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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The occupied Syrian Golan

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution [73/100](#), in which the Secretary-General was requested to report to the Assembly at its seventy-fourth session on the implementation of the resolution. It includes a summary of communications received from the Governments of the Syrian Arab Republic, Cuba and Ireland, as well as the Economic and Social Commission for Western Asia.

* [A/74/50](#).



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [73/100](#), adopted on 7 December 2018, in which the Assembly called upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan. The Assembly highlighted Security Council resolution [497 \(1981\)](#), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel rescind forthwith its decision.
2. Also in resolution [73/100](#), the General Assembly requested the Secretary-General to report to the Assembly at its seventy-fourth session on the implementation of the resolution.

II. Implementation of resolution [73/100](#)

3. On 14 May 2019, the Office of the United Nations High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, addressed a note verbale to the Government of Israel referring to resolution [73/100](#) and requesting information on any steps taken, or envisaged to be taken, concerning the implementation of the resolution. At the time of reporting, no response had been received.
4. On the same day and on behalf of the Secretary-General, OHCHR addressed a note verbale to all permanent missions in Geneva to draw their attention to the resolution and to request information on any steps taken, or envisaged to be taken, concerning the implementation of the resolution. Responses were received from the Syrian Arab Republic, Cuba and Ireland.
5. Also on the same day and on behalf of the Secretary-General, OHCHR addressed a note verbale to the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, bringing the resolution to their attention. The Economic and Social Commission for Western Asia responded.
6. On 14 June 2019, the Permanent Mission of the Syrian Arab Republic addressed a note verbale to OHCHR, stressing that the General Assembly, in its resolution [73/100](#), had called upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution [497 \(1981\)](#). It added that the Assembly, in the resolution, had also called upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements on that territory. The Syrian Arab Republic underlined that the Assembly had determined that all legislative and administrative measures taken or to be taken by Israel, the occupying Power, that would alter the character and legal status of the occupied Syrian Golan were null and void. It also stated that those actions constituted a flagrant violation of international law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.
7. The Syrian Arab Republic noted that the international community had consistently rejected the Israeli occupation of the Syrian Golan and had requested that Israel, the occupying Power, fully withdraw from that territory to the line of 4 June 1967. It added that that was also reiterated in General Assembly resolution [73/23](#), entitled “The Syrian Golan”. It further observed that, despite those repeated calls to end its repressive measures against Syrian citizens, and the passage of 52 years since

its occupation of the Syrian Golan, Israel continued to ignore all United Nations resolutions, international law and conventions, benefiting from the protection that it was afforded by some members of the Security Council.

8. In its note verbale, the Syrian Arab Republic also renewed its strongest condemnation of the illegal order signed by the President of the United States of America regarding the so-called "Israeli sovereignty" over the occupied Syrian Golan as a blatant violation of international law and the Charter of the United Nations and relevant resolutions, especially Security Council resolution [497 \(1981\)](#). It added that the United States lacked the legal, political and moral authority to take such a decision. Those practices, according to the note verbale, reflected a blatant disregard for and a deliberate attempt by the current United States Administration to undermine international law and discredit the United Nations and all its resolutions on the matter.

9. The Syrian Arab Republic also categorically rejected the decision by Israel, the occupying Power, to undertake elections for so-called local councils in the occupied Syrian Golan and condemned that decision as a violation of international law. It also reiterated the refusal of the Golan inhabitants to participate in those elections, deeming them an affront to their national values and their belonging to the Syrian Arab Republic.

10. In its note verbale, the Syrian Arab Republic condemned the continued attempts by Israel to pressure the inhabitants of the occupied Syrian Golan to register their lands with the Israeli Land Registry (Tabu). It further stated that the inhabitants were compelled to surrender their original ownership documents in exchange for Israeli ownership papers; those who refused to comply faced the confiscation of their lands. It specifically referred to a request made by Israel to the inhabitants of the occupied village of Ayn Quniyah, and the industrial area belonging to the village of Majdal Shams, to hand in their original ownership documents. It also highlighted that that could be a prelude to similar measures that would affect other villages in the occupied Syrian Golan.

11. The Syrian Arab Republic condemned the current settlement policies implemented by Israel, the occupying Power, in blatant violation of Security Council and General Assembly resolutions, stating that the Assembly had repeatedly underlined the illegality of building Israeli settlements and other Israeli activities in the occupied Syrian Golan and called upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and to refrain from building settlements.

12. In its note verbale, the Syrian Arab Republic condemned Israeli practices aiming to control and illegally exploit natural resources in the occupied Syrian Golan. It stated that Israel had systematically exploited natural resources in that area, causing their depletion in clear contravention of the principle of sovereignty of people under foreign occupation over their natural resources. It also stated that the measures were in violation of Security Council resolution [497 \(1981\)](#) and of General Assembly resolution [72/240](#), entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources". It added that Israel continued to deplete and illegally exploit the natural resources of the occupied Syrian Golan at the expense of its native Syrian inhabitants, while diverting those resources exclusively to the use of Israeli settlers. It also referred to systematic attempts by Israel to damage arable lands along the ceasefire line, most notably by uprooting trees in the area. It specifically stated that the Israeli authorities had drained the waters of the Mas'adah Lake and diverted them towards Israeli settlements in the area, in contravention of the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. It further asserted that that

had caused significant environmental, financial and economic losses to the Syrian citizens in the occupied Syrian Golan. The Syrian Arab Republic warned against measures taken by Israel, including granting oil companies such as Genie (United States) the rights to prospect and further exploit various sites in the occupied Syrian Golan. It condemned the Israeli construction of wind turbines on arable lands around the towns of the occupied Syrian Golan, which was preventing farmers from harvesting their crops. It stressed that the turbines were causing significant health and environmental damage, thus threatening the livelihoods of the inhabitants of the occupied Syrian Golan.

13. In its note verbale, the Syrian Arab Republic referred to a survey funded by the European Union on “alternative tourism”, with the aim of supporting tourism in Israeli settlements in the occupied Syrian Golan. It considered that to be a violation of Security Council and General Assembly resolutions on the matter and further urged States Members of the European Union and the United Nations not to import goods from the occupied Syrian Golan.

14. The Syrian Arab Republic noted that the continued Israeli policy of arbitrary arrest, detention and mock trials was integral to its policy of occupation, which spanned more than five decades. It called upon international organizations to exert pressure on Israel to immediately and unconditionally release Syrian prisoners, including Sidqi al-Maqt, termed the “Syrian Mandela”, and a young detainee, Amal Abou Saleh.

15. In its note verbale, the Syrian Arab Republic called upon the Secretary-General, the Security Council, the United Nations High Commissioner for Human Rights, the President of the Human Rights Council, the President of the International Committee of the Red Cross and all organizations defending human rights to exert pressure on Israel, the occupying Power, to ensure sanitary conditions for Syrian citizens living in the occupied Syrian Golan. It noted that Israel continued to bury nuclear waste with radioactive content in various areas populated by Syrian citizens in the Golan, particularly in the vicinity of the Sheikh Mountain. The Syrian Arab Republic noted that that had put the lives and health of Syrians in the occupied Syrian Golan in jeopardy, with recorded cancer rates rising to 30 per cent.

16. The Syrian Arab Republic stressed the need for relevant international actors to compel Israel to cease its policy of preventing Syrian citizens of the occupied Syrian Golan from visiting the Syrian Arab Republic through the Qunaytirah crossing. It further added that those arbitrary measures had caused Syrian citizens significant physical and psychological suffering, in addition to material losses.

17. The Syrian Arab Republic stressed that the occupied Syrian Golan was an integral part of the territory of the Syrian Arab Republic and that its return was an eternal right that could not be subjected to negotiations or concessions.

18. In its note verbale, the Syrian Arab Republic asserted that the stability of the Middle East would not be attained until the appropriate measures were taken to implement international resolutions calling for an end to the Israeli occupation of Arab land and for the withdrawal of Israel to the line of 4 June 1967. In addition, it called for the implementation of Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#), [497 \(1981\)](#) and [2334 \(2016\)](#).

19. In a note verbale dated 22 May 2019, the Permanent Mission of Cuba stated that the international community reiterated the importance of the efforts deployed by the United Nations to put an end to the Israeli occupation of the Syrian Golan Heights. It also stressed that there should be no recognition of the administrative and legal measures adopted by Israel, the occupying Power, as stipulated in Human Rights Council resolution [37/33](#). It further reiterated that all legislative and administrative

measures and actions taken or to be taken by Israel and that could change the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan were null and void.

20. Cuba stated that it was unacceptable for the Syrian Golan to remain under Israeli military occupation despite repeated calls by the international community upon Israel to cease its practices. It stressed that the acquisition of territory by force was inadmissible under international law and the Charter.

21. In its note verbale, Cuba stated that Israel must immediately withdraw from all of the occupied Syrian Golan to the line of 4 June 1967, in compliance with Security Council resolutions [242 \(1967\)](#) and [338 \(1973\)](#). It further noted that foreign occupation, the policy of aggression and racial discrimination and the acquisition of territory by force constituted violations of international norms and had a negative impact on the human rights of the Syrian people.

22. Cuba rejected Israeli practices aimed at controlling and taking possession of the natural resources of the occupied Syrian Golan, which were in flagrant violation of the General Assembly and Security Council resolutions regarding the permanent sovereignty of the Arab population in the occupied Syrian Golan over their natural resources.

23. Cuba strongly condemned the declared intention of the Government of the United States to recognize the occupied Syrian Golan as Israeli territory, which constituted a flagrant violation of the Charter, international law and Security Council resolutions, including resolution [497 \(1981\)](#). It further stated that that move violated the legitimate interests of the Syrian people and the Arab and Islamic nations, with serious repercussions for stability and security in the Middle East and the potential to escalate tensions in that volatile region.

24. Cuba urged the Security Council to assume its responsibilities in maintaining international peace and security and to adopt decisions that would halt the unilateral action by the United States and its support for Israel in annexing the occupied Syrian Golan.

25. In its note verbale, Cuba noted violations of international humanitarian law by the Israeli authorities in relation to Syrian detainees in the occupied Syrian Golan, expressing its serious concern with regard to the inhumane conditions of detention.

26. Cuba stated that the non-aligned countries had repeatedly expressed their support for and unconditional solidarity with the legitimate rights of the Syrian Arab Republic to restore its full sovereignty over the occupied Syrian Golan on the basis of the Arab Peace Initiative and the principle of land for peace.

27. Cuba stressed that maintaining the illegal Israeli occupation of the occupied Syrian Golan constituted an obstacle to a just, comprehensive and durable peace in the region.

28. In its note verbale dated 17 June 2019, the Permanent Mission of Ireland stated, in relation to resolution [73/100](#), that the Government of Ireland had not recognized the legislative or administrative measures and actions taken by the Government of Israel in the occupied Syrian Golan.

29. In its letter dated 12 June 2019, the Economic and Social Commission for Western Asia stated that it had received a letter from the Syrian Arab Republic on 2 April, detailing the economic and social repercussions of the Israeli occupation on the living conditions of the Arab population in the occupied Syrian Golan.

30. In that letter, the Syrian Arab Republic had highlighted that Israel had continued to construct nine new settlements in the occupied Syrian Golan, in addition to the 33

existing settlements. The Syrian Arab Republic had further stated that Syrian workers in the occupied Syrian Golan continued to face various forms of pressure from local councils, associated with Israel, to work in hard labour positions and in chemical plants exposing them to carcinogens. It had also noted that they were working to construct settlements and military fortifications. The Syrian Arab Republic had described practices that it deemed racist, including the seizure of lands for projects benefiting Israel; the imposition of high taxation on Syrians' incomes; and discrepancies between the average incomes of Syrians and Israelis. It had also noted the cumulative economic and social impact of Israeli policies on Syrians, including low standards of living and education, as well as high rates of child labour, estimated at around 60 per cent.
