies:

"In a nutshell, this is a picture of the very long ordeal, the suffering of my people, the suffering which we still undergo every day under occupation. This suffering takes diverse forms and I have lived through them during the seven months which I spent in freedom. There are daily exactions in the street by the armed forces, by the police force. For example, we live in a very conservative, very traditional way in the southern part of Palestine, and the Israeli soldiers provoke our women. When the Palestinian men try to defend their dignity they are constantly set upon by the Israeli forces. Palestinian citizens are constantly being harassed. They knew the names of the people who had been freed; they knew my name, and they set little traps for us. They tried to kidnap us, they even set ambushes. I informed the police. Of course, I had to go to the police station to complain, so they got to know me. I did not have the right to drive a car and so I used a bicycle. The frontier guards in their car, they knew me personally, and they tried to knock me over. Once they threw a sort of fake Molotov cocktail, an empty beer bottle, at me to frighten me and to intimidate me." (Hassan Mohammed Al-Ammoudi - A/AC.145/RT.448)

"Now I shall tell you what I have seen of the practices of the occupation authorities against the population in the occupied territories during the seven months I spent there. The 'iron fist' policy was announced by the responsible Israeli authorities. In September 1985 the forces of the occupation provoked the population in Gaza, in particular, in Palestine Square. Unfortunately I was there. The occupation forces forced some of the civilian population to climb upon tables like these ones here in the middle of the Square and made some of them dance. They told some of the young people to hit the old men. Some of the young people obeyed this order. Those who did not were beaten and kicked until they fainted, and I saw them. Another occurrence to which I was witness was when some soldiers in

Unity Street on 11 November 1985 stopped cars, ordered the people out of the cars and started to beat them, for no reason, just like that."
(Jallal Hafez Aziza - A/AC.145/RT.448)

"I should now like to say a few words about some aspects of oppression that we see practised daily against us by the Israeli military authorities. For instance, two weeks ago two young men were walking on the road between Jerusalem and Ramallah near Al 'Amari camp when an Israeli military patrol passed. One of the Israeli soldiers fired at the two young men. One was killed immediately and the other was wounded. The soldiers prevented a doctor, who lived nearby, from reaching the two young men in order to treat the wounded one. The man who died was Naser Ferukh." (A lawyer practising in the occupied territories - A/AC.145/RT.449)

"After I left prison I lived three and one half months in the occupied territories. I had already seen these things in prison, but also in camps, in villages and in towns I saw in practice the policies of the Zionist soldiers against the Palestinian people, the children, the women, old people, young people, the way in which they forcibly entered houses by night and by day without any pretext whatsoever, without any reason whatsoever; arbitrary arrest of a number of members of the same family, to such an extent that a mother, whose three children had been taken away, said to the police, 'Since you have taken my three children, why not put me in jail?'" (Mahmud Amdan Altamre - A/AC.145/RT.449/Add.1)

(ii) Collective punishment, including demolition of houses

12. In the course of its hearings, the Special Committee heard various accounts of the general atmosphere of repression illustrated by the practice of collective punishment against the civilian population in the occupied territories.

13. A former detainee, Mr. Mohammed Mahmud Hanini, described the problems that affected his family while he was detained:

"The WITNESS (interpretation from Arabic): They blew up the house.

"The CHAIRMAN: Whose house?

"The WITNESS (interpretation from Arabic): My family's.

"Mr. SENE (Senegal) (interpretation from French): Could you tell us where this was?

"The WITNESS (interpretation from Arabic): In the village of Beit Dajan in the Nablus area.

"Mr. SENE (Senegal) (interpretation from French): Have you made any claim for indemnity?

"The WITNESS (interpretation from Arabic): Would the same people who blew up our house pay compensation for it?

"Mr. SENE (Senegal) (interpretation from French): And what happened to the land where the house was?

"The WITNESS (interpretation from Arabic): At the time they would not allow us to rebuild the house, but later on we did." (A/AC.145/RT.446)

14. Mr. Hassan Abd Jawad referred to the situation in Dheisheh refugee camp:

"... Often there was collective punishment of the inhabitants of the camp. There were 13,000 people in that camp in an area of 1 sq. km. near Bethlehem. The authorities imposed about 24 curfews per year on us. Last year, about 19 entrances leading to the main road were closed and now all we have is one single entry, a back entrance which leads to a mountain road and which forces the inhabitants to cover three kilometres in order to reach Bethlehem. The gateways are closed with barbed wire, with cement and with barrels being placed across them. Of course, all these operations have complicated the lives of the inhabitants, and in particular have lengthened the time necessary for people wishing to go out of the camp, in order to go to Bethlehem, including sick people who wish to see a doctor in Bethlehem, especially as in this camp there are no basic or primary health care services available. There is a social centre at the camp, there was a youth centre, but what is most important is that this camp has always been the victim of repression. The houses are always invaded by the occupation authorities, they force their way in and the inhabitants are compelled to go to the UNRWA school at night as a refuge. Sometimes more than 3,000 people between 12 and 75 years of age had to take refuge in the school. They were usually males, and this was done on rainy nights." (A/AC.145/RT.447)

15. Another witness, Mr. Zaki Abu Steita, referred to the practices of house demolitions and collective home arrest, stated:

"... The daily practices which I have personally witnessed in Gaza are arrests, confiscation of land, demolition of houses under the pretext of constructing new roads. They demolished several houses in order to construct a road 150 m wide. Of course, those who lived in those houses were homeless afterwards. Also among Israeli practices is collective punishment. They would force people to stay in their homes for 24 hours consecutively, allowing them to go out for one hour per day." (A/AC.145/RT.452)

(iii) Expulsion and deportation

16. The Special Committee heard several statements on the practice of deportation and expulsion of Palestinians from the occupied territories. In the course of the hearings on this subject, many witnesses stressed the illegal nature of the deportation procedure and referred to the fact that it was a military process and that the intended deportees were not given the opportunity to see the allegations presented against them.

17. Mr. Wilhelm Joseph stated in that connection:

"On the question of the process, we are told that the intended deportee first learns of his intended deportation when the knock comes. He or she then has 48 hours in which to find a lawyer and file objections with a military advisory committee comprising three members, one of which has to have - I think he said - a legal connection or law connection. He didn't specify if this person had to be a lawyer, in fact, but we understand that one may be a lawyer and two would have to be lawyers. These are military men. You file objection to deportation because you still don't have any evidence against you or any charges. Then that advisory committee can either affirm the deportation orders or reverse them. If they are in fact affirmed, the defendant through his lawyer may appeal to the Israeli High Court, which examines whatever evidence is presented to them in camera. The attorneys have no idea what is being presented to the Court and the Court in its turn may affirm or revoke these orders." (A/AC.145/RT.441)

18. Another witness, Mr. Bahget Mustafa Gelussy, said:

"... On 28 August 1985 I was again arrested. I was handed a deportation order issued by the commander in chief, Amnon Shahak. I was asked to sign my deportation order, which I refused to do because I could not accept to be deported. Later on, my case was put to a military appeals committee. I appeared for 14 hours before that committee to no avail. At the end, through my lawyers, Lea Tsemel and Felicia Langer, I submitted a petition to the High Court in Jerusalem. I was present during five sittings of the court but the court endorsed the recommendation of the military committee." (A/AC.145/RT.445)

19. Dr. Azmi As Shweibi described the conditions prevailing at the military committee hearings:

"On 27 October 1985, the commander of the region, Amnon Shahak, ordered the deportation of three persons, myself included, from the occupied territories. He based his decision on British emergency regulations which date back to 1945. We were given the right to present our point of view in front of a consultative military committee, which presents its opinion to the Minister of Defence and to the commander of the central region. The members of the consultative military committee are appointed by the commander of the region himself; it is composed of military men, and at these committee hearings we were not given the right to see the allegations presented before the committee. Foreign lawyers were prevented from participating in the hearing or defending us before the committee. The hearings were carried out in very inhuman conditions, sometimes extending until past midnight, and even some of the members of the committee, the three military men, fell asleep during these long hearings. Although the committee recommended a review of my particular deportation, nevertheless the commander of the central region refused that recommendation, because the committee is merely consultative and it has no right to take decisions. We appealed to the Israeli High Court of Justice and asked the Court to provide us with a copy of the articles or the material which was used in the allegations against us. But the Court

refused. The Minister of Defence sent letters to the Court and presented his case in front of the Court, and said that the situation in this region is particularly dangerous and therefore he urged the Court to speed up our deportation. The Court forbade various lawyers from different parts of the world, internationally known, to come and defend us or even to meet us. The Court also refused the adjudication of international law in this sense, that people in occupied territories should not be deported from the territory held by the occupation régime. My medical condition was also not taken into consideration, although I was being treated by an Israeli doctor at Hadasseh, who presented his report about the dangerous situation of my health, but the Israeli High Court of Justice refused and said that they were not mandated to consider my health situation. In view of these events, we withdrew our appeal from the Israeli Court on the basis that there would be no just sentence passed against us. We refused to go on with this case because we considered that the deportation law was a racist law, practised purely against the Arab population - it is not practised against the Jewish population - and as such, there was no question of the case being judged fairly before that Court, because the law which was applied was a racist one. We were held in prison for 100 days before they deported us." (A/AC.145/RT.446)

20. Other testimonies were given to the Special Committee by Mr. Ali Abu Hilal and Zaki Abu Steita who were also deported under similar conditions. In the same connection, Mr. Mahmud Dei'is, asked why he was deported, stated:

"... I and my lawyers asked this question of the military court, the fictitious court, which was set up by the commander in chief of the West Bank. The request as stated by the lawyers was: would the members of the military court please sentence the accused on any charge and if, according to their laws, they should pass a sentence of one year against him, then we ask you to sentence him to 10 years. The answer of the military prosecutor was that they had a secret file which neither the accused nor his lawyer is allowed to study, and in that file there were sufficient justifications for deporting the accused. My lawyer and I repeated the same request - my lawyers were Ali Khuzman and Lea Tsemel - and we asked that a representative of the Red Cross or any legal or humanitarian international organization attend the sittings of the court as an observer: but this, too, was rejected. The military court then immediately ratified the deportation order of the military commander and the sitting came to an end." (A/AC.145/RT.447)

21. Another witness, Mr. Adnan Mohammed Bliedi, replied to questions concerning his deportation:

"The CHAIRMAN: Can you also tell us about your deportation, how it came about?

"The WITNESS (interpretation from Arabic): Well, on 14 September 1985 I was told to go to the Tulkarm centre. There I was informed of my deportation in the morning. On 15 September I was deported to the East Bank.

"The CHAIRMAN: Did you appeal against your deportation order?

"The WITNESS (interpretation from Arabic): We had no possibility of appealing. I was informed on the 14th and deported on the 15th.

"The CHAIRMAN: You didn't make any appeal at all to the military committee?

"The WITNESS (interpretation from Arabic): I did not meet the military committee; it was the civilian administration that received me.

"The CHAIRMAN: Was the deportation order made by the military commander?

"The WITNESS (interpretation from Arabic): Yes, it was the military commander, but on behalf of an officer of the civilian administration.

"The CHAIRMAN: They did not give you 48 hours in which to appeal?

"The WITNESS (interpretation from Arabic): No, I was not given 48 hours." (A/AC.145/RT.447)

22. The difficult physical conditions of the actual expulsion were also described by a number of witnesses:

"A few days before we were deported, my colleagues and I were separated and put in single cells in the prison. We were handcuffed and leg shackled as well as having bands covering our eyes so that we couldn't see anything. During the deportation we were taken like that and put in the back of an army truck. We asked the officers in charge to be allowed to see our wives and children before being deported. The judges in the High Court had asked that we be allowed to see our families before deportation, but this permission was not granted. We also asked that a Red Cross representative should come to see us, to see the conditions in which we were being deported, to see if this was appropriate for the health of the prisoners, since our deportation should be carried out in humane circumstances and conditions. While we were in the army truck we were told that we would be deported to the South of Lebanon, but knowing from the topography of the road that we were going down, rather than up, we knew that we were going to the South of Jordan rather than the South of Lebanon. The deportation began at 8 a.m. on 31 January in the morning, and we reached Wadi Araba, which is in the desert area of Jordan, near Aqaba, at the end of the day. The bandages were removed from our eyes and a military doctor carried out a sort of routine examination, listening to heartbeats. We were asked to follow a road between barbed wire on both sides. We were told to proceed forward in a straight line, because the whole area was mined. We were picked up at the end of that road by the Jordanian army, and they brought us to Amman." (Dr. Azmi As Shweibi - A/AC.145/RT.446)

"... We were moved to Hebron in the south of the West Bank, and the next morning we were sent to Wadi Araba in Jordan: we were deported, in fact. During that period we were refused permission to meet with a representative of the Red Cross or to meet with any member of our families. The process of deportation itself was very tiring: it lasted from the middle of Friday,

30 January 1986 to the evening of 31 January 1986, over 24 hours, in fact. This is briefly a summary of the Israeli practices against me personally." (Mr. Ali Abu Hilal - A/AC.145/RT.446)

23. The political motives lying behind the policy of deportation, which has recently been reactivated on a large scale were analysed by some witnesses. Mr. Joseph stated in that connection:

"The Israeli authorities also sought to justify this extreme and cruel form of punishment on the grounds that acts of violence were on the increase in the occupied territories. But they have not charged any of these men with being either directly or indirectly linked to any acts of violence. All of these men are the principal breadwinners in their families. One is in fact responsible for the upkeep not only of his wife and two children but also his aged father and mother and his cousin and her children. We believe that his and the other expulsions constitute another component of the Israeli Government's policy of 'collective punishment', other manifestations of which we witnessed in the West Bank in Gaza and which we will be prepared to share with you during the question and answer period.

"... I want to say, and firmly say, that there is unequivocally widespread and official discrimination practised by the Israeli authorities against Palestinians in the West Bank and Gaza. I believe that none of these forms of discrimination is necessary or justified. You should note that this view is also shared by a significant segment of the Israeli community, including members of the Knesset with whom we spoke, and other prominent individuals." (A/AC.145/RT.441)

Mr. Mike Smith, a New York City attorney who participated in the one-week fact-finding trip of the delegation of American lawyers to Israel, also stated:

"Well, what did they do wrong? That was the question that we asked all the Israeli officials that we had the opportunity to meet and we finally were able to meet Renato Janack who was the man responsible for prosecuting these deportations and he told us, very succinctly and forthrightly and frankly, what these men did wrong. He said that they were advocating pre-state formations. ... All these people are popular political and cultural leaders and I suppose that if and when a Palestinian state were organized they would be figures in the Government, and seeing that they are popular leaders now, the charge in a very perverse way does make sense, that they are part of a pre-state formation. Put a different way, these are simply leaders of the Palestinian people and that was what we concluded was their crime. We were told at first that they were arrested in response to a number of random killings of civilians that occurred late in the summer. But when we pressed the various officials - and this goes from the Minister of Justice on the West Bank down to the three colonels we met with who are attached to the army - they said, 'Well, we can't exactly prove that they did this, we can only say that these acts of violence occurred and they profited by it.' So we asked them, 'Well, how is it that they profited by these acts of violence since they are now getting deported?' They had no answer for us on that, so we concluded

that charging them generally with acts of violence was just a red herring, it was a smokescreen, that it wasn't in fact true, and that if they had one shred of evidence that these men were in any way connected with any act of violence they should have criminally tried them." (A/AC.145/RT.441)

24. Mr. Griussy said in the course of his testimony:

"... my deportation had a political purpose, and I was not deported for any crime against law and order. The measures taken by the Israeli authorities against me were part and parcel of the general policy aiming at emptying the land and evacuating its inhabitants. The basic problem is not the measures applied but it lies in the occupation of our land."
(A/AC.145/RT.445)

25. Another witness, Mr. Jallal Hafez Aziz, stated:

"The main reason for the deportations is that the Israeli occupation authorities feel that any militant, any person who is attached to his nationhood, is a danger to it. They are aware, for instance, of the activities that I carried out before my first imprisonment. Had they not been forced to release me, they would never have done so. The policy of deportation of the Israeli authorities is intended to get rid of those people who are strongly nationalistic, who adhere to their nationhood. As the intelligence officer told us, 'If you are outside the occupied territories then we are in safety, then we have no problems.' And during this fictitious trial prior to our deportation, they told us, 'We don't want to imprison you because you carry out your activities in prison, and we don't want you outside of the prison walls because you constitute a danger. Therefore we shall just get rid of you completely and thus get rid of your danger and people like you.' That is the real reason." (A/AC.145/RT.448)

(iv) Economic aspects

26. Some witnesses described the interference of the occupying authorities in various aspects of the economic life. Replying to a question on eventual signs of improvement of living conditions of the Arabs in the occupied territories, Mr. Ali Abu Hilal stated:

"With regard to what Shimon Peres said about improving the living conditions of the Arabs in the occupied territories, there is nothing new in this. A year ago he said exactly the same thing. He said they would open the door to United States and European financial assistance to the Arab population in order to ameliorate the conditions of the Arabs in the West Bank. So far nothing has materialized.

"As a matter of fact, things are getting worse because Israel has started to apply firmly 1945 laws regarding city arrest and deportations - this is the law which is applied on deportations - while simultaneously there is the economic and financial crisis in Israel, and the people who suffer most from this crisis are the Arabs. In addition, last year newspapers were closed in

the West Bank and action was taken against freedom of expression, university faculties were closed.

"So how can we believe what Peres has said now as an intention of positive action? There has also been the expropriation of Palestinian land. There were great expectations indeed that Shimon Peres would try to alleviate the conditions of the Arab population, especially since his policy is more flexible than that of the Likud; as a matter of fact the policy which is implemented by Shimon Peres is more rigid than was expected, and this is something that the ordinary man in the street can feel. It is exemplified in the 'iron fist' policy, in the expropriation of land and in the severe economic conditions suffered by the ordinary people." (A/AC.145/RT.446)

27. Another witness, Dr. Azmi As Shweibi, referred to the role of the Israeli authorities in hampering development projects in the occupied territories:

"The Israeli authorities have not only blocked the development plans of the UNDP but they have also put a stop to assistance projects being carried out by American churches in some villages and towns in these areas, projects aimed mainly at laying down a road network, providing drinking water, services of that kind to the population. The Israeli authorities have now asked that any assistance provided by these American churches or any other benevolent societies be given to the Israeli authorities for dispensation as they choose. Even the Arab assistance, provided by Arab countries, Jordan, for instance, the Israelis have declared that it should be put in a special fund which is administered and dispensed by the Israeli military authorities according to their own wishes."

28. Mr. Walid Nazzal, a former agricultural worker, referred in the course of his testimony to the difference of status between Arab and Israeli workers. This discriminatory aspect was also outlined by another witness, Mr. Ali Abu Hilal, who stated:

"... There are certain economic measures, provocative measures, taken against the workers at their places of work. For example, there is the great difference between the salaries given to Arab workers and Israeli workers in the same work place. The average Arab salary ranges between 30 and 40 per cent of the salary given to an Israeli worker. At the same time, with regard to tax, the cut-off point in the salary of an Arab worker is exactly the same as that of an Israeli worker. The Arab worker never has health insurance or family insurance or other benefits enjoyed by the Israeli worker. The Arab worker is also given what is called 'black' work or 'cruel' work, in other words, work which the Israeli worker refuses to carry out. One of the factors in Israel is the increasing unemployment, and the Arab workers have the lion's share so far as unemployment is concerned." (A/AC.145/RT.446)

29. Dr. Saker, former President of the Islamic University of Gaza, described measures affecting agriculture and industry in Gaza and the West Bank:

"Agriculture, for instance, in Gaza is being destroyed. We have citrus fruit production: citrus fruit is a vital item in our economy. We are not allowed to sell these on the Israeli market or on foreign markets. If they give permission, it is only to export a few, and permission will come late, so our agriculture is being destroyed. Our industry is also under stress. Taxation is so high, very high taxation on production, and income tax, etc. We are being made dependent on the Israeli economy. We supply the cheap labour force. Perhaps 80,000 workers from Gaza go daily to Israel. Their salary is almost one fourth of that of an Israeli worker. We are not permitted to import from foreign countries. It is very difficult to import, say, from Britain, from Switzerland, etc. We have to import from the Israeli market. Our imports last year almost reached \$800 million from Israel. We import 90 per cent of our requirements from Israel, so we are very important for them as a market for their products. In the same way, we cannot export our items to them. Gaza tomatoes are not allowed to go to the Israeli market. In spite of all that, we are better producers and cheaper producers in certain lines. Our economy is a ghetto economy, a closed economy, in order to absorb their own products and supply them with certain materials.

"Israel is short of water: now Israel is getting between 500 to 800 million cubic metres per year from our own water reservoir, our reserve, from Gaza and the West Bank. It is being drained from our reserves and piped to Israeli settlements and Israeli industries. In practice, they are getting hold of all our basic resources." (A/AC.145/RT.453)

(b) Information on measures affecting certain fundamental freedoms

(i) Freedom of movement

30. The Special Committee heard several statements on the limitations affecting the right to freedom of movement. Mr. Joseph mentioned the particularly objectionable use of pass books:

"... A Palestinian must have a pass book on him at all times. That pass book restricts their freedom of movement. For example, they are not allowed to be in Israel, even though they may work there during the day, after midnight. Workers in the West Bank can be caught in Jerusalem after midnight. We were having dinner one evening with a lawyer in this case in Jerusalem and he said, 'I have to run. It's close to midnight. If I'm caught I could face any degree of punishment'." (A/AC.145/RT.441)

31. Another witness, journalist Hassan Abd Jawad, stated:

"... To go from Jordan to the West Bank you need a special permit from the military governor which costs JD 33. That is the cost of the permit; there is also the return fare per person. So Palestinian families in the West Bank in most cases cannot come here more than once a year, or perhaps once every two years because this is a very expensive trip. Moreover, there are searches morning, noon and night in the north and south of the West Bank and including Gaza. All these searches limit the freedom of people to move about and prevent them from going to work and carrying out their daily activities."

32. Former detainees who had been released in May 1985 as the result of an exchange of prisoners referred to the restrictions that were imposed on their movements:

"In May 1985 I was released with a large number of my friends in an exchange of prisoners between the PLO and the Israeli authorities, under the umbrella of the Red Cross. I was released in the occupied territories, and the Israeli authorities placed me under town arrest in Ramallah. I had to report to the police station twice a day, once in the morning and once in the afternoon. I was under house arrest from 6 p.m. to 7 a.m. I was not allowed to leave the city of Ramallah. The Israeli authorities informed me that my presence in the occupied territories was temporary, and that following that they would deport me." (Adnan Ghanem - A/AC.145/RT.445)

"... I went to the headquarters of the military commander of the region and he told me that I had a permit for 20 days but under town arrest. I have a copy of the order in Hebrew. Under this order, I was not allowed to drive a car, I was not to meet members of the press, I could not leave Hebron, I had to prove my presence twice a day, at eight o'clock in the morning and at two o'clock in the afternoon at the police station. Therefore this town arrest is a sort of burden on somebody who has just been released from prison and who wants to live a normal life. But this is what they insisted upon. The conditions of this town arrest were very difficult: I was not allowed to leave Hebron, but I had family in other places, places I wanted to visit, but I was not allowed to. All this was forbidden." (Bader Darwish Kawasme - A/AC.145/RT.450)

33. Another witness, Dr. Azmi As Shweibi stated:

"... I was placed under house arrest or city arrest from 1980 until I was deported. I was told to report to the police station every day and sign a register to say that I had passed by. I was of course prevented from travelling outside the country, and I was placed under what is called administrative detention seven times; I would be released for a couple of months and then I would be called again and put in prison for another few months, and then released, and so on. There was no charge as regards security made against me.

"...

"The city arrest was renewed every six months without any particular action being taken. It was just renewed every six months. At one time I was sick, in Hadasseh hospital where I stayed for six months, and during that period the time of renewal came and it was renewed automatically again, routinely. In 1983 I was ill and asked to be sent to hospital in Jerusalem, which is only 15 km away from El Bireh, my home town, but I was not given permission to go to the hospital in Jerusalem because I was under city arrest in El Bireh." (A/AC.145/RT.446)

34. In the same context, Mr. Ali Abu Hilal mentioned restrictions imposed on relatives of deported Palestinians:

"As a result of our deportations, there is a sort of snowballing, automatic deportation of our families' as well. As far as my family is concerned, up to now my wife has been refused permission by the Israeli authorities to come and visit me here in Jordan. They have said to her, 'If you leave the West Bank you will never be permitted to return again'." (A/AC.145/RT.446)

(ii) Freedom of expression

35. A number of witnesses appearing before the Special Committee mentioned the various restrictions curtailing the right to freedom of expression. The problems confronting the Arab press, faced with severe Israeli censorship and restrictions, were evoked by the journalist Hassan Abd Jawad in the course of his testimony:

"Concerning journalism in the occupied territories, and speaking now in my capacity as journalist, I should like to say that Israeli censorship every day tries to prevent Arab newspapers from printing news. The censorship imposed upon us is quite severe. Even obituaries and congratulations must be submitted to the military censor every day beforehand. Likewise, newspapers do not have the right freely to publish notices of the civil administration of the occupied territories. Newspapers are very often prevented from appearing by the occupation authorities. The newspapers A-Shir'a and Al Garb had their licences revoked, and Asha'b and Al-Fajr and other newspapers a number of times were prevented from bringing out an edition. A number of press offices and press agencies have been shut down, like my own agency, which was raided a number of times by the occupation authorities. Many papers and magazines have been expropriated, and journalists placed under house arrest in camps, villages or towns. ... Very often the occupying authorities confiscate the newspapers and prevent them from appearing and reaching their readers. Naturally, costs become higher, papers become more expensive, and you can easily imagine the damage which the owners suffer and all who work in the press and the various papers.

"...

"An Arab from the West Bank cannot work in a foreign press agency.

"...

"There is no newspaper in the West Bank nor in the Gaza Strip, apart from Al Bashir which was closed in 1980. That newspaper was published, one issue came out, when Karim Khalaf returned after being treated abroad."
(A/AC.145/RT.447)

36. Another witness, Mr. Ali Abu Hilal, referred to the particularly negative attitude of the Israeli settler movement toward the Arab press:

/...

"... They have threatened some Arab newspapers which printed some facts about people who were in prison, or something like that. They have threatened some people, they went into the streets and demonstrated against the Arabs. They have asked the Israeli Government to increase its firm stand against the Arab population." (A/AC.145/RT.446)

37. The attorney Mr. Mike Smith referred to the problem of censorship of books and also cited other restrictions limiting the right to freedom of expression relating in particular to all kind of nationalist Palestinian aspirations:

"... We learned that there is a list of censored books in the West Bank. It used to be a list of 3,000 censored books; it has now shrunk to 300. It is illegal to have any of these books. We do have that list, Sir. If you would like it we can make it available to you. We heard an amusing anecdote from Israel Shahah regarding the censorship of things. As you know, it is illegal in Israel to display any manifestation of sympathy or support for Palestinians, including using the colours of the Palestinian national flag, red, white, black and green. If those colours are displayed by anybody together, that's a crime. Mr. Shahak told us the story of a Palestinian who, along with his friends, was able to build a new house and to celebrate the construction of the house, they ordered a cake and they frosted the cake with the four colours. Well, the soldiers heard of this and they came over. They arrested the man and they confiscated the criminal cake and the man - and I have documentation of this which I will share with you - the man did six months in prison for baking that cake." (A/AC.145/RT.441)

(iii) Freedom of association

38. Some witnesses drew the attention of the Special Committee to obstacles limiting trade union rights. Mr. Walid Nazzal stated:

"Groups of 40 members could apply to the officer in charge in order to set up a trade union. Within 40 days of the submission of this request the officer in charge was bound to give an answer, whether he allowed the setting up of this trade union or not. But when we came to set up this trade union of which I was President, after 40 days from the time we submitted an application, we had not received an answer, so this trade union has been functioning ever since without being legally or officially recognized by the authorities. It could be closed at any time and all its property confiscated, and the responsible officers of that trade union could be arrested at any time. Its President was arrested and deported. I should have preferred to be imprisoned rather than deported. There are at least 1,000 members of that trade union. There were other trade unions in the region which had obtained a licence before the Israeli occupation. They were closed by the Israeli authorities and up to now they have not been recognized and they have not been able to resume their activities. We have tried constantly to set up trade unions in each village, representing the workers in the village, but the intelligence service constantly interferes and places obstacles in the way, although there is no justification for this repression. Workers wanted to set up trade unions to defend their interests, and nothing more." (A/AC.145/RT.446)

39. Another witness, Mr. Ali Abu Hilal, stated:

"I shall now refer to the actions of the Israeli occupation authorities against the trade union movement and against the trade unions themselves. Amongst these practices are the fact that since 1979 the Israeli authorities have refused to issue licences for the setting up of new trade unions. New trade unions are threatened with closure. They are warned that their headquarters will be blown up, their premises will be searched, documents pertaining to the trade union would be seized. The leaders of the trade unions themselves are threatened with apprehension and imprisonment over a period of time, in order completely to restrict their activities. I have a great deal of proof of these things.

"In July 1985 there was a Military Order to prohibit workers from meeting in Jerusalem, and some 60 trade unions were supposed to participate in this meeting. On the day of the conference they surrounded the hall where the meeting was supposed to take place. Some of the workers were told not to enter the hall, and some of them were imprisoned. One of the people who was imprisoned was a trade unionist from Jerusalem called Ismail Tabanja, and there were others. Many of the international federations of trade unions denounced and condemned this action of Israel, and amongst them the American Peace Council which sent a message to the Israeli Government asking it to release those trade unionists who had been imprisoned and to permit the convening of the conference.

"As a result of all this pressure, the Israeli Government actually released the trade unionists three days after this event and we were able to hold our conference." (A/AC.145/RT.446)

(iv) Freedom of education

40. Several witnesses provided the Special Committee with information on problems and restrictions affecting the right to freedom of education. Mr. Jihad Karashouli and Mr. Mohammed Heneidi, respectively Director General and Deputy Director General for the Occupied Territories in respect of Education, Palestine Liberation Organization, provided the Special Committee with a detailed account of the difficulties that educational institutions, teachers and students were facing in the occupied territories. They also submitted to the Special Committee a number of documents and statistics on the situation of education in the occupied territories, the contents which are reflected in section IV, C below. In the course of their testimony, Mr. Karashouli and Mr. Heneidi explained the background of the establishment of educational institutions in the occupied territories:

"What the Palestinians have done in the occupied territories is to set up universities: Bir Zeit, Al-Najah, Jerusalem University, Hebron University, the Islamic University in Gaza and a polytechnic institute in Hebron. This is to provide opportunities for secondary school leavers to join the universities and to continue their higher education process." (Mr. Jihad Karashouli - A/AC.145/RT.452)

"How did these universities come into being and how are they playing their present role? Inside, in the occupied areas, as well as outside in the Arab world as a whole, education is regarded as a part of religion.

"Any money put into education from Zakkar - which is the God-assigned tax on the rich, which is considered in religion as a share of the poor in what the rich own - comes from the petroleum-producing countries and other countries, and actually contributed to the wellbeing of those universities, and it ran into millions. How it happened to reach inside, this is something which is related to the means and methods to overcome the confiscations of the Israelis. The people inside and outside have been co-operating in order to get that money into the area and make it fruitful in terms of education. As a result of that money, those institutions came into being. That takes care of the premises." (Mr. Mohamed Heneidi - A/AC.145/RT.452)

41. They further referred to efforts made by the occupying authorities to modify curricula in accordance with their own interest:

"... There is a very wicked approach by the Israelis, weakening the infrastructure of preparatory, secondary and university education, which is a prime objective of the Israeli authorities." (Mr. Mohamed Heneidi - A/AC.145/RT.452)

"... The occupation authorities have changed the curriculum, they have deleted some things and particularly such subjects as history, geography and science, but mainly agricultural studies, because the occupation authorities consider these as a dire threat and menace to them, educating students in agricultural matters. What they have done is to void the agricultural curriculum of its basic content. They have taken away a number of important topics, and agricultural education in the schools is now extremely lightweight. They would rather not allow faculties of agriculture to be set up in the universities: they make difficulties over the laboratories and the equipment which is needed for those faculties, because once a student is involved in this kind of education and in the kind of job that he will do, he will become a person who cultivates the land and thus will become more attached to it, and this is something that they don't want, so they cause problems with the laboratories and with the equipment, to the extent that students are no longer eager to enter the faculties of agriculture in the universities. Al-Najah wanted to set up a faculty of agriculture but permission was refused by the occupation authorities, so it had to be done in a roundabout way." (Mr. Jihad Karashouli - A/AC.145/RT.452)

42. The problem of the interference in curricula was also mentioned by another witness, Mr. Mahmud De'is, a school teacher:

"... If we deal with the school curriculum, we find, for instance, that the basic topic relating to the Palestinian question has been removed: the history of Palestine and its relationship with the other Arab States throughout history, and all other elements relevant to the characteristics of the Palestine State have been removed. Within the context of teaching

geography, Palestine has always been considered part of the Arab nation; whereas at the present time it is being claimed to be part of the State of Israel and cut off from what is called the Arab nation." (A/AC.145/RT.447)

43. Mr. Heneidi gave a detailed account of daily problems such as the lack of adequate equipment or the difficult situation of teachers and students:

"... Many schools, simply through wear and tear, are dangerous, but the pupils have nowhere else to go. If the people of the village want to build a new school they have to get a licence. And who gives that licence? Of course, the Israeli authorities. And that licence for educational purposes is delayed, and delayed, and delayed until the people are cheesed off and forget about it, and it is never issued. In a few cases, two or three, the licence has been issued, but the Israeli authorities never paid a single cent. The schools were built, but just for the purposes of the mass media, to take photographs and videotapes, to indicate the interest of the Israelis in the education of the Arabs.

"...

"With regard to laboratories and attracting students to science courses, to the love of science and experimentation, which are commonplace in any school in any country, in the occupied territories the laboratories receive a decreasing amount of finance for breakages and damage rather than any kind of increase. In many of the schools the laboratories are closed, and the facilities are no longer available to teachers to help in giving their courses.

"...

"Apart from the school building, there is the teacher himself. They get in touch with him. Either he must be co-operative with the occupation authorities and be an 'eye' for them on any security matter, or he is transferred away from his home to another school. In this case, since the salary he is drawing is minimal, that will cost him extra for food and shelter, and that will make his economic situation more miserable. It will cause him anxiety, and that will devastate and kill the education process, whether in the learning or the teaching stage. Or he may be deported: if he is active, he is against the security laws - away with him. Or he may be expelled from the school. If so, he joins the thousands of unemployed and, although a teacher and a qualified, educated young man, in a very limited occupied area under Israeli authority he will have to do any menial work to earn something to gain his daily bread. Or he may be put in jail. If he is one of those put in jail, then God knows when and in what state he will come out. Many of them come out physically handicapped, maybe a hand or a leg.

"...

"The military authorities are in command in the West Bank and in the Gaza Strip, and it is they who issue the orders and rules to be followed by the population. Every professor in the university was requested - if he

wanted to stay - to sign a statement that he considered the PLO a terrorist organization and promised not to co-operate with it. That was an order. Of course, this resulted in 24 professors leaving their courses because they refused to sign this statement. Many such orders exist.

"...

"And for the student it is no better. They are children: usually they leave high school at about 17, they have had about six years there. First of all they are confronted with the checkpoints that are set up everywhere to check demonstrations and anything that might release the pressure for the student. They feel it, they live it, they want to express it, but that expression is taboo. They cannot do it. It is inculcated in every school everywhere else in the world, that self-expression, but there it is not, it is taboo. If they demonstrate, the authorities are around, checkpoints are established, and every passer-by - whether teacher or student or child - is subjected to a severe search which is intended to humiliate the person concerned. A boy of 10 or 12 may be expelled from his school and only accepted in a school far away. That is more difficult for him and he may not go, or his parents' financial situation may not permit him to do so.

"...

"... There are limitations of movement: many students are restricted to their village or to their home, and may not leave it on certain occasions. We collect this information from people who come from there." (A/AC.145/RT.452)

44. Other witnesses also referred to the problems faced by teachers and students in the occupied territories. Dr. Mohamad Mahmud Asrur, former professor at the Islamic University of Gaza, stated:

"... On 1 December 1980, the Islamic University of Gaza advertized for a professor of geology. I applied, and received a permit to teach there, renewable each year. I therefore resigned from Kuwait University and my residence permit there was withdrawn. I went to Gaza hoping that I would be able to rejoin my family, since my mother was there, one of my brothers and other relatives, under the provision for 'family reunion', and since I am from Gaza. I remained in Gaza until 1 August 1985 and my permit was renewed each year without difficulty, although I could not have a driver's licence and I was not entitled to sickness insurance or other benefits normally provided. At the end of five years, my permit was revoked.

"...

"... I am an academic and I continued my work in the Faculty of Science. Therefore there was no reason whatsoever to deprive me of my permit after five years.

"The reason given for revoking my permit was a dispute which had arisen between the university authorities and the Israeli authorities, a dispute over finance. The Islamic University is supported financially by the joint committee in Amman, but the Israelis wanted those funds to be put into an Israeli bank so that they could benefit from the interest. Sometimes our salaries were withheld for three or four months, sometimes as long as seven months: teachers were left without pay." (A/AC.145/RT.453)

45. Mr. Mahmud De'is, a teacher, stated:

"... There is the imprisonment of students. If a student is imprisoned he is prevented from returning to any school in which he was previously enrolled. So he is deprived of getting an education. Appointment and assignment of teachers is completely controlled by the officer in charge of education and training. He has the final word on the appointment or dismissal of a teacher and this directly affects the education procedure; the students will pass three or four months with one teacher, then he is kicked out of school or removed to another place, and a new teacher is brought in." (A/AC.145/RT.447)

46. A student from Al-Najah University, Mr. Geiussy, mentioned the problems created by the promulgation of Military Order No. 854:

"As a matter of policy the Israeli authorities interfere with the activities in universities and schools, whether the students are activists or not. It was part of the policy of the Israeli authorities. For instance, an Israeli officer is in charge of the education programme, and this applies to primary and secondary schools as well as to universities and other high schools. There is a very well known law issued by the Israeli authorities, Military Order 854, which allows the authorities to interfere in the internal life of universities and other educational institutions, either through changing the curriculum or through dismissing professors. This even applies to students. While I was in prison, I was prevented from continuing my university studies. There is plenty of evidence to illustrate this. The university was closed more than once, and many obstacles were put in the way of students entering the university. Students were told to present their university cards in order to be admitted. This shows how much the Israeli authorities want to interfere in the life of students. There is also the demographic aspect: in Al Najah university, for instance, they need new buildings, but the authorities forbid any new construction so that the university cannot expand." (A/AC.145/RT.445)

47. Another Al Najah University student, Mr. Amin Ramwi Makbul, described the treatment of Palestinian students by the Israeli authorities:

"... Each student was asked to show his or her university card as well as his Israeli identity card. Of course, this took a great deal of time because there were some 4,000 students and teachers, and this delayed classes. We refused to do this, and we would gather before the barriers set up by the Israeli forces and we would try to get into the university despite

these barriers. Shots were fired at the students, and tear gas was thrown to disperse the students who were then forced to go back home. Among the events that I personally witnessed were attempts by the forces to enter the university, and this happened on several occasions." (A/AC.145/RT.448)

48. Another witness, Mr. Mahmud Fennoun, referring to the period when he was a student at Bethlehem University, gave a detailed and elaborated description of life at that University. Hereunder are excerpts from his testimony:

"The students' movement at Bethlehem University fully understands the laws of the occupying authorities. The movement is aware of what human rights are about. It is aware of the need for legal expression of our views, and we do not overstep the bounds; we don't provoke the occupying authorities except in very rare cases when they started by provoking us. As for the rest of our activities, they are totally normal cultural, academic, humanitarian activities and one can on no account say that we provoked the authorities. We are of the view that the occupying authorities are holding the sword of Damocles over our heads, and at any time they can close the university and prevent us from going to classes. They sometimes declare the university to be 'a military area', access to which is restricted to just a few people. When they want to prevent a student from continuing his studies at the university, they take a decision to this effect, saying that the university is a 'military region' and that the student in question may not enter the university. When they want to prevent students from studying without closing down the university, a military officer decides that the area of the university is a military area and is therefore closed. When the university administration tries to find out whether or not the university is closed, they are told, 'No, the university is not closed, everything is quite normal, the university is open'. But it is clear that, since it is a military area, it is closed and no one may enter. The situation may last for hours, sometimes for days on end. Sometimes they threaten the university administration and demand that the administration itself close down the university, the underlying threat being that if you do not close the university we shall force our way in.

"... Once, when we had a book exhibition, they came in the night before the opening of the exhibition and confiscated many books. They couldn't even say that these were banned books. Those who came in and did this were ordinary soldiers, and many of them did not know Arabic, so how could they seize a book and say that it was banned when they didn't even know what it was about? They confiscated paintings, even when the paintings were imported from Europe and had no special link with the Palestinian cause. They confiscated religious books, cultural works, but there were no specific criteria governing the confiscation. They did, however, have serious repercussions for the cultural level of the students. This destroyed our exhibition, quite apart from the fact that they entered the university by force: they had no right to do so, they had no permission to do so. They came in during the night, they destroyed the exhibits: we had costumes, books, they destroyed these and they prevented students from meeting in the daytime." (A/AC.145/RT.450)

49. Dr. Mohamed Saker, former President of the Islamic University of Gaza, provided a very detailed account of the evolution of that University. He also submitted a number of documents to the Special Committee, the contents of which have been reflected in section IV.C above. In the course of his testimony, Dr. Saker stressed that in spite of his continuous efforts to keep the atmosphere at the university strictly academic and remote from political agitation and disturbances, he could not prevent the occupying authorities from interfering:

"... We built almost 40 classrooms, but before we had finished the classrooms, the Israeli authorities summoned me and said, 'What are you doing?'. I said, 'What am I doing?'. He said, 'You are putting up buildings without permission'. I said, 'We don't need permission, because this is the land of the University and, secondly, these are not permanent buildings and, thirdly, any university, within its compass, can do anything within reasonable limits'. He said, 'No, you should stop'. Well, we stopped. I told them, 'I am doing that because we shall have full-day education next semester'. They said, 'No, we will not allow you to have such a type of education'. I shook myself, because after all the hours and hours I had spent with them, I thought they had agreed. I told them, 'This is in your interests because you can control the students, because instead of being in the street all morning and only coming to us in the afternoon, they will be with us from 8 o'clock in the morning'. They said, 'No, we shall not permit you to have full-day education'. Well, I realized at that time that the Israelis are not interested in real education, they would like us to have only mediocre universities without real education." (A/AC.145/RT.453)

50. Dr. Saker also referred to the unjustified nature of the expulsion measures he and a number of his colleagues had been the victims of:

"... There was a recent statement by Mr. Itzhak Rabin, the Defence Minister, a few days ago - I can give it to you - when one Knesset member asked why the President of the Islamic University of Gaza was not permitted to come back, because he is wanted by his own people and by his own University. Mr. Rabin replied that when Mr. Saker was President of the University a lot of agitation took place, and demonstrations - which is false, actually. That happened before I went there. This is Israeli policy, destroying our institutions. I play the game differently, actually. 'And since he went out the University has been so quiet and peaceful. We shall not permit him to come back because the Israeli authorities are very much afraid that there will be agitation and demonstrations.' Unfortunately, the whole Government is afraid of having one single academic go to Gaza. If I have done anything wrong, let them put me in jail. They are not being serious about this.

"Last year they expelled 35 staff members from the University. We sent to various institutions, to UNESCO, and so on, for help, and finally Israel permitted most of them to go back. There are still eight people outside." (A/AC.145/RT.453)

51. In this connection, Dr. Saker submitted copies of documents and correspondence relating to this collective expulsion to the Special Committee at its 453rd meeting, held in Amman on 1 May 1986.

(c) Information on settlers' activities affecting the civilian population

52. Some witnesses drew the attention of the Special Committee to the harassment of civilians by the Israeli settlers. Mr. Ali Abu Hilal said in the course of his testimony:

"... We have noted the particularly rigid attitude in some settlers, in some Israelis, such as the Kach movement of Kahane. He has pressed the Israeli Government to expel the Arab people from Israel and he has concentrated especially on two villages in Galilee, Taibeh and Tera, and he demands that the Israeli Government adopt a sort of racist, fascist, anti-Arab trend in Israel, in its actions against the Arab populations."
(A/AC.145/RT.446)

53. Another witness, Mr. Mahmud Fennoun, referred to the situation in the village he lived in, Al Nahalin:

"... From the outset the settlers have been provoking the inhabitants and now the village is like a virtual prison. The settlers, of course, have the support of the occupation authorities. They are accompanied by soldiers when they go to uproot the trees. They take out olive trees, poplars, all trees that are cultivated. They destroy the crops. When they find children they beat them, and chase them. If they come across shepherds they beat them as well and prevent them from taking care of their animals in peace. These are daily harassments, and all the complaints addressed to the authorities and to the settlers themselves have remained futile." (A/AC.145/RT.450)

4. Treatment of detainees

(see paras. 345-377 below)

54. In the course of its hearings the Special Committee heard extensive evidence on the treatment of detainees in the occupied territories. Many witnesses who had been imprisoned for various periods, often exceeding 10 years, and had experienced severe conditions in several detention centres and prisons (such as Sarafand, Tulkarm, Ramla, Jenin, Jericho, Kfar Yona, Ashkelon, Beer Sheba, Jneid, Nablus, Al Fara'a etc.) informed the Special Committee about the harsh treatment they had been subjected to.

55. Most testimonies denounced the overcrowding of cells, the various forms of ill-treatment such as physical violence, psychological intimidation and humiliating practices, solitary confinement etc. The lack of sanitary facilities and adequate health services, malnutrition and inadequate clothing were also mentioned and illustrated in the course of the hearings.

56. One particular aspect mentioned by some witnesses was the problem of detained minors. Mr. Bader Darwish Kawasme, a released prisoner, described in the course of his testimony, the humiliating practices and sexual harassment that 14- and 15-year-old detainees were submitted to in Al Fara'a prison.

57. The testimonies also referred to the withholding of educational, cultural and information material, to the censorship of private correspondence, to the denial of the right to receive visits and to the deprivation of the right to practice religion in common.

58. According to a number of witnesses such conditions of detention often gave rise to hunger strikes aiming at the amelioration of the treatment of prisoners. It was stated in this connection that the attempts at forced feeding of hunger strikers had in some cases led to the death of prisoners.

59. These testimonies may be found in documents A/AC.145/RT.441 (Mr. Wilhelm Joseph and Mr. Mike Smith); A/AC.145/RT.445 (Mr. Adnan Ghanem, Mr. Mohammed Ahmad Beirut and Mr. Bahget Mustafa Geiussy); A/AC.145/RT.446 (Mr. Azmi AS Shweibi, Mr. Walid Nazzal and Mr. Mohammed Mahmud Hanini); A/AC.145/RT.447 (Mr. Ahid Daoud Radad and Mr. Adnan Mohammed Bliebi); A/AC.145/RT.448 (Mr. Hassan Mohammed Al-Ammoudi, Mr. Jallah Hafez Aziza and Mr. Amin Ramzi Makbul); A/AC.145/RT.449 (a lawyer practicing in the occupied territories); A/AC.145/RT.449/Add.1 (Mr. Mahmud Amdan Altame); A/AC.145/RT.450 (Mr. Mahmud Ibrahim Fennoun and Mr. Badar Darwish Kawasme) and A/AC.145/RT.452 (Mr. Zaki Mohammad Abu Steita).

B. Information gathered from the Israeli and the Arab language press published in the occupied territories

1. General situation

(see paras. 2 to 4 above, and sect. IV.C, paras 37-39 above)

(a) General policy developments

60. On 11 August 1985, Mr. Shmuel Goren, the Co-ordinator of Activities in the territories, said in a radio interview that Israeli civilians entering densely populated Arab localities should be advised to be armed and accompanied. Mr. Goren, who was interviewed after a Kiryat-Arba settler had been stabbed in the old market in Hebron, said that the authorities could not prevent attacks on Jews who walked alone and unarmed through places such as the old market in Hebron. An aide to Goren later reportedly said that people going to an Arab market or travelling a remote road in the Gaza Strip at night must take some "minimal" precautions. "We are not saying everyone should take an armoured vehicle along but something should be done. Personal security in the centre of Hebron is different from Tel Aviv," he said. (Jerusalem Post, 12 August 1985)

61. It was reported that on 31 August 1985 eight Israeli political activists were arrested during a demonstration in Ramallah by a group calling itself "Jews Against

Occupation". Reportedly, the group's demonstration was in protest against the recently revived "iron fist policy". One Arab bystander and three Israelis were wounded as soldiers broke up the demonstration. Gideon Spiro, a spokesman for the group reportedly stated that the demonstration was planned to protest the recent harsh Israeli measures against the Palestinian population of the occupied territories. These measures included the administrative detention of more than 40 Palestinians and planned deportation of three others. (Al-Fajr, 6 September 1985)

62. On 4 September 1985, the inner cabinet reportedly decided that the military government in the West Bank should be empowered to suppress any institutions or organizations seen as serving as agencies of PLO. It also agreed that roads in the West Bank should be widened to hamper petrol-bomb and stone throwing, wherever the security authorities found this measure to be essential. The inner cabinet rejected, by a vote of five to one, several operational proposals by the Industry Minister, Mr. Ariel Sharon, to stamp out terrorist activity in the territories. These proposals included the construction of a new road through the Casbah area of Old Hebron to facilitate movement between Kiryat Arba and the Hadassa building, a proposal to permit Jewish residence in all properties owned or purchased by Jews in Hebron, and a request to shorten and simplify deportation procedures. A security source later declared that "nothing will change in the methods and steps we use to combat terror in the areas as a result of the inner cabinet meeting. We shall continue our existing practice of administrative detentions and deportation wherever this is required and we shall maintain a heavy hand". (Ha'aretz, Jerusalem Post, 5 September 1985)

63. On 9 September 1985, it was reported that, as from the previous weekend new security arrangements were operative in the West Bank and the Gaza Strip, principally consisting of a stepped up presence of regular Israel Defence Forces (IDF) units in the area, sudden searches, combing of areas, setting up road blocks, checking of passing cars not only at road blocks and stepped up patrols in town centres. In the same context, a military source was quoted as saying that "instructions have been issued to prevent all demonstrations by Jews, Arabs, rightists or leftists. All measures will be taken to disperse any demonstration immediately - including the use of rubber bullets, tear gas and water hoses. The army will try to avoid using excessive force, but if there are signs it is losing control, it will use all measures against anyone who demonstrates". However, the army source maintained this was not an "iron-fist" policy because it did not call for collective punishment. Following instructions from the Defence Minister, Mr. Rabin, the troops who were deployed in the region were reportedly instructed to stop passers-by, demand their identification papers and search them. People were ordered to stand against walls as soldiers frisked them for knives, scissors and other objects which could be used for terrorist attacks. The troops were also instructed to be on the lookout for settler patrols. In that context, the Cabinet Secretary, Mr. Yosef Beilin, on 8 September 1985, declared that the settlers, who had been issued weapons by the appropriate authorities, were fully entitled to patrol their own localities and protect their settlements and to carry arms while travelling on the roads, but they must not try and usurp the functions of the security authorities in Arab localities. (See also paras. 319-344 below). (Jerusalem Post, Yediot Aharonot, 8 September 1985; Ha'aretz, Jerusalem Post, Yediot Aharonot, 9 September 1985)

64. On 11 September 1985, during a press conference in Jerusalem, the Israeli League of Human and Civil Rights urged for an immediate reversal of the recent government measures concerning administrative detention, deportation of Palestinians and curfews in the occupied territories. The League also condemned the encouragement given by the Israeli Government to settlers. Advocate Felicia Langer said that 70 Palestinians were presently detained under administrative orders without any charge filed against them except for "their being Palestinians ...". Mr. Jacob Shai, a member of "There is a limit" Movement, who was arrested three times for refusing to serve in Lebanon, said that the Movement would encourage its members to refuse to serve in the occupied territories. (Al-Tali'ah, 12 September 1985)

65. On 19 September 1985 it was reported that the Central Region Commander, Aluf (Major-General) Amnon Shahak had argued in a petition submitted to the High Court of Justice the previous day that "operative military reasons" outweighed other considerations for the establishment of a court of appeals to review decisions by the military courts in the West Bank. Aluf Shahak's statement, submitted by the State Attorney's office, came in advance of a hearing on 22 September 1985 on a petition by Jerusalem advocate Darwish Nasser, who won an interim injunction ordering the State to show cause why it should not establish an appeals instance in the military courts system in the territories. Under military regulations operative in the territories since 1967 only the officer commanding the area is entitled to review the decisions of the military courts. (Jerusalem Post, 19 September 1985)

66. On 2 October 1985, a senior defence source charged with maintaining security in the West Bank said that soldiers on duty in that region were "quicker on the trigger" recently, and that this had resulted in some innocent civilians being shot. He said that "this is what happens where people are nervous". Their instinct to shoot is "natural" and consequently more people were injured. The source said that the army investigated all incidents in which soldiers had opened fire. In all cases in which civilians were hurt the soldiers were found to have acted in accordance with standing orders. Many of the injured people were mentally ill and their behaviour had aroused the soldiers' suspicions. In some cases, however, soldiers fired into the air and at car wheels without justification. They were tried and punished, he said. (Jerusalem Post, 3 October 1985)

67. On 15 October 1985, a senior IDF officer told a group of journalists on tour in the Gaza Strip that since January 1985, 58 terrorist acts were carried out in the region. In the previous six weeks alone there were four attempted murders of Israeli civilians in Gaza. The senior officer revealed that, in addition to Fatah and Popular Front cells operating against Israel, groups of youths aged 14 to 18 whose nick-name was Shabiba, were engaged in what he described as "unplanned terrorist activity", using improvised material such as petrol bombs and improvised charges. Referring to allegations of ill treatment of Arab civilians by IDF soldiers, the officer said that no cases of irregularity had been found, and no one had come to complain about such cases. (Ha'aretz, 16 October 1985)

68. On 21 October 1985, speaking at a Knesset debate on current security problems, the Defense Minister, Mr. Rabin said that, in the framework of the preventive

activities in the territories 88 alleged inciters had been detained under an administrative detention order and three others had been expelled abroad. Several newspapers were closed as well as one university, which was shut down temporarily. As a result of these activities no political figures had been invited to the end-of-year ceremony of one of the universities and no inciting speeches had been pronounced. The civil administration also barred the entrance to the region to students and lecturers from abroad known as inciters. Mr. Rabin said that since April 1984 the General Security Service had uncovered over 300 terrorist cells responsible for over 350 various acts. The Defense Minister said that in the struggle against such activities the use of "environmental punishment" should be avoided, since most of the population was not involved in terrorist activity, and such punishment could increase the number of those engaged in such activity. (Ha'aretz, 22 October 1985)

69. The Islamic Trust Authorities (Waqf) in the West Bank reportedly ordered various mosque Imams (preachers) to stop mixing politics and religion. The order No. 8-5-8/8172 called on preachers to "not politicize religion" and to discuss only religious topics in their Friday sermons. The order directly followed a similar statement by the Jordanian Waqf made about 10 days earlier. (Al-Fajr, 29 November 1985)

70. On 12 January 1986, the Co-ordinator of Activities in the territories, Shmuel Goren, said in a press conference in Tel Aviv that since the lifting of restrictions on the introduction of funds from the Arab States over the bridges with Jordan, more than \$1 million a day was being brought in. The authorities were reportedly encouraging the municipalities, the universities and other organizations to bring in funds. Goren pointed out that negotiations were under way to expand the telephone network in the West Bank. Restrictions on direct dialling and telex communications had been almost eliminated and contact could be made from the territories with anywhere in the world. Some \$3 million had been invested to provide electricity to Nablus - some two thirds of which was sold by the Israel Electric Corporation. Some 30 villages in the surrounding area had asked to be linked up with the supply. Referring to the security situation in the territories, Goren said that following an increase in the use of home-made bombs, pharmacists in the Gaza Strip had recently been assembled by security authorities and warned to be careful about selling materials that could be used to make explosives. Goren added that, following the reintroduction of measures such as administrative arrests (96 persons were being held at present) and expulsions (four persons had been expelled by the time the report was published), there had been far fewer disturbances. (Jerusalem Post, 13 January 1986)

71. On 20 January 1986, a group of Israeli Knesset members met in an East Jerusalem hotel with a group of some 20 West Bank public figures, some of whom described as "close to the PLO". Among the Palestinian participants were the former mayor of Hebron, Dr. Hamzi el-Natshe, Professor Medin Ruhana of the Al-Najah university, Redwan Abu-Ayesh, chairman of the 'Arab Journalists' Association in the West Bank, the lawyer Jonathan Kuttab from Ramallah, Dr. Ahmed Taibeh, Ibrahim el-Karim, director of the Palestinian Press Bureau and Professor Maudeh, one of the leading West Bank intellectuals. Lawyer Jonathan Kuttab said at the meeting that since August 1985 the IDF carried out 130 arrests in the territories,

expelled 40 residents to Jordan and demolished 30 houses. According to Kuttab, since August 1985 the attitude of the security authorities toward the West Bank residents has "worsened radically". Knesset member Shulamit Aloni promised to look into the matter. According to the press report the heads of the Palestinian group proposed to the Israeli Knesset members to arrange a meeting between them and the PLO chairman Yasser Arafat, but the Knesset members declined the offer, saying the time was not yet ripe for such a meeting. (Ha'aretz, 22 January 1986)

72. On 29 January 1986, Meron Benvenisti, director of the West Bank Data Base project, presented a report on West Bank developments in 1984-1985. Benvenisti noted that the rate of population growth in the territories had increased in the period under consideration because of a drop in net emigration to about 3,000 people annually, combined with a high and growing rate of natural increase. By the end of 1984 the population of the West Bank was 787,000 - 32 per cent more than in 1967. In the economic sector, Benvenisti noted a continuing decline in Palestinian agriculture and a stagnation in industry. Of a work force of 154,000 in 1984, about one third were working in Israel and the remainder in the West Bank or abroad. Dependence on sources of income outside the territories had significantly increased. By April 1985, Israeli authorities had gained control over 52 per cent of the land in the West Bank. Of this, 1.7 million dunams, or 41 per cent of the total, were under direct Israeli control, while the use of another 11 per cent, or about 500,000 dunams was "severely restricted". The pace of Jewish settlement had slowed down. In 1984-1985 the number of settlers had grown by 9,400, to reach 52,000 - about 6,000 less than the previous year's growth. Benvenisti pointed out that the Israeli occupation had been economically beneficial to Israel, providing a protected market for local goods and a pool of cheap labour. In addition, Israel collected some \$50 million annually in value-added tax (VAT) on Israeli goods sold in the territories and from the duties paid on imports passing through Israeli ports. Government enforcement policies in the territories were harsher under the national unity government. Strong-arm tactics, such as deportation, the demolition and sealing of houses and administrative detention, had proliferated. According to Benvenisti, the national unity government had no clear-cut ideology towards the West Bank, and the continuation of past trends manifested "the bankruptcy of pragmatism". (Al-Tali'ah, 9 January 1986, Ha'aretz, Jerusalem Post, 30 January 1986) Referring to this report, the New York Times was reported as stating that the revenues from taxes levied on Arab residents - about \$US 700 million - exceeded what the Israeli authorities spend in the West Bank and the Gaza Strip.

73. It was reported that the Israeli Defence Minister, Mr. Yitzhak Rabin described the town restriction procedures as limiting activities of those who were dangerous persons to the security. He reportedly claimed that the Israeli security authorities used these measures against those activists when they escalated their activities to a level that the authorities could not accept. According to Mr. Rabin, 23 persons from the West Bank, six from the Gaza Strip and 42 from the Galilee and the Triangle had been subjected to town restriction orders since 10 February 1986. (Al-Fajr, 28 February 1986)

74. On 5 March 1986, the Knesset defeated a bill proposed by Knesset member Geula Cohen (Tehiya) to apply Israeli law to "Judea, Samaria and the Gaza District". Only four coalition members, of the Likud and religious parties, joined the Tehiya party in voting for the bill. The Prime Minister, Mr. Peres said before the vote that Israel had three basic goals: to maintain a sovereign, democratic state with a Jewish character, not to subject Israel's territorial achievement to a demographic danger; and to strive for peace. The Israeli policy rested on acceptance of the Camp David accords, Mr. Peres said. (Jerusalem Post, 6 March 1986)

75. On 13 March 1986, a military source, briefing reporters in Nablus, said that under a policy initiated by the Central Region Commander, Ehud Barak, IDF troops were keeping a low profile during patrols of West Bank towns, and that soldiers had been ordered to avoid interfering in events in the cities unless there was a threat to security and public order. The source held the briefing at the wake of incidents in which two residents of the Balata refugee camp were killed by IDF soldiers. (See table of incidents following para. 453 below.) The source said these incidents did not signal a toughening of security policy in the territories, and denied Palestinian claims that the IDF had become "trigger-happy". (Jerusalem Post, 14 March 1986)

76. On 26 March 1986, military sources revealed that over the past year there had been an increase by 80 per cent in the number of "serious acts of terrorism" in Samaria, including shooting, throwing of petrol bombs, planting of explosive charges and stabbing. In the Judea and Binyamin area there had been an 11 per cent drop in the number of such incidents. In the West Bank as a whole there had been an increase of over 30 per cent in the number of serious terrorist acts. With regard to other incidents affecting public order, such as stone throwing, waving Palestinian flags, tyre burning and slogan painting, there had been a 34 per cent drop over the past year in the West Bank. (Ha'aretz, 27 March 1986)

77. On 2 April 1986, Shmuel Goren, the Co-ordinator of Activities in the territories said that Israel would approve offers by private and government-supported United States agencies to fund \$600 million in projects in the West Bank over the next few years. The projects would reportedly include vocational training programmes, construction of factories and housing, health programmes and water and sewerage development schemes. Mr. Goren, who recently visited the United States to discuss the proposed aid, said Israel would only accept offers that did not conflict with the country's economic and security interests and that did not go to industries that competed with Israeli manufacturers. Goren stressed that the dozens of projects under discussion with the United States agencies did not form an overall economic development plan for the territories. (Jerusalem Post, 3 April 1986)

78. On 8 April 1986, the Prime Minister, Mr. Shimon Peres, addressing the Labour Party's national convention in Jerusalem, affirmed that Israel recognized the Palestinians "as a nation" and said Israel was ready for both interim arrangements and a permanent settlement in the West Bank. Addressing the residents of the territories, Mr. Peres said that Israel would make an effort to create interim conditions for an interim arrangement, and he added that it would be prepared to

grant them additional self-rule. He suggested that the Gaza Strip could be granted such a self-rule as a first step. On 13 April 1986, it was reported that Mr. Peres had elaborated a secret plan under which a joint Egyptian-Israeli "condominium" would be set up in the Gaza Strip and would be responsible for defence and police activities in the region. The plan was reportedly discussed in Washington between Mr. Peres and United States Secretary of State George Shultz. The latter reportedly approved the plan. On 21 April 1986, Defense Minister, Mr. Yitzhak Rabin met with Palestinian civil servants in the Gaza Strip and told them that Israel's intention was to turn over more positions and administrative functions to officials from Gaza, within the framework of the military government and the civil administration. Mr. Rabin rejected the idea of autonomy in the Gaza Strip. (Ha'aretz, 13 April 1986; Jerusalem Post, 9 and 22 April 1986)

79. On 14 April 1986, Israeli and Palestinian representatives met in Hebron to discuss mutual recognition between the two peoples and self-determination for the Palestinians. Some 200 participants attended the meeting, including Knesset members from Labour and left-wing parties, as well as Palestinian public figures such as Hanna Seniora, the editor of Al-Fajr, who called for mutual Palestinian-Israeli recognition on the basis of equal rights, and Mustafa Abdel Nabi Natshe, the deposed mayor of Hebron. The meeting coincided with the convention of the Tehiya party, held in Kiryat Arba. The meeting was approved by Mr. Rabin. It was also reported from the Defence Minister's office that the policy concerning the holding of meetings and rallies in the territories was being changed into a more liberal one, and that decision on holding meetings would be taken on the merits of each request. (Ha'aretz, 10, 15 April 1986; Jerusalem Post, 13, 15 April 1986)

80. On 22 April 1986, it was reported that the Defence Minister Mr. Rabin had banned demonstrations and meetings planned by Gush Emunim and Peace Now in Hebron during the Passover holiday. Gush Emunim was refused its request to hold a ceremony in Hebron marking the eighteenth anniversary of Jewish settlement in the town. Peace Now had planned a tour of the town on the same day to counter the Gush Emunim ceremony. On 25 April 1986, it was reported that after meeting with six Gush Emunim and Kiryat Arba leaders, including rabbi Moshe Levinger and freed Jewish terrorist Ze'ev Friedman, Mr. Rabin finally approved the settlers' plan to hold what was described as "spring tours" around Hebron and a fund-raising dinner at the Jewish restaurant outside the Patriarch's cave with the Vice Premier Mr. Shamir as guest speaker. Another rally planned in front of the cave was banned. On 27 April 1986, it was reported that stepped up military, border guards and regular police units were being deployed in Hebron to protect the thousands of people expected to take part in the "tours" organized by Gush Emunim. (See also paras. 319-324 below). (Ha'aretz, 25 April 1986; Jerusalem Post, 22, 25 and 27 April 1986)

81. On 22 April 1986, senior military sources at the IDF Central Command said they believed at least four armed terror groups were operating in the West Bank and the Jerusalem area. The sources said that since January there had been a drop in the number of attacks in the territories, as compared with the four previous months. There were 67 incidents of shooting, planting explosive devices and throwing hand grenades and petrol bombs, as against 104 from August to December 1985. There were

also fewer stone throwing incidents, probably due to the influence of the Al-Faar's detention camp, through which over 2,000 youths reportedly passed in 1985. At present, the camp inmates included 33 students of the Hebron polytechnic school who attacked the security authorities and raised a Palestinian flag earlier in the week. According to the sources, most of the serious attacks in the territories were perpetrated by followers of George Habash, Nayef Hawatmeh and, to a lesser extent, Ahmed Jibril. (Jerusalem Post, 23 April 1986)

82. On 25 and 26 May 1986, a new report on the situation in the Gaza Strip was published by the West Bank Data Base Project, headed by Meron Benvenisti. According to the report, the population of the Gaza Strip, which at present stood at 525,000 (40 per cent of all the Palestinian population of the territories), could reach 850,000 to 900,000 by the end of the century. A third of the Gaza Strip lands had already been declared state land or confiscated for Jewish settlement. Health conditions in the region were described as catastrophic. According to the report Gaza workers employed in Israel (some 45,000 or 50 per cent of the local working population) paid, in addition to local taxes, income tax and national insurance in Israel. The area's economy was becoming increasingly dependent on Israel, but at the same time its per capita gross national product remained one fifth of Israel's. Schools in the Gaza Strip were overcrowded and were deteriorating physically. There were 18 Jewish settlements in the Gaza Strip, with a population of 2,150, occupying 22,250 dunams of land. The location of most of the settlements in the south of the Strip, near its water sources, effectively gave the settlements a large degree of control over Gaza's water resources. In some cases the settlements physically impinged on Arab towns and refugee camps, blocking their expansion. The town of Khan Yunis was "virtually enveloped" by settlements. On 27 May 1986, the civil administration convened a press conference in Gaza with the participation of Palestinian and Israeli doctors in an attempt to refute some of the criticism contained in the report. On 1 June 1986, the deputy co-ordinator of activities in the territories A/M Colonel Freddy Zach commented on the report by Dr. Meron Benvenisti's West Bank Data Base Project. Speaking on Israel Radio A/M Zach denied that a third of the Gaza Strip had been declared state land and was allocated solely to Jewish settlement. He said state land had also been used to settle 10,000 refugee families outside the camps, as well as for industrial and municipal projects. Unemployment in Gaza was only 2 per cent and new industrial parks had been created in the region, A/M Zach said. He also denied that \$3.5 million a year in tax revenues from the Gaza Strip exceeded the government budget for services there. Tax revenues accounted for only two thirds of what the Government spent in the region, he said, while the remaining third came from Israeli taxpayers. In a related development it was reported on 5 June 1986 that a branch of the Palestine Bank would be opened shortly in Khan Yunis. (Ha'aretz, 25 May, 1 and 5 June 1986; Jerusalem Post, 25, 26, 28 May 1986 and 1 June 1986; Ma'ariv, 28 May 1986)

83. On 10 June 1986 a spokesperson for the Association for Civil Rights in Israel, Professor Ruth Gavison, said that in the past year there had been a "drastic increase" in what she described as administrative punishments. She noted that at present there were about 50 people in administrative detention, compared with 126

earlier in the year. Other administrative punishments included expulsions and demolition and sealing up of houses of terror suspects. (Ha'aretz, Jerusalem Post, 11 June 1986)

84. On 27 June 1986, it was reported that, according to the East Jerusalem weekly Al Biadar as-Siassi, senior officials from Israel, Egypt, Jordan and the United States were holding contacts aimed at returning the Gaza Strip to Egyptian administration in accordance with a plan elaborated by, Rashad A-Shawa, former mayor of Gaza. According to the report the Israeli officials expressed willingness to withdraw from Gaza and from large areas of the West Bank, in the framework of an overall political settlement. As a first step Israel reportedly proposed to A-Shawa the establishment of self-rule in the Gaza Strip. In another development, it was reported that Defence Minister Rabin had proposed to Jordan to hold elections to the Jordanian parliament in the West Bank. (Ha'aretz, 27 June 1986)

(b) Policy of returning municipalities to local leaders

(i) General policy

85. On 25 October 1985, it was reported that immediately upon his return to Israel Prime Minister Mr. Peres would undertake a series of unilateral steps to improve the quality of life of the inhabitants of the West Bank and the Gaza Strip. The first and most significant step would reportedly be the appointment of Palestinian mayors to towns such as Nablus and Hebron, where Israeli officials at present hold the post of mayor. It was reported on 27 October 1985 that according to officials dealing with that subject, it was possible to introduce changes in the administrative structure of the West Bank "within weeks", should the political echelon so instruct, with a view to increasing Jordan's influence in the region. According to the officials "the infrastructure has already been prepared over the past year, far from the spot-lights, towards any change in the structure of the civilian and municipal administration in the West Bank". (Yediot Aharonot, 25 October 1985; Ha'aretz, 27 October 1985)

86. On 14 November 1985, it was reported that the head of the West Bank civil administration, A/M (Colonel) Efraim Sneh, had declared at a press conference the previous day: "Our policy has always been to return the municipalities to local leaders. This is the first time that a serious proposal is being made by the Chamber of Commerce of Nablus and its president, Zafer el-Masri. The two submitted their offer last week. I met with Zafer el-Masri yesterday and I expect that a decision will be taken shortly". He added that similar activity was also taking place regarding Ramallah, El-Bireh and Hebron, but that no proposal, similar to el-Masri's in Nablus, had been submitted to the civil administration. On 26 November 1985, A/M Sneh convened el-Masri and the members of the Chamber of Commerce to his office and told them that the Israeli authorities had granted their request to manage the administration of the Nablus municipality. A/M Sneh later told reporters that the appointment had no political significance, but he acknowledged that the decision had been taken with the approval of the Prime Minister and the Defence Minister. (Ha'aretz, 13, 14, 17 and 27 November 1985; Jerusalem Post, 13 November 1985; Ma'ariv, 27 November 1985)

87. On 10 February 1986, the Prime Minister Mr. Shimon Peres, speaking before the Knesset Foreign Affairs and Defence Committee, said he was not proposing to the Palestinians in the territories a unilateral autonomy, since such a plan required a Jordanian-Palestinian support, but that he was in favour of an "expanded self rule". He said Arab mayors should be appointed in Ramallah, El-Bireh and Hebron; local residents should run the various civilian departments and a vast development plan should be undertaken. He added that he was not in favour of removing the IDF from the territories. On 13 February 1986, Mr. Peres, speaking on the Israeli Television Arabic programme, further elaborated his plan for "home rule" to the territories. He said Israel was ready to increase the powers given to the Arab mayors in the municipal field. Israel was also ready to let local residents be in charge of education, agriculture and trade, and it approved of creating more industrial plants in the territories, stepping up investment, both from inside and outside the territories, and developing water resources. Israel reduced the number of banned books and gave more freedom of expression to universities and newspapers, Mr. Peres said. (Ha'aretz, 11 and 14 February 1986)

88. On 25 February 1986, the Defence Minister Mr. Yitzhak Rabin met with 30 public figures from the West Bank and explained to them that the Israeli policy did not aim at imposing on them unilateral autonomy, but at transferring powers and tasks to local residents without prejudicing the overall framework of the Israeli administration. (Ha'aretz, 26 February 1986)

89. On 4 March 1986, it was reported that officials in the Prime Minister's office were elaborating a detailed plan for the application of self rule in the Gaza Strip. Under that plan it was reportedly proposed to reduce to minimum the number of Israeli officials running the civil administration of the region; to re-appoint Rashad A-Shawa as mayor of Gaza and one of his sons as his deputy and to approve the construction of a citrus-processing plant. (Ha'aretz, 4 March 1986)

90. On 5 March 1986, the Defence Minister Mr. Yitzhak Rabin, speaking on Israel radio, said that if the Arabs in the territories did not take responsibility for their municipal affairs, then the civil administration would continue running the municipalities. (Jerusalem Post, 6 March 1986)

91. On 3 August 1986, the Prime Minister Mr. Shimon Peres met at his office with 25 mayors and businessmen from the territories. The Palestinian participants were described as "moderates". The Prime Minister reportedly proposed to his visitors that Palestinian mayors be appointed in all Arab towns in the territories, that the powers of Arab municipalities be expanded and that discussions be held on development in such areas as industry, health, education and banking. But Israel did not intend to impose its proposals for the territories, Mr. Peres said. He also promised that in the future all the taxes levied in the West Bank and the Gaza Strip would be invested only in those areas. (Jerusalem Post, Ma'ariv, 4 August 1986)

(ii) Measures

92. On 13 November 1985, it was reported that the president of the Nablus Chamber of Commerce, Zafer el-Masri, had proposed to the West Bank civil administration

that the Chamber of Commerce take over the management of the Nablus municipality. (Ha'aretz, Jerusalem Post, 13 November 1985)

93. On 22 November 1985, it was reported that members of Bir Zeit's municipal council had nominated a new mayor and asked the authorities to recognize him. This reportedly came after nearly three years of refusing to co-operate with the Israeli civil administration in the West Bank. (Ha'aretz, Jerusalem Post, 22 November 1985)

94. On 1 December 1985, it was reported that contacts were under way between the civil administration in the Gaza district and the chambers of commerce of Gaza and Khan Yunis with a view to appointing local residents as mayors in Gaza and in Rafah. The two municipalities are at present run by officials appointed by the civil administration and the Ministry of the Interior. (Ma'ariv, 1 December 1985)

95. On 19 December 1985, Zafer el-Masri was appointed as mayor of Nablus, replacing a civil administration officer who headed the municipality since 1982. (Ha'aretz, 20 December 1985)

96. On 6 January 1986, it was reported that the former mayor of Hebron, Mustafa Natshe, had said in an interview that he was ready to resume the post of mayor. (Jerusalem Post, 6 January 1986)

97. On 13 February 1986, it was reported that a list of seven people, headed by Jamil A-Tarifi, had been submitted to the civil administration as candidates for the post of mayor of El-Bireh. (Ha'aretz, 13 February 1986)

98. On 19 February 1986, it was reported that the battle for the mayoralty of Ramallah had begun as two local candidates started rallying support: Nadim Zarou and Khalil Moussa Khalil. In a related development, it was reported on 25 February 1986 that in Hebron, the head of the local chamber of commerce and son of the late mayor Sheikh Mohammed Ali Jabari, Rashed al-Jabari, had submitted his candidature for mayor to the civil administration. (Jerusalem Post, 19 and 25 February 1986)

99. On 2 March 1986, the appointed mayor of Nablus, Zafer el-Masri, was shot dead by two unidentified persons as he stepped out of the town's municipality building. Prime Minister Shimon Peres said at a cabinet meeting that the assassination would not deter the Israeli Government from proposing to the inhabitants of the territories "that they manage their own affairs". The Defence Minister Mr. Yitzhak Rabin approved the appointment of Hafez Tukan, who was el-Masri's deputy, as new mayor of Nablus. (See also table of incidents following para. 453 below). (Ha'aretz, Jerusalem Post, 3 March 1986)

100. On 3 March 1986, following the assassination of the mayor of Nablus, two prominent pro-Jordanians mentioned as possible candidates for the post of mayor in Ramallah and El-Bireh, Nadim Zaro and Walid Mustafa Hamad, announced that they were withdrawing their candidacies. A group of persons who had asked to form a new municipal council in El-Bireh, including Walid and Sabir Suleiman a-Tawil, also announced that they were withdrawing their list so as not to widen the divisions of

opinion which could "drive a wedge into the national unity". (Ha'aretz, 5 March 1986; Jerusalem Post, 4-5 March 1986)

101. On 15 July 1986, it was reported that Shelomo Amar had been officially appointed as mayor of Ramallah and that he would continue to occupy his other post as staff officer for internal affairs in the civil administration. (Ha'aretz, 11 July 1986; Jerusalem Post, 13 July 1986; Yediot Aharonot, 15 July 1986)

102. On 29 July 1986, senior sources in the West Bank civil administration confirmed that a number of Palestinians in the area had recently proposed their candidature for mayoral posts in West Bank towns that were currently administered by IDF officers. The head of the civil administration, Ephraim Sneh, was reportedly examining the possibility of their appointment. (Jerusalem Post, 30 July 1986)

(c) Jewish underground

103. On 28 August 1985, the office of the State Attorney appealed to the Supreme Court to stiffen the sentences handed down earlier by the Jerusalem District Court to five members of the "Jewish underground". The five, Barak Nir, Haim Ben-David, Yitzhak Novick, Hagai Segal and Nathan Nathanson, were sentenced on 22 July 1985 to terms of up to seven years. (Ha'aretz, Jerusalem Post, 29 August 1985)

104. On 18 September 1985, the Jerusalem magistrates' court sentenced Shimon Barda, a member of the "Lifta gang", to eight years' imprisonment. The two other members of the gang, Yehuda Limai and Uzi mahsia Ha'elyon, were found mentally incompetent and were placed in an institution. (Ha'aretz, Jerusalem Post, 19 September 1985)

105. On 26 September 1985, the Supreme Court reduced the prison sentence of Gilad Peli, one of the members of the Jewish underground, from 10 years to four and a half. The court said it was responding favourably to Peli's appeal because he had expressed remorse, had co-operated with his interrogators from the beginning, had made a full confession and had not taken part in any of the armed attacks mounted by the underground. Peli had been convicted of membership in a terrorist organization, conspiracy to commit a crime, illegal transport and possession of weapons and causing damage to IDF property. The charges against him stemmed from the conspiracy to blow up the Dome of the Rock. (Ha'aretz, Jerusalem Post, 27 September 1985)

106. On 9 December 1985, it was reported that two members of the Jewish underground had been released from prison after the President of the State, Haim Herzog, reduced their sentences by five months. The two are Dan Be'eri and Yosef Zuria, who were each sentenced to three years imprisonment for their involvement in the conspiracy to blow up the mosques on the Temple Mount in Jerusalem. (Ha'aretz, Jerusalem Post, 9 December 1985)

107. On 2 February 1986, it was reported that a group of persons acting "to enhance the position of Israel in the Temple Mount area" had decided to set up an "action staff to enhance Israel's rule in the Temple Mount by legal means". (Ha'aretz, 2 February 1986)

108. On 13 February 1986, President Haim Herzog granted clemency to two members of the Jewish Underground, Boaz and Yaacov Heinemann, reportedly on the grounds that the two had expressed sincere regret for their actions and because they had personal problems. Yaacov Heinemann was to be freed in July, after having been sentenced to 40 months imprisonment for causing grievous bodily harm in the attack on the West Bank mayors, conspiracy to commit a crime in the plot to blow up the Temple Mount, participation in a terrorist organization and other charges. Boaz Heinemann, his nephew, received a three-year prison term for conspiracy in the Temple Mount plot, attempted manslaughter in the raid on the Islamic University in Hebron, attempted murder in the planting of bombs on Arab buses and membership in a terrorist organization. He was to be released in April. On 16 February 1986, it was reported that President Herzog was expected to grant clemency shortly to two other convicted members of the Jewish underground: Yeshua Ben-Shushan, who was sentenced to a four and a half year imprisonment, and Gilad Peli, who was also sentenced to a four and a half year term. (Ha'aretz, Jersuaem Post, 16 February 1986; Ma'ariv, 14 February 1986)

109. On 9 April 1986, it was reported that the President of the State, Haim Herzog, had decided to reduce the prison term of Ben-Zion Haneman, one of the convicted members of the Jewish underground, by changing six months of effective imprisonment into a suspended term. Haneman had been sentenced to 45 months imprisonment. He was the sixth member of the Jewish underground to be granted amnesty by President Herzog. (Ha'aretz, 9 April 1986)

110. On 5 June 1986 the Jerusalem district court sentenced R/S (Major) Aharon Gila to 15 months in prison and Seren (Captain) Shelomo Leviatan to 3 months for indirectly causing sapper Suliman Hirbawi to lose his sight when a bomb planted by members of the Jewish underground in the garage doorway of El-Bireh mayor Ibrahim Tawil exploded in his face. The incident occurred in June 1980. The two officers had reportedly known about the explosive device planted at the garage door and failed to warn the border guard sapper about it. (Jerusalem Post, 6 June 1986)

2. Information concerning arrests, trials and sentences

(see paras. 5-10 above and sect. IV.C, paras. 40-42 above)

(a) Palestinians

111. On 1 August 1985, it was reported that Ziyad Abu Eain, who had been convicted of killing three Israelis in a bomb attack in Tiberias five years earlier, was subsequently extradited from the United States and was released in the prisoner exchange between Israel and Ahmad Jibril's organization, was on 31 July 1985 placed under a six-month administrative detention order. According to security officials, Abu Eain had committed security offences and violated the terms of his release. On 8 August 1985, it was reported that Abu Eain had gone on hunger strike at the Hebron jail to press his demand to be put on trial. After being held without charge or trial, for three months under a renewable six-month detention order, Mr. Abu Eain, was reportedly scheduled to appear before a military court on 25 November 1985. Mr. Abu Eain was officially charged with incitement. The

Ramallah military court held the first hearing of the case of Mr. Abu Eain. Reportedly, Mr. Abu Eain was to face the charges of having given a lecture during a PLO meeting held in Beytuneya, only a few weeks after he was released in May 1985. He was also accused of planning, together with four other persons, to hijack a bus belonging to the Egged Company. On 22 July 1986 Mr. Abu Eain was sentenced at the Ramallah military court to three years imprisonment. (Ha'aretz, 1 August 1985; Jerusalem Post, 1, 2 August 1985; Yediot Aharonot, 2, 8 August and 23 July 1985; Al-Fajr, 1 November and 20 December 1985)

112. On 7 August 1985, it was reported that four leaders of student factions at the Al-Najah University in Nablus had been placed under administrative detention by the military authorities. In a statement released by the IDF spokesman on 6 August 1985 the army alleged that the university had "been under the control of the so-called students' organizations, which have virtually taken over the university as a front for the terrorist organizations". (Ha'aretz, Jerusalem Post, 7 August 1985)

113. It was reported that an Israeli military court in Ramallah remanded Dheisheh resident Tawfiq Mana'a, 17, to another 30 days in detention. Mana'a was arrested for the fourteenth time in early August and had yet to be formally charged. (Al-Fajr, 23 August 1985)

114. On 29 August 1985, three Palestinian residents were held for deportation and 15 others were put under administrative detention orders on alleged accusation of incitement. After the use of this type of punishment was revived three weeks earlier, the total number of town arrestees reached 20. (Al-Fajr, 30 August 1985)

115. On 1 September 1985, it was reported that by that date 36 residents of the territories were being held under administrative detention orders. (Jerusalem Post, 1 September 1985)

116. On 3 September 1985, it was reported that the military court in Lod had sentenced Adly Ramadan Najar, of Jabaliya, to 30 years imprisonment for a series of "terrorist acts" carried out, together with three others, between January and March 1985. (Ha'aretz, 3 September 1985)

117. On 12 September 1985, the military court in Gaza passed a life sentence on Ibrahim Jaber al-Rakab, aged 27, from the Khan Yunis area. He was convicted of participation in three murders and three murder attempts in the Gaza Strip in the second half of 1984. (Ma'ariv, 13 September 1985)

118. On 13 September 1985, it was reported that, following the administrative arrest the previous day of 7 inhabitants of Hebron, Nablus, Bethlehem and Ramallah, the number of administrative detainees in the West Bank, arrested in the previous fortnight, reached 70 - a record number (since June 1967) of administrative detainees to be held in such a short period. (Ha'aretz, 13 September 1985)

119. Two brothers from Jabalya refugee camp in the Gaza Strip were reportedly sentenced to 25 years imprisonment by an Israeli military court in Lod on security charges. Abd el-Hadi al-Najjar, 25 years old, and Abdel-Hai al-Najjar, 23, were

both convicted of planting three bombs in Israeli towns and membership in a Palestinian organization. On 27 February 1986, it was reported that a military appeals court in Lod had reduced their prison sentences to 18 years in prison. (Al-Fajr, 27 September 1985; Ha'aretz, 27 February 1986)

120. On 1 October 1985, as part of the "iron fist" policy in the West Bank and Gaza Strip, the military court in Nablus endorsed the decision of the Israeli Commander for the Central District to put 21 West Bank residents under administrative detention for six months. (Al Tali'ah, 3 October 1985)

121. An Israeli military court in Nablus reportedly sentenced Husan Wa'el Imran, 16 years of age, of Nablus, to three months in jail, 16 months suspended sentence and a fine of IS 300,000 (approximately \$200) on security charges. The court also sentenced Nuh Mohammed Asi, 17 years of age, Nablus area, to a fine of IS 100,000 (approximately \$66) on charges of painting anti-Israeli graffiti and wearing a shirt with the colours of the Palestinian flag. (Al-Fajr, 11 October 1985)

122. On 17 October 1985, the Tel Aviv district court passed prison sentences on four Gaza Strip youths convicted of plotting to attack the United States Embassy in Tel Aviv with a hand-grenade in December 1984. The leader of the group, Adil Sa'aduni, aged 21, was sentenced to 7 years imprisonment; his "deputy", Tawfik Darwish, aged 20, was sentenced to 5 years, and two 17-year-olds involved in the plot received 3 years and 30 months, respectively. (Ha'aretz, Jerusalem Post, 18 October 1985)

123. Three youths from Jabaliya refugee camp were reportedly sentenced to various prison terms by an Israeli military court in Gaza on security charges. The three aged 17 to 19, received one and a half to two years with a similar suspended sentence on charges of membership in a Palestinian organization, providing services and painting graffiti. (Al-Fajr, 18 October 1985)

124. An Israeli military court in Nalbus reportedly sentenced Ahmad Salah Hassan, aged 16, of al-Fara'a village in the Jenin district, to five years in prison and three years suspended sentence on charges of throwing a petrol bomb at the detention centre in the village. (Al-Fajr, 1 November 1985)

125. On 5 November 1985, it was reported that the military court in Gaza had passed suspended sentences on 16 Gaza Strip women on charges of disturbing the order and unauthorized gathering. (Ha'aretz, 5 November 1985)

126. Israeli military authorities detained Ramallah unionist Bashir al-Sheikh, treasurer of the General Union for Health and Medical Services in the West Bank. He was detained for six months under administrative detention order. (Al-Fajr, 8 November 1985)

127. An Israeli military court reportedly upheld administration detention orders against three residents of the West Bank. The three - Khalil Ashour, a student at Al-Najah university, Kamal Hameid, a student at Bethlehem university, and Jerusalem

unionist Hussein al-Faqha' - were jailed for six months without trial after military authorities alleged they were "security risks". (Al-Fajr, 15 November 1985)

128. On 22 November 1985, it was reported that a military court in Lod had imposed life imprisonment sentences on Amar Ganimat and Ziad Mohammed Ganimat, aged 23, from Surif. (Ha'aretz, Jerusalem Post, 22 November 1985)

129. The Israeli Magistrates Court in Beer Sheba reportedly sentenced a young bedouin woman to three months in jail on charges of burning an Israeli flag. Maha Abu Rukeik, aged 18, was charged with removing the flag from a top of the police station in Rahat and setting it on fire. (Al-Fajr, 22 November 1985)

130. Thirteen-year-old Ayman Abu Arab was reportedly to be tried in an Israeli military court on the basis of a confession he said he never made. Ayman and 24 other teenagers from the Ramallah, El-Bireh area, were arrested in mid-October 1985 and being held in Ramallah prison. The teenagers, all aged 13 to 14, were pupils at UNRWA and public schools in the area and were charged with throwing stones and Molotov cocktails at Israeli settlers and soldiers. (Al-Fajr, 29 November 1985)

131. On 2 December 1985, a military court in Ramallah convicted a 16-year-old boy of throwing stones at an IDF patrol and sentenced him to nine months in prison and nine months suspended term. (Jerusalem Post, 3 December 1985)

132. On 2 December 1985, a military court in Ramallah sentenced three local residents to life imprisonment for killing a reserve soldier, Aharon Avidar, in Ramallah in February 1985. The three are Rafa Nasser, aged 24, Mohammed Nasser, aged 30, and Rifat Ali, aged 20. They were also convicted of killing a Ramallah man whom they suspected of collaborating with the Israeli authorities, of throwing grenades at IDF vehicles and planting bombs, and of belonging to the Popular Front for the Liberation of Palestine (PFLP). (Ha'aretz, Jerusalem Post, 3 December 1985)

133. On 4 December 1985 security personnel detained Yunes Rajeb Salem Rajub from the village of Dura, in the Hebron district, on suspicion of hostile terrorist activity. He was notified that he would be expelled. (Ha'aretz, 5 December 1985)

134. Two youths from the village of Barkat, Nablus district, were sentenced by the military court to five months imprisonment and six months suspended sentence on charges of stoning a military patrol. Three other youths, aged 15, 14 and 13, were reportedly remanded in custody for allegedly throwing incendiary bottles at Israeli cars. (Al-Fajr, 12 December 1985)

135. The Israeli military police allegedly arrested a number of Druze and Arab youth from the occupied territories for refusing to serve in the Israeli army. (Al-Fajr, 13 December 1985)

136. An Israeli military court in Lod sentenced Mrs. Khawlah Musa Samini of Jerusalem to one year in prison and another year suspended term on charges of membership of a Palestinian organization. Khawlah is the mother of five children. (Al-Fajr, 13 December 1985)

137. On 27 December 1985, it was reported that the military court in Gaza had imposed a life sentence on Mohammed Odeh Abu-Samara, aged 43, from Deir el-Balah. Several days earlier, the military court in Gaza imposed a life sentence on Jaber Ibrahim Washah, leader of the military branch of the PFLP in Gaza. (Ma'ariv, 27 December 1985)
138. On 2 January 1986, the military court in Gaza sentenced Talal Abu Safieh, aged 17, from Shate refugee camp to five years in prison and five years suspended sentence. Jihad Siam, also aged 17, was sentenced to four years in prison and four years suspended. They were both charged with Molotov cocktail attacks on Israeli military vehicles. (Al-Fajr, 10 January 1986)
139. On 6 January 1986, the military court in Gaza imposed heavy sentences on four Gaza Strip residents convicted of attempting to kill Jews in the region. Said Aifna, aged 23, was sentenced to 28 years imprisonment and Yusuf Mohammed Abi Armana, aged 26, was sentenced to 22 years for stabbing an Israeli citizen, Moshe Fitusi, and injuring him in the neck and back. Nahid Kadah, aged 25, was sentenced to 25 years imprisonment for shooting and wounding an Israeli truck driver, Meir Ohana, in Khan Yunis several months earlier. A Gaza Strip resident convicted of setting fire to a bus in the Jabaliya refugee camp was sentenced to 22 years imprisonment. Five other men, convicted of a series of attacks in the Tel Aviv area in recent months and of hijacking an Israeli bus that was carrying Arabs in the Gaza Strip, were sentenced to prison terms ranging from 14 to 22 years. In another development it was reported that the Jerusalem district court on 6 January 1986 had sentenced Majdi Hassan Ismail Badah, aged 27, from Gaza, to four and a half years effective imprisonment and three years suspended sentence. (Ha'aretz, Jerusalem Post, 7 January 1986)
140. On 6 January 1986, Israeli military courts in the West Bank and Gaza passed sentences up to 15 years on a number of Arab residents who were convicted of resistance to the Israeli occupation. (Al-Fajr, 10 January 1986)
141. On 9 January 1986 the military court in Ramallah imposed a life sentence on Hani Radawi Said, aged 21, of Hebron, who was convicted of stabbing to death an Israeli reserve soldier, Avraham Sorek. (Ha'aretz, Jerusalem Post, 10 January 1986)
142. On 10 January 1986, the Israeli military court in Nablus reportedly sentenced Yasser Tayem Zboun, aged 15, and Hazem Ramadan, aged 14, both from the town of Beit Sahur near Bethlehem, to two months imprisonment and six months suspended term. They were also fined IS 350 each. The two youths had been detained in December on charges of throwing stones at Israeli cars. (Al-Fajr, 17 January 1986)
143. On 13 January 1986, it was reported that Jibril Rajub, from the village of Dura in the Hebron district, who was released in May 1985 in the prisoner exchange with Ahmad Jibril's organization, was rearrested the previous week when the security authorities uncovered a Fatah-affiliated hostile group in the Hebron area. (Ma'ariv, 13 January 1986)

144. On 13 January 1986, the Israeli military court in Ramallah convicted two Palestinian children from Al-Ama'ri refugee camp near Ramallah of throwing stones and Molotov cocktails at Israeli military patrols. Muhammad al-Baba, aged 13, was sentenced to three and a half months imprisonment and a similar period as a suspended term. He was charged with throwing stones at Israeli cars and blocking the main road with stones. Amjad Musleh, aged 13, was also sentenced to three months on charges of throwing Molotov cocktails at Israeli troops. (Al-Fajr, 17 January 1986)
145. A total of 140 Palestinian residents from various parts of the occupied territories had reportedly been placed under administrative detention orders since they were reintroduced several months ago. Of those some 30 have been released after Israeli authorities agreed to reduce the orders from six to three months. (Al-Fajr, 24 January 1986)
146. On 26 January 1986, the military court in Gaza sentenced engineer Said Mahmoud Abdallah Ibrahim, aged 30, from Beit Hanoun village, to 18 years imprisonment. The court charged him with membership in Fatah, preparing explosive charges, throwing bombs at an Israeli factory and a military car as well as planning to prepare a car-bomb to put in Israel. (Al-Fajr, 31 January 1986)
147. On 29 January 1986, the military court in Lod passed prison sentences on Bethlehem residents who had planted a bomb in a Jerusalem supermarket in the summer of 1985. The sentences ranged from 4 to 23 years imprisonment. (Ha'aretz, 30 January 1986)
148. On 4 February 1986, the Israeli Military Court in Ramallah reportedly sentenced Jamal Hamdan, 14 years of age, from al-Ama'ari refugee camp near Ramallah, to one year imprisonment on charges of hurling a Molotov cocktail at an Israeli vehicle. Advocate Jawad Boulus, who followed the case, stated that the delay in issuing a charge sheet against the boy resulted in delaying his trial and allowed the Israeli judge to give him one year. Advocate Boulus explained that according to the law, a person younger than 14 years cannot be sentenced to more than six months. The boy was brought to trial two weeks after his fourteenth birthday. (Al-Fajr, 7 February 1986)
149. It was reported that the Israeli army "has targeted Balata camp, east of Nablus, for a campaign of arrests and military harassment reminiscent of last year's Dheisheh raids", according to Balata residents. Residents had compiled a list of 338 youths, including 10 females, who had been arrested since the beginning of that campaign early in November 1985. About 90 people have been released. Most of these detainees were allegedly under 20 years of age and some were as young as 12 or 13 years old. They were being held in Al Fara'a detention centre as well as Jenin, Hebron and Nablus prisons. (Al-Fajr, 14 February 1986; Jerusalem Post, Ma'ariv, 25 February 1986)
150. On 16 February 1986, it was reported that the Jerusalem District court had sentenced four Arab youths - three minors aged 16 to 18, and Barak Abu Sneina, aged 19, all of them from East Jerusalem, to prison terms ranging from three to six years. (Yediot Aharonot, 16 February 1986)

151. It was reported that residents of Jericho had been subjected to a campaign of arrests. They included about 20 youths aged between 12 and 15, all of them held at Al Fara'a detention centre. According to Israeli "security" sources, the campaign was launched because of increased protest against the "iron fist" policy and occupation. (Al-Tali'ah, 27 February 1986)

152. On 12 March 1986, the weekly magazine "Zu-Haderekh" published a list of dozens of youths from the Balata refugee camp who were under detention. (Zu-Haderekh, 12 March 1986)

153. On 12 March 1986, it was reported that security forces had arrested over the past few days some 20 youths from the East Jerusalem neighbourhoods of Abu-Tor and Shufat on suspicion of plotting to carry out terrorist acts. (Ha'aretz, 12 March 1986)

154. On 21 March 1986, it was reported that the military court in Gaza had passed a life imprisonment sentence on Hafez Hiraz, aged 31, a Fatah member from Gaza, who was convicted of shooting and killing Menahem Dadon, aged 24, from Netivot. (Jerusalem Post, Ma'ariv, 21 March 1986)

155. On 23 March 1986 an IDF spokesman announced that the security forces had lately uncovered several terrorist cells. Dozens of suspects aged 18 to 20 were arrested in the Jerusalem and Ramallah areas. (Ha'aretz, Jerusalem Post, 24 March 1986)

156. On 30 March 1986, it was reported that two West Bank students, Hatem Abu Bakr and Khalil Mussa Ashour, head of the student association at Al-Najah University in Nablus, had been placed under administrative detention for six months on suspicion of terrorist activity. Security forces reportedly carried out "many arrests" over the past week in the Bir Zeit University. On 15 April 1986, a military court in Nablus confirmed a six-month administrative detention order against Khalil Ashour. At the same hearing, at the Central Prison for the West Bank, the court reduced the six-month administrative detention periods of three other detainees by two months. They are Jamal Idris, head of the Bir Zeit University student council, his predecessor Nayef Suweitat and Jamal Habash of Kabatiya. Bir Zeit University student Ahmed a-Dik had his six-month term reduced by one month. (Ha'aretz, Jerusalem Post, 30 March 1986; Jerusalem Post, 17 April 1986)

157. On 10 April 1986, the Ramallah military court imposed a fine of NIS 15,000 (approximately \$10,000) on a faculty member of the Bir Zeit University, Associate Professor Amin Farhan Abu Lail, aged 43, for providing services to the Fatah. The court said Abu Lail's publishing company, "Dar al-Kalam", was a liaison office for Fatah and provided work for Bir Zeit graduates who belonged to the group. Abu Lail was also given a three-month sentence but was released immediately, since he had been in jail since his arrest in January. (Jerusalem Post, 11 April 1986)

158. On 2 May 1986, it was reported that a cell affiliated to the Abu-Mussa faction in the Fatah had been uncovered. On 6 May 1986, it was reported that in the framework of the uncovering of the cell 20 men from East Jerusalem and surrounding villages had been arrested the previous week. The 20 cell members were remanded

for 15 days by the Jerusalem magistrates' court. On 7 May 1986, it was reported that police and security services investigators had arrested the previous day, five more suspected members of the cell. (Ha'aretz, Jerusalem Post, Yediot Aharonot, 2, 6 May 1986)

159. On 6 May 1986, it was reported that the military court in Nablus had passed a 20-years prison sentence on Ahmed Tawfik Abdallah Haj Mahmud, aged 21, from the village of Jaloud, near Nablus, for stabbing an IDF soldier on 14 December 1985 in Nablus. (Ha'aretz, Yediot Aharonot, 5 May 1986)

160. On 6 May 1986, it was reported that a charge sheet had been filed against Jamil al-Zimati, aged 45, from the Jabaliya refugee camp in the Gaza Strip. He was reportedly accused of stabbing an Israeli civilian, Naim Cohen, in East Jerusalem at the beginning of March 1986. (Ha'aretz, 6 May 1986)

161. On 7 May 1986, it was reported that Ramadan Muhammad Abdallah al Awad, aged 18, from Shu'fat was sentenced to 12 years imprisonment for the murder in April 1985 of the Israeli cab driver David Caspi. Three others had been sentenced to life terms in the same case two months earlier. The trial of al Awad was separated from that of the others since he was a minor at the time the murder was perpetrated. (Jerusalem Post, Yediot Aharonot, 7 May 1986)

162. On 23 May 1986, it was reported that the military court in Lod had passed a life sentence on Muhammad Ahmed Tous, aged 31, from Jaba. He was convicted of being the leader of a terrorist cell whose members had murdered two Israeli couples and another Israeli civilian. (Ha'aretz, Jerusalem Post, Ma'ariv, 23 May 1986)

163. On 29 May 1986, it was reported that the Nazareth District court had passed prison sentences on two residents of Arrabuneh, near Jenin, who were convicted of the murder of Lea Elmakais and Yosef Eliahu, both teachers from Afula, in July 1985. A 17-year-old accomplice from the same village was sentenced to seven years imprisonment in November 1985 for his part in the case. (Ha'aretz, Jerusalem Post, 29 May 1986)

164. On 1 June 1986, the military court in Gaza sentenced Marwan Abdel Rahim Shahwan, aged 19, from Khan Yunis, to a six-month suspended term and fined him NIS 300 (approximately \$200) for "making the victory sign" during a hearing at the military court in Gaza. (Al-Fajr, 6 June 1986)

165. On 1 June 1986, the military court in Nablus sentenced Ayman Kamhawi, aged 17, and Amwar Hamman, aged 15, from Nablus, to six months suspended term and fined them NIS 300 (approximately \$200) for stoning an Israeli military vehicle. Muhammad Ziad from Kalkilya was sentenced to five months imprisonment and was fined NIS 900 (approximately \$600) for unspecified political offences. (Al-Fajr, 6 June 1986)

166. On 3 June 1986, the military court in Ramallah sentenced Hatem Abdel Kadar Ajmieh, aged 22, and Khamis Dokandi, aged 17, from Ein Sultan refugee camp in Jericho, to two years imprisonment and three years suspended term on charges of throwing fire bombs at a tank carrier in Jericho. Jamal Anwar Tawil, aged 21, from

El Bireh, was sentenced to five years imprisonment and a four-year suspended term on charges of membership in Fatah, recruiting others, throwing fire bombs at Israeli vehicles and sending threat letters to alleged collaborators.

Faisal Hamdan, aged 23, from Dura al Qara' in Ramallah district, was sentenced to five years, including 27 months of suspended term, on charges of membership in the Democratic Front for the Liberation of Palestine (DFLP) and receiving military training. (Al-Fajr, 6 June 1986)

167. On 3 June 1986, the military court in Lod sentenced Maher Bashir, aged 24, from Jabal al-Mukaber in Jerusalem, to seven months in jail and a two-year suspended term on charges of membership in Fatah. (Al-Fajr, 6 June 1986)

168. On 4 June 1986, the military court in Ramallah sentenced six youths from the Ramallah district to various prison terms and suspended terms on charges of membership in Fatah and preparing a booby-trapped vehicle. The court also remanded Haytham Hamouri from Jerusalem to 25 days to complete the process of interrogation. (Al-Fajr, 13 June 1986)

169. On 4 June 1986, the military court in Nablus sentenced Samir Barakat from the Bir Zeit University to one year in jail on charges of possessing a grenade. Muhammad Farouki, aged 29, and Muhammad Awajneh, aged 30, from Jericho, were sentenced to 15 months in jail and 33 months suspended term on charges of membership in Fatah and of receiving military training. (Al-Fajr, 13 June 1986)

170. On 5 June 1986, the military court in Gaza sentenced Ali Abu Haieh, aged 35, from Khan Yunis, to life imprisonment on charges of membership in a local terror organization and of throwing two grenades and attempting to kill an alleged collaborator in Gaza. (Ma'ariv, 8 June 1986; Al-Fajr, 13 June 1986)

171. On 11 June 1986, the military court in Gaza sentenced Muhammad Hassan from Gaza to five years in jail and a three-year suspended term on charges of possessing three grenades. (Al-Fajr, 13 June 1986)

172. On 11 June 1986, it was reported that two terrorist groups responsible for 29 attacks in northern Israel and at Israeli settlements in the West Bank had been arrested over the past few days. (Ha'aretz, Jerusalem Post, Yediot Aharonot, 11 June 1986)

173. On 12 June 1986, the military court in Nablus sentenced Jihad Raja from Tulkarem refugee camp to 10 years in jail on charges of throwing firebombs at Israeli targets. (Al-Fajr, 20 June 1986)

174. On 15 June 1986, the military court in Nablus sentenced Mamhoud Ibrahim Shalah from Jalazun refugee camp to four and a half months imprisonment and a similar suspended term, and fined him NIS 650 (approximately \$410) on charges of stoning Israeli military vehicles. The military court in Gaza sentenced Sufian Abu Naseirah, from Bani Suheila in Khan Yunis, to one and a half years in jail and two and a half years suspended on charges of membership in an illegal organization. (Al-Fajr, 20 June 1986)

175. On 16 June 1986, the military court in Nablus sentenced Kamel Abu Samri, aged 14, from Tulkarem refugee camp, to 10 months in jail and 14 months suspended, and fined him NIS 1,000 (approximately \$660) on political charges. (Al-Fajr, 20 June 1986)
176. On 17 June 1986, the military court in Nablus sentenced Adel As'ad Tawfiq, aged 19, from Jenin refugee camp, to 10 years in jail and 2 years suspended term on charges of membership in Fatah, recruiting others and throwing firebombs at the military headquarters in Jenin. Mahmoud Ibrahim Qaraqqa, aged 17, was sentenced to two years in jail and a similar suspended term on charges of preparing firebombs and participating in demonstrations. Four other youths from Kalkilya, Jinsafut, Zeita and Nur Shams refugee camps were sentenced to prison terms ranging from six months to five years and to fines from NIS 500 to NIS 5,000 (approximately \$170 to \$1,700), on charges of membership in an illegal organization, possession of weapons and throwing firebombs. (Al-Fajr, 27 June 1986)
177. On 18 June 1986, it was reported that a terrorist group had been uncovered in Jerusalem, whose members had attempted, without success, to kill Israeli civilians, tourists and soldiers. (Ma'ariv, 18 June 1986)
178. On 18 June 1986, the military court in Gaza sentenced Adel Ahmad Abu Ghalieh and Muhammad Awad, from Bani Suheila in Khan Yunis, to life imprisonment on charges of killing two Khan Yunis residents and co-operating with others in killing an Israeli officer. The two were reported to be members of "Force 17", the PLO elite unit. Walid Muhammad Naim from Beit-Hanun was sentenced to nine years in jail and six years suspended term on charges of membership in Fatah and throwing a grenade. (Ha'aretz, 19 June 1986; Al-Fajr, 17 June 1986)
179. On 3 July 1986, it was reported that six Gaza Strip residents accused of planting explosive charges in Israel in 1985 had been arrested by the security forces. They were named as Ahmed Hajani, aged 26; Ibrahim Barud, aged 24; Jamal Said Shninu, aged 26; Fawzi Yunes Nasratallah, aged 23; Bassam Nasser, aged 24 and Fathi Ali Nasser, aged 23. (Maariv, 3 July 1986)
180. On 10 July 1986, it was reported that 11 cell members from the Shufat refugee camp were charged at the military court in Lod with carrying out sabotage acts and attacks against Israel and people they suspected of collaboration with the Israeli authorities. (Ma'ariv, 10 July 1986)
181. On 14 July 1986, three residents of Anabta were convicted at the military court in Nablus of the murder of a local resident in 1983 and of firing shots at a bus and a private car. Said Duaba, aged 24, and Khaled Omar, aged 23, were sentenced to life imprisonment. Tarek Mimri, aged 25, was sentenced to 25 years imprisonment. (Ma'ariv, 15 July 1986)
182. On 1 August 1986, two students were reportedly released from jail. Jibril Bakri, member of the student council of the Hebron University, was released after seven months imprisonment without trial. Khalil Ashour, former chairman of the Al-Najah student council, was released after six months administrative detention. (Al-Fajr, 8 August 1986)

183. On 3 August 1986, it was reported that three members of one family had been arrested and a charge sheet was being filed against them with the Lod military court. They were Nabila Fahed Badawi Rishek, aged 25, her sister In'am, aged 35, and their brother Daoud, aged 22. They were charged with setting fire to the car of a Silwan resident, Youssef al-Azawi. Security forces also recently arrested Muhammad Moussa Sa'id Dayed, aged 20, from Jerusalem, on suspicion of membership in Fatah. (Ma'ariv, 3 August 1986)

184. On 3 August 1986, it was reported that Abdallah Abu-Jaber and Muhammad Attouri had been arrested on suspicion of involvement in the murder attempt on the Mukhtar of Bidiya, whom they suspected of collaboration with Israel. (Ma'ariv, 3 August 1986)

185. On 4 August 1986, the Defence Minister issued six-month administrative detention orders against three West Bank residents suspected of attempting to organize subversive activity in the West Bank. They were named as Hamis Tawfik A-Kishek, aged 30, from the Al-Fara'a refugee camp; Muhammad Ali Muhammad Faraj, aged 19, from the Dheisheh refugee camp, and Ibrahim Ali Abdallah Abu Zahra, aged 37, from Yatta. According to one report a fourth man, Ali Muhammad Dakhilallah, aged 23, from Ta'amreh village near Bethlehem, was also put under administrative detention. (Ha'aretz, 6 August 1986; Al-Fajr, 8 August 1986)

186. On 5 August 1986, the trial was opened at the Lod military court of six alleged terrorists from Gaza charged with planting explosive charges in Israel and causing injuries to five civilians. In another trial held at the same court, Ramadan Salman Id Matirat, aged 20, from Dura, was sentenced to 22 years imprisonment. Another man, Omar Salm Abu-Kadhar, aged 24 was sentenced to five years imprisonment. (Ma'ariv, 6 August 1986)

187. On 7 August 1986, Munir Karak, from Jerusalem, was arrested on charges of selling the map of Palestine at Damascus Gate in Jerusalem. (Al-Fajr, 14 August 1986)

188. On 10 August 1986, the military court in Nablus sentenced Daher Abdullah Tayeh, from Beita, near Nablus, to one year imprisonment and two years suspended term. (Al-Fajr, 14 August 1986)

189. On 10 August 1986, the Gaza military court sentenced Ayman Jardali, aged 16, to one year imprisonment and three years suspended term on charges of membership in an illegal organization and offering services to its members. (Al-Fajr, 14 August 1986)

190. On 17 August 1986, six-month administrative detention orders were issued against three Gaza Strip residents: Faris Hasouneh, Emad Bakir and Suleiman Abu Amer. (Al-Fajr, 22 August 1986)

191. On 24 August 1986, it was reported that the security forces had uncovered a cell from Deir Abu Mash'al, whose members were suspected of several terrorist acts. (Ha'aretz, 24 August 1986)

192. On 26 August 1986, it was reported that the security forces had detained four boys aged 14 to 16, from the village of Hizma on suspicion of stabbing two Israeli hikers several days earlier at Wadi Kelt. The two Israelis were slightly wounded. The four youths were named as Sadek Ahmed Odeh, aged 14, Suleiman Khatib, aged 14, Ahmed Salem Kassem, aged 16 and Iyad Salameh, aged 15. The four were reportedly members of a locally organized cell and had no connection to any terror organization. (Ha'aretz, 26 August 1986)

193. On 28 August 1986, three West Bank residents were to appear before the IDF judge advocate-general on suspicion of having perpetrated the 1984 kidnapping and murder of IDF soldier Akiva Shealtiel. They were named as Abdullah Abu Ja'abar, Muhammad Attouri and Ahmad Bulham, and were from Zawayeh, in the West Bank, and Kafr Kassem, in Israel. They were also suspected of other terrorist acts including a shooting attack at an Egged bus at the Yakir junction, near Ariel, and a grenade attack in Nablus earlier in the year. (Jerusalem Post, 28 August 1986)

(b) Israelis

194. On 29 August 1985, the Supreme Court ruled that Alan Goodman, who in April 1982 had killed one Arab guard and wounded two others on the Temple Mount, would serve his jail terms concurrently, thereby reducing by up to 20 years the time he would spend in prison. Goodman was convicted in 1983 of murder and four counts of attempted murder and sentenced to life imprisonment and two 20-year jail terms, only one of them to run concurrently with the life term. Goodman appealed against his conviction and the severity of the sentence. The court rejected the appeal against the conviction but decided that all the terms would run concurrently since the crimes he committed were not isolated but the result of a continuous action. (Jerusalem Post, 30 August 1985)

195. On 2 October 1985, Yosef Harnoi, a settler from Eilon Moreh, was convicted by the Tel Aviv district court of manslaughter in the killing of eight-year-old Aisha al-Bahsh of Nablus in November 1983. He was also found guilty of causing the girl's sister grievous bodily harm. Harnoi, charged with murder, had argued that he suffered from epilepsy and that he had a fit just before the shooting. The court rejected that argument, but it did not convict him of murder, finding that he had not intended to kill the girl. On 11 October 1985, it was reported that Harnoi had been sentenced to 10 years imprisonment and a five-month suspended sentence, and Pinhas Mahrabi was sentenced to five months imprisonment. On 13 October 1985, it was reported that Harnoi had been set free on 11 October 1985 for a month-long leave to prepare his son for his Bar Mitzva (age of 13 - when Jewish boys assume religious obligations). On 21 October 1985, it was reported that the Supreme Court had cancelled the one-month leave granted to Harnoi by the Tel Aviv district court after the State had appealed against that decision. (Jerusalem Post, 3, 11, 13 and 21 October 1985; Ha'aretz, 11 and 21, October 1985)

196. On 12 January 1986, a charge sheet was presented to the Jerusalem magistrate's court against an Israeli policeman, Tibor Frank, on two counts of attacking and injuring Arab residents of the territories. Tibor Frank was reportedly charged with illegal detention and assault. (Ha'aretz, 13 January 1986)

197. On 24 March 1986, it was reported that the judge-advocate of the Central Region Command had ordered that an officer (a lieutenant) and several soldiers should be put on disciplinary trial, following allegations of ill treatment of civilians in the Hebron area. It was alleged that following the killing of an IDF soldier in the Kasbah area, in September 1985, IDF soldiers ill treated the civilian population of the area. The allegations led to an inquiry by the Investigating Military Police, which had completed the inquiry file and handed it to the judge-advocate of the Central Region Command. The latter ruled that a disciplinary trial be held against the military personnel involved in the alleged ill treatment incidents. (Ma'ariv, 24 March 1986)

The affair of the killing of the two hijackers in the Gaza Strip in April 1984 and its aftermath

198. On 14 April 1984, IDF forces seized control of a civilian bus that had been hijacked by four Arabs. Two of the hijackers were killed in the course of the operation. The other two were taken away from the bus alive. It was later reported that they had died.

On 26 April, the Defence Minister Mr. Moshe Arens appointed a commission of inquiry headed by Aluf (Major General) (reserve) Meir Zorea to investigate the affair.

On 28 May, the Commission determined that the two hijackers who had been taken away from the bus alive died as a result of fractures of the skull caused by beating. It recommended that a further investigation be carried out.

On 15 June, the Attorney-General appointed a commission of inquiry headed by State Attorney Yona Blattman. In August 1985, the Blattman commission reached the conclusion that no instruction had been given to kill the two hijackers. The commission determined that five General Security Service (GSS) men, three border guards and two soldiers had resorted to violence against the two hijackers and that T/A (Brigadier General) Yitzhak Mordekhai, Chief Infantry and Paratroop Officer, had beaten the two hijackers with his pistol butt after they had been captured. The Judge Advocate General decided to put T/A Mordekhai on trial.

On 18 August 1985, Aluf (Major General) (reserve) Haim Nadel acquitted T/A Mordekhai and determined that when he had handed the two hijackers to the GSS they were still alive. Three GSS agents who also stood trial on charges stemming from the same incident were also acquitted.

In December 1985, three senior GSS officials, Reuven Hazak, Rafi Malka and Peleg Raddai, protested to the head of the GSS against what they claimed was "perversion of the inquiry". They approached the Prime Minister Mr. Peres but he dismissed their allegations as an attempt to get rid of the head of the GSS and have him replaced by Hazak. After the three approached the Prime Minister they were discharged from the service and then decided to appeal to the Attorney General Yitzhak Zamir.

On 18 May 1986, it was reported that senior ministers had instructed Mr. Zamir to stop the investigation against a senior official.

On 25 May, the United States television network ABC uncovered the identity of the senior official: the head of the GSS Avraham Shalom. According to the report he was suspected of lying to the commission of inquiry and inducing other witnesses to perjury.

On 28 May, the Attorney General demanded that Avraham Shalom be suspended as head of the GSS during the course of the investigation.

On 1 June, it was reported that Mr. Zamir, who had announced his intention to resign four months earlier, had been replaced as Attorney General by Tel Aviv district court judge Yosef Harish. The new Attorney General announced he would have to study the case before taking any decision.

On 25 June, it was announced that Avraham Shalom and three GSS officials involved in the case had asked for and were granted pardon by the president of the State Haim Herzog. Avraham Shalom resigned as head of the GSS.

(Yediot Aharonot, 26 June 1986)

3. Treatment of civilians, including fundamental freedoms

(see paras. 11-53 above and sect. IV.C,
paras. 43-76 above)

(a) General developments

(i) Harassment of civilians

199. On 29 July 1985, two Arab youths from the town of Toubas, near Jenin, were found dead and charred remnants of their bodies scattered near the settlement of Elon Moreh in the Nablus region. (Al-Fajr, 2 August 1985)

200. It was reported that the army reserve units on duty in Ramallah had harassed Palestinian children and destroyed their kites claiming that the kites exhibited the four colours of the Palestinian flag. The soldiers also stopped several passers-by in the downtown area and forced them to wipe off political graffiti. (Al-Fajr, 30 August 1985)

201. On 26 August 1985, Israeli soldiers reportedly shot and wounded a Qalqilya resident after he walked away from soldiers who were harassing him. (Al-Fajr, 30 August 1985)

202. In a press conference held on 1 September 1985 at Soroka Hospital in Beer Sheba, Dr. Yair Shapira, the hospital director, said that local Jewish youths from Dalet neighbourhood attacked a group of Arab male nurses and a doctor near their dormitories in the hospital vicinity the night of 30 August 1985. Some of the employees were injured. (Al-Fajr, 6 September 1985)

203. The West Bank Military Commander reportedly ordered the closure of six shops in Jenin for three days after a stone throwing incident against a government office. Part of the road was also closed until the evening. In the same context 45 shops were allegedly sealed off with wax in the old "Iskafia Market" in Hebron after the incident concerning the house occupied at al-Qasaba district by Israeli settlers. The 45 shops reportedly provide income for 450 people. (Al-Tali'ah, 19 September 1985; Al-Fajr, 20 September 1985)

204. On 19 September 1985, it was reported that Gaza Strip residents had been complaining over the past few days against what they alleged was "harsh and unbearable" conduct by IDF soldiers in Gaza. Allegations regarding harassment of civilians by regular IDF soldiers included various forms of humiliation forced by the soldiers on the civilians under the pretext of checking ID cards. Ramallah residents also alleged that regular IDF soldiers were harassing and ill treating the local population: persons were being forced to stand against a wall with their arms raised above their head for a long time, during security checks. West Bank residents also alleged that investigators' attitude following arrest had become much harsher and they often resorted to intimidation, and sometimes to violence. Security forces were reported to have reacted to these allegations, which had been registered over the preceding fortnight. (Ha'aretz, 19 September 1985)

205. On 20 September 1985, it was reported that the Investigating Military Police had set up a special investigating team, as of 19 September 1985, to look into dozens of complaints by residents of Hebron alleging ill-treatment and harassment by soldiers over the past few days. Dozens of complaints about violent and harsh treatment by soldiers, towards women, elderly people and youths - mostly alleging beating - reached the police and the civil administration. (Ha'aretz, 20 September 1985)

206. On 22 September 1985, it was reported that seven soldiers had been dismissed from an IDF company commanders course after it appeared they had ill-treated Gaza residents. In a related development it was reported that Advocate Felicia Langer had filed a complaint with the head of the West Bank civil administration about the "shameful conduct by IDF soldiers against local residents". On 26 September 1985, dozens of Gaza Strip lawyers held a strike to protest over the alleged ill-treatment of the civilian population by IDF soldiers. The strike was general and trials were postponed. (Ha'aretz, 22 and 27 September 1985)

207. On 16 October 1985, it was reported that an Al-Fajr editor, Hassan Abdel Halim Fakia, from Bidu, had been missing for almost two weeks. He was reportedly last seen on 2 October 1985 when he left his office to go to Hebron where he was collecting material on fraudulent land sales. His colleagues said on 15 October 1985 they thought his disappearance might be connected to that story. A Jerusalem police spokesman said an enquiry had been opened into the disappearance. (Jerusalem Post, Ma'ariv, 16 October 1985; Jerusalem Post, 22 October 1985)

208. On 23 October 1985, it was reported that tension prevailed in Ramallah and El Bireh following the explosion of a bomb near a house in the area of Mount Tawil (El Bireh - on the road to the settlement), which killed a 15-year old boy (see table of incidents following para. 453 below) and seriously mutilated another. The

dead boy was ordered to be buried the same night of the incident and only 10 elderly of his relatives were authorized to attend the funeral. (Al-Tali'ah, 24 October; Al-Fajr, 25 October 1985)

209. A Palestinian youth was allegedly assaulted by Israeli soldiers in Gaza because he wore a T-shirt with the following sentence written on it: "I love Palestine". The soldiers tore the T-shirt and drove the youth to the police station. (Al Tali'ah, 7 November 1985)

210. Israeli forces uprooted some 500 olive trees in the village of Ubaidiya in the Bethlehem area alleging that the trees were planted on "military land". An Israeli military advisory board had allowed the landowners to cultivate their land a short while earlier. (Al-Fajr, 13 December 1985)

211. On 30 January 1986, the Jerusalem Post published a report about the situation of Arab shopowners whose businesses were located below the newly-built sections of Hadassa house - the centre of Jewish settler activity in the heart of Hebron. According to Mustafa Natche, the town's deposed mayor, who accompanied a group of members of the Knesset from the Citizens Rights Movement to the place, a large number of people depended on the shops for their livelihood. The authorities had decided they could not legally evict the owners, who had lived there for almost 50 years, so they were allegedly trying to overcome the legal obstacle by putting pressure on the shopowners. On 5 February 1986, three Hebron residents owning shops in the basement of the Hadassa building in Hebron appealed to the High Court of Justice to order the IDF to remove a fence erected recently in front of their shops, withdraw the troops stationed there and cease pressing them to sell their shops. On 13 March 1986, the High Court of Justice considered the petition submitted by the shopowners. In its response to the petition, the State Attorney's Office said that the shops were a "real danger" to the lives and security of the Jewish tenants on the upper three floors. Arguing that the military commander of the West Bank was acting within his authority in ordering the adoption of the security measures, the deposition asked the court to reject the shopowners' petition. On 20 April 1986, it was reported that the IDF judge advocate general had ordered the suspension of a military police investigation into alleged criminal offences and abuses by soldiers and their commanders against the local population in Hebron and in particular shopowners at the Hadassa building. The judge advocate general said he had found no evidence of improper behaviour by the soldiers, and said they had acted according to instructions. On 29 May 1986, some 40 members of an "Arab-Jewish group for non-violence, fraternity and peace" went shopping in the three fenced-off shops situated at the ground floor of the Hadassa building in Hebron. The operation was held in sympathy with the shopkeepers. Security forces did not interfere with the solidarity visit, but told the group members to refrain from distribution of leaflets or any other form of demonstration. Heavy reinforcements of troops and police patrolled around the area for fear that the operation may lead to disorders. On 18 June 1986, during a tour of the Hadassa house area by three High Court justices, Central Region Commander Aluf (Brigadier General) Ehud Barak said that the army intended to replace the high barbed-wire fence blocking passage to three Arab shops in the building with a lower barrier that would leave a wider path. The High Court justices dealing with the complaint visited the area to inspect the situation. One judge suggested at the tour that

policemen replace the soldiers to improve the atmosphere, but Aluf Barak explained this was not possible since the site had become a symbol in Hebron and was therefore a target for terrorists. Explosives could be smuggled into the shops to blow up the entire building, he said. The justices also examined the complaint of 14 shopowners whose shops were demolished in 1980 following a terrorist attack in which six settlers were killed. The building from which the attackers fired was razed and the owners have been denied permission to rebuild it. Aluf Barak told the judges that rebuilding the shops would pose a security risk for the settlers because it could again become a base for an attack. (Jerusalem Post, 30 January, 6 February and 19 June 1986; Ha'aretz, Jerusalem Post, 13 March, 20 April and 30 May 1986)

212. On 22 January 1986, the weekly magazine of the Israeli communist party "Zu Haderekh" had published a report on a case of a refusal by the authorities to approve a family reunion in the territories. On 30 January 1986, the High Court of Justice had issued an order nisi against the military commander of the Gaza Strip, ordering him to show cause within 45 days why he should not authorize a woman from Amman to join her husband, Hijazi Saad, from Gaza, and settle in the region. On 14 February 1986, it was reported that the deputy commander of the Gaza Strip, Rav-Seren (Major) Yosef Avraham, said in an affidavit to the High Court of Justice that, in 1985, 2,937 requests for family reunion had been filed in the West Bank, and that only 10 had been granted. In the Gaza Strip, 171 requests had been filed and only 45 were granted. The affidavit was submitted in response to an application by two Gaza Strip residents whose requests to be authorized to bring their wives to the region were rejected. "Israel has no interest to allow any resident of the territories who wishes to marry abroad, to bring his wife here. The decision on who may enter and settle in Judea, Samaria and Gaza, is a matter for decision by the authorities, and the residents cannot impose their private opinion on the authorities"; the military authorities nevertheless allowed the departure of local residents to be united with their families abroad, the affidavit stated. On 10 June 1986, it was reported that the civil administration in the West Bank had granted 109 requests for family reunion by West Bank residents whose family members in Jordan would now be able to join them. The requests were granted on the occasion of the Id el-Fitr holiday. In another development it was reported that the High Court of Justice had upheld, on 10 June 1986, a decision by the military authorities to refuse a family reunion request for three couples consisting of resident husbands and wives living abroad. The names of the three wives were reported as Raja Arabeya, Najah Sawafiri and Suad Shahin. (Zu Haderekh, 22 January 1986; Ha'aretz, 31 January and 14 February 1986; Ma'ariv, 10 June 1986; Al-Fajr, 13 June 1986)

213. On 15 February 1986, it was reported that Israeli troops shot and killed a Gaza resident as he walked in the street. According to the report, he was the second person to be shot by Israeli soldiers in a week. Sha'ban Saleh Al-Aqlaq, aged 30, a father of six children, was shot shortly after being stopped by an army patrol in Gaza. Israeli military sources claimed that the man was shot after he refused to obey army orders to stop for an ID check. (Al-Fajr, 21 February 1986)

214. On 18 March 1986, it was reported that the Jerusalem District court had ordered the Defence Ministry to pay NIS 110,000 (approximately \$73,000)

compensation to the family of a West Bank resident who was killed by an IDF soldier during manoeuvres. (Jerusalem Post, 18 March 1986)

215. On 28 May 1986, military sources reported that the chief of staff, Rav-Aluf Moshe Levy, had given an instruction to improve the life conditions of inhabitants of the Balata refugee camp, near Nablus. The civil administration in the West Bank was instructed to widen roads in the camp and to set up public facilities, kindergartens and parks. Similar measures had been taken in the Dheisheh refugee camp, near Bethlehem, and reportedly resulted in a decline in the level of hostile activity. The same sources reported that from the beginning of April until 25 May 1986 only 28 hostile terrorist acts were reported in the West Bank, a figure considered as very low in comparison with previous years. (Ha'aretz, 29 May 1986)

216. On 10 June 1986, it was reported that Siham Barguti, the wife of Abu Hilal, a West Bank resident who was expelled to Jordan at the beginning of 1986, was told she could go to Jordan to visit her husband provided that she stayed away for three years at least. Her lawyer, Advocate Abd Assali, asked the legal adviser of the West Bank military government for an explanation but received none. Siham Barguti served a prison sentence in the years 1982 to 1984 after being convicted of membership and activity in a terror organization. Her husband Abu Hilal was a prominent trade-union activist who was accused of subversive activity and deported to Jordan. (Ha'aretz, 16 June 1986)

217. On 19 June 1986, 1,000 olive trees were uprooted by State Lands Administration agents in the West Bank village of Midya, close to the Green line. The operation gave rise to violent demonstration and clashes between villagers and security personnel. A policeman and a State Land Administration warden were injured by stones. A 21-year-old village woman was detained. The village was placed under curfew and the road leading to it was closed off. Midya is one of several West Bank villages adjacent to former no-man's-lands that in 1967 were declared state land. According to the State Land Administration, the uprooted trees had been planted on the Israeli side of the Green line and the purpose of the operation was to prevent the takeover of stateland by unauthorized tree planting. A similar operation had been carried out earlier in the year in the village of Katana, and other West Bank villages near the Green line were reportedly targeted for similar operations. The Midya villagers claimed that the trees had been planted on West Bank land. "We planted on our side, the Jewish National Fund planted on the other side. Now they have taken this as well. Why did they wait so long if it was theirs?" Other villagers said the destruction of the olive groves had destroyed their major source of livelihood and that some might now have to leave the village. On 24 June 1986, the High Court of Justice issued an interim injunction prohibiting the Minister of Agriculture, the State Land Administration and the Defence Minister from demolishing houses or uprooting trees in Midya. The injunction was given at the request of eight villagers who applied to the High Court, and it would remain in force pending a final decision on the application. On 26 June 1986, members of the Civil Rights Association and left-wing activists went to Midya to express sympathy with the villagers. The latter showed their visitors uprooted trees that were much older than four or five years, as claimed by

the Land Administration. They also showed maps and documents proving that the lands where trees had been uprooted were not state-owned but belonged to them. (Ha'aretz, 20-25 June 1986; Jerusalem Post, 20 June 1986)

218. On 29 June 1986, it was reported that troops in Hebron had, since 6 June 1986, following the stabbing of an Israeli citizen in the Casbah area, confiscated and destroyed some 60 identity cards of Hebron residents during security checks carried out at the entrances to the Casbah and near the Hadassa building. The holders of the destroyed ID cards had to go to the Interior Ministry offices to apply for new cards, losing several working days and having to pay NIS 20 (approximately \$15). An IDF spokesman explained that the IDF policy during routine controls was to confiscate ID cards that were "in a poor shape and where details such as a photograph or a name could be changed. These cards were confiscated by the troops, marked with an X, and their owners were given an application letter for a new card. IDF troops did not destroy cards in a good shape". But according to Arab residents their cards were in a perfect shape and had nevertheless been destroyed by troops. Following an investigation by Yediot Aharonot the affair reached the high echelons of the military authorities in the region and the practice of destruction of ID cards has reportedly been stopped. (Yediot Aharonot, 29 June 1986)

219. On 1 August 1986, members of the Gaza Strip Medical Assistance Committee held a press conference in Jerusalem in which they reported about alleged harassment and detentions without reason by the security forces in the Gaza Strip. The press conference was sponsored by the Alternative Information Center of Jerusalem. At the press conference, participants alleged that on 18 July 1986, the Israeli military governor of Jabaliya refugee camp, accompanied by a number of soldiers, raided the house where Committee members were treating residents. The military ordered the six doctors who were there to stop working and summoned them for interrogation. The doctors were told by the military governor that their work was illegal and that medical assistance should not be given voluntarily without a special permit. (Ha'aretz, 1 August 1986; Al-Fajr, 8 August 1986)

220. On 5 August 1986, female ex-prisoner, Nimeh al-Helu, from the Jabaliya refugee camp in Gaza, held a press conference in East Jerusalem in which she alleged to be the victim of Israeli harassment. She said her house in Jabaliya was the target of several surprise raids. On one occasion 100 armed soldiers came to search the house and confiscated magazines and other written material. She also received continuous summonses from the Israeli military governor in Gaza. On 3 August 1986, al-Helu was brought before a military court in Gaza and charged with possessing "inciting materials". The court session was postponed until the prosecutor could prepare the case against her. (Al-Fajr, 8 August 1986)

(ii) Collective punishment, including demolition of houses

221. On 1 August 1985, it was reported that following the murder in Nablus of an Israeli civilian, Albert Bukhris, on 30 July 1985, three stores had been shut by order of the military governor of the area where the attack took place. An adjacent alley through which the attacker apparently made his escape was also sealed with concrete blocks. (Jerusalem Post, 1 August 1985)

222. On 13 August 1985, Israeli authorities demolished an Arab house in Isawiyya, east of Jerusalem, alleging that it was illegally built. Reportedly that was the fourth house demolished in the area on the same grounds. (Al-Tali'ah, 15 August; Al-Fajr, 16 August 1985)

223. On 22 August 1985, the Israeli army demolished two houses and sealed a third in the town of Anabta in the Tulkarem district. According to an army spokesman, the three houses belonged to members of an armed Palestinian cell who were recently detained for anti-Israeli attacks. (Al-Tali'ah, Al-Fajr; 30 August 1985)

224. Following the killing of an Israeli citizen in Tulkarem and the wounding of another one in Jenin, both towns were placed under curfew, roadblocks were set up on major roads in the area and residents of the region, including Nablus, were barred from crossing the Jordan bridges. (Jerusalem Post, 25 August 1985)

225. On 30 August 1985, it was reported that expulsion orders had been issued against three men described as "terrorist leaders": Amin Ramzi Makbul from Nablus area, Walid Ahmad Nazal from Kabatiya in the Jenin area and Bahjat Mustafa Jayussi from Tulkarem. (Ma'ariv, 30 August 1985)

226. On 11 September 1985, the curfew imposed nine days earlier on the Casbah area of Hebron was lifted. Before the lifting of the curfew security forces sealed two of the entrances to the Casbah, one in the direction of the Patriarchs' Cave and the other, to the Romano house. (Yediot Aharonot, 12 September 1985)

227. On 8 October 1985, security forces demolished the homes of five members of a gang allegedly responsible for the murder of five Israelis and the wounding of 18 others over the previous 17 months. Three of the houses that were demolished were in the village of Surif, north of Hebron. The village was placed under curfew during the bulldozing operation. All the houses were reportedly empty and the demolitions were carried out without any incident. (Ha'aretz, Jerusalem Post, 9 October 1985)

228. It was reported that Israeli troops had sealed off the main entrance to Balata refugee camp near Nablus after residents staged a demonstration to protest Israel's air raid on the PLO headquarters in Tunis. Three residents of the camp were said to be among those killed in the attack. (Al-Fajr, 11 October 1985)

229. Israeli bulldozers reportedly razed 16 Arab residences in Bayarit Anan, west of Gaza, claiming that they were built without a licence. The owners, however, affirmed that they had obtained a licence to build their houses from Jabaliya local council. (Al-Fajr, 25 October 1985)

230. On 28 October 1985, it was reported that in the framework of the new measures carried out in the West Bank in recent months, large forces of IDF, border-guards and police on 25 October 1985 during the night surrounded the village of Yatta, in southern Mount Hebron. They imposed a curfew and carried out house-to-house searches during 60 hours from Friday, 25 October 1985, at 2 a.m. until Sunday, 27 October 1985, at 2 p.m. In the course of the operation two houses were demolished by the IDF. (Ha'aretz, Jerusalem Post, 28 October 1985)

231. On 5 November 1985, the security forces sealed off the houses of two suspected terrorists in Shu'fat, north of Jerusalem. (Ha'aretz, Jerusalem Post, 6 November 1985)

232. On 6 November 1985, the security forces sealed off two houses belonging to a member of a terrorist group, located in A-Ram, near Qalqiliya, and in Hebron. Two other houses belonging to two members of the same group had already been sealed off previously. (Ha'aretz, 7 November 1985)

233. On 17 November 1985, the security forces destroyed the home of an alleged member of the terrorist cell that had operated in the southern West Bank for several months before being uncovered on 4 October 1985. On 19 November 1985, the security forces had sealed three houses in the village of Si'ir, several hours after the demolition of the house in Jaba. The reason given for the sealing of the houses was that their occupants had fired at civilian and military vehicles. (Ha'aretz, Jerusalem Post, 18 November 1985; Jerusalem Post, 19 November 1985)

234. On 23 November 1985, security forces conducted house-to-house searches in Balata refugee camp near Nablus and came up with an IDF gun and a number of hand grenades. During the operation the camp was placed under a total curfew and telephone links were cut off. (Ha'aretz, Jerusalem Post, Ma'ariv, 24 November 1985)

235. On 26 November 1985, security forces sealed two homes and parts of two other houses in the Askar refugee camp outside Nablus. The houses belonged to local residents accused of firebombing a police station. (Ha'aretz, Jerusalem Post, Ma'ariv, 28 November 1985)

236. On 20 December 1985, the occupation authorities reportedly sealed off two rooms in the houses of two youths in Jenin. The youths were allegedly involved in throwing an incendiary bottle at the military command headquarters in the town few months earlier. (Al Tali'ah, 27 December 1985)

237. On 27 December 1985, at dawn, security forces sealed six houses in the Bethlehem area belonging to members of a local cell believed to be responsible for the murder of two local residents suspected of collaboration with the Israeli authorities. In a related development, it was reported that East Jerusalem circles were complaining of the "iron fist" policy allegedly adopted by the authorities since the Defence Minister Mr. Yitzhak Rabin took office. According to these circles, in addition to the sealing of six houses, the security authorities carried out over the past week a thorough search at Azhar University in Gaza where inciting material was allegedly found, but no weapons or sabotage materials. It was also reported that a former chairman of the Bir Zeit University student council, Naif a-Sweitat from Jenin, was detained under an administrative order. According to the same sources 15 inhabitants of the territories were detained in recent weeks under an administrative order. They included Dr. Munzer a-Sharif, a Ramallah physician considered as one of the Fatah central figures in the region, and Adnan Mansur, who was released from jail in the prisoners exchange with Ahmad Jibril's organization. Another security prisoner, Khaled Tantash, who was released in the same exchange, was allegedly expelled to Jordan. Over 90 suspects

were reportedly held at present in administrative detention, the highest figure in over 10 years. (Ha'aretz, Ma'ariv, 29 December 1985)

238. The Israeli military authorities reportedly ordered shut for two months the al-Birah youth institution, a local youth club. The order, which was signed by the Israeli army commander of the central region, was justified by "security reasons". (Al-Fajr, 31 January 1986)

239. On 18 February 1986, it was reported that the Police Minister, Mr. Haim Bar-Lev, had asked the Attorney-General, Mr. Yitzhak Zamir, to seek legal means to demolish the homes of suspects being held for the murder of Avraham Bayazi, the chief intelligence officer in the police station of Jerusalem's old city. (Jerusalem Post, 18 February 1986)

240. On 6 March 1986, the security authorities sealed a house and three rooms belonging to four residents in the Tulkarem area who had allegedly thrown petrol bombs at Israeli vehicles, in November 1984. (Ha'aretz, Jerusalem Post, 7 March 1986)

241. On 16 March 1986, the security forces demolished the apartment of Abbas Ahmed Suleiman, aged 29, from the village of Beit Ur A-Tahta, suspected of stabbing the Israeli cab driver Avraham Levi. (Ha'aretz, 17 March 1986)

242. On 15 April 1986, the security forces demolished the homes of three residents of Burka, near Nablus, who had confessed to the killing of a tourist guide near Sebastia in October 1985. The High Court of Justice had earlier rejected a petition filed by Advocate Felicia Langer, arguing that the demolition order was contrary to the international law and constituted collective punishment. (Ha'aretz, 16 April 1986)

243. On 7 May 1986, the High Court of Justice issued an interim injunction forbidding the security authorities from demolishing the home of a detainee. The injunction was issued at the request of a detainee's father, Salem Abdallah Arabni, a worker from Beit-Hanina, Jerusalem. In his application Arabni claimed that 15 persons were living in his house and that the demolition of the house or its sealing or confiscation would cause an irreparable damage and would seriously prejudice the 15 persons living in the house. He said his son was innocent as long as he was not convicted and that the family members were innocent and should not be subjected to a collective punishment. In another development, it was reported on 8 May 1986 that the Central Region Commander, Major General Ehud Barak, said in an affidavit to the High Court of Justice that the army intended to demolish two houses where the families of the suspected murderers of the soldier David Manos lived unless the High Court opposed that measure. Major General Barak was replying to an application filed by the suspects' relatives. On 29 May 1986, the security forces reportedly dynamited the two houses following the rejection of the application by the High Court of Justice. On 2 June 1986, the High Court of Justice issued an interim injunction prohibiting the Defence Minister from ordering the demolition of three houses in the Ram suburb of Jerusalem. The houses belonged to three families whose sons had been accused of placing a road-side bomb near a military camp north of Jerusalem. The device went off 15 metres in front of a car

driven by two officers. The three families had applied to the High Court requesting that the security authorities be prevented from destroying or sealing their houses. According to the petitioners the security authorities had recently embarked on a policy of demolishing suspects' houses even in cases where no damage was caused by their alleged offences. (Ha'aretz, 8, 30 May 1986; Jerusalem Post, 8 May 1986; Ma'ariv, 30 May 1986; Ha'aretz, 3 June 1986)

244. On 17 June 1986, two houses were demolished in Gaza on the pretext they were located too close to a military camp. (Al-Fajr, 20 June 1986)

245. On 9 July 1986, the families of the two hijackers killed in April 1984 after being overpowered and detained by security personnel (in the No. 300 bus hijack affair) appealed to the governor of Gaza to be authorized to rebuild their houses, which were demolished immediately after the hijacking. The families' lawyer, Advocate Felicia Langer, said in the appeal that after it was ascertained that the two hijackers were murdered after being detained, their families considered the demolition of their houses as a continuation of their harassment, for no guilt. The families later reportedly registered a complaint with the police and asked for an investigation into the role of the political echelon in the killing of their sons. (Ha'aretz, 10 July 1986; Jerusalem Post, 13 July 1986)

246. On 14 and 15 July 1986, the military government in Hebron placed iron gates at the entrances to the town's Casbah area. Iron gates were also placed at a site in the Casbah near which two reserve soldiers had been stabbed one year earlier. At the time an entrance was sealed off with a wall; the iron gates have now replaced that wall. (Ha'aretz, 15 and 16 July 1986)

247. On 8 August 1986, Supreme Court Justice Gabriel Bach issued an interim injunction prohibiting the demolition or sealing of houses belonging to five residents of the Kalandiya refugee camp who had been arrested on suspicion of throwing hand grenades on a bus and other offences, including membership in Fatah. Three families from Jericho also obtained an interim injunction against the demolition or sealing of their houses. Their sons were arrested at the beginning of August 1986 on suspicion of membership in Fatah, throwing hand grenades and possession of arms. (Ha'aretz, 10 August 1986; Al-Fajr, 14 August 1986)

248. On 13 August 1986, the IDF took down the last of three barriers it had erected years earlier to seal off main roads into the Dheisheh refugee camp following attacks on vehicles on the adjacent Jerusalem-Bethlehem road. The measure was taken following the recent period of calm at the camp. A military source noted that several infrastructure improvements had been made at the camp recently and that the number of family-reunion permits involving local residents had increased. (Ha'aretz, Jerusalem Post, 14 August 1986)

249. During the last week of August 1986, there were almost daily reports of sealing of rooms belonging to persons arrested on suspicion of involvement in terrorist acts. The following cases were reported:

(a) On 21 August, security forces sealed rooms in houses in Hussan, near Bethlehem, belonging to Redwan and Yasser Hamamreh and Ednan Shawsheh (Ha'aretz, 22 August 1986);

(b) On 23 August, security forces demolished the house of a member of a suspected terrorist group in the village of Deir Abu-Mash'al in southwestern Samaria (Ha'aretz, 24 August 1986);

(c) On 24 August, security forces sealed two rooms in the Hebron area that belonged to Abd el-Any Sultan and to Wahil Mussa Sa'adeh (Ha'aretz, 25 August 1986);

(d) On 25 August, security forces sealed three rooms in the territories, including one belonging to Fawaz Bahtan, from the village of A-Ram, on the Jerusalem-Ramallah road (Ha'aretz, 26 August 1986);

(e) On 26 August, security forces sealed two rooms in Hizma, near Anatot. They belonged to Suleiman Saïd Iyad al-Khatib and to Ahmad Salem Suleiman al-Khatib. The two suspects were aged, respectively, 14 and 16. Also on 26 August 1986, the High Court of Justice issued an interim injunction against the demolition of the home of Muhammad Abu-Harizat, from Deir Abu-Mash'al (Ha'aretz, Jerusalem Post, 27 August 1986);

(f) On 27 August, security forces sealed a room in East Jerusalem belonging to Ala a-Din Bazayan, the blind ringleader of a group charged with the murders in April 1986 of a British tourist and an Israeli businesswoman (Ha'aretz, Jerusalem Post, 28 August 1986);

(g) On 28 August, security forces sealed two rooms in Shu'fat, in northern Jerusalem, in the house of Nabil Awad Dib'i, aged 16 (Ha'aretz, Jerusalem Post, 29 August 1986);

(iii) Expulsion and deportation

250. On 6 August 1985, it was reported that nine Palestinians, released in the prisoner exchange and who remained in the West Bank, would be expelled from the area later in the month. The nine belonged to a group of 31 released prisoners who had no ID cards of the West Bank or the Gaza Strip. On 9 August, it was reported that 22 released prisoners were found to be non-residents and were thus being forced to leave. (Ha'aretz, 6 August 1985; Jerusalem Post, 11 August 1985)

251. On 9 August 1985, it was reported that Khalil Abu Zayad, who was detained the previous day on the basis of an expulsion order against him issued by the Central Region Commander, would appeal the order before a military review board. The decision to revive expulsion of residents of the territories, which had been abandoned five years earlier, was reportedly taken at the highest levels in the Government and the defence establishment. Abu Zayad was placed under a six-month town-arrest order and, as a result, "the security forces have decided that the measures taken against him to date do not prevent his activities and he should be deported". On 12 August, it was reported that the military review board, which considered Khalil Abu Zayad's appeal against his expulsion on 11 August 1985,

recommended that the Central Region Commander reconsider his decision to order his expulsion. After a day of hearings in the Ramallah military court, the tribunal found that "in spite of the legal and justified reason for issuing the expulsion order, and although the evidence we have heard links the petitioner to the Fatah organization, there is nothing to link him directly with terrorist attacks". On 15 August, it was reported that the Central Region Commander and the IDF Commander in the West Bank had reached the conclusion that they could not reconsider their decision to deport Abu Zayad, despite the recommendation by the military review board. On 27 August, it was reported that an agreement had been reached between Abu Zayad and the military authorities. Under the agreement the expulsion order against him would be cancelled, and he would leave the country voluntarily for a period of three years, during which he undertook not to take part in any activity against the security of the State. After three years he would submit a request to return; the military authorities would consider the request and would try to respond favourably if Abu Zayad had met the terms of the agreement. With the cancellation of the expulsion order, Abu Zayad's appeal to the High Court of Justice has also been withdrawn. (Ha'aretz, Jerusalem Post, Ma'ariv; 9 August 1985; Jerusalem Post, 12 August 1985; Ha'aretz, 14 August 1985; Ha'aretz, Jerusalem Post, Yediot Aharonot; 27 August 1985)

252. On 10 September 1985, Central Region Commander, Aluf (Brigadier) Amnon Shahak, appeared before the High Court of Justice to reply to petitions submitted by three West Bank residents against their expulsion orders, issued three weeks earlier. On 2 October, the three West Bank residents were deported to Jordan after the High Court of Justice had upheld the expulsion orders. It was revealed that they were Amin Ramazi Dawish-Makboul of Nablus, Walid Ahmad Mahmoud Nazal, of the Jenin area, and Bahajat Mustafa Hassan al-Biyada Jayousi from the Tulkarem district. (Jerusalem Post, 11 September, 3 October 1985)

253. On 12 September 1985, the High Court of Justice upheld military deportation orders against 11 of the 1,150 detainees released in May in exchange for three Israeli soldiers held by Ahmad Jibril's group. The court ruled that the 11 men had infiltrated into the area following the June 1967 war. On 15 September, in the early morning hours, the 11 men together with seven other released prisoners were deported to Jordan at a remote border-crossing. (Ha'aretz, Jerusalem Post, 13 September, 18 September 1985)

254. On 2 October 1985, it was reported that the High Court of Justice had rejected the petition of three West Bank residents against whom an expulsion order was issued to transfer their petition against the expulsion order to a five-justice panel. The three were identified as Walid Nazal from Kabatiya (Jenin area), Amin Makbul from Nablus and Bahjat Jayussi from the village of Jayus in Tulkarem area. (Ha'aretz, Ma'ariv, 2 October 1985)

255. On 3 November 1985, the High Court of Justice ordered the military advisory board in the West Bank to stay its discussion of an appeal by three West Bank residents against expulsion orders. The three were Ali Mahmoud Hilal from Abu Dis, Dr. Azmi As Shweibi from El Bireh and Hassan Mahmoud Fararjeh from Dheisheh, against whom deportation orders were issued for alleged engagement in hostile activity. The court ordered the stay pending its decision on a petition by the

three men against the working of the advisory board. The court ordered the security authorities not to expel the three until the case had been decided, and also to stay the expulsion of a fourth man, Zaki Mahmoud Abu Steita from Jabaliya in the Gaza Strip, against whom a deportation order had also been issued. In their petition to the High Court, the West Bank men complained that the advisory board refused to let their lawyer see the classified evidence of their alleged hostile activities. The fourth applicant, of the Gaza Strip, claimed in his petition that the information on the basis of which the expulsion order against him was issued was incorrect and did not justify his expulsion. On 13 November, the High Court of Justice stayed the expulsion of the three men pending the results of their application to the court. In his petition Hilal claimed that he was being expelled for his activities in a West Bank labour union. He denied that he did anything illegal. Fararjeh argued he was a journalist and that the activities for which he was being expelled were carried out within the framework of his job. Dr. Shweibi said he was suffering from a rare lung disease and asked that the expulsion order against him be cancelled on humanitarian grounds. On 27 November, Aluf (Major-General) Amnon Shahak told the High Court of Justice in his response to the petition by Hilal and Fararjeh against their expulsion that the two were senior members of terror organizations and their expulsion was necessary to eradicate terrorism in the territories. On 30 January 1986, the three West Bank residents against whom expulsion orders had been issued annulled their application to the High Court of Justice against the expulsion and were reportedly about to be expelled shortly. The three applicants, who could make a statement, argued that their expulsion was politically motivated and said that the court could not reach a just decision as long as they were denied access to the confidential material on the basis of which it was decided to expel them and make their comments on that material. The judges decided to cancel the application and cancelled the interim injunction suspending the expulsion of the three applicants until the end of the legal proceedings. On 2 February, it was reported that the security authorities had, on 31 January, expelled Dr. Shweibi, Hilal and Fararjeh. Their attorney, Felicia Langer, complained that the prison authorities' promise to let them see their families before the deportation had not been honoured. The three were taken from the central prison at Juneid to a point in southern Israel and were ordered to cross the border to Jordan. (Ha'aretz, 4 and 14 November 1985; Jerusalem Post, 4, 8, 12, 14 and 28 November 1985 and 2 February 1986; Ha'aretz, Yediot Aharonot, 31 January 1986)

256. Four visiting lawyers from Greece, Spain, the Federal Republic of Germany and France reportedly condemned the Israeli use of the British Emergency Regulations of 1945 to suppress Palestinians in the occupied territories. The four arrived in Jerusalem to investigate and report on Israeli plans to deport four Palestinians for their political activities. In a press conference held at the Israeli Government Press Office in West Jerusalem on 14 November 1985, the lawyers said that they tried to meet with Israeli Defence Minister Mr. Yitzhak Rabin to urge him to stop the deportations, but were not successful. They also learned that the Israelis based their allegations on "secret evidence". (Al-Fajr, 15 November 1985)

257. On 29 November 1985, Hamis Hussein Hassan Nasrallah, who was released in the prisoner exchange with Ahmad Jibril's organization, was expelled to Jordan. He was one of the group of 18 whom the Israeli authorities said were not residents of the

territories. He had petitioned to the High Court of Justice against his expulsion but his petition was rejected. (Ha'aretz, 1 December 1985)

258. On 9 December 1985, it was reported that the two West Bank residents jailed the previous week pending their expulsion, Yunes Rajub and Mahmud Dis, had announced that they would not appeal the deportation so as not to take part in a "show" staged to give the expulsions "a semblance of legality". The two were due to be expelled to Jordan on 9 December. (Ha'aretz, Jerusalem Post, 9 December 1985)

259. On 26 January 1986, it was reported that the military government had served expulsion orders on four Arabs who were reportedly suspected of hostile activity on behalf of the PFLP. The four were named as Mahmoud Fa'anoun, aged 38, of Nahalin, near Bethlehem; Adnan Anem, aged 42, who lived in Jordan before infiltrating to Israel; and Hafez Hashem Aziza and Hassan Mohammed el-Amudi, both from Gaza. The lawyer for the four men, Ms. Lea Tsemel, said she would appeal the orders. On 29 January 1986, Aziza and el-Amudi appeared before a military appeal committee composed of senior officers and announced they had no faith in the committee and would not appeal the expulsion. It was announced that their expulsion to Jordan was imminent. The two West Bank residents have not yet appeared before the appeal committee. (Ha'aretz, Jerusalem Post, 26 January 1986; Ha'aretz, 30 January 1986; Ma'ariv, 31 January 1986)

260. On 5 February 1986, three West Bank residents, allegedly affiliated with George Habash's PFLP, were expelled to Jordan. They were identified as Mahmoud Fa'anoun, Hassan Mohammed Ahmad el-Amudi and Jalal Hafez Hashem Aziza. The three had in the past served prison sentences for security offences. Military sources pointed out that since August 1985, 12 convicted terrorists had been expelled from Israel to Jordan. Most of them were West Bank residents and the rest were from the Gaza Strip. A senior member of the International Red Cross delegation in Israel, Jean Jacques Fresard, reportedly sharply criticized the government for the deportation of the three, which he described as "completely illegal", since it violated article 49 of the Fourth Geneva Convention. A military government spokesperson said that the deportations were based on the Emergency Regulations of 1945, which permitted the deportation of people believed to have endangered security. She pointed out that the High Court of Justice had approved the validity of the regulations in such cases. (Ha'aretz, Jerusalem Post, 6 February 1986)

261. On February 1986, Israeli authorities deported Mr. Ahmed Billo, aged 69, from Beit Fajjar village near Bethlehem, after he completed his 16-year prison sentence on political charges. Billo, who has a family of 11, was reportedly given the option to be deported in 1976 in exchange of forfeiting his residency, but he refused, insisting on completing his prison sentence in the hope of staying with his family. He completed his prison term in January 1986, but instead of releasing him the Israel authorities reportedly decided to deport him. (Al-Tali'ah, 6 February; Al-Fajr, 14 February 1986)

262. On 10 February 1986, the High Court of Justice authorized the security authorities to expel from Israel Ahmad Mahmud Radad, who was released in the prisoner exchange with Ahmad Jibril's organization. (Ha'aretz, 11 February 1986)

263. On 22 June 1986, the High Court of Justice determined that Zaki Abu-Steita, who was released from jail in the framework of the prisoner exchange agreement with Ahmad Jibril's organization, could be expelled from the country. Abu-Steita applied to the High Court several months earlier after the military authorities decided to expel him for alleged hostile activity. He argued in his application that the authorities had no right to expel him since such a move contradicted the terms of the prisoner exchange agreement. On 22 June, Abu-Steita announced that he was withdrawing his application for "personal motives", and he was immediately declared as liable for expulsion. In a related development, it was reported on 26 June that the security authorities had notified the Red Cross representatives in Israel of their intention to deport shortly three more released prisoners of the exchange agreement: Muhammad Hussein Abu-Saadi from Khan Yunis, Ahmed Hassan Mahana from the village of Krara, near Khan Yunis, and Yussef Abd el-Hamid from Kalandiya refugee camp. Since the prisoner exchange agreement was reached, 26 released prisoners were deported and 21 were rearrested. (Ha'aretz, 26 June 1986; Yediot Aharonot, 23 June 1986)

(iv) Economic aspects

264. It was reported that in early July 1985 the municipality of Jerusalem had cut off the water supply from a number of houses in Issawiyya village east of the city on the grounds that residents had not paid their municipality tax. (Al-Fajr, 2 August 1985)

265. Customs officers reportedly raided the shoe shop of Mr. Sa'di Nayef al-Sa'di in Gaza and requested him to pay IS 8 million as income tax. The shop was closed when the owner declared he could not afford to pay such a heavy tax. (Al-Fajr, 30 August 1985)

266. It was reported that the Bank of Palestine planned to file suit in the Israeli High Court against Israeli Gaza military authorities. The suit was in protest of a recent 50 per cent increase in income tax levied on Gaza's "troubled business community". (Al-Fajr, 29 November 1985)

267. Shopowners and craftsmen reportedly staged a one-day sit-in at the offices of the Chamber of Commerce in Jerusalem to protest against raids carried out by Israeli tax and customs officials. They asked the Chamber to intervene in order to put an end to the practices. According to the shopowners, Israeli tax authorities imposed exorbitant taxes on them, exceeding in some cases IS 20 million (approximately \$13,000). In a related development it was reported that customs officials launched a new tax campaign on Nablus quarry owners who were asked for the first time to pay 300 dinars for each load. It was also reported that the tax department has levied a 600 dinar income tax on quarry owners and intended to deduct it from their salaries. (Al-Tali'ah, 12 December 1985)

268. Income tax officials reportedly closed down five shops in the Bethlehem area on the grounds that owners had not settled the interest on income tax. In a related development, it was reported that income tax officials launched a campaign against Arab traders in the city of Qalqilya. According to the shopowners such a sum represented the whole of their capital which made it impossible for them to

pay. It was also reported that income tax officials ordered the confiscation for 20 days of a car owned by a villager of Hebron district. The car contained second-hand clothes worth less than IS 100,000 (approximately \$65). (Al-Tali'ah, 6 February 1986)

269. On 19 March 1986, the co-ordinator of activities in the territories, Shmuel Goren, told Israeli correspondents in Washington that the civil administration in the territories would allow investments "worth \$1 billion and more" in public and private enterprises in the territories. The civil administration allowed residents to bring in unlimited sums of money and its origin "was not being examined with a microscope". Unlike the situation one year earlier, when the amount of money allowed into the territories was restricted and its origin scrupulously examined. Mr. Goren said Israel would approve any enterprise, providing it did not harm Israel's economic interests, but he did not elaborate on the nature of such interests. Mr. Goren met with United States businessmen to whom he presented a long list of projects in the territories. He invited them to take part in financing those projects. Mr. Goren added that United Nations bodies had been invited to set up offices in the West Bank and that the United Nations Development Fund had for the first time opened such a representation. He said United Nations agencies were sending \$50 to \$70 million to the territories. (Ma'ariv, 20 March 1986)

270. On 17 April 1986, the Jerusalem Post reported the publication of a report on economic developments in the territories from 1983 to mid-1985 by Dan Zakai of the Bank of Israel. According to the report the territories were at present entering a period of relative recession and increased unemployment, due to the drop in oil prices, leading to a reduction in foreign Arab demand for products from the territories. Exports from the territories reportedly dropped by 5 per cent during the years covered by the report after having risen by a similar percentage in the previous two years. The economic slow-down was aggravated by accelerated population growth. The population of the territories, which grew by 2.9 per cent per year during the period studied, at present stood at about 1.3 million. At the same time, falling demand for workers in Jordan and the oil States resulted in a drop in emigration from the region. (Jerusalem Post, 17 April 1986)

271. On 22 April 1986, a survey was published by the civil administration in the West Bank on living standards in the region. The survey found that living standards had risen significantly in the region: 22 per cent of the city dwellers in the West Bank owned private cars, compared to only 6 per cent 10 years earlier. The comparable figures for villagers were 2 per cent at present and 1 per cent a decade earlier. Thirty-three per cent of the town dwellers owned colour television sets, 94 per cent had refrigerators, 75 per cent owned washing machines and 63 per cent of the total population in the West Bank owned solar heaters. (Jerusalem Post, 22 April 1986)

272. On 16 April 1986, the Labour and Social Affairs Minister, Mr. Moshe Katzav, revealed that some 40,000 West Bankers and 20,000 Gaza Strip residents were employed in Israel illegally, in an unorganized way and without any social benefits. (Ha'aretz, 17 April 1986)

273. On 11 June 1986, the Israeli authorities approved the establishment of a chamber of industry in the West Bank. It would serve as a recognized union of factory owners, allowing them to co-ordinate their activities with the Israeli authorities. (Al-Fajr, 13 June 1986)

274. On 19 August 1986, bailiffs accompanied by dozens of policemen raided the offices of the East Jerusalem Electric Company. The raid was carried out on the last day of the Muslim holiday of Id al-Adha. The raid was reportedly carried out by a court order after the Jerusalem District court had issued on 31 July 1986 an attachment order for the funds of the company, which owed NIS 20 million (approximately \$13 million) to the Israel Electric Corporation. Company safes were reportedly forced open during the raid but no money was found therein. Documents and checks were found and taken away. On 20 August, the company workers held a strike and several East Jerusalem businesses closed down in protest over the raid. (Ha'aretz, Jerusalem Post, 20, 21 and 22 August 1986)

(b) Information on measures affecting certain fundamental freedoms

(i) Freedom of movement

275. The following table shows a sample of reports containing information on measures affecting the freedom of movement of civilians in the occupied territories. The following abbreviations of the names of newspapers are used in the table:

AF	<u>Al-Fajr</u>
AT	<u>Al-Tali'ah</u>
H	<u>Ha'aretz</u>
JP	<u>Jerusalem Post</u>
M	<u>Ma'ariv</u>
YA	<u>Yediot Aharonot</u>

Date	Subject(s) of restriction	Place	Type of restriction	Source
	Unionist Mahmud Zeyadeh	Hebron	House arrest order renewed for six months - for the tenth consecutive time	AT, 1 Aug. 1985
	Unionist Walid Nazel	Qabatiya	House arrest order renewed for six months - for the tenth consecutive time	AT, 1 Aug. 1985
	Young men under 36	Nablus	Travel ban maintained	AT, 5 Sept. 1985

Date	Subject(s) of restriction	Place	Type of restriction	Source
	Zahira Kamal, treasurer of Women's Work Committee in the occupied territories		Town restriction order, effective since 1980, extended for another six months	AF, 6 Sept. 1985
	Unionist George Hazboun	Bethlehem	Lifting of town restriction order effective during two preceding years	AF, 13 Sept. 1985
	Gaza Strip residents		Forbidden from crossing Allenby Bridge to Jordan	AT, 19 Sept. 1985
	Dr. Thabet Ahmed Thabet, head of West Bank Dentists Union	Tulkarm	Six-month town restriction order	AT, 3 Oct. 1985 AF, 4 Oct. 1985
	60-year-old woman	Khan Yunis	Denial of authorization to travel to Jordan for medical care	AT, 21 Nov. 1985
First two weeks of Nov. 1985	Residents of villages in Jenin area	Arrabeh, Qabatiya, Bir al-Basha, Jenin camp	Travel ban	AF, 22 Nov. 1985
15 Dec. 85	13 West Bank and Gaza Strip notables, including incumbent and deposed mayors of all major West Bank and Gaza Strip towns		Travel ban	JP, 15 Dec. 1985 M, 16 Dec. 1985
	Town residents	Deir-al-Balah	Travel ban	AF, 13 Dec. 1985

Date	Subject(s) of restriction	Place	Type of restriction	Source
16 Dec. 85	Town residents	Tulkarm and refugee camps of Shweibeh, Kufr al-Dik, Burqin and Danabeh	Travel ban	AF, 20 Dec. 1985
19 Jan. 86	Yusef Ju'beh, Al Quds correspondent and bookstore owner	El Bireh	Confinement to city limits for six months	AT, 23 Jan. 1986 AF, 24 Jan. 1986
	Muhammade Subhi al-Humsi, released political prisoner	Rafah	Town restriction order	AF, 25 Jan. 1986
19 March 86	Mustafa Natche, deposed mayor	Hebron	Rejection of request to attend conference in Saudi Arabia	H, JP, 20 March 1986
	Hussein Abu-Ajamieh	Dheisheh refugee camp	Town restriction order for six months. Obligation to report daily to the Bethlehem police	H, 22 July 1986
	Nayef Abu-Aisheh	Bethlehem	Town restriction order for six months	H, 22 July 1986
	Adnan Barham and Azat Kumsiye	Beit Sahur	Town restriction order for six months. Interdiction to leave the city. Obligation to report weekly to the Bethlehem police	H, 22 July 1986

Date	Subject(s) of restriction	Place	Type of restriction	Source
27 July 86	Nabil Jafara, student at Bethlehem University	Abu Dis	Town restriction order (second time) for six months. Obligation to report weekly to the Bethlehem police	H, 27 July 1986 JP, 28 July 1986
27 July 86	Majed al-Labadi	Abu Dis	Town restriction order (fourth time) for six months. Obligation to report weekly to the Bethlehem police	H, 27 July 1986 JP, 28 July 1986
27 July 86	Hamdi Freij, journalist at Al-Mithaq	Dheisheh refugee camp	Town restriction order for six months. Obligation to report daily to the Bethlehem police	H, 27 July 1986 JP, 28 July 1986
27 July 86	Yousef Ju'beh, journalist	El-Bireh	Town restriction order for six months	H, 27 July 1986 JP, 28 July 1986
27 July 86	Abdellatif Abu-Bakr, pharmacist	Jenin	Town restriction order for six months	H, 27 July 1986 JP, 28 July 1986
27 July 86	Hani A-Nassar, shopkeeper	Jenin	Town restriction order for six months	H, 27 July 1986 JP, 28 July 1986
27 July 86	Walid Talalweh and Mussadaq Tanuri	Villages near Jenin	Town restriction order for six months	H, 27 July 1986 JP, 28 July 1986
27 July 86	Wahid Hamdallah, mayor of Anabta	Anabta	Town restriction order extended for another six months	H, 27 July 1986 JP, 28 July 1986

Date	Subject(s) of restriction	Place	Type of restriction	Source
7 Aug. 86	Shehadeh Minawi, head of General Federation of Labour Unions in the West Bank	Nablus	Town restriction order for six months. Obligation to report daily to Nablus police	JP, 7 Aug. 1986
	Adnan Kilani, West Bank unionist	Ya'abad	Town restriction order for six months	AF, 14 Aug. 1986
	Amal Wahdan, West Bank unionist	El Bireh	Town restriction order for six months	AF, 14 Aug. 1986
	Nimr Abd Al-Rahman Edwan	Qalqiliya	Town restriction order for six months	AF, 22 Aug. 1986

(ii) Freedom of worship

276. On 4 December 1985, the Israeli military court in Gaza reportedly sentenced the Imam of Al Katjba mosque to one-and-a-half years in prison and two-and-a-half years suspended term on charges of incitement during a religious speech made for the celebration of 27 Ramadan in April 1985. (Al-Tali'ah, 5 December 1985)

277. It was reported that the Israeli military court in Gaza had sentenced Sheikh Muhammad Abu Jamé, from Khan Yunis, to six months imprisonment and two-and-a-half years suspended sentence. He was reportedly charged and convicted of "incitement". The charge sheet said that the Sheikh had used his job as a mosque preacher to incite against the Israelis. (Al-Fajr, 17 January 1986)

278. On 3 February 1986, it was reported that East Jerusalem was shut down in another day of protest against Israel's attempt to turn Al-Aqsa mosque into a synagogue. The strike reportedly coincided with a call by the Morocco-based Jerusalem Committee for a 30-minute work stoppage in all Muslim nations in protest against Israeli measures against Muslim holy sites in the occupied territories. The general strike in East Jerusalem was the third of its kind since mid-January when Israel's Knesset members and other hardline Israelis attempted to hold "defiant" prayers on the mosque compound. The first two strikes were accompanied by demonstrations. The first strike occurred when the Israelis for the first time attempted to pray on the premises. The second occurred a week later when the Israeli parliamentarians returned for another "defiant" visit to the mosque area. (Al-Fajr, 7 February 1986)

279. The Israeli weekly Koteret Rashit reported in one of its February issues that Jewish settlers of Kiryat Arba and Hebron were still trying to take over Al-Ibrahim mosque in Hebron. (Al-Fajr, 14 February 1986)

280. It was reported that residents of Abu Ghosh village in Jerusalem were told not to call for prayers through loudspeakers at dawn. The Israeli authorities reportedly claimed that the prayer calls caused disturbance to the Jewish residents at settlements. (Al-Fajr, 21 February 1986)

(iii) Freedom of expression

281. On 2 August 1985, it was reported that the printing plant of the East Jerusalem newspaper Asha'b had been ordered closed for three days by the military censor. The newspaper had published, in defiance of a military censor's order, two articles on the death of two Nablus residents whose bodies were found in a car near Nablus after they had disappeared the previous week. (Ha'aretz, Jerusalem Post; 2 August 1985)

282. On 13 September 1985, it was reported that the Al-Manar press agency in East Jerusalem was ordered closed for six months by the Central Region Commander. The agency was allegedly linked with the "Democratic Front". (Ha'aretz, 13 September 1985)

283. On 15 September 1985 it was reported that the Interior Ministry intended to close the East Jerusalem newspaper a-Darb, for its alleged support of the Democratic Front for the Liberation of Palestine. On 29 September, it was reported that a closure order had been handed down by Rafi Levy on 27 September. No reason was cited in the closure order. The Association for Civil Rights in Israel reportedly condemned the closure, calling it a "blow against the freedom of expression". On 15 October, the Supreme Court ordered the state attorney to explain within 10 days why a-Darb should be closed. (Jerusalem Post, 15, 29 September 1985, 2, 11 and 16 October 1985; Yediot Aharonot, 15 September 1985; Ma'ariv, 29 September 1985)

284. The New York-based committee to protect journalists expressed to Mr. Peres its concern over recent measures against members of the Palestinian press in the occupied territories. In the letter the Committee said "we have the impression that (these measures) are condoned by the highest level of the Israeli Government." The measures included vandalism at Al-Fajr Arabic daily on 8 July 1985, requiring Palestinian newspapers to publish military advertisements, the three-day closure of Al Sha'ab Arabic daily on 1 August 1985 and the restrictions on Palestinian journalists. The letter also listed six journalists as being under town restrictions or having their movements restricted in one way or another. (Al-Fajr, 6 September 1985)

285. On 17 October 1985, the security authorities closed for 14 days the West Bank weekly magazine Al-Biadar As-Siasi, for alleged censorship violations. (Ha'aretz, Ma'ariv, 18 October 1985)

286. On 29 November 1985, it was reported that the IDF had, the previous day, prevented East Jerusalem newspapers from reaching the West Bank. The newspapers affected by that measure were Al-Fajr, Al Quds, A'shab and Al-Mithaq. (Jerusalem Post, 29 November 1985)

287. On 7 March 1986, it was reported that a new weekly newspaper, a-Nahar, was being published in East Jerusalem as from that day. (Ha'aretz, Jerusalem Post, 7 March 1986)

288. On 30 March 1986, it was reported that the civil administration in the West Bank had convened the newspaper distributors in the West Bank towns and ordered them not to distribute newspapers on Land Day, due on 30 March 1986, unless they were given a special authorization by the civil administration. (Ha'aretz, 30 March 1986)

289. On 19 June 1986, the civil administration banned distribution of the East Jerusalem newspaper Al-Fajr in the West Bank and the Gaza Strip for the following three days. The order cited "recurrent violations of censorship and endangering public safety" as reasons for the measure. Several days earlier the newspaper published an article quoted from the Hebrew daily Hadashot without submitting it to the censor. The article carried a report by Agence France Presse that the "Force 17" terror organization was claiming responsibility for an army bus accident in the Jordan Valley. (Ha'aretz, 22 June 1986; Jerusalem Post, 20 June 1986)

290. On 3 July 1986, the civil administration banned the distribution of two East Jerusalem newspapers, Al-Fajr and Al-Mithaq, in the West Bank and the Gaza Strip. The distribution of two others, Al-Quds and A'shab, was delayed by several hours. Sources in the civil administration said the reason for the banning and delay of distribution was the newspapers' failure to submit material to the censor. (Ha'aretz, 4 July 1986)

291. On 7 July 1986, it was reported that an Interior Ministry official, Raphael Levy, had notified the East Jerusalem newspaper Al-Mithaq and the magazine Al-Ahd, that he was considering their closure because they were "directed and operated" by the PFLP of George Habash. Representatives of the publications were ordered to appear the following week at Levy's office to answer the charges. On 10 July, it was reported that the editor of Al-Mithaq, Mahmoud al-Khatib, had met with the heads of the journalists' association in Jerusalem and explained that his newspaper did not call for the destruction of Israel and that it had no contacts or links with any hostile organization. On 13 July, the Association of Israel Journalists in Jerusalem urged the Interior Ministry not to close down Al-Mithaq and Al-Ahd. On 15 July, Israeli and Palestinian journalists made separate appeals to the Interior Ministry against the closure of the two newspapers. At a press conference held in Jerusalem the editor of Al-Mithaq and the head of the Arab Journalists' Association, Radwan Abu-Ayash, accused Israel of trying to undermine the Palestinian press for political reasons. Al-Mithaq lawyer, Elias Khoury, challenged the Government to produce evidence to back up its charges. The Interior Ministry deputy director-general and spokesman, Yitzhak Agassi, said the ministry's position remained unchanged; "The ministry would not have taken this step if it were not convinced that the paper was funded and directed by George Habash's

organization", he said. On 12 August, the Interior Ministry official in charge of the Jerusalem district, Rafael Levy, closed Al-Mithaq and Al-Ahd. The closure order was based on the 1945 Emergency Regulations. On 13 August, the two publications applied to the High Court of Justice against the closure order. On 14 August, the High Court of Justice issued an order nisi asking the Interior Ministry officials to show cause within five days why they should not refrain from closing the two publications. At the High Court, Interior Ministry official Rafael Levy agreed to postpone the closure order for the following 10 days in exchange for the petitioner's promise not to insist on an interim order. Supreme Court Deputy President Miriam Ben Porat criticized at the hearing the "hasty, ill-conceived" manner in which the two publications were closed. On 20 August, the High Court of Justice examined a file prepared by the General Security Service, designed to prove that the two publications were financed by the PFLP. A request by Advocate Elias Khoury, counsel for the publications, to be allowed to examine the file, was rejected by the three judges. On 24 August, it was reported that the High Court of Justice had determined that Al-Mithaq and Al-Ahd should be closed, after it was proved that the PFLP was financing and controlling both publications. (Ha'aretz, Jerusalem Post, 7, 10, 13, 14 and 16 July 1986; Ha'aretz, 13, 14, 15, 21 and 24 August 1986; Jerusalem Post, 13 and 15 August 1986; Yediot Aharonot, 15 August 1986)

292. On 10 July 1986, the civil administration in the West Bank, for the third time in two weeks, delayed the distribution of four East Jerusalem newspapers in the West Bank and the Gaza Strip for alleged failure to submit material to the censorship. East Jerusalem journalists on 10 July protested what they described as the "new Israeli policy of oppression against the Palestinians' freedom of expression". On 14 July, it was reported that East Jerusalem journalists had been complaining about an alleged "heavy-handed attitude" by the censorship. (Ha'aretz, 11 and 14 July 1986)

293. On 17 July 1986, it was reported that all the journalists who had taken part in a meeting with notables from the territories, following the meeting on 26 May 1986 in East Jerusalem between the notables and the British Prime Minister Mrs. Thatcher, were summoned to the police for questioning. This followed reports that following the meeting with Mrs. Thatcher the notables, including Hana Seniora, Faiz Abu-Rahma, Rashad A-Shawa, Mustafa Natshe and Zair ar-Rais, had made declarations to the journalists that were clearly identical with the PLO and its objectives. (Yediot Aharonot, 17 July 1986)

294. On 9 August 1986, Central Region Commander Aluf (Major General) Ehud Barak issued a 24-hour closure order for the East Jerusalem theatre Al-Hakawati. (Ha'aretz, Jerusalem Post, 10 August 1986)

295. On 11 August 1986, the spokesman of Al-Najah University, Saeb Erakat, and political science lecturer Abdel Sattar Kassem were called into the Nablus police headquarters and charged with incitement on the basis of materials seized during an IDF search at the University on 3 June 1986. Erakat said that the material included university public relations bulletins, student council publications and articles on the university from local and foreign press. Erakat added that the

lecturer Kassem had been charged in connection with his book The Prison Experience about the life in prison of Palestinians. Both men were released on bail of NIS 1,000 (approximately \$660) each. (Jerusalem Post, 12 August 1986)

296. On 21 August 1986, the East Jerusalem Al Mawqef press and the Arab Council for Public Affairs were closed for three months by order of Central Region Commander Aluf Barak, following the seizure at the press of leaflets signed by Patah. (Ha'aretz, Jerusalem Post, 22 August 1986)

(iv) Freedom of education

Al-Najah University

297. On 2 August 1985, the civil administration ordered the closure for two months of Al-Najah University in Nablus. The closure reportedly followed the murder the previous week of an Israeli civilian in the town and the discovery on campus of material the military authorities termed as "likely to incite". It was reported that 32 students at Al-Najah University in Nablus had been affected by harsh Israeli measures, including imprisonment, possible deportation and town restriction orders. On 3 October 1985, Al-Najah University was re-opened. (Ha'aretz, 3 August 1985; Jerusalem Post, 4 August 1985; Al-Fajr, 4 and 11 October 1985)

298. On 17 December 1985, the security authorities closed Al-Najah University for one day. (Ha'aretz, 18 and 19 December 1985)

299. On 1 January 1986, the administration of the Al-Najah University reportedly decided to close the University until the end of the week for fear of disturbances linked with "Fatah day", which occurred that day. On 8 January, the University was again closed for one day by order of the security authorities in order to prevent Fatah supporters from holding a rally. (Ha'aretz, 2 and 9 January 1986)

300. On 7 May 1986, it was reported that security forces had placed roadblocks on access roads to the University over the previous couple of days, thus preventing classes from being held. The purpose of the roadblocks was to bar entry to people who did not hold student cards. (Ha'aretz, 7 May 1986)

301. On 4 June 1986, during the night, security forces raided the University and confiscated a large quantity of material described as propaganda material of nationalist character, including flags and pamphlets calling for an armed struggle against the occupation. Over 20 students were arrested on suspicion of preparation and distribution of inciting material. On the morning following the operation the army set up roadblocks at the entrances to the campus and allowed access only to holders of student's cards and faculty members. A University spokesman, Dr. Said Erakat, said the soldiers behaved brutally in the campus, broke furniture and beat two students. He also said that many students were prevented from entering the campus although they were holders of student's cards. (Ha'aretz, 5 June 1986)

302. On 28 July 1986, the IDF set up roadblocks at the access roads to the University and only holders of student cards were allowed to enter. On 30 July,

roadblocks were again placed near the University banning entry to all students and faculty members. Military sources said the move was taken to prevent efforts to enlist students in hostile organizations during registration for the coming academic year. (Ha'aretz, 29 July 1986; Jerusalem Post, 31 July 1986)

Islamic University of Gaza

303. It was reported that 34 faculty and administration members at the Islamic University of Gaza, including its president, Mr. Mohammed Saker, were forced to leave the country a week earlier after the Israeli military authorities made renewal of their work and stay permits conditional on University acceptance of military interference in the university affairs. The permits in question were not renewed as the University refused to accept the conditions stipulated by the authorities. Israeli authorities reportedly agreed in September to allow 16 out of 34 teachers at the University who were deported in July 1985 to return to the Gaza Strip. (Al-Fajr, 9 August and 6 September 1985)

304. On 27 December 1985, it was reported that occupation soldiers and border guards had cordoned off and raided the University. (Al-Tali'ah, 3 January 1986)

Hebron University

305. Seven lecturers at Hebron University were reportedly notified that their contract would not be renewed for the next academic year. No reasons were given for the decision. Two of these lecturers were allegedly removed from their posts six months earlier after they had attempted to organize a union. They were later reinstated under the pressure of national institutions in the occupied territories. (Al-Tali'ah, 15 August 1985)

306. It was reported that students had stepped up actions of protest during the week of 19 to 26 September 1985 following the dismissal of seven teachers by the Hebron University Board. Three teachers went on an unlimited hunger strike on 18 September 1985 to protest the measure. They reportedly indicated that their dismissal was due to an attempt in November 1984 to organize a union to defend teachers' rights. (Al-Tali'ah, 26 September 1985)

307. On 14 July 1986, the head of the students' council at the University, Mahmud Sakussa, was arrested following an anti-Jordanian demonstration held on 12 July 1986 in the campus. (Ha'aretz, 15 July 1986)

308. On 28 July 1986, the IDF set up roadblocks at the access roads to the University and only holders of student cards were allowed to enter. (Ha'aretz, 29 July 1986)

Bethlehem University

309. Three Bethlehem University students were recently informed by the military authorities that they could not enter the university campus for six months. They were allegedly charged with inciting other students to nationalistic expression. (Al-Tali'ah, 15 August; Al-Fajr, 16 August 1985)

310. On 30 October 1985, it was reported that Israeli occupation forces launched a repression campaign against students of Bethlehem University, using tear-gas to disperse a large number of students who were protesting the deportation orders and other repression measures carried out by the Israeli authorities in the occupied territories. As a result, students were stopped at checkpoints placed by the army at the entrances of Bethlehem University and banned from entering the campus. (Al-Tali'ah, 7 November 1985; Al-Fajr, 8 November 1985)

Bir Zeit University

311. On 30 October 1985, it was reported that Bir Zeit University students held a demonstration during which they set fire to tyres and erected stone-barricades on the road to the University and stoned Israeli cars. (Al-Tali'ah, 7 November 1985; Al-Fajr, 8 November 1985)

312. On 2 August 1986, security forces set up roadblocks at the entrance to Bir Zeit University, preventing students from entering the campus. (Al-Fajr, 8 August 1986)

Other educational institutions

313. In the period between August 1985 and April 1986, the following teachers were notified by the Israeli authorities of their decision to dismiss them from their job without being provided any specific reason for such measure:
Iman Ihsan al Taher from Ramallah Teachers' Government College,
Antisar al-Sheikh Qassem, Mahmud Odeh from Dheisheh refugee camp, Amira Adawi from Kufur Malek in the Ramallah area and nine teachers from the Bethlehem area.
(Al-Tali'ah, 22 August 1985; Al-Fajr, 16, 23 August, 13 September 1985, 14 February and 25 April 1986)

314. It was reported that Israeli military authorities had distributed a memorandum to the headmasters of West Bank governmental schools. The memorandum ordered them to cancel the registration of new non-resident pupils of the 1985-1986 academic year. The headmasters were also ordered to forbid others to register next year. (Al-Fajr, 11 October 1985)

315. The Israeli authorities had reportedly ordered a blind youth to leave Bethlehem where he attended school and to return to his home town in the Gaza Strip. The blind student had lived eight years in Beit Al-Rajaa Institute for the Blind in Bethlehem. According to the report, that measure would prevent the youth from sitting for his final-year examination. (Al-Tali'ah, 24 October 1985)

316. On 18 January 1986, the Israeli authorities reportedly prevented all students of the Al-Aqsa Islamic School from entering classrooms on the grounds of avoiding a clash between students and the members of Kakh movement who were present in the premises of Al-Aqsa that day. (Al-Tali'ah, 23 January 1986)

317. On 17 April 1986, the Central Region Commander, Aluf (Major General) Ehud Barak issued an order closing for 14 days the Hebron Polytechnic school following violent riots there. (Ha'aretz, 17 April 1986)

318. On 20 April 1986, the Israeli authorities reportedly decided to close down indefinitely two preparatory schools in the Jalazun refugee camp near Ramallah following stone-throwing incidents there. (Al-Fajr, 25 April 1986)

(c) Information on settlers' activities affecting the civilian population

319. On 15 August 1985, four members of Knesset of the right-wing Tehiya party, Geula Cohen, Yuval Ne'eman, Eliezer Waldman and Gershon Shafat, reportedly entered the flat in the Casbah area of Hebron that had earlier been occupied by nine Kiryat Arba settlers. The members of Knesset were accompanied by a group of settlers. The area was later declared a closed military area and the IDF evicted the settlers, but not the members of Knesset, who reportedly remained in the flat and were allowed to bring in food, chairs and mattresses. On 18 August, the inner cabinet decided not to permit Jews to inhabit the house in the Hebron Casbah where six members of Knesset were in their fourth day of a sit-in. On 19 August, Rabbi Moshe Levinger, accompanied by eight settlers, blocked the entrance to the Casbah, protesting that closing the area to Jews only "constituted racism". On 20 August, at dawn, the IDF evicted without incident the Knesset members who were holding a sit-in in a flat in the Casbah area of Hebron. (Ha'aretz, Jerusalem Post, 16 and 18 August 1985; Jerusalem Post, 19 and 20 August 1985; Yediot Aharonot, 20 August 1985; Ha'aretz, Jerusalem Post, 21 August 1985)

320. On 4 September 1985, it was reported that, following the murder of a reservist and the wounding of another in the Hebron market, settlers in the town attempted to expand the Jewish presence in Tel Rumeida. The attempt was foiled by the security forces. The settlers of the Hebron Jewish quarter also cut open a passage from the "Abraham the Patriarch" area near the wholesale vegetable market into the Casbah. After they had cut open the passage they were evicted from the area, but the passage remained open. In a consultation between the heads of the Jewish councils in the West Bank and Gaza, the heads of Kiryat Arba and the Hebron settlers it was decided to set up the headquarters of the Jewish Councils in the territories in the Jewish quarter of Hebron until the Government took a decision with regard to the deteriorating security in the region. On 5 September, it was reported that the army had sealed the passage. The settlers later complained they were being placed in a ghetto. When the army lifted the curfew in the Casbah to allow residents to buy supplies the settlers intervened in an attempt not to allow a resumption of normal life only 24 hours after the murder of the reservist. Fifteen settlers, including Rabbi Levinger, entered the Casbah and clashes were reported with the security forces. Several settlers attempted to re-occupy the house in the Casbah in front of which the reservist was murdered, but they were forcibly evicted by a border guard. According to one report, Hebron settlers attacked two houses of released prisoners on the night of 4 September. (Ha'aretz, 4 September 1985; Ha'aretz, Jerusalem Post, Ma'ariv, 5 September 1985)

321. On 6 September 1985, it was reported that armed groups of Gush Emunin settlers had held "presence-demonstrations" in the streets of Ramallah and Nablus the previous day. Settler sources described the armed patrols as "helping to step up security" in the region and said that the settlers intended to continue holding such patrols in the following days. Military sources said that "patrolling the streets in West Bank towns with legally held weapons is not an offence, and

therefore there is no reason to act against the settlers". On 8 September, the Defence Minister Mr. Yitzhak Rabin said at the weekly cabinet meeting that the Government would not permit armed settlers to patrol through Arab areas in the West Bank, but West Bank and Gaza Strip settlers said that despite the army and border police clampdown on the region, they had continued their armed patrols in major Arab towns. One of the organizers of these patrols in Hebron told the Jerusalem Post that settlers in groups of 6 to 10 men patrolled Tulkarem, Nablus and Jenin and were outside the Damascus Gate in Jerusalem. The settlers were armed with pistols. (Ha'aretz, Jerusalem Post, Yediot Aharonot, 6, 8 and 9 September 1985)

322. On 7 September 1985, during the night, unidentified persons believed to be Kiryat-Arba and Hebron settlers tried to set fire to a house in Dura belonging to Mahmud Mohammad Atrash, whom they suspected of being a released prisoner. It later turned out that the man was a released prisoner's relative and that the released prisoner, Azmi Atrash, did not live in that house. Material damage was caused. Settlers also smashed windows in a house in the Balata refugee camp near Nablus belonging to a released prisoner. (Ha'aretz, Jerusalem Post, Yediot Aharonot, 9 September 1985)

323. On 8 September 1985, after midnight, Hebron settlers led by Rabbi Moshe Levinger occupied a house in the Casbah area bordering on the Jewish quarter. The settlers were forcibly evicted from the house by border guards. Four settlers were detained. (Ha'aretz, 9 September 1985)

324. On 12 September 1985, it was reported that following the suspension of the armed settlers' patrols in Arab towns, due to widespread criticism, the settlers adopted a different method. On 11 September, a group of settler women with little children or prams walked through Hebron "to demonstrate Jewish presence". The women were unarmed, but were accompanied by soldiers. (Ha'aretz, Jerusalem Post, 12 and 13 September 1985)

325. On 27 September 1985, dozens of Kiryat Arba settlers, including "Kach" members, reportedly rioted and caused extensive damage in Halhul following an attack on an Egged bus in the area. An Israeli television crew that arrived on the scene to film the rioting was attacked by the settlers. In the rioting windows and windshields were smashed, including the windows of the local mosque. Settlers were also reported to fire shots in the air and to set fire to several shops. (Ha'aretz, 29 September 1985; Jerusalem Post, 4 October 1985)

326. On 2 October 1985, it was reported that settler leaders in the West Bank had been given permission by the Defence Minister Mr. Rabin to hold a religious ceremony near Joseph's Tomb in Nablus, provided that no political speeches were held, that the number of participants be very small and that they should not remain in the site over night. It was also reported that the settlers intended, on the same occasion, to occupy several houses in Nablus that they had purchased from Arabs over the past two years. (Ha'aretz, 2 October 1985)

327. A number of Arab drivers operating in al-Arqoub village near Bethlehem reported that settlers from Hadar Bitar settlement established on Husan village land had begun to harass the Arab drivers by crowding them off the road, which was narrow and dangerous. (Al-Fajr, 15 November 1985)

328. On 17 November 1985, it was reported that Knesset member Matti Peled (Progressive List for Peace) had requested that the Knesset hold an emergency session to discuss revelations that West Bank settlers were holding large quantities of weapons over which the IDF and the security bodies had no control. According to the military correspondent of Ha'aretz, Zeev Schief, the Central Region Command had attempted to control the individual weapons held by the settlers, but its efforts were of no avail. Mr. Peled said that "that stupefying revelation should not go unheeded ... today (the settlers) disobey the army and tomorrow they will hold arms against the Government", he said. (Ha'aretz, 17 November 1985)
329. A group of anti-occupation Israelis were allegedly attacked by armed settlers while in Dheisheh refugee camp. (Al-Fajr, 29 November 1985)
330. On 14 December 1985, the eighth day of the Jewish holiday of Hanukka, settlers in the West Bank and the Gaza Strip carried out a co-ordinated "candle-lighting operation" at Joseph's Tomb in Nablus, the ancient Jewish synagogue in Jericho, the Patriarchs' Cave in Hebron and the ancient Jewish synagogue in Gaza. Settler spokesmen said the operation was designed to symbolize the link between those parts of the land of Israel and the return to the sources and the roots. The IDF authorities reportedly did not interfere with the candle-lighting. (Ha'aretz, 15 December 1985)
331. On 19 January 1986, Israeli settlers from Ne'ot Adumim settlement allegedly uprooted 130 olive trees belonging to Hamdan Jaafreh of al-Sawahreh al-Sharqiyeh village. They also reportedly obliged him, under the threat of the gun, to remove the barbed wire surrounding his land. The landowner filed a complaint at the Bethlehem police station against the settlers action. The landowner said that he received clearance to plant his land from the Israeli authorities before he started planting. (Al-Tali'ah, 23 January 1986, Al-Fajr, 31 January 1986)
332. According to Al-Fajr, settlers of Arya'el and Yakeer had intensified their harassment against Arab residents of Deir Hareth and Istya. Settlers allegedly use weapons to threaten them, they also detain them and set fire in their fields. (Al-Fajr, 21 February 1986, Al-Tali'ah, 27 February 1986)
333. On 26 March 1986, it was reported that several Kiryat Arba settlers on 24 March 1986, after midnight, entered the Patriarchs' Cave in Hebron, knocked down wooden partitions between a synagogue and a mosque and desecrated Muslim prayer rugs by treading them while wearing shoes. They reportedly attacked soldiers and policemen who tried to evict them. Three settlers were finally arrested while others reportedly eluded the police. The three were released on bail later in the day. On 26 March 1986 Jewish settlers in Hebron held a noisy carnival procession in the centre of the town. (Ha'aretz, 27 March 1986; Jerusalem Post, 26 March 1986)
334. On 3 April 1986, it was reported that representatives of the Hebron Jewish settlers had requested the authorities to extend the validity of the order authorizing them to pray on Friday nights in a room situated in the Muslim section of the Patriarchs' Cave. The room, known as "Isaac's Tent", was reportedly used by Muslim worshippers as a mosque. (Ha'aretz, 3 April 1986)

335. On 10 April 1986, it was reported that the Gaza district council of Jewish settlements had decided to step up their struggle against the resettlement of 8,000 refugees from "Canada camp" in Sinai to Tel-Sultan, which is adjacent to the Jewish settlement of Rafiah-Yam. On 14 April, it was reported that the Tel-Sultan area had been declared closed military area following a rally held by Gaza district settlers on a hill overlooking the site to protest against the planned resettlement of refugees there. (Ha'aretz, 10, 11, 14 and 15 April 1986; Jerusalem Post, 16 April 1986)

336. On 13 April 1986, Kiryat Arba settlers reportedly warned residents of Hebron not to attend a Peace Now meeting due to be held in the town the next day. Settler sources said they would use all possible means to prevent the meeting from taking place. On 14 April, some 100 settlers set up road blocks on roads leading to Hebron in an attempt at preventing the participants in the Peace Now meeting from reaching the town. On 15 April, police detained several settlers, most of them from Kiryat Arba, who had reportedly rioted after the Peace Now meeting was over. (Ha'aretz, 14, 15, 16 and 17 April 1986; Jerusalem Post, 14 and 15 April 1986)

337. On 22 April 1986, it was reported that, in reaction to a decision by the Defence Minister Mr. Rabin not to approve the holding of a rally on 27 April 1986 to commemorate the eighteenth anniversary of Jewish settlement in Hebron, the Gush Emunim secretariat announced that if it could not have the decision cancelled by political means, the rally would be held even without a permission. The rally was planned to be held outside the Patriarch's Cave, with the participation of the Foreign Minister Mr. Yitzhak Shamir, but Mr. Rabin decided not to authorize the Gush Emunim rally and a counter-rally planned by Peace Now. On 28 April, it was reported that over 10,000 people had answered the Gush Emunim call to visit Hebron in a show of support for the settler movement. Gush Emunim organized the "tours" of Hebron following the Defence Minister's refusal to allow it to hold a rally in the town. A settler armed with a submachine-gun led a group of visitors to sites which, he said, proved that Jews had lived in the town in the past. (Ha'aretz, 22 April 1986; Jerusalem Post, 28 April 1986)

338. On 7 May 1986, during the late evening hours, some 100 settlers from Gaza Strip settlements set up tents on the site of the resettlement of Palestinian refugees from "Canada camp" to Tel-Sultan. The Council of Jewish settlements in the territories announced that the purpose of that settlement was to protest against the intended resettlement of Arab refugees in the area. The council called for an immediate extension of the Israeli law to the Gaza Strip. The IDF reportedly did not prevent the settlers from reaching the site. On 9 May, it was reported that during the night reinforced IDF troops had evacuated the settlers from the Tel-Sultan site. The evacuation operation was carried out without using force and the settlers were taken to the Rafah police station, where criminal files were opened against 32 of them, for illegally entering into a closed area. (Ha'aretz, 8 and 9 May 1986)

339. On 12 May 1986, it was reported that the security authorities had authorized the march planned by Gush Emunim to be held on Independence Day to commemorate the tenth anniversary of Jewish settlement in Samaria. The authorization was given on condition that the participants in the march undertook not to alight from their

vehicles inside the town of Nablus and not to gather in large groups near Joseph's Tomb and near Tel-Balata, close to the Balata refugee camp. In addition to the march and visits the settlers were organizing a festive assembly in Eilon Moreh. On 15 May, it was reported that thousands of supporters had taken part in the Gush Emunim organized events. The tours and visits in the Nablus area gave rise to serious incidents in which several people were injured (see table of incidents). (Ha'aretz, 12 May 1986; Jerusalem Post, Ma'ariv, 15 May 1986)

340. On 2 June 1986, the Jerusalem police refused to allow Gush Emunim to hold a nocturnal march around the Temple Mount to mark Jerusalem Day on 5 June 1986. On 4 June, it was reported that the police authorized Gush Emunim to hold its march around the Temple Mount on condition that certain modifications in the itinerary were accepted. It was also agreed that at the end of the march a rally would be held at the northern area of the Mount of Olives. A Gush Emunim spokesperson, Daniela Weiss, told the Ha'aretz correspondent that her movement would hold "study tours" in Jewish sites in the Muslim quarter of the Old City. "We shall explain to the visitors that the name 'Muslim Quarter' is only provisional", she said, adding that Gush Emunim intended to mark Jerusalem Day yearly with similar operations. On 5 June, it was reported that the Jerusalem police had barred Gush Emunim from marching through the Muslim quarter. The Gush Emunim march coincided with Muslim prayers marking the last Friday of the Ramadan. (Ha'aretz, Jerusalem Post, 3, 4 and 5 June 1986)

341. On 12 June 1986, a group of unauthorized settlers reportedly took over an empty structure overlooking Nablus. Spokesmen for the squatters said they moved in after the Defence Ministry refused them permission to spend the night of the Jewish holiday of Shavu'ot at Joseph's Tomb. On 16 June, IDF troops evicted four Gush Emunim squatters from the slopes of Mount Gerizim where they had put up tents. Military sources said the settlers packed their gear and left without incident after being ordered to evacuate the area. (Ha'aretz, 17 June 1986; Jerusalem Post, 15 and 17 June 1986)

342. On 1 July 1986, it was reported that the Hebron police had arrested for questioning several settlers, some of whom were activists of the Kach movement from Hebron and Kiryat Arba on suspicion of having set fire, several days earlier, to an Arab resident's car and having attempted to set fire to his home. The Hebron police reportedly continued its investigation. No suspects had so far been detained, although several Kach activists had been questioned. (Ha'aretz, 1 and 2 July 1986)

343. On 7 August 1986, a group of Kiryat Arba settlers allegedly attacked Abdul Rahim Jaber, aged 95. A large stone one settler allegedly hurled at him struck his head and passersby rushed him to a hospital in Hebron. (Al-Fajr, 14 August 1986)

344. On 7 August 1986, it was reported that some 200 Gush Emunim members who wanted to pray at the ancient synagogue in Jericho were prevented from reaching the site by IDF troops. Following the attempt the area was declared a closed military zone. On 8 August, it was reported that members of the Tehiya settlement group and Gush Emunim, accompanied by Knesset member Geula Cohen and Rabbi Moshe Levinger,

had succeeded in getting through IDF roadblocks and reaching the vicinity of the Jericho synagogue. On 8 August, members of the Gush Emunim Jericho settlement group, led by Rabbi Moshe Levinger of Kiryat Arba, reportedly held prayers in the synagogue. An army spokesman said the group had camped out at the army roadblocks near the synagogue the previous night and was allowed into the synagogue the following day. (Ha'aretz, Jerusalem Post, 7 and 8 August 1986; Jerusalem Post, 10 August 1986)

4. Treatment of detainees

(see paras. 54-59 above)

345. Forty Palestinian prisoners, including 10 teenagers, detained in the Russian Compound at Jerusalem, reportedly decided to continue a hunger strike started on 21 July 1985 to protest poor living conditions in the prison. (Al-Tali'ah, 2 August 1985)

346. On 6 August 1985, it was reported that lawyer Lea Tsemel had filed a complaint with the head of the General Security Service and with the legal adviser of the West Bank civil administration, alleging that her client Khaled Mahmud Daleisha, a 31-year-old engineer from El-Bireh, had been tortured and beaten during his interrogation. (Ha'aretz, 6 August 1985)

347. The Jneid prison administration at Nablus reportedly opened a special section to house about 70 youths from different parts of the West Bank who were detained under administrative orders. (Al-Tali'ah, 12 September 1985)

348. It was reported that Palestinian women imprisoned at Neve Tertza on political charges were demanding separate quarters from criminal prisoners. (Al-Fajr, 13 September 1985)

349. On 26 September 1985, it was reported in the weekly Zu-Haderekh that the situation in the Ashkelon prison was extremely tense. According to the report on 11 September 1985, following the inmates' refusal to be counted while standing up, the prison authority allegedly set border guards at the inmates. The guards allegedly carried out "vindictive searches", confiscated objects from the inmates, beat them, used tear gas and denied the inmates food and water. Inmates who were injured from the beatings received medical treatment only two days later. Some 400 security prisoners from the territories were held in the Ashkelon gaol, according to the report, in conditions of extreme overcrowding. (Zu-Haderekh, 26 September 1985)

350. On 15 October 1985 it was reported that, according to advocates Felicia Langer and Lea Tsemel, 46 administrative detainees had gone on hunger strike four days earlier at the Nablus prison, to protest against the transfer of some of them to Beersheba prison. On 17 October 1985 dozens of women, mothers, sisters and wives of administrative detainees reportedly held a sit-in strike at the Red Cross

offices at East Jerusalem, in protest against alleged ill-treatment and harsh prison conditions of the detainees. (Ha'aretz, 15 October 1985; Zu-Haderekh, 23 October 1985)

351. On 21 October 1985, Police Minister Haim Bar-Lev said after visiting the Gaza prison that the severe overcrowding in the prisons "forces us to consider releasing prisoners who are not leaders and who were not convicted of bloody crimes, who had already served most of their prison terms, so that more space is available for other prisoners". Police sources said that the release of security prisoners could be carried out gradually, after the security authorities confirmed that the released prisoners would not be a security risk. According to one report the density in Gaza prison was 1.8 square metres per prisoner, as compared to between 2.8 and 3.5 metres in Israeli prisons. There was insufficient room for beds in all the cells and, as a result, many slept on mattresses on the floor. In one instance 60 to 80 detainees were arrested one night and were kept in a cell so small there was only standing room for them. Some cells reportedly lacked showers and toilets. In the case of security prisoners who refused to go out to work prisoners were locked in their cells for more than 21 hours a day. (Ha'aretz, Jerusalem Post, 22 October 1985)

352. On 5 November 1985, lawyer Jawad Boulos visited the section for juveniles in the Russian Compound, Jerusalem, where he met two boys - 14 and 12 and a half years old - who had been allegedly tortured during interrogation without confessing to any of the charges against them: demonstrating and manufacturing and throwing an incendiary bottle. (Al-Tali'ah, 7 November 1985)

353. On 10 November 1985, it was reported that 80 out of 90 administrative detainees from the territories had recently been transferred from prisons in the West Bank to the detention ward in the Beersheba prison. Mr. Shimon Malka, spokesman for the Prisons Service, said that the reason for the transfer was to try and improve the detainees' conditions and to overcome the problem of overcrowding. In a reply to a question as to whether the transfer was a violation of the Geneva Convention, Mr. Malka said that the Central Region Commander had enacted emergency regulations in the territories and, therefore, holding the detainees inside the boundaries of the State of Israel constituted no violation of the Geneva Convention. On 27 November 1985 the High Court of Justice reportedly ordered the military commanders of the West Bank and the Gaza Strip, and the prisons commissioner, to show cause within 30 days why they should not return 60 administrative detainees held at the Beersheba prison to prisons in the territories. In their petition the detainees argued that since they were residents of an occupied territory, Israel, the occupying Power, was barred from transferring them to its own territory. (Ha'aretz, 10 November 1985; Ha'aretz, Jerusalem Post, 28 November 1985)

354. On 18 November 1985, lawyer Jawad Boulos was reported as saying that no reason had been provided for the confinement of administrative detainee Samir Sbeihat in isolation. Sbeihat, a former student council head at Bir Zeit University, had been held in isolation for nearly one month. (Al-Fajr, 22 November 1985)

355. It was reported that living conditions for Palestinian political detainees in Nafha prison, in the Negev desert, were extremely harsh. Prison authorities had reportedly stepped up provocative measures against inmates in Nafha and confiscated books in their possession. (Al-Tali'ah, 21 November 1985; Al-Fajr, 22 November 1985)

356. On 10 December 1985, it was reported that hundreds of security prisoners in the central prison at Nablus (Jneid) and in the Jenin prison were on a partial hunger strike over the previous week. On 11 December 1985 it was reported that some 1,500 security prisoners in Ashkelon gaol and in several West Bank gaols had been on a hunger strike the previous day, and that for some of them it was the sixth day without food. The existence of the hunger strike was confirmed on 10 December 1985 by a senior Red Cross official. According to one report the prisoners were protesting against an "iron-fist policy" allegedly introduced by the wardens following the release of 1,150 prisoners in May 1985. Their main complaints concerned humiliating practices they were submitted to, physical violence, overcrowded cells, bad living and health conditions, as well as the denial of the right to receive visits from their lawyers. The Prisons Commissioner told the lawyers that he would not give in on any demands concerning security arrangements, but that he was willing immediately to improve the quality of food and raise sanitation standards if the strike ended. On 13 December 1985 it was reported that the prisoners had suspended their strike the previous night. (Ha'aretz, 10 December 1985; Jerusalem Post, 11, 12 and 13 December 1985)

357. Palestinian detainees at Al-Fara'a detention centre reportedly launched a warning strike to be followed by an open hunger strike if their demands were not met. Their four major complaints concerned malnutrition, ill-treatment, lack of medical care and the detention of children in the same premises as adults. (Al-Ittihad, 20 December 1985)

358. On 25 December 1985, two security prisoners, Abu Khaled Sami Mussa and Azat Mahmud Zaki, both 19, were strangled to death in their cell in the Gaza central prison. On 30 December 1985 it was reported that two security prisoners serving life sentences had confessed to the murder. The two victims were reportedly suspected of collaboration with the authorities. Prisons Service Commissioner Rafi Suissa appointed a committee to inquire into the killing. (Jerusalem Post, Ma'ariv, 27 December 1985; Ha'aretz, 30 December 1985)

359. It was reported that prisoner Jibril Rajub from the village of Dura, Hebron district, has ended the opened hunger strike he started 40 days earlier after the prison authorities agreed to his demands. The demands included the permission to meet his lawyer and an end to intensive interrogation as well as physical and psychological torture. (Al-Tali'ah, 2 January 1986, see also A/AC.145/R.336, para. 21)

360. On 19 January 1986, Palestinian prisoners held in Al-Fara'a detention camp went on a one-day hunger strike to protest against malnutrition and lack of medical care. (Al-Tali'ah, 23 January 1986)

361. On 28 January 1986, it was reported that the IDF had decided to transfer, within one month, some 500 security prisoners from prisons in Israel to a military prison. The decision was reportedly taken due to the severe overcrowding in the civilian prisons. According to the report, with 8,200 criminals and security prisoners held in the civilian prisons, the overcrowding reached an unprecedented point, and the transfer of 500 security prisoners would alleviate the overcrowding. (Ha'aretz, 28 January 1986)

362. On 4 February 1986, the police commander in charge of the West Bank south of Shilo described prison conditions in his district. He said, at a meeting summarizing the Judea police activities in 1985, that detention cells in his district were not fit for human occupation. He said that the cells were designed for 36 detainees but, on average, 87 people were detained in them. (Jerusalem Post, 5 February 1986)

363. On 5 February 1986, the weekly magazine Zu-Haderekh reported several cases of alleged ill-treatment of Arab detainees. Hussam Abdul Rahman Othman from the Balata refugee camp, Ahmed Zaki al-Ariri from Jenin and Ayad Yusef Mahmud Salameh from Bidia complained, through Adv. Felicia Langer, of being badly beaten by their interrogators in Nablus and Jenin gaols. (Zu-Haderekh, 5 February 1986)

364. On 23 February 1986, a prisoner in Jenin prison, Walid Greifat, aged 25, from the Nur a-Shams refugee camp, was beaten and strangled to death in his cell by inmates who suspected him of collaboration. The prisoner was serving a one-year term for hostile terrorist activity. (Ha'aretz, 24 February 1986)

365. On 23 February 1986, a lawyer delegation from Gaza reportedly visited Kfar Yona prison and met prisoners there. Kfar Yona prisoners reportedly went on strike for two days in protest against the "unbearable crowdedness in gaol". Eighty-seven Palestinian political prisoners were transferred to Kfar Yona prison after the Israeli authorities reconverted it to a prison for political as well as criminal detainees. (Al-Fajr, 28 February 1986)

366. On 24 February 1986, it was reported that a group called Centre for Alternative Information and lawyers dealing with defending accused West Bank and Gaza residents, had prepared and published a report on the use of torture during interrogation of security detainees in the territories. According to the report there was a significant drop in the number of complaints of torture during interrogation in the years 1977-1984, but in the past year their number has again risen considerably. Adv. Lea Tsemel said in a press conference at Jerusalem that most of the complaints came from detainees who denied the charges against them. The report contained detailed complaints of 27 detainees. Most of the complaints concerned General Security Service interrogators. The situation in Gaza was, according to the report, worse than in the West Bank. (Ha'aretz, 24 February 1986)

367. On 28 February 1986, it was reported that following an application by seven Arab prisoners, the High Court of Justice ordered the director of the central Prison of the West Bank, in Nablus, to improve conditions in the prison by creating employment for inmates and providing tables, so that inmates should not eat on the floor. After the three Supreme Court judges had visited and examined the detention

conditions, they rejected the application. They nevertheless realized that the cells were overcrowded and that prisoners had to eat on the floor, since there were no tables in the cells. (Ha'aretz, Yediot Aharonot, 28 February 1986)

368. On 30 March 1986, it was reported that a student at the Al-Najah University had petitioned the High Court of Justice, asking it to order the military commander in the West Bank to stop torturing him. The petitioner, Hamza Ahmed Hussein Abu-Hafisa, from the village of Illar, in the Tulkarem area, said he was arrested on 17 March 1986 and held in the Jenin prison. He alleged that, during the first two days of his detention, he had been tortured. (Ha'aretz, 30 March 1986)

369. On 21 April 1986, it was reported that the High Court of Justice would hear, in a three-Justice bench, a petition by two Al-Najah University students who alleged that they had been tortured during their interrogation by General Security Service (GSS) agents. The applicants asked the High Court to instruct the authorities to refrain from torturing them and to release them from detention. (Ha'aretz, 21 April 1986)

370. On 23 April 1986, political prisoners in Hebron gaol reportedly suspended their hunger strike, which had lasted for eight days, after some of their demands were met. The prisoners' demands were principally aimed at putting an end to alleged brutality by prison guards and to collective punishment, and at improving detention conditions. (Al-Fajr, 25 April 1986)

371. On 7 May 1986, it was reported that a police staff sergeant-major from the Samaria sub-district had been charged in the police disciplinary court in Petah-Tikva with beating a prisoner with electric cords to force him to confess to a murder. (Jerusalem Post, 7 May 1986)

372. On 13 June 1986 it was reported that Samir Murad Ba'ba', 35, from Tulkarem, detained in Jenin prison pending trial on charges of membership in PFLP, was complaining of torture and being denied family visits. (Al-Fajr, 13 June 1986)

373. On 20 June 1986, Palestinian female prisoners in Neve Tirtza prison demonstrated, by shouting and destroying furniture following a scuffle between them and Israeli criminal female prisoners. A Palestinian detainee, Ilham Muhammad al-Qutub, was beaten by Israeli prisoners, and was later put in solitary confinement. The Palestinian prisoners also demonstrated against the transfer of five of them to solitary confinement in Abu-Kabir prison in Tel Aviv. Following the violent demonstration the prisoners were sprayed with tear gas, and were later made to sleep the night in the tear-gassed room. The next day the Palestinian female prisoners at Neve Tirtza went on a two-day hunger strike. (Ha'aretz, Ma'ariv, Yediot Aharonot, 24 June 1986; Ma'ariv, 25 June 1986; Al-Fajr, 27 June 1986)

374. On 26 June 1986, it was reported that Adv. Walid al-Fahoum, head of the legal department of the Prisoners' Friends Committee, had submitted a report on prison conditions in Jneid and Kfar Yona gaols. According to the report Palestinian prisoners in both prisons were severely beaten and tear-gassed in mid-June 1986. Several of the prisoners' leaders were put in solitary confinement. At the source of the unrest were prisoners' protests against overcrowding, bad conditions and

transfers of prisoners to other prisons. Prisoners in Kfar Yona also protested against the administration's refusal to allow them to pray together on the Al-Adha Muslim holiday, and to allow inmates in various sections to visit each other on the holiday occasion. (Al-Fajr, 27 June 1986)

375. On 27 June 1986, it was reported that Palestinian political detainees in Beersheba prison had sent a letter to the local press the previous week, alleging that they were attacked in their cells by Israeli soldiers. They were allegedly tear-gassed, clubbed and beaten harshly. Many were locked in solitary confinement and the personal belongings of others were destroyed or confiscated. The attacks reportedly followed protest actions by the prisoners in order to obtain improved conditions. (Al-Fajr, 27 June 1986)

376. On 3 August 1986, the High Court of Justice decided that Prisons Service officials were authorized to hold an inmate in solitary confinement "in order to ensure that individual's safety", even though he may be prepared to take his chances in a general prison wing. The decision came in response to a petition filed by a West Bank Arab at Nablus prison. The State argued that the prisoner, who had co-operated with authorities in the past, would be harmed by terror organizations operating within the prison, and should therefore be kept apart. (Ha'aretz, Jerusalem Post, 4 August 1986)

377. On 21 August 1986, representatives of prisoners' families from the Hebron jail demonstrated outside the Red Cross offices at Jerusalem to protest against the conditions prevailing in that prison and in sympathy with the inmates who were reportedly on hunger strike since 18 August 1986. The prisoners were striking in protest over several recent measures taken by the prison authorities: holding security prisoners together with criminal prisoners in the new wing opened in the Hebron jail; use of violence and torture against the inmates, bad food, confiscation of a special delivery of candy to the inmates on the occasion of the Id al-Adha holiday and shortening visiting time from 30 to 10 minutes. A spokesman for the Prisons Service denied that there was a hunger strike at Hebron jail and said he was not aware of the problems mentioned by the prisoners' families. According to one report the prisoners were also protesting against the lack of drinking water. Hot water for bathing was non-existent, prisoners were denied any medical treatment and were also subject to arbitrary attacks by the guards and frequent attacks with tear gas in their cells. They were also allegedly denied the right to pray together and to meet together for congratulations on the feast. (Ha'aretz, 21 August 1986; Al-Fajr, 22 August 1986)

5. Annexation and settlements

(see sect. IV.C, paras. 77 and 78 above)

(a) Policy

378. On 25 November 1985, it was reported that Meron Benvenisti said at a press conference that most of the Jewish settlements in the West Bank were too weak to sustain themselves, and that if the Government stopped supporting them they would collapse. According to the West Bank Data Base Project, the number of settlers in

the West Bank increased by 10,000 over the past year and at present reached 52,000. The increase was mostly in settlements close to Tel Aviv or Jerusalem. Three-quarters of the settlers lived within 20 kms of Jerusalem, or within a 40-minute drive from the Tel Aviv area. Benvenisti said that the 52 settlements established by Gush Emunim, with a population of some 10,000 settlers, stagnated over the past year. Benvenisti found that the Government was spending large amounts on keeping the settlements going. According to Benvenisti, if the present rate of settlement should continue, the forecast of 100,000 Jewish settlers in the West Bank by the end of the decade should remain unaltered. On 27 November 1985, it was reported that the Gush Emunim rejected Dr. Benvenisti's findings as "distorted and erroneous". There were at present 62,000 Jewish settlers in the West Bank, and not 52,000, and the potential for more settlers was not weakening. The decline in construction was similar to the one felt in other parts of the country, and 19 new settlements were established recently in tough locations, peopled by "ideologically motivated" groups, numbering some 150 families. These settlements are: Beit-Hagai, Maaleh-Levona, Eli, Yitzhar, Peduel, Nahliel, Sanur, Rafiah-Yam and Netzarim. (Ha'aretz, Jerusalem Post, Ma'ariv, 25 November 1985; Ha'aretz, 27 November 1985)

379. On 30 December 1985, the Knesset Finance Committee approved a budget of IS 5 billion (approximately \$3.5 million) for settlement in the territories, following an agreement between the representatives of the Alignment and Likud and the Committee chairman. (Ha'aretz, 31 December 1985)

380. On 10 January 1986, it was reported that, according to a study by Michael Romann published earlier in the week by the West Bank Data Base Project headed by Dr. Meron Benvenisti, the future development area of Kiryat Arba would totally surround Hebron, and would be larger than the entire municipal area of jurisdiction of the Arab town. The process of locating state-owned lands for Kiryat Arba was still under way. When completed, it could reach 4,000 to 6,000 dunams, allowing for the construction of 5,000 housing units - including the existing flats - and for a population of 21,000. According to the study, there were at present 3,000 Jews in Kiryat Arba and Hebron, and some 6,000 Arabs in Hebron. According to the plan, all the State-owned lands within that area were designed for Jewish construction; access and connection roads, would reportedly be expropriated from their Arab owners. The Arab areas within that zone would be restricted for farming, open areas or future development, and urban construction there would be prohibited. In a related development, the Committee for the Renewal for Jewish Settlement in Hebron published a blue-print providing for the seizure of 70 dunams of formerly Jewish property inside Hebron, in the sites of the wholesale market, bus terminal and Tel-Rumeida. Under the plan 500 flats would be built in that area, with a Jewish population of 3,000. At a later stage, the plan proposed to connect the three sites inside the old town (Hadassa House, Romano House and "Abraham the Patriarch" compound), by buying or expropriating lands, and to create a continuous Jewish settlement similar in its dimensions to the Jewish quarter in the old city of Jerusalem. As a long-term plan it was proposed to connect the Jewish quarters with the Patriarchs' Cave through the Casbah of Hebron. (Ha'aretz, 10 January 1986)

381. On 14 January 1986, the Minister of Energy and Infrastructure, Moshe Shahal, told members of the Jordan Valley local council that the Jordan Valley would remain part of the State of Israel in any future arrangement with Jordan. (Ha'aretz, 15 January 1986)

382. On 15 January 1986, the Minister of Housing and Construction, David Levy, told a meeting of his Herut movement, held at Maaleh-Adumim, that 13 new settlements would be set up in the West Bank and the Gaza Strip during 1986. Finance Minister Yitzhak Modai said at the meeting that the national unity government had to set up 27 new settlements during its term of office, according to the coalition agreement. (Ha'aretz, 16 January 1986)

383. On 27 March 1986, the Central Bureau of Statistics released figures on changes in the population in the State and in the territories. The number of Jewish settlers in the territories increased by 4,800 in 1985, bringing the total to 42,000. (Jerusalem Post, 28 March 1986)

(b) Measures

384. On 6 August 1985, the head of the Jewish Agency's Settlement Department, Mattityahu Drobles, said that the Migdalim settlement, south-east of Nablus, bordering on the Jordan Valley region, would be set up on 1 September 1985. The second of the six settlements that would be created, Neot-Adumim, had its infrastructure under construction, while the remaining four settlements, Peles, Assa'el, Beitar and Avney-Hefetz, were still being planned. (Ha'aretz, 7 August 1985)

385. On 6 August 1985, the secretary-general of Gush Emunim, Daniela Weiss, told the Jerusalem Post that Gush Emunim leaders had concluded that their movement must pass from the stage of spreading out over the area to the stage of strengthening its hold over it. Accordingly, it was decided that Eli, a small new settlement on the Nablus-Ramallah road, should be turned into a full-fledged town. The expansion of Eli should be followed, according to the Gush Emunim planners, by the development of Eilon Moreh, Brakha and Kiryat Arba. On 2 October 1985 the cornerstone-laying ceremony of Eli took place. According to the report the Gush Emunim planned there a town of 2,000 families. Speaking at the ceremony Deputy Prime Minister David Levy said that 8 new settlements had been set up in the West Bank over the past year, and 8 more should be set up in the coming year. Some 6,000 housing units were being built at present. David Levy added that some 250 families were expected to live in Eli initially. At present, only 12 families reportedly lived in the settlement. (Jerusalem Post, 8 August and 3 October 1985)

386. The Israeli Military Objection Committee at Ramallah rejected a petition by Mr. Mohammed al-Nabahin of Ta'amreh village against the confiscation of his 12-dunam plot near Bethlehem. (Al-Fajr, 9 August 1985)

387. On 13 August 1985, it was reported that a police investigation was under way into some 200 complaints by Arab landowners in the West Bank, who maintained that their signatures had been forged on purchase documents and their land had been sold without their knowledge. Some also claimed their land was taken from them through

threats, force and extortion. Deputy state attorney, Plija Albeck, the Justice Ministry's expert on West Bank land, reportedly forbade - following the uncovering of several cases of illegally conducted land deals in the area - land sales by Israelis in areas unapproved for settlement, but private entrepreneurs and contracting companies continued to sell land, apparently with political backing from certain quarters (such as the Agriculture Ministry, when Ariel Sharon was Minister and Michael Dekel was his Deputy). It was reported that two more West Bank dealers were arrested in the first week of September 1985, as police continued to investigate land fraud on the West Bank. Thus far, 10 people had been arrested in connection with the case, including two Israeli lawyers - Mr. Uri Ben Yehuda and Mr. Sami Me'olam - and West Bank land dealer Ahmed Odeh. It was also reported that despite police requests, Tel Aviv District Court Judge Hamrah Sharon released three of the principal suspects in the case from police custody. They were suspected of forging signatures on land deeds. Three of them were released on IS 5 million (approximately \$3,335) bail each after spending the previous 45 days in detention. On 24 October 1985, new fraudulent deals were discovered after investigation into fraud cases was halted by Israeli authorities. On 10 January 1986 it was reported that nearly two dozen Arabs from Nablus and surrounding villages were being held by police on suspicion of falsifying documents related to the West Bank land-fraud investigation. The police had reportedly questioned the suspects for 14 days but had not yet charged them. It was learnt that formal charges would be brought against only four or five of the suspects. The Arabs had complained to police and the Israel Lands Administration that their land was wrongly taken from them and that they were forced to sell their property under threats, but according to information in the hands of the police, the Arabs had falsified documents in order to show that the land sales were "fraudulent". (Jerusalem Post, 13 August 1985 and 10 January 1986; Al-Fajr, 6 September 1985; Al-Tali'ah, 24 October 1985)

388. On 28 August 1985, it was reported that the Planning Department of the Jerusalem Municipality had prepared a detailed plan for the expropriation of the south-eastern slopes of the Temple Mount, at present owned by the Waqf. According to the report the plan was not submitted to the local Planning Commission, as it was feared that a political storm could arise, after the Waqf had learned of the plan and threatened to create an "international scandal". Sources in the Jerusalem Municipality, who admitted that such a plan did exist, argued that an expropriation of the area would have had no practical repercussions, since the area, which was at present an archaeological garden, would have remained such a garden, and only its ownership would have been changed. (Ha'aretz, 28 August 1985)

389. On 3 September 1985, it was reported that farmers from the villages of Surif and Jaba, south of the Etzion bloc, recently complained that Kfar Etzion settlers had been preventing them access to an area of 2,000 dunams of farming land that they claimed was theirs for many generations. The farmers were allegedly told by the settlers that the area was State-owned. It was also reported that the assignment of the area would be decided only after the decision to declare it State-land was confirmed. (Ha'aretz, 3 September 1985)

390. On 1 October 1985, it was reported that 200 Jews lived at present in the Muslim Quarter of Jerusalem's Old City, both in houses bought from Arabs and houses that formerly belonged to Jews. (Ha'aretz, 1 October 1985)

391. Israeli authorities reportedly confiscated vast areas of land belonging to the village of Yasuf in the Nablus area for the purpose of expanding the nearby Tafuah settlement. According to the report, 200 dunams were already confiscated in the village for the same purpose. (Al-Fajr, 11 October 1985)
392. A number of Jewish zealots allegedly attempted to seize Arab land in Ras el-Amoud in Jerusalem, claiming graves existed on the 15-dunam plot. (Al-Fajr, 25 October 1985)
393. On 5 November 1985, it was reported that the Investment Committee of the Ministry of Tourism had approved the construction of a hotel in the West Bank settlement of Kedumim. The hotel, the first in the West Bank to be approved by the Commission, would cost \$1,000,000. (Ha'aretz, 5 November 1985)
394. Hebron's military governor reportedly notified the Muktars of Arab al-Ramadin near Dhahiriya of the decision to confiscate a 15,000-dunam plot extending from Arab al-Ramadin to Wadi al-Khalil. The land was surveyed a week earlier. (Al-Fajr, 8 November 1985)
395. Israeli bulldozers began working on land belonging to the village of Sur Baher, south of Jerusalem, following a decision to confiscate the 1,000-dunam plot. (Al-Fajr, 15 November 1985)
396. According to a report appearing in the Al-Quds newspaper of 15 November 1985, bulldozers have begun digging up a 130-dunam plot south of Nezarim settlement in the northern part of the Gaza Strip. (Al-Fajr, 22 November 1985)
397. On 24 November 1985, it was reported that the IDF on 22 November 1985 prevented some 40 members of the "Jericho nucleus" from settling in the Jericho area. The nucleus members, residents of Kiryat Arba and yeshiva students, intended to settle in an area where ruins of a sixth-century Jewish synagogue were discovered. Security sources said the nucleus members would not be authorized to settle in that area. The IDF stopped the nucleus members at a road-block and took them to a military camp several kilometres away. Ten members reportedly left the army camp and reached the site of the synagogue but they were forced to leave and two of them were arrested. On 26 November 1985, it was reported that another attempt to settle at the Jericho synagogue site was foiled by the army. On 8 December 1985, soldiers and border guards foiled an attempt, the third in one month, to establish a settlement at the ruins of an ancient Jewish synagogue north of Jericho. The settlers, members of a movement called the Faithful of the Land of Israel, stated that the attempts at settling in the area would continue. (Ha'aretz, Jerusalem Post, 24, 26 and 27 November 1985; 9 December 1985)
398. Seven farmers from Ubaidiyah village in the Bethlehem area were reportedly to go on trial before an Israeli military court on charges of working on their land without permission from military authorities. They were accused of violating article 34 of the 1966 law of organization of cities, villages and buildings by opening a road blocked by authorities in preparation for establishing a new settlement. (Al-Fajr, 29 November 1985)

399. On 1 December 1985, nine families of Ethiopian Jews, totalling some 50 persons, were transferred to Maaleh-Adumim. The Housing and Absorption Ministries reportedly planned to settle some 40 families in Kiryat Arba. (Ha'aretz, 2 December 1985)

400. On 2 December 1985, the inauguration was reported of a new road linking the Jordan Valley to the coastal plain. At the inauguration ceremony Deputy Prime Minister David Levy said that the road had a "political significance" and was therefore given a special priority - so as to remove any doubt regarding the future. (Ha'aretz, Jerusalem Post, 3 December 1985)

401. On 19 December 1985, Gush Emunim created a fund for redeeming lands, whose objective is to raise contributions and funds in Israel and abroad in order to "redeem lands, particularly in Judea, Samaria and the Gaza district". (Ha'aretz, 20 December 1985)

402. It was reported that an eight-dunum plot belonging to Mr. Musa Ayyad has been confiscated by the Israeli authorities in the village of Sharfat in the Jerusalem area. The land was reportedly given to the Israeli Keren Kayaimet, which started uprooting Mr. Ayyad's olive trees. (Al-Fajr, 20 December 1985)

403. Israeli forces reportedly seized about 2,000 square metres of land near Natzarin settlement (Gaza Strip). The reason given for the seizure was to expand the intersection. The land was owned by the al-Ashram and the Attalah families. (Al-Fajr, 20 December 1985)

404. On 9 January 1986, Israeli military authorities reportedly confiscated hundreds of dunams of Samu' village near Hebron. (Al-Fajr, 17 January 1986)

405. On 20 January 1986, Deputy Prime Minister and Minister of Housing and Construction, David Levy, inaugurated the renovated Hadassa House at Hebron. In the renovation works apartments were built for 11 families, and rooms were set aside for a synagogue and a dormitory for pupils of the yeshiva at the nearby Romano House. An adjacent house, called Hasson House, would also be renovated to accommodate five families (at present three families lived there) and a yeshiva. The main project involved the "Jewish Courtyard", also known as the Abraham the Patriarch compound. According to the plan, low-rise buildings would be built that would blend in with the Arab structures in the area. On 12 February 1986, it was reported that 11 Jewish families from Jerusalem and Kiryat Arba would move shortly into new apartments prepared for them in the Hadassa building in the centre of Hebron. (Ha'aretz, Jerusalem Post, Ma'ariv, 21 January 1986; Jerusalem Post, 12 February 1986)

406. It was reported that the Israeli authorities informed Arab landowners from the village of Beit Furik, near Nablus, of its decision to confiscate 4,000 dunams of their land. (Al-Fajr, 7 February 1986)

407. It was reported that several dozen Arab residents from the villages of Irtas and al-Khader, near Bethlehem, submitted an official objection to opening a road on their land. The road would reportedly link Jewish settlements in the Bethlehem area. (Al-Fajr, 14 February 1986)

408. On 24 February 1986, the cornerstone-laying ceremony was reported of a permanent settlement called "Metzadot-Yehuda" in southern Mount Hebron. Housing Minister David Levy attended the ceremony and also inaugurated a new road crossing the Mount Hebron area from north to south. (Yediot Aharonot, 25 February 1986)
409. On 28 March 1986, it was reported that the Housing Ministry had granted \$40,000 to a Gush Emunim-oriented yeshiva that had been leading the move to buy out Muslim owners of houses surrounding the Temple Mount. The money was reportedly given to the yeshiva to help it acquire flats in the Muslim quarter of the Old City. There was no authorization in the State budget for that allocation. (Jerusalem Post, 28 March 1986)
410. On 31 March 1986, Housing Minister David Levy and the mayor of Jerusalem Teddy Kollek inaugurated the new neighbourhood of Pisgat-Zeev, located between Neveh Yaacov and the French Hill, in East Jerusalem. The new neighbourhood was planned to consist of 12,000 housing units; 400 families already lived there. A new tract of road, linking Neveh Yaacov and Pisgat-Zeev to the Maaleh Adumim road, was also inaugurated on 31 March 1986. (Ha'aretz, 1 April 1986)
411. On 27 April 1986, Housing Minister David Levy took part in a cornerstone-laying ceremony at Neve Daniel, a new settlement in the Etzion bloc. Mr. Levy announced that within a few weeks his ministry would begin settling dozens of Jewish families in the heart of Hebron. (Ha'aretz, Jerusalem Post, 28 April 1986)
412. On 20 May 1986, it was reported that the Minister of Trade and Industry, Ariel Sharon, said during a visit to the Mount Hebron area that an industrial zone would be created in Deir Razah shortly, on a stretch of land of 600 dunams, located near the settlement of Adurayim. Mr. Sharon said the land was State-owned, and stressed the geographical and strategic importance of the site. According to local residents the lands were privately owned. The industrial zone would provide jobs for settlers in the 11 settlements located in the region. Mr. Sharon also announced that he intended to set up a 60-dunam site for high-technology industries in Porcelaine Hill, near Kiryat Arba. He said some \$15 million were invested, during the previous year, in industry in the West Bank and the Gaza Strip. (Ha'aretz, 20 May 1986)
413. On 25 May 1986, it was reported that three residents of the village of Artas, in the Etzion bloc, applied to the High Court of Justice, claiming that Jewish settlers in the area had set up hen-coops on lands confiscated from them for security purposes. The applicants were asking the High Court to instruct the security authorities to return the lands to their owners. (Ha'aretz, 25 May 1986)
414. On 29 May 1986, it was reported that an inauguration ceremony was held that day for the settlement of Kadim, in northern Samaria. Kadim had been created as a Nahal outpost and was now being turned into a permanent civilian settlement. (Ha'aretz, 29 May 1986)

415. On 1 June 1986, the security authorities fenced with barbed wires an area of 203 dunams near Abu-Median, south of Gaza, and another area of 116 dunams north of the Amer project. The land, located near the Netzarim settlement, had been bulldozed before being fenced. In another development it was reported that the military authorities had notified mukhtars of the village of Samu', near Hebron, of their decision to confiscate 2,500 dunams of the village's lands. The landowners were given 45 days to appeal the decision to the military objections committee. (Al-Fajr, 6 June 1986)

416. On 4 June 1986, Housing and Construction Minister David Levy participated in the inauguration ceremony of a new housing project with 750 flats in the settlement of Ginot, in Samaria. Speaking at the ceremony Mr. Levy promised that settlement in Samaria would continue. In a visit to several settlements in Samaria, Mr. Levy said that some 100 rural settlements and 10 urban settlements had been established over the past 10 years in the West Bank and the Gaza Strip, with a total of 15,500 housing units. In another development it was reported on 4 June 1986 that a Bedouin settlement, Lagia, would be established shortly in the southern Mount Hebron area, with a planned population of 10,000. Another Bedouin settlement, Houra, should be set up in Israel. (Ha'aretz, 4 June 1986)

417. On 13 June 1986, it was reported that mukhtars of the Bani-Naim village in the Hebron district had been notified the previous week of the confiscation of 950 dunams of land in the Khalet Yaqin, Garon Batha, Um Dahab and Um Halseh areas, on the pretext that the lands were State property. Landowners were given 45 days to appeal the decision. (Al-Fajr, 27 June 1986)

418. On 18 June 1986, it was reported that an area of 300 dunams had been levelled by bulldozers and confiscated in the Jenin district. The land was reportedly used by herdsmen from the villages of Tura, Khuljan and Ya'bad to graze their sheep. (Al-Fajr, 27 June 1986)

419. On 20 June 1986, it was reported that residents of Ya'bad in the Jenin area had complained to the authorities against plans by the zoning committee to open a road 500 m long and 40 m wide. Large numbers of olive trees would be destroyed if the plan were to materialize. (Al-Fajr, 27 June 1986)

420. On 23 June 1986, it was reported that the High Court of Justice had issued an interim injunction prohibiting the authorities from confiscating a 46-dunam Arab-owned plot to an Israeli settlement north of Rafah. The land was levelled in April 1986 in preparation for the confiscation. Reports also continued about land-leveling works in other areas in the Gaza Strip: some 102 dunams were being levelled near the Amer project, and 22 dunams near Netzarim. Gaza residents reportedly claimed they had documents proving their legal ownership of the lands. (Al-Fajr, 27 June 1986)

421. On 27 June 1986, it was reported that several Palestinian lawyers representing four Hebron area families had filed a complaint earlier in the week with Israeli military authorities in protest of illegal work on a 700-dunam plot that was reportedly designed to become an industrial complex to serve Kiryat Arba. Land levelling works already started on the site, giving rise to clashes between local

residents and security personnel. The creation of the industrial complex was proposed on 20 May 1986 by Minister of Trade and Industry Ariel Sharon. The four families owning the lands, situated in an area known as Beit-Inoun, reportedly had documents proving their legal ownership. In another development it was reported that the military objections committee had concluded earlier in the week that the authorities had erred in confiscating a 400-dunam plot owned by Palestinians near Yatta, south of Hebron. The committee advised the authorities, who declared the land State property, to return it to its owners. It also advised the authorities to return 400 dunams out of a 1,000-dunam plot near Surif, in the Hebron area, to its owners. (Al-Fajr, 27 June 1986)

422. On 2 July 1986, it was reported that over the past week construction works had accelerated in the "Jewish court", in the wholesale market of Hebron. Works in the site were reportedly executed under the control of the staff officer in charge of archaeological affairs in the civil administration. A number of prefabricated structures that served as offices for the Association for the Renewal of Jewish Settlement in Hebron were removed from the site to enable the construction of an institute for the studies of Eretz-Israel, of the Beitar movement, which was at present located at Tel-Rumeida. The offices of the association were transferred to the Hadassa building. (Ha'aretz, 2 July 1986)

423. On 10 July 1986, it was reported that residents of the village of Khader, near Bethlehem, were angry at the decision by an appeal committee on behalf of the civil administration to turn down their appeal against the intention to build a road by-passing the Dheisheh refugee camp on their lands. The Dheisheh by-pass was planned to link the Etzion bloc area with south Jerusalem. The civil administration had announced its intention to expropriate many plots of land belonging to Khader residents. The appeal committee, which rejected the appeal, explained to the villagers that they would be compensated for damages caused to their plants and trees but not for the loss of their lands, since the expropriation was being carried out for "public needs". The villagers were given three weeks to submit an alternative plan. The head of the local council said he intended to take the case to the High Court of Justice. (Ha'aretz, 10 July 1986)

424. On 4 August 1986, the military court at Ramallah ruled to cancel a four-year-old decision by the military authorities to confiscate a 168-dunam plot south of Tulkarem, which they intended to annex to the nearby settlement of Yakir. The three families owning the land - Jaber, Moqbel and Rayyan - will have the land returned to them. (Al-Fajr, 8 August 1986)

425. On 21 August 1986, the military authorities declared an area of about 3,000 dunams state land. The area was reportedly situated near the villages of Biddu and Surta, in the Tulkarem district. The authorities gave the landowners 45 days to contest the confiscation. The area in question had been allegedly fraudulently bought by Israeli real-estate companies. (Al-Fajr, 22 August 1986)

6. Golan Heights

(see sect. IV.C, paras. 79-84 above)

426. Fifteen university students from the Golan Heights reportedly filed a petition with the Israeli High Court against the Ministry of Interior for refusing to grant them a laissez-passer in order to pursue their studies in a number of Eastern European countries. (Al-Tali'ah, 22 August 1985)

427. On 3 September 1985, it was reported that the IDF intended to issue an order banning Golan Heights residents from circulating at night in areas close to the border with the Syrian Arab Republic. (Ha'aretz, 3 September 1985)

428. On 3 October 1985, it was reported that a new town, Kidmat Zvi, was to be dedicated on the Golan Heights. Twenty-five families were at present living in the site, situated 3 km north-east of Katzrin. The town was reportedly planned for a total of 100 families. (Jerusalem Post, 3 October 1985)

429. On 15 October 1985, the Nazareth district court convicted Rafik Kalani, aged 20, from Majdal Shams, of providing the Syrian Arab Republic with information on IDF strength in the Golan Heights. (Jerusalem Post, 16 October 1985)

430. On 12 November 1985, 10 youths, aged 16 to 20, from Majdal Shams, on the Golan Heights, were charged in the Lod military court with stealing land mines and plotting against the IDF during the previous two years. The youths denied the charges. (Ha'aretz, Jerusalem Post, 13 November 1985)

431. It was reported that the Arab population of the Israeli-occupied Golan Heights called upon the United Nations to send a commission of inquiry to investigate the "intolerable conditions under which the Golan Arabs live". A letter dated 2 December 1985 was sent to the Secretary-General of the United Nations calling upon the international community to act immediately and to pass laws to help lift the "injustice, suppression and oppression" from which this population suffer. The letter reported cited some of the oppressive measures, foremost among which is the problem of income tax. According to some allegations, tax collectors have raided homes and shops, confiscating furniture and agricultural equipment. They also allegedly opened fire on people who refused to obey orders and imprisoned those who dared to ask why such measures were being taken against them. (Al-Fajr, 6 December 1985)

432. On 17 February 1986, it was reported that the police had detained, over the weekend, 7 Druze residents of Majdal Shams and Bukata, on the Golan, on suspicion of disturbing public peace. In demonstrations held to mark the fifth anniversary of Israeli extension of its law and administration to the Golan, hundreds of Druze residents waved Syrian flags, sang Syrian national songs and expressed solidarity with the Syrian régime. Many Syrian Druze arrived at the Syrian side of the border and participated in the demonstrations. On 27 February 1986, it was reported that police had arrested a further 18 Druze residents of Golan villages on suspicion of rioting and injuring policemen during Prime Minister Shimon Peres's visit to Majdal Shams on 25 February 1986. Several of the detainees, who were rounded up on

the basis of police photographs taken during the riot, were reportedly minors. They were all being detained at Acre (northern Israel). On 28 February 1986, it was reported that a magistrates court at Acre had extended the detention of 18 suspects. Fourteen adults were detained for 15 days and 4 minors were detained for 10 days. The police reportedly intended to put the suspects on trial during their period of detention, on charges of participation in an illegal demonstration, sedition and injuring policemen. (Ha'aretz, 17 and 28 February 1986; Jerusalem Post, 17 and 27 February 1986)

433. On 3 March 1986, 11 Druze residents of Majdal Shams were arrested on suspicion of rioting during the visit by Prime Minister Peres. According to the report these arrests brought the total number of Druze detainees following the rioting to 47, including some minors. On 18 March 1986, it was reported that 16 of the detainees had been released on bail, the previous day, by order of the district court in Nazareth. They were told not to leave their villages without police permission and not to leave their homes from the early evening hours until the morning; they were also prohibited from taking part in any gathering. Another two detainees were remanded in custody until their trial. These two were reportedly charged with assaulting policemen. On 28 March 1986, it was reported that the Supreme Court had ruled that five of the detainees who had earlier been released on bail by the district court in Nazareth could be remanded until the end of the legal proceedings against them. (Ha'aretz, 4, 18 and 28 March 1986; Jerusalem Post, 28 March 1986)

434. On 12 March 1986, it was reported that police had, over the past year, seized what was described as "an enormous quantity" of sabotage materials in the Druze villages of the Golan Heights. Most of those involved were reportedly arrested and would be put on trial. (Ha'aretz, 12 March 1986)

435. On 20 March 1986, income-tax authorities carried out an early morning raid on a fruit-packing plant in the Golan Druze village of Majdal Shams. The plant's owners were accused of refusing to submit reports to the income-tax authorities for the past six years. Following that operation a general strike was proclaimed on 21 March 1986 in the Golan Druze villages and disturbances were reported. According to local residents the Israeli authorities embarked on a harassment campaign against them following the rioting in Majdal Shams during the visit by Prime Minister Peres. (Jerusalem Post, 21 March 1986; Yediot Aharonot, 23 March 1986)

436. On 15 April 1986, the Northern Region Commander, Aluf (Major General) Uri Or, issued an order banning for seven days the Golan Druze residents from reaching the hill close to the Syrian border, where the Druze population used to demonstrate together with Syrian Druze residents meeting on the other side of the border. (Ha'aretz, 16 April 1986)

437. On 17 April 1986, over 700 policemen and border guards prevented, by their presence in the four Golan Druze villages, the marking and celebration of the Syrian independence day. Several improvised demonstrations were nevertheless held in Majdal Shams and Ein Kinia, but the public order was maintained. (Ha'aretz, 18 April 1986)

438. On 19 April 1986, a magistrate's court in Zefat, northern Israel, extended by 12 days the detention of Fahed Safadi, aged 18, a Golan Druze suspected of having organized an illegal demonstration on the Syrian independence day. Three other youths from the Golan village of Ein Kinia were also detained for 12 days for participation in an illegal demonstration. (Ma'ariv, 20 April 1986)

439. Defence Minister Itzhak Rabin said on 22 April 1986 that Israel's aim now was to develop and build up the Golan Heights, as an answer to the loud voices and threats emanating from the Syrian Arab Republic. "We want to live in peace and not in war here", he declared. "Our way of reacting to the extremist speeches is to practise restraint, to build and to act, thus making clear we want peace, not war." (Ha'aretz, 23 April 1986)

440. On 21 May 1986, it was reported that the military court at Lod had passed prison sentences of 27 years on five Druze residents of Majdal Shams, convicted of attempting to kidnap a soldier and holding contacts with Syrian agents. Four other members of the group, also from Majdal Shams, were given prison sentences ranging from 7 to 12 years for their part in the case. The eight youths, aged 16 to 21, were all holders of Israeli identity cards. In a related development it was reported that the trial was under way at the Nazareth District Court of 18 Druze residents of the Golan Heights accused of rioting and stoning policemen during a visit to their villages by Prime Minister Peres, two months earlier. (Ha'aretz, Jerusalem Post, Ma'ariv, 21 May 1986)

441. On 22 May 1986, four bulldozers belonging to the State Lands Administration, protected by police and border-guard forces, ploughed up and fenced off 150 dunams of land located west of Majdal Shams on the Golan Heights. (Ha'aretz, Jerusalem Post, 23 May 1986)

442. On 17 June 1986, Wasef Khater, a Golan Heights resident, was dismissed from his job at the Safed hospital because he refused to accept Israeli citizenship. (Al-Fajr, 20 June 1986)

443. On 15 July 1986, three residents of the Golan Druze village of Mas'ada were convicted at the Nazareth district court of passing information on the IDF to the Syrian intelligence. Yasser Sabra, aged 21; Ziad Bathish, aged 20; and Ma'mun Sabag, aged 19, were each sentenced to five years' imprisonment. The three were captured by soldiers of the South Lebanon Army on their way back from the Syrian Arab Republic to the Golan. (Ha'aretz, 16 July 1986)

444. On 16 July 1986, the Nazareth district court convicted 13 youths, aged 18 to 25, from Majdal Shams on the Golan, of rioting during the visit to their village by Prime Minister Shimon Peres in February 1986. The youths were sentenced to prison terms ranging from three to six months. In another development, it was reported that two Druze residents of Mas'ada had been arrested on suspicion of having hoisted Syrian flags over the sports club in their village. The two were named as Shaer Saber, aged 26, and Safdi Salim, aged 18. They were remanded for eight days for further investigation. (Ma'ariv, 17 July 1986)

445. On 10 August 1986, the Supreme Court rejected an appeal by 14 Golan Druze residents against their sentence. They had been sentenced by the Nazareth district court to prison terms of three and six months on charges of participation in an illegal demonstration. (Al-Fajr, 14 August 1986)

446. On 25 August 1986, it was reported that an announcement by the Ministry of the Interior that the Golan Druze residents were included in the voters register for the Knesset had provoked anger in the Golan Druze villages. At an emergency meeting held in Majdal Shams it was decided to send a letter to Interior Minister, Rabbi Yitzhak Peretz, informing him that the Golan Druze residents did not consider themselves to be Israeli citizens. It was also decided to petition the High Court of Justice for an order forcing the Ministry of the Interior to cancel the registration of the Golan Druze residents in the voters register. (Yediot Aharonot, 25 August 1986)

7. Incidents

The Temple Mount incidents

447. On 8 January 1986, a group of two dozen Israelis, including five Knesset members, visited the Temple Mount area, in the old city of Jerusalem. The visit, described by a senior police officer as a "courtesy visit", had been arranged in co-ordination with the Ministry of Religious Affairs and the Muslim Waqf, in order to permit the Knesset Interior Committee to examine complaints of illegal Muslim construction in the site. Only three members of the Knesset committee took part in the visit: its chairman, Dov Shilanski (Herut), Ovadia Eli and Jacques Amir - the only Labour Party committee member to have participated. Knesset members Geula Cohen and Yuval Neeman, who were not members of the Knesset Committee, came along, together with other right-wing activists such as Avi Farhan and Gershon Salomon - who heads a group called the Faithful of the Temple Mount, responsible for repeated attempts at organizing Jewish public prayers on the Mount. About 20 border-guards and policemen accompanied the group. After a visit to the Al-Aqsa mosque, which passed without incident, the group went to nearby underground halls known as Solomon's Stables. There, Muslim guards and Arab workmen prevented the group from entering the place with cameras. Knesset members Cohen and Shilanski who tried to force their way in were allegedly punched and beaten. Meanwhile hundreds of Arabs gathered around the group responding to a call by the muezzin, from the top of the minaret to come and defend the mosque. Police closed the gates to the Temple Mount to prevent more Arabs from entering, and used tear gas and baton charges in order to extricate the Knesset members from the area. One Arab youth reportedly fainted as a result of the tear gas. Knesset member Shilanski announced that he intended to complete the visit in the afternoon, but Knesset speaker Shelomo Hillel prohibited any visits by the Interior Committee. Police Minister Haim Bar-Lev ordered Police Inspector-General David Kraus personally to supervise an investigation into the disturbance, following the Committee members' complaints of "police negligence" and Waqf complaints of "provocation". On 9 January 1986 Minister of Industry Ariel Sharon made a 20-minute visit to the Temple Mount and declared that Jews and Arabs had to learn to cohabit in that place. In another incident, a group of Israeli youths, reportedly supporters of the Tehiya Party, waved an Israeli flag and sang the

Israeli national anthem on the Mount. Border guards evicted them and they were taken to a police van to be questioned. Charge sheets would be filed against them for disturbing the public peace. On 14 January 1986, a group of Knesset members, members of the Knesset Interior Committee and others made a return visit to the Temple Mount. Reporters and photographers were barred from accompanying the group, by decision of Police Minister Haim Bar-Lev. Immediately upon entering the Temple Mount, Committee chairman Dov Shilanski told the Knesset members that Gershon Shafat - a Gush Emunim leader who took part in the visit - wished to recite a prayer. At the same time, Knesset member Rabbi Waldman (Tehiya) took out a book of psalms and read from it aloud. Knesset members Shulamit Aloni and Yossi Sarid (Civil Rights Movement) started shouting "this is a provocation", demanding that the prayers be stopped. They then decided to leave the tour, in protest against the prayers. Waqf officials who at the beginning refrained from intervening, at that point also demanded that the prayers be stopped, calling them a provocation. They were joined by some 150 Arabs, mostly local residents and striking Bir Zeit University students who reportedly tried to break through the tight police cordon around the Knesset members. Police used tear gas to disperse them and accompanied the Knesset members to Solomon's Stables, where Arab youths blocked the entrance. The head of the Supreme Islamic Council, Sheikh Saad ed-Din al-Alami told Southern District Police Commander Rahamim Comfort that, due to the public prayer by the Knesset members he decided to prohibit the Knesset members from continuing their visit and entering Solomon's Stables. Comfort then warned Shilanski that, while the police were prepared to force the gates of the Stables open, after they were locked by the Waqf, such an action may result in bloodshed. Meanwhile, hundreds of local worshippers on the Mount chanted hostile slogans, and outside the Mount, at the Majlis Gate, police used force and tear gas to disperse some 150 rioters who wanted to force their way into the Mount. At around 11 a.m. the Knesset members were taken to a police post at the entrance to the Mount and, after a 25-minute discussion voted (by a majority of 8 votes to 3) to discontinue the visit and not to insist on entering Solomon's Stables. In the course of the incident 17 demonstrators were arrested. Police later said that the Knesset members' decision to withdraw had prevented a riot of "disastrous proportions". A general business strike was held in East Jerusalem throughout the day. On 30 January 1986, it was reported that 14 Arabs would be put on trial following the rioting on the Temple Mount during the visit to the place by the Knesset Interior Committee. During the day of the visit 32 persons were arrested, of whom 19 were detained for further questioning. The 14 who would stand trial would be charged with illegal gathering, stone-throwing and taking part in a violent demonstration. Two Gaza Strip residents were also suspected of trying to snatch a weapon from a border guard. Meanwhile, all the suspects were released on bail. (Ha'aretz, Jerusalem Post, 9, 10 and 15 January 1986; Ha'aretz, 30 January 1986)

448. On 19 January 1986, 12 Kach Party members were arrested when they tried to force their way through the Mugrabi Gate after Waqf authorities refused them entry to the Temple Mount. The group came with Israeli flags and placards reading: "No place for Arabs on Jewish holy grounds". Two of the 12 were reportedly expected to be charged the next day with disturbing the peace and resisting arrests. The other 10 were released after questioning. (Ha'aretz, Jerusalem Post, 20 January 1986)

449. On 20 January 1986, the Director-General of the Jerusalem Municipal Council, Aharon Sarig, told the Knesset Interior Committee that allegations of unlicensed

construction work on the Temple Mount were unfounded. Municipal inspectors reported that the only works carried out on the Mount were plastering and painting in Solomon's Stables, and paving near the Golden Gate; such works did not require a building permit. Sariq said he knew of nothing to substantiate allegations that the Muslims had built new prayer pulpits on the Temple Mount during the past year. Police Inspector-General David Kraus told the Committee that in the wake of a High Court ruling, the police did not permit Jewish prayer on the Temple Mount, but if an individual Jew wanted to pray he could do so, as long as his prayer did not take demonstrative form. Another speaker, Deputy Attorney-General Yoram Bar-Sela, told the Committee: "the laws of the State of Israel, including the Building and Planning Law, and the Antiquities Law, are all in force on the Temple Mount". (Jerusalem Post, 21 January 1986)

450. On 30 January 1986, the Sephardi Chief Rabbi Mordechai Eliyahu told a delegation of members of the "Temple Mount Faithful" that a synagogue should be built on the south-eastern or north-eastern corner of the Temple Mount, and that such a synagogue should be "taller than the mosques". While Knesset member Geula Cohen praised the Chief Rabbi for his declaration, Knesset member Yossi Sarid tabled an urgent motion for the agenda to discuss it. (Yediot Aharonot, 31 January 1986)

451. On 14 August 1986, four Tehiya Knesset members, Geula Cohen, Yuval Neeman, Rafael Eitan and Gershon Shafat, visited the Temple Mount. They were accompanied by some 80 policemen. The Knesset members visited Solomon's Stables, the underground Crusader structure located under the Al-Aqsa mosque, which they had unsuccessfully attempted to visit in February 1986. The head of the Supreme Muslim Council, Sheikh Saad ed-Din al-Alami, said after the visit that he had agreed to it and that anyone who wanted to visit the site was welcome. Reacting to declarations on Jewish sovereignty on the Temple Mount, Sheikh al-Alami said that the site was, and would remain, a Muslim mosque. Earlier in the day police prevented two groups of "Temple Mount Faithful" members from entering the site. (Ha'aretz, Jerusalem Post, Yediot Aharonot, 15 August 1986)

452. The Special Committee followed the situation in the occupied territories according to the information before it, including reports of incidents appearing in the press during the period covered by the report. In the table reproduced hereunder a representative cross-section of these reports is given; the list is not to be considered exhaustive as it is intended to reflect the frequency, location and type of such events. The "remarks" column is meant to assist in clarifying the context of such reports. Certain periods are not subject to tabulation but are reflected in a summary; this is due to the intensity of reports that would have taken up considerable volume to list individually.

453. The following abbreviations of the names of newspapers are used in the table:

AF	<u>Al-Fajr</u>
AT	<u>Al-Tali'ah</u>
H	<u>Ha'aretz</u>
JP	<u>Jerusalem Post</u>
M	<u>Ma'ariv</u>
YA	<u>Yediot Aharonot</u>

INCIDENTS

Date	Place	Type	Source	Source	Remarks
4 Aug. 1985	Ein al-Alma refugee camp, outside Nablus	Throwing of a petrol bomb	H, JP, YA JP, YA	5 Aug. 1985 6 Aug. 1985	At a border guard patrol. One guard was injured and hospitalized. The patrol car was destroyed by the fire. The camp was placed under curfew and house-to-house searches were carried out. Five suspects were later detained.
6 Aug. 1985	Erez roadblock between Israel and the Gaza Strip	Breaking through a roadblock and firing	H, JP	7 Aug. 1985	A car with Gaza licence plates speeded up when approaching the road-block in defiance of an order to stop. Soldiers opened fire at the car and it crashed into a concrete barrier. Five of the six passengers were injured. The driver fled.
8 Aug. 1985	Bani-Suheila, near Khan Yunis (Gaza Strip)	Assassination attempt	H	9 Aug. 1985	An unidentified attacker shot, at short range, at an Israeli civilian, who was injured and hospitalized with medium wounds.
10 Aug. 1985	Hebron	Stabbing	H, JP	11 Aug. 1985	Of a Kiryat Arba settler, Yaacov Peiter, in the centre of Hebron. Two men attacked him with a penknife, stabbing him several times in various parts of his body. He was hospitalized and was described as being in stable condition. The area was placed under curfew and searches were carried out.
15 Aug. 1985	Alfey-Menashe, near Qalqiliya	Firing	H, M H	16 Aug. 1985 18 Aug. 1985	At an Israeli bus on its way to the settlement. The bus was damaged. The area was placed under curfew. The IDF sealed off the town of Qalqiliya.
16 Aug. 1985	Bait-Hagai, near Hebron	Explosion of a roadside bomb	H, JP, M, YA	18 Aug. 1985	The bomb went off as an Israeli settler drove by. He was not hurt but the car was damaged. Security forces closed off the nearby village of Kalkas.
16 Aug. 1985	Balata refugee camp	Firing	JP, YA	18 Aug. 1985	At the house of the local mukhtar. He was wounded and hospitalized.
16 Aug. 1985	Ramallah	Throwing of a petrol bomb	YA	16 Aug. 1985	At an Israeli vehicle. No damage was reported.
17 Aug. 1985	Tulkarem-Bal'a road	Stone-throwing			At a car of a Hadera resident. A passenger was wounded in his eye and leg.
22 Aug. 1985	Neve-Yaacov, north of Jerusalem	Stone-throwing	H, JP	23 Aug. 1985	At an Egged bus carrying children. The bus driver was injured but none of the children were hurt. Several arrests were carried out.

Date	Place	Type	Source	Source	Remarks
24 Aug. 1985	Tulkarem and Jenin	Murder and murder attempt	H, JP	25 Aug. 1985	In Tulkarem an Israeli civilian, André Alouche, from Netanya, was shot at as he was entering a jeweller's shop. He died on the way to the hospital. In Jenin, an Israeli civilian, Uri Oved from Tiberias, was shot at and was seriously wounded. The two towns were placed under curfew. Army reinforcements were sent and house-to-house searches were carried out. The Jordan bridges were closed to inhabitants of both towns and to inhabitants of Nablus (as the murderer of André Alouche fled in a car with Nablus licence plates). PLO claimed responsibility for both acts.
26 Aug. 1985	Qalqiliya	Shooting	H	27 Aug. 1985	An IDF patrol stopped three local men. They tried to escape and the soldiers first fired warning shots and then fired in their direction. One local resident was injured and hospitalized. The two soldiers were arrested.
29 Aug. 1985	Damascus Gate, Jerusalem	Stabbing	H, JP	30 Aug. 1985	An Arab youth from Hebron stabbed Rabbi Moshe Pazag and seriously wounded him. The youth later turned up at a police station and confessed to the crime. The Rabbi was suffering from paralysis of his right side, but was said to be out of danger.
31 Aug. 1985	Ramallah	Demonstration	H	1 Sept. 1985	The demonstration was held by some 30 Israelis opposed to the occupation. It was dispersed by force. Rubber bullets were fired and one Israeli demonstrator was wounded. Eight demonstrators were detained for 48 hours. Thirteen others were detained and later released. One Arab spectator was also wounded by a rubber bullet.
31 Aug. 1985	Khan Yunis	Shooting	JP	2 Sept. 1985	A local woman, Shafi's Abu Sita, was shot in the head - allegedly by accident - by an IDF soldier and later died of her wounds. An investigation of the incident was under way.
2 Sept. 1985	Gilo, south of Jerusalem	Bomb explosion	JP	3 Sept. 1985	At a bus stop. Six people were wounded and the bus shelter was destroyed. Eleven Arabs were detained for questioning.
3 Sept. 1985	Hebron market place	Murder and stabbing	H, JP	4 Sept. 1985	A reserve soldier, Avraham Sorek, aged 38, was stabbed to death and another, Aryeh Bornstein, was seriously injured. The two soldiers had been stationed in front of the house in the Casbah earlier occupied by settlers and Knesset members. Two local Arabs, aged 16 and 33, were slightly injured when soldiers opened fire following the stabbing. The area was sealed and a curfew was imposed in the centre of Hebron. Intensive searches were reported.

Date	Place	Type	Source	Source	Remarks
5 Sept. 1985	Gaza town centre	Stabbing	H, JP H	6 Sept. 1985 8 Sept. 1985	An Israeli driver of a petrol tanker, Moshe Fitusi, aged 25, was stabbed in his back and was seriously injured. The area of the incident was placed under curfew and house-to-house searches were carried out. It was later reported that two local residents, Saad Afana and Yusuf Abu-Aramna, had confessed to the stabbing. Abu-Aramna's house and a room in Afana's house were demolished.
6 Sept. 1985	Jerusalem city centre	Bomb explosion	H, JP	8 Sept. 1985	The device went off near a crowded market, but caused only slight material damage. Twenty suspects were arrested. Police had to use force to disperse an angry crowd shouting "death to the terrorists".
7 Sept. 1985	Mas'ada, Golan Heights	Throwing of a hand-grenade	JP	9 Sept. 1985	At the military government building. No one was hurt and there was no damage.
9 Sept. 1985	Hebron market place	Shooting	H, JP	10 Sept. 1985	Four Arabs including a child were shot at and wounded by an JDF patrol. When ordered to stop they reportedly failed to do so and started to run. The soldiers fired warning shots in the air and then fired at their legs. One adult escaped. Two others, Ali Faïd and Adnan Ir-Faid, were hospitalized with moderate wounds. The child, Sadi Tawil Abu Sneineh, was seriously wounded.
9 Sept. 1985	Al-Aroub refugee camp, north of Hebron	Stone-throwing	JP	10 Sept. 1985	At an IDF foot patrol. One soldier was slightly injured. The area was closed for searches.
11 Sept. 1985	Ramallah	Shooting	JP	12 Sept. 1985	A 20-year-old El Bireh resident, Hassan Abdel Fatah, was wounded when troops shot at a group of four who failed to stop when ordered to do so and began to escape. The troops had fired shots in the air, and then opened fire on the group. Fatah was shot in the leg and his condition was described as moderate.
12 Sept. 1985	Nablus, Jenin and Tulkarem	Stone-throwing	H	13 Sept. 1985	At military vehicles and a government office. Six shops were closed in Jenin, a street was closed in Nablus and 30 men were detained for questioning. In Tulkarem a school window was sealed and schoolchildren were detained for questioning.
12 Sept. 1985	Sheikh Jarrah, Jerusalem	Shooting	H	13 Sept. 1985	A 29-year-old reservist opened fire at a passing Arab bus, after a bottle, which he had mistaken for a hand-grenade, was thrown at him. Six passengers of the bus were slightly injured.

Date	Place	Type	Source	Source	Remarks
17 Sept. 1985	Gaza	Shooting	H, JP JP	18 Sept. 1985 19 Sept. 1985	IDF soldiers shot and killed Monzir Awad Ibrahim Abdel Aziz, 18, when he ran away from troops who stopped him for a security check. The IDF later reportedly appointed an officer to probe the killing, following inquiries by the ICRC. According to the IDF the soldiers had first fired warning shots into the air, and when the man failed to stop, they fired at his legs - in keeping with standing orders.
19 Sept. 1985	Al-Amariy refugee camp, near Ramallah	Stone-throwing	H, JP	20 Sept. 1985	At an IDF patrol. Three youths were captured and put on trial in Nablus. Two were sentenced to one year in jail and one year suspended, and the third was sentenced to eight months in jail and four months suspended.
20 Sept. 1985	Gaza	Shooting	JP H, JP	22 Sept. 1985 23 Sept. 1985	An army patrol opened fire at a car whose driver disobeyed orders to halt. The soldiers reportedly fired at the car wheels but their bullets hit the driver and his son. The 8-year-old boy later died of his wounds. He was identified as Sakar Heman. His father was wounded and his condition was described as stable.
22 Sept. 1985	Mea-Shearim quarter, Jerusalem	Discovery of a booby-trapped car	JP	23 Sept. 1985	The car was safely defused. Several arrests were reported.
29 Sept. 85	Gaza	Shooting	H, JP	26 Sept. 85	A boy, Omar Shahab, was wounded when an IDF foot patrol ordered an Arab truck driver to stop for inspection. The driver drove on and the soldiers opened fire, hitting the boy. He was hospitalized with "medium" wounds.
24 Sept. 85	Hebron	Shooting	H, JP	26 Sept. 85	A man was shot at and wounded in the shoulder when an IDF patrol ordered him to stop and identify himself. He fled and the soldiers fired warning shots in the air and then fired at his legs.
26 Sept. 85	Halhul, near the local mosque	Ambush and shooting with a sub-machine-gun	H, JP	27 Sept. 85	At an Egged bus travelling from Jerusalem to Kiryat Arba. Seven passengers, including two local Arabs, were injured. IDF reinforcements were rushed to the area and a curfew was imposed. All the local men were rounded up for questioning and intensive searches went under way.
26 Sept. 85	Mount Scopus, Jerusalem	Explosion of a charge	H, JP	27 Sept. 85	At a bus stop. Two men were slightly injured.
26 Sept. 85	Kalandiya refugee camp	Stone-throwing	JP	27 Sept. 85	At an army truck. The approaches to the camp were closed.

Date	Place	Type	Source	Remarks	
28 Sept. 85	Hebron	Throwing of a hand-grenade	H, JP	29 Sept. 85	At a military jeep. A 13-year-old local boy, Marwan Ayid Zaru, was killed in the explosion and three Arabs were injured. No soldiers were hurt. A curfew was imposed on the town, and several suspects were detained.
29 Sept. 1985	Hebron	Shooting	H, JP	1 Oct. 1985	A woman bystander was wounded in the shoulder when IDF troops opened fire on a suspect vehicle.
29 Sept. 1985	Bethlehem University	A sit-down strike	JP	1 Oct. 1985	By students protesting the army's security clamp-down in the area.
29 Sept. 1985	Gaza, Red Cross Office	A sit-down strike	JP	1 Oct. 1985	By relatives of security prisoners protesting prison conditions in Ashkelon jail.
30 Sept. 1985	Hebron-Bethlehem road.	Shooting	JP	1 Oct. 1985	At an IDF patrol. No one was hurt.
2 Oct. 1985	Askar refugee camp near Nablus, al-Amri refugee camp near Ramallah and Kafr-Askar, near Eilon-Moreh	Stone-throwing	JP	3 Oct. 1985	At IDF patrols. The stone-throwers dispersed after soldiers fired in the air. The village of Kafr-Askar was closed off for several hours after stones were thrown at Israeli vehicles.
3 Oct. 1985	Shu'fat, north of Jerusalem; Balata refugee camp in Nablus, Qalqiliya	Stone- and petrol bomb-throwing	F, JP	4 Oct. 1985	At Israeli civilian buses and at IDF patrols. No-one was hurt. In Shu'fat a soldier and another passenger fired through the windows into the air during the stoning. Four suspects were arrested. Part of Qalqiliya was put under curfew following the throwing of two petrol bombs at a bus.
5 Oct. 1985	Ein Kibu spring in the Judean Hills	Murder	H, JP	6 Oct. 1985	The bullet-riddled bodies of two Jerusalem residents, Edna Harari, aged 22, and Moti Suissa, aged 28, were discovered, after they disappeared on 2 October 1985. According to security forces and police investigators, the two were murdered by the same group who killed another Israeli couple, Michal Cohen and Meir Ben-Yair, at the end of June 1985, near Beit-Shemesh. The PLO's "Force-17" group reportedly claimed responsibility for the killing.

Date	Place	Type	Source		Remarks
6 Oct. 1985	Southern Mount Hebron	Armed clash	R, JP	8 Oct. 1985	Four Arabs were killed and one was wounded and captured in the clash. The five men, described as the "Mount Hebron terror cell" were allegedly responsible for the murder of five Israeli civilians, including Edna Harari and Moti Suissa, six days earlier, Zalman Abulnik of Givon on 31 March 1985, and Michal Cohen and Meir Ben-Yair on 27 June 1985. Seventeen Israelis were wounded in terrorist acts attributed to the five. Following the clash and killing of the group members several Arab residents of the area were detained on suspicion of assisting the group members. The group members were Mohammed Hassan Ghnaimat, aged 31, Mahmoud Ghnaimat and Mohammed Bardaiya, all from Surif, Mohammed A-Tus from Jab'a and Ali Haleileh from Samu'.
8 Oct. 1985	Beit-El	Bomb explosion	JP	9 Oct. 1985	The bomb exploded in a restaurant near the headquarters of the West Bank civil administration. No one was injured. Several people were detained for questioning.
8 Oct. 1985	Bethlehem and Ramallah	Stone- and petrol bomb-throwing	JP	9 Oct. 1985	At military and civilian buses. Only material damage was reported.
13 Oct. 1985	Khan Yunis	An axe attack	H, JP	14 Oct. 1985	A 70-year-old Israeli was slightly wounded in the head when a local youth struck him on the head with an axe. Several people were arrested.
14 Oct. 1985	Ramallah area	Petrol bomb-throwing and shooting	H, JP	15 Oct. 1985	The device was thrown at a military bus carrying soldiers. One soldier was slightly injured. Other soldiers opened fire in the air and then at the attackers. Three Arab youths were slightly injured.
17 Oct. 1985	Nablus	Stone-throwing	H, JP, M	18 Oct. 1985	At an IDF command car in the main street of Nablus. One soldier was slightly injured in the back. Five youths were captured. One was caught inside a shop and consequently the shop-owner was detained and the shop was closed for three days.
18 Oct. 1985	Sebastia, between Nablus and Jenin, and Gaza	Stabbing	H, JP	20 Oct. 1985	A tourist guide from Jerusalem and a taxi-driver from Ashkelon were stabbed in two separate incidents. Both had medium wounds. The Sebastia area was placed under curfew and 10 people were detained. The area of the incident in Gaza was also placed under curfew and dozens were detained for questioning.
21 Oct. 1985	Gaza and Khan Yunis	Explosion of a sabotage charge and throwing of a grenade	H	22 Oct. 1985	Both incidents occurred as Police Minister Haim Bar-Lev was visiting the area. No-one was hurt. No damage was caused.

Date	Place	Type	Source	Source	Remarks
22 Oct. 1985	Nablus	Throwing of a petrol bomb	H, JP	23 Oct. 1985	At a settler's car. No-one was hurt. The area was placed under curfew and searches were carried out.
23 Oct. 1985	Afula	Bomb explosion	H, JP	24 Oct. 1985	At the main market place. A 65-year-old woman was seriously injured and four others were slightly injured. The area was closed off and some 80 Arabs were detained.
27 Oct. 1985	El Bireh	Throwing of a petrol bomb	H	28 Oct. 1985	At a military ambulance. No-one was hurt.
30 Oct. 1985	Nablus	Stone-throwing and shooting	H, M	31 Oct. 1985	An Israeli bus was stoned near the "Feruk" school. Security forces chased the stone-throwers and fired rubber bullets. A local youth was injured and a local car had its window smashed.
30 Oct. 1985	Bir Zeit University old campus	Stone-throwing and student demonstration	H	31 Oct. 1985	Student burned tyres, set up road blocks and stoned Israeli vehicles in protest against the announcement that four West Bank residents would be expelled for "subversive activity". The security forces did not intervene.
31 Oct. 1985	Bethlehem	Student demonstrations	JP	1 Nov. 1985	College students burned tyres, stoned Israeli cars and demonstrated with PID flags to protest expulsions and administrative detentions. The security authorities asked the University's management to prevent the disturbances from continuing and the students returned to the university building.
1 Nov. 1985	Gaza	Throwing of a grenade	H, JP	3 Nov. 1985	At an IDF foot patrol. Two soldiers were injured. The area was placed under curfew and several suspects were arrested. The curfew was lifted 12 hours later.
2 Nov. 1985	Ramallah and Dura area	Demonstrations	H	3 Nov. 1985	On the occasion of the Balfour Declaration anniversary. In Ramallah several schoolgirls were arrested. Several West Bank schools were on strike.
3 Nov. 1985	Gaza	Demonstration	H	4 Nov. 1985	Against the deportation of Gaza resident Zaki Mahmud Abu Steita. Sixteen women were detained by the Gaza police and charge sheets were prepared against them for disturbing the order, illegal assembly and assaulting an IDF soldier.
5 Nov. 1985	Dawascus Gate area in Jerusalem	Stabbing	H, JP	6 Nov. 1985	Of a 60-year-old Jew on his way to the Western (Wailing) Wall. He was hospitalized with medium wounds. Ten suspects were arrested for questioning.

Date	Place	Type	Source	Remarks	
6 Nov. 1985	Biðu, north-west of Jerusalem	Throwing of a petrol bomb; shooting	H, JP, M, YA	7 Nov. 1985	The petrol bomb was thrown at a truck driven by an Israeli Arab. Security personnel rushed to the scene and a burst of fire from an automatic weapon was shot at them. Two Israelis were wounded in the legs. The village was placed under curfew and searches were carried out.
6 Nov. 1985	Dannaba, near Tulkarem	Throwing of a petrol bomb	YA	7 Nov. 1985	At an Israeli vehicle. The village was placed under curfew and searches were carried out.
10 Nov. 1985	Damascus Gate area in Jerusalem	Stabbing	H, JP	11 Nov. 1985	Of a 20-year-old Israeli soldier. He was hospitalized and underwent surgery. His condition was described as critical but stable. Police arrested several suspects.
10 Nov. 1985	Yakir settlement, near Bani-Hasan	Shooting	H, JP	11 Nov. 1985	At an Israeli bus going from Jerusalem to Immanuel settlement. A 61-year-old woman was injured by flying glass and was hospitalized. Six windows were shattered. The village of Bani-Hasan was placed under curfew and searches were carried out.
11 Nov. 1985	Nablus	Stone-throwing and shooting	JP, M	12 Nov. 1985	Arab high school pupils stoned a civilian Israeli bus near the "Radri-Tukan" school. One window was shattered. The passengers pursued the stone-throwers into the school grounds. One passenger, armed with a sub-machine-gun, opened fire and wounded a 17-year-old pupil. Dozens of suspects among the pupils, were arrested. The Israeli who opened fire was released on bail. The school was closed for one day.
15 Nov. 1985	Nablus	Stone-throwing and shooting	H, M	17 Nov. 1985	Local youths stoned an IDF patrol in the centre of Nablus. The soldiers fired in order to disperse the stone-throwers and a 15-year-old boy was seriously injured in the abdomen. The boy was hospitalized.
17 Nov. 1985	East Jerusalem	Stone-throwing	H	18 Nov. 1985	At an Israeli civilian bus. Only slight damage was reported. Five suspects were detained for questioning.
20 Nov. 1985	Azzun, near Oslqiliya	Throwing of a petrol bomb	YA H	21 Nov. 1985 22 Nov. 1985	At a car belonging to a Ginot-Shomron settler. Only slight material damage was reported. Shortly later several dozen settlers arrived in the village, which was under curfew. The settlers were told by security forces to leave the place.
25 Nov. 1985	Via Dolorosa, in Jerusalem's Old City	Stabbing, demonstration	H, JP	26 Nov. 1985	Of a 32-year-old Israeli civilian. He was hospitalized with moderate wounds. Police and border guards closed off the area and arrested many for questioning. Police later dispersed some 40 Jewish demonstrators near Damascus Gate, saying the gathering was illegal.

Date	Place	Type	Source	Remarks	
27 Nov. 1985	El Bireh	Throwing of petrol bombs	H	28 Nov. 1985	Two devices were thrown at an Israeli civilian bus. No damage was reported but as a result of the attack a road accident occurred, involving the bus and a truck.
2 Dec. 1985	Ramallah	Murder	H, JP	3, 4 and 5 Dec. 1985	Of local lawyer Aziz Shehadeh, who was stabbed to death outside his home by unidentified persons. On 3 December 1985 the Abu-Nidal organization in Damascus claimed responsibility for the murder, explaining it was "an execution of the people's fair sentence against the traitor for all his crimes and double allegiance" to King Hussein and Israel. On 4 December 1985 police detained five members of the Tanous family of Ramallah as suspects in the case. The Tanous family had been involved in a land dispute with another family who was represented by Advocate Shehadeh.
3 Dec. 1985	Ein Beit Alma refugee camp, near Nablus	Stoning	JP	4 Dec. 1985	Of an Israeli civilian bus that had taken Arab workers to their villages. Three Arab-Israeli drivers were slightly injured. A two-hour curfew was imposed in the area.
3 Dec. 1985	Nablus area	Shooting	JP	4 Dec. 1985	A 21-year-old resident of the Askar refugee camp, Yahya Abdel-Kader Bokele, was reportedly shot at by an Israeli soldier after he was allegedly told to halt but began running away. The man was taken to the Rafidiya hospital where his condition was described as fair.
4 Dec. 1985	Beit-Shelesh area	Murder	H, JP	6 Dec. 1985	Of two Arabs, Abu Ramila Habib, aged 31, from Silwan, and Tarik Ahmed Kandil, aged 29, from Beit Arif (Ramallah). The two were shot in the head with a 9 mm pistol. Their bodies were found in a field near Moshav Edot-Micha. Police said it was not clear whether the murders were politically motivated.
4 Dec. 1985	Deir el-Balah, in the Gaza Strip	Shooting	M	8 Dec. 1985	At the military government house, security forces conducted extensive searches and caught several suspects.
5 Dec. 1985	Petah-Tikva-Lod road	Murder	H, JP	8 Dec. 1985	Of an Israeli soldier Moshe Levy, aged 18. He was killed with a sharp instrument and his body was set on fire.
14 Dec. 1985	Nablus	Stabbing	H JP	15 Dec. 1985 16 Dec. 1985	Of an IDF soldier taking part in a patrol in the centre of Nablus. The soldier was attacked by a young Arab who was later caught. The soldier was slightly injured.
23 Dec. 1985	Erez junction, in the Gaza Strip	Arson	H, JP	25 Dec. 1985	Of 100 Israeli civilian buses parked in a depot. A suspect, a 21-year-old man from Gaza, reportedly confessed to the arson and said he had committed it for nationalistic reasons.

Date	Place	Type	Source	Remarks
30 Dec. 1985	Hebron	Shooting	H, JP	31 Dec. 1985 At an Israeli civilian, Moshe Attis, aged 65, who was visiting the town. He was slightly wounded in his leg. Later security forces wounded two local residents who failed to stop and identify themselves. Security forces sealed off the area and made several arrests. The area was placed under curfew.
2 Jan. 1986	Jerusalem area	Explosion of a sabotage charge	H	2 Jan. 1986 Near a military base. No-one was hurt and no damage was reported. The area was sealed off and local residents were questioned.
4 and 7 Jan. 1986	Neve-Yaacov, north of Jerusalem	Throwing of petrol bombs	H	3 and 5 Jan. 1986 In two separate incidents incendiary devices were thrown at a bus stop in the north Jerusalem neighbourhood. No-one was hurt and no damage was caused.
7 Jan. 1986	Beit-Jala	Throwing of a petrol bomb	H	8 Jan. 1986 At an Israeli bus on its way to Kiryat Arba. The bus was accompanied by a border guard patrol. No one was hurt and only a slight material damage was caused.
11 Jan. 1986	Nablus	Shooting	H, JP, M	12 Jan. 1986 A border guard, Jamil Fares, from the village of Pama, was killed and another guard, Orsana Ghonem, was slightly injured when two unidentified attackers opened fire at a group of border guards who were shopping with their families in the centre of Nablus. IDF forces opened fire at the attackers, injuring five local passers-by. The centre of Nablus was placed under curfew and widespread searches were carried out. Tens of suspects were arrested.
27 Jan. 1986	Ramat, Jerusalem	Stabbing	H	28 Jan. 1986 Of an Israeli driver by two Arabs who stopped his car near the entrance to Ramat. They stabbed him in his back and abdomen. He was later hospitalized with medium wounds.
27 Jan. 1986	Morasha junction	Stabbing	H H, JP	28 Jan. 1986 30 Jan. 1986 An Israeli woman driver was stabbed by an Arab youth to whom she gave a lift. The youth, Saïdi Fathi, aged 21, from Khan Yunis, was arrested. The woman fought off her attacker and was rescued when a police car drove past her parked car and the policemen overpowered the attacker.
30 Jan. 1986	Jaffa Gate, Jerusalem	Murder	H	31 Jan. 1986 Of a policeman, Avi Bizzi, aged 30, in a planned ambush. A suspect was arrested. He was described as a 22-year-old Arab criminal from Silwan. Eighteen other persons were detained for questioning. The murdered policeman was involved in an inquiry against the main suspect.
1 Feb. 1986	Casa	Throwing of a grenade	H	2 Feb. 1986 At two civil administration employees. An eight-hour curfew was imposed on the area and several suspects were arrested.

Date	Place	Type	Source	Remarks
1 Feb. 1986	Gaza	Firing	M	2 Feb. 1986 At the headmaster of the vocational training school in the town, Hilmi Hamad. He was shot at by an unidentified person and was slightly injured.
2 Feb. 1986	Kalandiya	Stone-throwing	YA	3 Feb. 1986 At an Israeli civilian bus going from Jerusalem to Imanuel. One passenger was slightly injured and the bus was damaged. The camp was placed under curfew and searches were carried out.
2 Feb. 1986	Balata	Throwing of a petrol bomb	YA	3 Feb. 1986 At an IDF patrol. A two-hour curfew was imposed.
4 Feb. 1986	Ramat-Gan	Explosion of a charge	H, JP, M	5 Feb. 1986 The explosive charge went off in the city centre, wounding three Israeli women, one of them moderately. The police rounded up 40 suspects.
15 Feb. 1986	Gaza	Firing	H, JP, M, YA	16 Feb. 1986 Shaaban Saleh al-Atluk, from the Sajiya quarter in Gaza, was killed when he fled from an IDF patrol that had asked for his identity papers. According to military sources Atluk and an unidentified friend were stopped by a patrol. The two resisted, cursed the soldiers and then fled; the soldiers had first fired in the air and then shot at the two, fatally wounding Atluk in the head. It was established that the soldiers had acted according to the rules of opening fire to stop fleeing suspects.
14 Feb. 1986	Bney-Brak	Explosion of a charge	H	16 Feb. 1986 In a bus going from Petah Tikva to Tel Aviv. Nine passengers were injured. Dozens of Arabs were detained for questioning and later released. Three were still being held.
16 Feb. 1986	Jerusalem	Explosion of a bomb	JP	17 Feb. 1986 Near a bus stop in the French Hill neighbourhood. No-one was injured.
18 Feb. 1986	Gaza	Throwing of a grenade	H, JP	19 Feb. 1986 At an IDF patrol in the town centre. Five soldiers were slightly wounded. IDF forces carried out searches and arrests.
18 Feb. 1986	Tiberias	Explosion of a charge	H	19 Feb. 1986 At a bus station in the town. No-one was hurt. Several suspects were arrested.
22 Feb. 1986	Islamic College in Hebron	Demonstration	JP	23 Feb. 1986 By hundreds of students, in support of the PLO. A similar demonstration planned to take place in Al-Najah university in Nablus was thwarted by the security forces. The demonstration followed King Hussein's announcement that he was breaking up the negotiations with the PLO, on forming a joint delegation to a future peace conference.

Date	Place	Type	Source	Remarks	
25 and 26 Feb. 1986	Majdal Shams	Rioting, stone-throwing, firing	H, JP M, JP	26 Feb. 1986 27 Feb. 1986	Hundreds of Golan Druze youths rioted, chanted pro-Syrian slogans and burned an Israeli flag when Prime Minister Peres visited the village. Several policemen and journalists were injured from stones thrown at them. The security forces fired in the air to disperse the rioters. Police were reportedly preparing to make mass arrests. It was later reported that 18 youths were arrested on suspicion of rioting.
2 March 1986	Nablus	Murder	H, JP	3 March 1986 4 March 1986	Of the appointed mayor of the city, Zafer el-Masri, by two unidentified persons who shot him in the back with a revolver. It was later reported that the same weapon had been used in several other attacks in the region, including the killing, on 11 January 1986, of the Israeli Druze border guard Jamil Fares in the city's Casbah. Following the murder the city centre was placed under curfew and the Al-Najah university was closed.
3 March 1986	Nablus and the Balata refugee camp	Demonstrations, stone-throwing and shooting	H, JP	4 March 1986	The funeral of Zafer el-Masri reportedly turned into a mass demonstration in support of the PLO. A police vehicle was stoned and police opened fire. The police opened an investigation into the incident. In Balata a violent clash was reported between a stone-throwing crowd and security forces. Soldiers shot rubber bullets and tear gas to disperse the crowd. A 57-year-old man, Mahmud Abu-Dara, reportedly attacked a soldier and tried to choke him; the patrol commander fired warning shots into the air, and then fired one bullet at the man, who later died in hospital. His son, aged 22, was injured in the incident. It was later reported that an IDF investigation determined that the officer had acted according to the instructions applying to the circumstances.
3 March 1986	Gaza	Stabbing	H, JP	4 March 1986	Of an Israeli vegetable dealer in the market of Gaza. The attacker escaped. A number of people were arrested. The area was placed under curfew.
4 March 1986	Nablus	Stone-throwing, shooting	H, JP, M	5 March 1986	An IDF patrol was pelted with stones in the town centre. The troops fired warning shots at their attackers' legs. Majed Taktuk, aged 19, was injured in the knee and was hospitalized. The area was placed under curfew.
10 March 1986	Balata refugee camp	Shooting	JP	11 and 14 March 1986	An IDF patrol spotted two men who were reportedly preparing to carry out a terrorist attack. The two began fleeing and the soldiers fired warning shots and then fired at the two, killing one of them, aged 19. He was later identified as Muhammad Dukat. A jerrycan of petrol and an improvised torch were found at the site of the shooting.

Date	Place	Type	Source	Remarks	
16 March 1986	Eizariya, near East Jerusalem	Discovery of a body	JP	17 March 1986	A bullet-riddled body was discovered in a cave. It was later identified as that of Sufuan Dahar, aged 23, a major suspect in the murder of police intelligence officer Avraham Fiazzi, on 30 January 1986.
19 March 1986	Khan Yunis	Murder	H, JP	20 March 1986	Of two Gaza Strip residents, Muhammad Abu-Daga, aged 31, and Salem Barbach, aged 19, probably because of their alleged ties with Israel. Two suspects were captured and reportedly confessed to the murder. Their rooms were demolished by security forces.
20 March 1986	Majdal Shams and other Druze villages on the Golan	Rioting and general strike	H, JP YA	21 March 1986 23 March 1986	Disturbances broke out following a raid by income-tax authorities on a fruit-packing plant. Several persons who attacked policemen were arrested. A general strike was observed in the Druze villages to protest the raid and other measures adopted by the authorities. Anti-Israeli and pro-Syrian speeches were made during a rally in Majdal Shams.
26 March 1986	Majdal Shams	Arson	H	27 March 1986	The car of a pro-Israel Druze was set on fire.
26 March 1986	Bethlehem	Demonstration, tyre-burning and stone-throwing	M	27 March 1986	By some 30 students of the Frères College, to mark the seventh anniversary of the Camp David accords. Security forces used force to disperse the demonstrators. The university was ordered closed.
29 March 1986	Bir Zeit and Hebron Universities, Ramallah, Gaza	Demonstrations	H, JP	30 March 1986	On the occasion of the "Land Day". Security forces removed Palestinian flags, but no arrests were reported.
29 March 1986	Dura	Shooting	YA	30 March 1986	A 12-year-old shepherd, Mahoud Tamiza, was shot at by soldiers and was injured in the elbow. The IDP was investigating the incident.
30 March 1986	Balata and Dheishah refugee camps	Demonstrations and stone-throwing	H, JP	31 March 1986	On the occasion of Land Day. Troops shot in the air and used tear gas to disperse stone-throwing demonstrators in Balata and Dheishah. Both camps were placed under curfew. Palestinian flags were unfurled in several places in the territories. A near-total commercial strike was observed in East Jerusalem. The situation in the territories was described as "relatively calm and normal" during Land Day.
31 March 1986	Al-Bureij refugee camp, in the Gaza Strip	Throwing of petrol bomb and shooting, demonstration	H, JP	1 April 1986	Ahmed Abu-Saifan, aged 18, was shot dead by a border guard when he fled after throwing a petrol bomb. In a demonstration at the camp afterwards a local resident was shot and wounded.

Date	Place	Type	Source	Source	Remarks
31 March 1986	Bir Zeit, Beit Sahur, Ramallah	Demonstration and shooting	H, JP	1 April 1986	Three students were wounded when the army forcibly dispersed a demonstration and fired at suspected stone-throwers. Student demonstrations were also reported in Beit Sahur and in the Al-Tira Teachers' Seminary for Women in Ramallah.
1 April 1986	Nahal-Oz area, at the eastern entrance to the Gaza Strip	Shooting	H, JP	2 April 1986	IDF soldiers shot and seriously wounded a 28-year-old Gaza resident who was trying to force his way through a road-block in a stolen car. He was hospitalized in Ashkelon.
3 April 1986	Pi Bireh	Stone-throwing	YA	4 April 1986	At a bus carrying soldiers. Two soldiers were slightly injured.
6 April 1986	Mas'ada, on the Golan Heights	Arson	JP	7 April 1986	A car belonging to a pro-Israeli Druze was set on fire.
8 April 1986	Shufat, north of Jerusalem	Throwing of a petrol bomb	H, JP	9 April 1986	At an Israeli civilian bus on its way to Neve-Yaacov. Ten passengers were injured, some seriously, and were hospitalized. Seventeen suspects were arrested.
9 April 1986	Anatot, north of Jerusalem, and El Bireh	Throwing of petrol bombs and stone-throwing	JP, YA	10 April 1986	In Anatot the device was thrown at a Coca Cola warehouse. No-one was hurt. In El Bireh, a petrol bomb and stones were thrown at passing traffic from the girls' teachers college. The IDF detained 10 female students. No-one was hurt in the incident.
10 April 1986	Nablus and Balata refugee camp	Demonstration, stone-throwing	H, JP	11 April 1986	Some 2,000 people participated in the demonstration held to mark the fortieth day after the murder of Mayor Zafer el-Masri. The demonstration had a pro-PLO character, with Palestinian flags waved by the crowd. The security forces did not intervene. At the same time a curfew was imposed in Balata after stones were thrown at Israeli cars. Earlier, security forces raided the Al-Najah campus and confiscated placards and Palestinian flags. Some 25 students and university employees were detained.
10 April 1986	Gaza Strip	Stone-throwing	H	11 April 1986	In four separate incidents stones were thrown at Israeli cars, including a police vehicle. A local policeman was slightly injured.
12 April 1986	Deir Abu-Mash'al, north-west of Ramallah	Shooting	H, JP H	14 April 1986 23 April 1986	Unidentified people opened fire at an Israeli bus on its way to Tel Aviv. The driver, Shimon Hatukha, was seriously injured in the lungs. Two passengers were slightly injured. Security forces imposed a curfew on Deir Abu-Mash'al and Aboud, and carried out searches. On 22 April 1986 Hatukha died of his wounds.

Date	Place	Type	Source	Remarks	
13 April 1986	East Jerusalem	Murder	H, JP	14 April 1986	Of an Israeli businesswoman, Zehava Ben-Ovadia, aged 59, in her office located near the Damascus Gate. The victim was the director of a consulting firm and provided financial advice and legal aid to local Arabs.
13 April 1986	East Jerusalem	Arson	JP	14 April 1986	Several cars belonging to local residents were set on fire near the New Gate of the Old City. Kach Party members were reportedly suspected of the arson.
15 April 1986	Kalandiya refugee camp, Al-Atara refugee camp near Jenin, Halhul	Stone-throwing	H, YA	16 April 1986	Some 100 pupils of the Kalandiya elementary school barricaded themselves in the school and threw stones at passing traffic. One car had its window smashed. Police used tear gas to disperse the pupils. Two were detained. In Halhul, stones were thrown at a tourist minibus. A woman was slightly injured.
16 April 1986	El Bireh	Stone-throwing and shooting	H, M, JP	17 April 1986	Stones were thrown at an Israeli civilian bus. The bus driver, together with a soldier, started chasing two youths who were running away. The soldier ordered them to stop and, when they failed to obey, opened fire at them. One youth, Nasser Faruk, aged 18, was killed. The second, Samir Hawaja, aged 20, was slightly injured. The IDF authorities reportedly opened an inquiry.
16 April 1986	Hebron Polytechnic Institute, Al-Najsh University in Nablus	Student demonstrations, rioting	H, JP	17 April 1986	The Hebron Polytechnic Institute was ordered closed for 14 days following violent riots there. Students threw stones and petrol bombs, burned tyres and attacked security personnel. At the Al-Najsh University students demonstrated peacefully against the United States attack on the Libyan Arab Jamahiriya.
16 April 1986	Druze villages on the Golan Heights	Demonstrations, clashes with police	H, JP	17 April 1986	In connection with the Syrian independence day. In Mas'ada, a 35-year-old woman was injured after she was beaten by policemen. Two minors were detained.
18 April 1986	Jerusalem	Discovery of a bomb	JP	20 April 1986	At the city's railway station. The device was defused by police sappers.
18 April 1986	Gaza Strip	Throwing of petrol bombs	H	20 April 1986	In three separate incidents petrol bombs were thrown at a motorized patrol in the Shatti refugee camp, at an IDF patrol inside Nuzeirat refugee camp, near Deir el-Balah and at an Israeli bus. Only slight material damage was reported.
25 April 1986	Hebron	Stabbing	H, JP	27 April 1986	Of a 16-year-old Riyat Arba resident who was walking in the town's cashah area. The boy was slightly injured. The area was placed under curfew and dozens of Arabs were detained for questioning.

Date	Place	Type	Source	Source	Remarks
27 April 1986	East Jerusalem	Murder	H, JP	28 April 1986	Of an English tourist, Paul Appelby, aged 28; he was shot in the head near the Garden Tomb, outside the Damascus Gate.
27 April 1986	Kalandiya refugee camp, El Bireh	Throwing of petrol bombs	H	28 April 1986	In two separate incidents petrol bombs were thrown at a military truck and at an Israeli civilian bus going from Immanuel to Jerusalem. No damage was reported.
1 May 1986	Erez check point, at entrance to Gaza Strip	Explosion of a roadside bomb	H, JP	2 May 1986	The device was activated when an Israeli car was driving near the Jabalya refugee camp. Only slight material damage was reported. The area was placed under curfew for four hours and several suspects were arrested.
3 May 1986	Gaza	Stabbing	H, JP	4 May 1986	Of an Israeli Arab Ahmed Ibrahim, aged 44, from Abu-Gosh, who was stabbed in the throat by an unidentified assailant. The man was hospitalized. The area was placed under curfew.
10 May 1986	Jenin	Stabbing	H, JP	11 May 1986	Of an Israeli Arab, Taysir Ahmed Yusef Waked, of Aiyylut, near Nazareth. An unidentified assailant stabbed him while he was shopping in the town centre. The man was hospitalized. The area was placed under curfew.
14 May 1986	Nablus city centre	Demonstration, shooting	JP, H	15 May 1986	Some 100 youths, mostly Al-Najah students, held a violent demonstration against Gush Emunim-organized visits in and around Nablus. The demonstrators stoned settlers' cars and security vehicles. Troops opened fire wounding two demonstrators, Jihad Allaha and Jamal Suliman, both aged 23. They were hospitalized. The area was placed under curfew. According to Al-Najah University's spokesman, five, and not two students were injured as a result of the shooting.
15 May 1986	East Jerusalem, Balata refugee camp, Bir Zeit University Hebron, Ramallah	Demonstrations, stone-throwing, shooting	H, YA	16 May 1986	On the occasion of 15 May, the anniversary of the creation of the State of Israel. Troops fired into the air to disperse stone-throwing demonstrators in Balata. The camp was placed under curfew. Schools were closed in Ramallah and Hebron.
17 May 1986	Jerusalem's Old City	Assault	H	18 May 1986	A border guard was assaulted by an East Jerusalem resident during a routine patrol. Another border guard fired into the air. The assailant was arrested by the Jerusalem police.
21 May 1986	Al-Ram village, north of Jerusalem	Explosion of a roadside bomb	H	22 May 1986	The device was activated when an IDF vehicle was driving by, but it went off before the vehicle reached it. The area was sealed off and several suspects were arrested.

Date	Place	Type	Source	Remarks	
21 May 1986	Ein-Bait-Alma refugee camp, near Nablus	Throwing of petrol bombs	H, JP, M	22 May 1986	At a police vehicle. No-one was hurt and no damage was caused. A three-hour curfew was imposed on the camp and searches were carried out.
22 May 1986	Nablus	Stone-throwing, shooting	H	23 May 1986	Youths stoned an IDF patrol in the city centre. The soldiers and settlers from Eilon Moreh shot in the direction of the youths. No-one was hurt.
27 May 1986	Jabalya, in the Gaza Strip	Explosion of roadside bomb	H	28 May 1986	The device was activated when a vehicle driven by a Prisons Service officer drove by. No-one was hurt and no damage was caused.
3 June 1986	Balata refugee camp	Stone-throwing, shooting	H, JP	4 June 1986	Youths stoned IDF patrols and border guards shot in the air to disperse them. A 13-year-old boy, Samer Shaker Mahmoud, was injured and hospitalized with "medium wounds". Balata was placed under a curfew.
3 June 1986	The Temple Mount and the Old City of Jerusalem	Rioting	M	4 June 1986	The Temple Mount Police Commander, Yitzhak Haviv, was beaten and injured by a crowd of Muslim worshippers on the Temple Mount when he asked a preacher to stop inciting the crowd and to refrain from making political statements. Muslim fundamentalists, mostly from Gaza, had incited the worshippers to kill Jews and push the Zionist occupiers out from the holy town of Jerusalem. Muslim Magf officials soothed tempers. Elsewhere in the Old City youths stoned Israeli vehicles passing outside the Wall. Nine stone-throwers were arrested.
5 June 1986	Jerusalem	Explosion of a sabotage charge	H, JP, YA	6 June 1986	At a supermarket in the Nayot neighbourhood. Two women were slightly injured.
5 June 1986	Nablus	Shooting	H, JP, M	6 June 1986	An Israeli civilian, Haim Tan'ami, aged 38, was injured in the chest when an unidentified man opened fire at him in the centre of Nablus. A curfew was imposed on the town. "Force 17" claimed responsibility for the shooting.
5 June 1986	Bir Zeit University, Kabatiya	Demonstrations, throwing of petrol bombs	H, JP	6 June 1986	To mark the 19th anniversary of the June 1967 war. Bir Zeit students stoned Israeli vehicles and troops. They were later pushed back into the campus. At Kabatiya two petrol bombs were thrown at buses transporting local workers. No-one was hurt.
6 June 1986	Hebron	Stabbing	H, JP	8 June 1986	Of a Kiryat Arba settler, Yitzhak Rahamin, aged 34, a new immigrant from Ethiopia. The incident occurred in the Hebron market area. A curfew was imposed on the area. It remained in force in the casbah and market areas throughout 7 June 1986.

Date	Place	Type	Source	Remarks	
13 June 1986	Ein al-Ma'a refugee camp, near Nablus. French Hill, north of Jerusalem	Throwing of petrol bombs	AF	20 June 1986	At an IDF military vehicle and at an Israeli civilian bus. No-one was hurt. The refugee camp was placed under curfew. Several youths were arrested.
16 June 1986	Rafidiya quarter in Nablus	Demonstration	H	17 June 1986	Of local residents against the demolition of two houses belonging to alleged terrorists who reportedly confessed to the murder of a Nablus man suspected of collaboration. Troops used tear gas to disperse the demonstrators and imposed a curfew on the area.
19 June 1986	Tulkarem	Murder	H, M	20 June 1986	Of a local resident, Muhammad Mas'oud Ghazlan, aged 50. He was shot in the head by an unidentified assailant. The victim was known to have maintained contacts with the Israeli authorities. The town was placed under curfew and house-to-house searches were carried out.
21 June 1986	The Druze villages in the Golan	Demonstrations	YA	22 June 1986	To mark the sixtieth anniversary of the Druze revolt against the French occupation powers. Anti-Israeli slogans were shouted. The police did not intervene.
29 June 1986	Kalandiya refugee camp	Throwing of a hand grenade	M	30 June 1986	At an Israeli civilian bus. One passenger was slightly injured. Several suspects were arrested.
30 June 1986	Tel Aviv	Explosion of a sabotage charge	H	1 July 1986	The charge went off in a bus going from Petah-Tikva to Tel Aviv. Five passengers were slightly injured. The bus was damaged. The area was sealed off and 70 Arabs were detained for questioning. Most of them were released shortly afterwards.
10 July 1986	Al-Burj refugee camp in the Gaza Strip	Stone-throwing	H, M	11 July 1986	At an Israeli bus travelling on the main road of the Strip. One passenger was slightly injured. The stone-throwers fled to the refugee camp.
11 July 1986	Tulkarem	Throwing of a petrol bomb	H	13 July 1986	At the military government building. No damage was reported. A half-hour curfew was imposed on the area.
12 July 1986	The Islamic University in Hebron and Al-Najah University in Nablus	Demonstrations	F, JP	13 July 1986	Several hundred students and public organization activists demonstrated against Jordan following the closure of the Fatah offices in Amman. The security forces did not intervene.
13 July 1986	Tel Aviv	Explosion of a sabotage charge	H	14 July 1986	In Tel Aviv's main street. A 19-year-old woman was slightly wounded. Several Arabs were detained for questioning.

Date	Place	Type	Source	Remarks	
13 July 1986	Majdal Shams	Demonstration	H	14 July 1986	On the occasion of the inauguration of a playground, Syrian flags were hoisted and the Syrian national anthem was sung. A group of residents announced it was forming a "secret organization for the liberation of the Golan". The playground was built by the Golan National Sports Association whose objective was to struggle against the Israeli occupation. It was reportedly financed by the Syrian Sports Association.
16 July 1986	Bir Zeit University	Demonstration	JP	17 July 1986	Some 150 students demonstrated against Jordan. Photos of King Hussein were burned and a Palestinian flag was hoisted.
16 July 1986	Beer-Sheba	Explosion of a sabotage charge	YA	17 July 1986	The device went off in the main street of Beer-sheba. No-one was hurt. Some 100 Arabs were detained for questioning.
18 July 1986	Eln Beit Alma in Samaria	Throwing of petrol bombs	H	20 July 1986	At a military vehicle. No-one was hurt and no damage was reported. A two-hour curfew was imposed on the area.
24 July 1986	Jericho	Throwing of a hand grenade	H, JP	25 July 1986	At a group of Israeli high-school pupils from Carmiel. Fourteen pupils were wounded, two of them seriously. The area was placed under curfew. Nayef Hawatmeh's Democratic Front organization claimed responsibility for the attack.
27 July 1986	Nahalin, near Bethlehem	Scuffle and stone-throwing	H	29 July 1986	The scuffle occurred between passengers of a van from the settlement of Hadar Beitair and villagers participating in a traditional marriage procession. The van tried to force its way through the procession - the villagers reacted by stoning the vehicle - shattering its windows. Security forces appeared on the scene and arrested 10 villagers, including a 60-year-old woman and the bridegroom, aged 24. According to Arab sources a small Arab girl was injured by the van.
28 July 1986	Gaza	Throwing of a petrol bomb	YA	30 July 1986	At an IDF patrol. No-one was hurt and no damage was reported. The patrol soldiers fired into the air and arrested several suspects.
1 Aug. 1986	Gaza Strip	Stone-throwing	H	3 Aug. 1986	At police vehicles, in three separate incidents. A local policeman was slightly injured in the head. No damage was reported.
5 Aug. 1986	Katif block road in the Gaza Strip	Stone-throwing	H	6 Aug. 1986	At an Paged bus transporting soldiers. The bus had three of its windows smashed.
10 Aug. 1986	Efrat junction, near Gush-Etzion	Explosion of a charge	H, JP, M, YA	11 Aug. 1986	At a soldiers' hitch-hiking point. Three soldiers were slightly injured. The Fatah-linked Palestinian Revolutionary Forces organization claimed responsibility. Several dozen suspects were detained for questioning.

Date	Place	Type	Source	Remarks
10 Aug. 1986	Zanabeh, near Tulkarem	Throwing of a petrol bomb	AP	14 Aug. 1986 At an Israeli vehicle. No casualties or damage were reported. The area was placed under a two-hour curfew.
12 Aug. 1986	Ibadiya, near Bethlehem	Shooting	JP AP	13 Aug. 1986 22 Aug. 1986 At the car of an Arab dealer, Jamil Assa, as he was driving through his home village. The village was placed under curfew and three suspects were arrested.
15 Aug. 1986	Nablus	Throwing of empty bottles and shooting	JP, M	17 Aug. 1986 Eighteen-year-old Fuad Jodeh was slightly wounded in the leg when IDF soldiers opened fire at youths who had thrown empty bottles at an army lookout post in the town centre. The soldiers had reportedly mistaken the bottles for petrol bombs. They had chased after the youths, fired warning shots in the air and then fired at the youths' legs. The injured youth was taken to hospital.
21 Aug. 1986	Sur-Bahir, south of Jerusalem	Discovery of a body, violent clashes	H, JP	22 Aug. 1986 The body of a former security prisoner, Issa Shamasna, aged 29, from Kattana, was found near Sur-Bahir. According to security sources the man was killed while handling a bomb, but members of the family alleged that the man had a bullet wound in the chest and signs of beating at the back of the head. Family members also alleged that following the discovery of the body large numbers of army and border guards came to the village, searched the dead man's house and used violence to disperse a gathering. During the clashes the villagers stoned the security personnel and the latter fired shots in the air and beat several people, including women and some of the dead man's brothers. The village was sealed off. A military spokesman said he had no reports of clashes.
21 Aug. 1986	Wadi-Kelt, north-east of Jerusalem	Stabbing	H, JP N	22 Aug. 1986 26 Aug. 1986 Of two Israeli hikers in army uniform, by two unidentified youths. The hikers were slightly injured. The nearby villages of Hizma and Anata were placed under curfew. It was later reported that four suspects, aged 14 to 16, were arrested.
22 Aug. 1986	Gaza Strip	Stone-throwing	H	24 Aug. 1986 At an Egged bus on its way to the Erez terminal. The driver, Jaber Mussa al-Uzali, was injured in the eyes and was later hospitalized.
24 Aug. 1986	Nablus	Stone-throwing and shooting	H	25 Aug. 1986 A driver of a military ambulance fired shots in the air in the town centre after his vehicle was stoned. Its window was smashed. No-one was hurt.
30 Aug. 1986	Beit Furik junction, near Nablus	Beating	H	31 Aug. 1986 An IDF reservist hitch-hiking near Nablus was badly beaten by two unidentified Arabs. He was slightly wounded. The area was sealed off.



Map showing Israeli settlements established, planned or under construction in the territories occupied since 1967

