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THE HUMAN RIGHTS SITUATION
IN THE TERRITORIES OCCUPIED BY ISRAEL SINCE 1967
AND IN AUTONOMOUS PALESTINIAN TERRITORY

ISSUE

Human rights violations in the territories occupied by Israel since 1967 have been of major concern to the international community. Canada, a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (the Geneva Convention of 1949), strongly advocates that Israel comply with the Convention which applies de jure to areas under military occupation. The Israeli-PLO Declaration of Principles (DoP), signed in September 1993, did not immediately translate into a significant decline in violations; however, 1994 saw significant incremental improvements. Respect for human rights by the Palestinian National Authority also bears watching.

BACKGROUND

The Israeli Deputy Foreign Minister once stated that "there is no such thing as a benign occupation". Canada, like other western states, has long argued that the 4th Geneva Convention applies to the West Bank and Gaza. Canada has approached the Israeli authorities and/or spoken out when the Convention has been breached. It has supported the appeals of the UN Commission on Human Rights and the International Committee of the Red Cross.

Although violations continue, the first year of implementation of the DoP has seen a marked reduction in their number. In the first year of the DoP, Palestinian fatalities caused by Israeli security forces were down by 30 per cent; no houses were demolished or sealed by administrative order; the number of Palestinian inmates declined by 66 per cent and the number of jailed minors by 75 per cent. Freedom of expression and of assembly also improved considerably as Palestinians are now able to fly their flag, hang PLO Chairman Arafat's picture, and hold demonstrations both inside and outside the autonomous areas. However, continued construction of Israeli settlements in the Occupied Territories, in violation of the Convention, continues to generate violent clashes.

The decrease in Convention violations by Israeli forces regrettably has not translated into a concomitant improvement in security of the person. In the year since the DoP was signed, Israeli civilians have killed 45 Palestinians (including 29 in the Hebron massacre) and Palestinian rejectionists have killed 21 Israeli citizens in the Occupied Territories and 24 within Israel's recognized boundaries (a further 21 died in the bus bombing in Tel Aviv in October). With the reduction of outright violations, abuse of administrative power is regarded by human rights organizations as the most persistent violation of Palestinian human rights. This also includes: travel abroad, entry of non-resident relations, family reunification, bureaucratic barriers to economic development (access by Palestinians to airports and ports), and the closure of Jerusalem preventing access to services, transportation links and religious sites.