

Having received and examined the report of the Special Committee on Peace-keeping Operations of 3 December 1971,³⁴

Noting with regret that the mandate entrusted to the Special Committee has not as yet been fulfilled,

Conscious, nevertheless, that the problems with which the Special Committee has been faced are of a fundamental nature and require close and thorough consideration to which any Member of the United Nations may usefully contribute,

Bearing in mind the concern of Member States in the present dangerous international situation over the need to reach an early agreement for carrying out United Nations peace-keeping operations consistent with the Charter of the United Nations,

1. Takes note of the report of the Special Committee on Peace-keeping Operations, in particular paragraph 14 of the report;

2. Recommends that, in order to expedite progress and to enable the Special Committee to hold a more frequent exchange of views on the question, its Working Group should submit reports at intervals of not more than three months;

3. Stresses the importance of achieving agreed guidelines to enhance the effectiveness of United Nations peace-keeping operations in conformity with the Charter and to this end urges the Special Committee to accelerate its work;

4. Requests Member States to make available to the Special Committee before 15 March 1972 any views or suggestions which they may wish to submit to help the work of the Special Committee;

5. Requests the Special Committee, taking into account the progress made by its Working Group at that time, to study the views and suggestions received from Member States and to arrange for further discussion at meetings in which those delegations that had contributed views and suggestions, as well as other interested delegations, would be invited to participate;

6. Requests the Special Committee to report to the General Assembly at its twenty-seventh session on the progress it has achieved.

2023rd plenary meeting,
17 December 1971.

2851 (XXVI). Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Bearing in mind the provisions and principles of the Universal Declaration of Human Rights, as well as the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,³⁵

Recalling Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968, as well as other pertinent resolutions of the United Nations,

³⁴ Official Records of the General Assembly, Twenty-sixth Session, Annexes, agenda item 39, document A/8550.

³⁵ United Nations, Treaty Series, vol. 75 (1950), No. 973.

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories,³⁶

Gravely concerned about the violations of the human rights of the inhabitants of the occupied territories,

Considering that the system of investigation and protection is essential for ensuring effective implementation of the international instruments, such as the aforementioned Geneva Convention of 12 August 1949, which provide for respect for human rights in armed conflicts,

Noting with regret that the relevant provisions of that Convention have not been implemented by the Israeli authorities,

Recalling that, in accordance with article 1 of that Convention, the States parties have undertaken not only to respect but also to ensure respect for the Convention in all circumstances,

Noting with satisfaction that the International Committee of the Red Cross, after giving careful consideration to the question of the reinforcement of the implementation of the Geneva Conventions of 12 August 1949,³⁷ has arrived at the conclusion that all tasks falling to a protecting Power under those Conventions could be considered humanitarian functions and that the International Committee of the Red Cross has declared itself ready to assume all the functions envisaged for protecting Powers in the Conventions,³⁸

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories and its members for their efforts in performing the task assigned to them;

2. Strongly calls upon Israel to rescind forthwith all measures and to desist from all policies and practices such as:

(a) The annexation of any part of the occupied Arab territories;

(b) The establishment of Israeli settlements on those territories and the transfer of parts of its civilian population into the occupied territory;

(c) The destruction and demolition of villages, quarters and houses and the confiscation and expropriation of property;

(d) The evacuation, transfer, deportation and expulsion of the inhabitants of the occupied Arab territories;

(e) The denial of the right of the refugees and displaced persons to return to their homes;

(f) The ill-treatment and torture of prisoners and detainees;

(g) Collective punishment;

3. Calls upon the Government of Israel to permit all persons who have fled the occupied territories or have been deported or expelled therefrom to return to their homes;

4. Reaffirms that all measures taken by Israel to settle the occupied territories, including occupied Jerusalem, are completely null and void;

³⁶ A/8389 and Corr.1 and 2 and Add.1 and Add.1/Corr.1 and 2.

³⁷ United Nations, Treaty Series, vol. 75 (1950), Nos. 970-973.

³⁸ See A/8389/Add.1 and Add.1/Corr.1 and 2, para. 36.

5. *Calls upon* the Government of Israel to comply fully with its obligations under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Requests* the Special Committee, pending the early termination of Israeli occupation of Arab territories, to continue its work and to consult as appropriate with the International Committee of the Red Cross in order to ensure the safeguarding of the welfare and human rights of the population of the occupied territories;

7. *Urges* the Government of Israel to co-operate with the Special Committee and to facilitate its entry into the occupied territories in order to enable it to perform the functions entrusted to it by the General Assembly;

8. *Requests* the Secretary-General to provide the Special Committee with all the necessary facilities for the continued performance of its tasks;

9. *Requests* all States parties to the Geneva Convention of 12 August 1949 to do their utmost to ensure that Israel respects and fulfils its obligations under that Convention;

10. *Requests* the Special Committee to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

11. *Decides* to include in the provisional agenda of its twenty-seventh session an item entitled "Report (or reports) of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories".

*2027th plenary meeting,
20 December 1971.*