

the facts

ABOUT THE PALESTINE PROBLEM

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THE ARABS UNDER ISRAELI RULE

The 4th Geneva Convention was conceived for the protection of civilian populations in time of conflict. This Convention was signed in 1949 by most countries of the world. Israel signed it in 1951.

According to this Convention, the civilian population in a territory occupied by a foreign power falls under the category of «protected persons» defined as follows :

Article 4 : Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a party to the conflict or Occupying Power of which they are not nationals.

PART II

The Treatment of Civilians

A - THE GAZA STRIP

After the Israeli Occupation, 7 June 1967

I. THE BACKGROUND.

From 1949 to 1967, the Gaza Strip was administered by the Egyptian Government, but was technically considered «as a part of Palestine under temporary occupation by a friendly state ». The Gaza Strip is 25 miles long and 4 1/2 to 5 miles wide. Its boundaries were demarcated by the Egyptian-Israeli Armistice Agreement of 4 February 1949. Its population consists of 315,00 Arab refugees and 130,000 indigenous Arabs.

II. THE ISRAELI ADMINISTRATION.

«There can be few sadder places in the Middle East than the Gaza Strip, which is a byword for the hopeless plight of the Arab refugees». This is how the situation was described in *The Times* on 7 March 1968, while Michael Adams says in *The Guardian* on 26 January 1968: «I had my ups and downs during 4 years as a prisoner

of war in Germany, but the Germans never treated me as harshly as the Israelis are treating the Arabs in the Gaza Strip, the majority of whom are women and children».

During a press conference on 8 March 1968, an official U.S. State Department spokesman urged Israel to abide by international laws in the Arab territories seized in the June War, and insisted that the destruction of the houses of «suspected» terrorists contravened international agreements.

How true are these eye-witness accounts of two objective Western observers ?

Why are the Arabs being subjected to this sort of treatment in the Gaza Strip ?

What are the measures taken by the Israeli authorities that have prompted this condemnation from the State Department ?

A. The Destruction of Houses.

«Any destruction by the Occupying Power of movable or immovable property belong-

ing individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited except where such destruction is rendered absolutely necessary by military operations.» (4th Geneva Convention, Article 53).

1. « The Israeli authorities have killed citizens and destroyed houses even after the end of the military operations». (Report presented by the Secretary-General of the United Nations to the General Assembly, based on the report of Mr Gussing, the Personal Representative of the Secretary-General, after his visit to the Gaza Strip and the occupied territories, 15 Sept. 1967).

2. « In Gaza last night, the dwellings of suspected saboteurs were reduced to rubble ». (New York Times, 10 August 1967).

3. «Israeli security forces blew up a number of Arab houses in Deir Al-Balah village in the Gaza Strip, in retaliation for the murder of a farmer.» (A.P., 28 November 1967).

4. «In order to intimidate the population, the military authorities have dynamited houses where saboteurs might have found shelter or help». (Le Monde, 20 January 1968).

5. «The Israelis blew up 9 fishermen's huts, which were used for storing their nets and tackle, and destroyed a number of fishing boats». (The Guardian, 26 January 1968).

7. «Israeli soldiers dynamited 4 houses — and the explosion brought down 8 others — in Wahda Street in Gaza, after a fire cracker was thrown from one of these houses. The inhabitants were given 10 minutes to evacuate their families, including small children, and they can still be seen searching the rubble to see if they can salvage anything». (Reuter, 7 February 1968).

8. «Several shanties and storage sheds were demolished in a Bedouin encampment near Khan Yunis.» The Jerusalem Post, 11 January 1968).

9. «3 houses were blown up yesterday as a reprisal for an incident in which a home-made grenade was thrown at a lorry». (A.F.P., A.P., Reuter, 22 February 1968)

10. «The order to destroy the houses of anyone found to be connected with saboteurs or to have sheltered them is still enforced. At least 100 houses have been destroyed.» (The Times, 7 March 1968).

11. «Non-Arab residents of the strip share the Arab view that punishment is meted out to tens of thousands of people who could not possibly be implicated in the incidents: the destruction of houses, whose inhabitants, only crime is to be living at or near the spot where a bomb explodes, is out of all proportion to the acts committed ». (The Observer, 28 January 1968).

B. ATTACKS ON HOSPITALS.

«Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack but shall at all times be respected and protected by the Parties to the conflicts». (4th Geneva Convention, Article 18).

But :

«The Israeli forces attacked the Al-Shifa' hospital and imprisoned a number of doctors. Some patients were killed as well as the head nurse, Samiha Fehmi». (Reuter, 7 February 1968).

C. SUMMARY ARRESTS AND INTIMIDATION OF CIVILIANS.

(a) «Collective penalties are prohibited». 4th Geneva Convention, Article 33).

But :

1. 20 persons were arrested yesterday in the Gaza Strip. (A.P., 9 July 1967).

2. The Israeli Army has often arrested citizens in downtown Gaza in the daytime,

for the sole reason of spreading terror. (Report No. 3, submitted by the Red Cross, 11 August 1967).

3. 18 Arabs, suspected of sabotage, were arrested yesterday. (A.P., 28 November 1967).

4. 40 persons suspected of sabotage were arrested in the Gaza Strip on 11 and 12 January 1968. (Le Monde, 18 January 1968).

5. 71 Arabs were arrested in Gaza in the last few days and more arrests are expected. (The Times, 30 January 1968).

6. In a letter to The Observer, Michael Adams wrote: «The Jerusalem Post reported that the 2,500 male residents of the Al-Shati' Camp, (in the Gaza strip) aged 17 to 50, were herded into a stockade for interrogation by teams of army, police and security service men. The Post did not add that the stockade was on a beach, that a violent storm was raging, that there was continuous small arms fire over the men's heads, and that they were kept there for 7 hours». (The Observer, 18 February 1968).

7. In the same letter, Mr. Adams says: «At Jabalia Camp, the men were held in similar conditions for 25 hours, in a shallow depression where rainwater had gathered. The hospitals had to deal with a number of cases of exposure after this episode».

b) «The high Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their lands. This prohibition applies not only to murder, torture, corporal punishments, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents». (4th Geneva Convention, Article 32).

8. The intimidatory measures imposed by the Israeli authorities on the village of Al-Arish have been so strengthened in the last few days that it is difficult to find a single boy in the town who has not been

imprisoned for some days without any reason. It is also reported that during the last few days, and between midnight and 3 a.m. each night, every family lives in a state of anxiety and expects to be arrested by the security forces at any minute; the men may be taken off for several days or seven a week at a time, and during this period of detention would be subjected to the ugliest possible forms of torture. (All Press Agencies, 18 December 1967).

9. Adult Egyptian males, who have lived in Gaza and are presently imprisoned in Al-Arish, are undergoing extreme hardships. They are held in concentration camps, which do not come up to the necessary sanitary or other conditions required. These men, the great majority of whom are educated, are presently suffering from a very low state of morale. (Red Cross Report No. 4, 23 August 1967).

c) «No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties». (4th Geneva Convention, Article 31).

But :

10. The Israeli authorities imprisoned all the Mukhtars of Gaza for the past four days, and subjected them to all possible methods of torture in an effort to extort information from them. As a result, one of them, Alyan Al-Masri, has died». (A.F.P., 30 July 1967).

d) «The Occupying Power may not alter the status of public officials or judges in the occupied territories or in any way apply sanctions to or take any measures of coercion or discrimination against them, should they abstain from fulfilling their functions for reasons of conscience ». (4th Geneva Convention, Article 54).

But :

11. The Gaza Strip went on strike in protest against the Israeli forces' appropriation of sums of money estimated at a million dollars, in addition to robberies by individual Israeli soldiers. The Israeli authorities arrested the Mayor of Gaza,

Mr Munir Al-Rayess, and three prominent tradesmen, because of their refusal to ask for a stop to the strike. Many personalities from Khan Yunis, including the Mayor and his assistant, were also arrested for the same reason. The judges and public prosecutors in Gaza refused to work, even after they had been threatened with imprisonment and after some of them had been beaten up. (Reuter, A.P., A.F.P., 3 August 1967).

D. ATTACKS ON REFUGEE CAMPS.

«Reprisals against protected persons and their property are prohibited». (4th Geneva Convention, Article 33).

But :

1. A great number of shacks in a refugee camp near Gaza were demolished, resulting in the killing of 9 families, including women and children. (A.F.P., 30 July 1967).

2. UNRWA protested officially to the Israeli Government against the systematic destruction of refugee shelters by the Israeli Army. «We are seriously worried as a result of this situation» declared an UNRWA spokesman to A.F.P. He stated that, during the last 10 days, the Israelis had dynamited 3 shelters. (A.F.P., 9 December 1967).

3. In Gaza «a number of shacks in the Shati' refugee camp were demolished by the security forces on the night of 9 January». (Jerusalem Post, 11 January 1968).

E. SEARCHES AND CURFEWS

a) «All measures of intimidation or terrorism are prohibited» (4th Geneva Convention, Article 33).

1. The Israeli authorities imposed a curfew on the Gaza Strip yesterday. Many of the men aged between 18 and 40 were arrested, and taken to the main square,

where their hands were tied behind their backs and they were ordered to lie face down on the ground, at the same time there was shooting above their heads in order to intimidate them. Later these men were taken to an unknown destination. (A.F.P., 30 July 1967).

2. The Israeli authorities perform their so-called «Search Operations» brutally and violently, and in the middle of the night. Citizens are made to leave their homes and are not permitted to return until the searches are over. In order to spread panic amongst the populace, the Israeli authorities fire shots from machine guns while they are carrying out these searches. (Red Cross Report No. 3, 11 August 1967).

3. The Israeli authorities imposed a 24 hours curfew and search in the town of Al-Arish yesterday. (A.F.P., A.P., 20 August 1967).

4. The Israeli authorities perform nightly search operations in the sector, which creates great panic amongst the women and children. (Report submitted by the Secretary-General of the United Nations, 15 September 1967).

5. A general curfew was imposed yesterday on the Gaza Strip and «Search Operations» were carried out. There have been several similar incidents within the last few days in the Gaza Strip. (Le Monde, 31 December 1967).

6. The Israeli authorities have imposed a curfew on the Gaza Strip and have launched «Search Operations», in reprisal for a homemade grenade which was thrown into the Gaza fish market and which resulted in no casualties. (Le Monde, 10 January 1968).

7. In the town of Gaza, a curfew was imposed for 61 hours, and for the first 24 hours not even doctors were allowed to move outside their houses. In Shati' Camp, the curfew lasted for 5 days (9-14 January) and UNRWA was not allowed to distribute food until the fourth day. Moreover in Jabalia Camp, the curfew lasted for 9 days and nights. (In a letter from Michael Adams to The Observer, 18 February 1968).

8. Curfews are now so frequently imposed in the Gaza Strip that life in the sector is

almost completely paralysed. During these curfew hours, armed Israeli patrols often break into private homes and carry out their search operations. (A.P., A.F.P., 18 January 1968).

9. A total day and night curfew, whose duration was not specified, was imposed on 200,000 Arabs in the Gaza Strip yesterday. The Israeli authorities are proceeding to search every single house in the sector. Schools, shops and offices were closed in Gaza and streets were deserted except for army patrols. (*Le Monde*, 20 January 1968).

10. A curfew was imposed on Gaza today and search operations were launched. (A.P. A.F.P., *Reuter*, 21 February 1968).

11. The Israeli authorities continued the curfew, which they had already imposed for three days, as an intimidatory measure. (A.P., A.F.P., *Reuter*, 7 March 1968).

12. Curfews in refugee camps are often accompanied by the rounding up of all male inhabitants between the ages of 16 and 60 and compelling them to spend hours — in some cases up to 3 days — in open compounds. In one case at least, they were herded into a shallow lake. During curfew hours, there are bursts of rifle or sub-machine-gun fire in order to discourage people from leaving their homes or approaching the area from outside. (*Observer*, 28 January 1968).

b) «Pillage is prohibited» (4th Geneva Convention, Article 27).

c) «Women shall be protected against any attack on their honour, in particular against rape.» (4th Geneva Convention, Article 27).

But :

13. The search operations often result in organized robberies which include the theft of jewelry and valuable objects. They have also often included brutal beatings and rape. (*Red Cross Report* No. 3, 11 August 1967).

d) «To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring that the population is

supplied with food and medicine. It should in particular, bring in the necessary food-stuffs, medical stores and other articles if the resources of the occupied territory are inadequate» (4th Geneva Convention, Article 55).

e) «To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, public health and hygiene in the occupied territories. Medical personnel of all categories shall be allowed to carry out their duties.» (4th Geneva Convention, Article 56).

But :

14. « For the Strip's 210,000 refugees in camps, these repressive measures are particularly painful. They depend entirely on UNRWA for food and welfare services. During curfew, the distribution of rations is disrupted or stopped, as access to the camp is prohibited, an UNRWA staff must request special permission from the military authorities to enter compounds. When Gaza Beach Camp was under curfew for 6 days recently, there was no food distribution for 5 days.» (*Observer*, 28 January 1968).

15. «There is no running water in the houses of the camp and 75 per cent of the latrines are in the street of the camps. Refugee families, which are usually large, are compelled, during curfew, to remain in their hut-like houses day and night, with a break of one or two hours after the first day. This is not sufficient to allow them to collect water, use latrines and — when permission is granted — receive their rations.» (*Observer*, 28 January 1968).

F. ECONOMIC PERSUASION.

«Where a party to the conflict applies to a protected person methods of control which result in his being unable to support himself and especially if such a person is prevented for reasons of security from finding employment on reasonable conditions, the said party shall ensure his support and that of his dependents.»

«Protected Persons may in any case receive allowances from their home country» (4th Geneva Convention, Article 39).

But :

1. «The number of persons in need and to whom the Agency is providing emergency rations, is considerably in excess of those previously registered with UNRWA. This is because many people have lost their employment or sources of income (including remittances from abroad) and have thus ceased to be self-supporting. Looting has not entirely ceased». (UNRWA Report, 3 July 1967).

2. The report submitted on 15 September 1967, by the United Nations Secretary-General to the General Assembly and the Security Council states that :

a) Israel seized 450,000 Egyptian pounds in Gaza.

b) Members of the Gaza Town Council have complained about the looting of stores.

c) They also complained that Israel has blocked their bank accounts ever since the June occupation.

3. The Israeli authorities declared that as from 7 February 1968, all monetary transactions should be made in Israeli currency. (Reuter, A.F.P., 6 February 1968).

4. The town of Al-Arish (30,000 inhabitants) is suffering from a serious famine, due to the behaviour of the Israeli authorities. (A.F.P., 12 January 1968).

5. Mr. John Reddaway, the assistant commissioner of UNRWA, wrote on 7 November 1967 : «The married men who left the sector or were imprisoned by the authorities have created a dangerous problem, for their families have been left destitute and defenceless».

6. Derek Wilson, the correspondent for A.F.P., notes that «there is an atmosphere of general discontent due to the serious unemployment problem and to the bad economic conditions under Israeli rule.» (A.F.P., 19 January 1968).

G. LOOTING OF UNITED NATIONS PROPERTY.

«These several organizations (relief organizations) shall be granted all facilities for that purpose by the authorities, within the bounds set by military or security considerations». (4th Geneva Convention, Article 30).

But :

Instead of granting them all the facilities mentioned above, the Israeli forces looted UNRWA property.

1. Despite complaints to Gideon Rafael, Israel's chief delegate to the United Nations, and assurance by the local commander that steps would be taken to end the looting, Mr. Thant said : «Even more property had been removed since the initial appeal.» (Herald Tribune, 15 July 1967). In fact, UNEF representatives witnessed the removal of the items but were unable to secure any effective action by the responsible Israeli authorities to prevent it. «All United Nations vehicles were driven off by Israeli soldiers and were seen in use in the Gaza area. Everything on wheels or that had not been nailed down had been removed. Most of the furniture, typewriters, fans and other property as well as food and medical supplies had been stolen». (Herald Tribune, 15 July 1967).

H. THE BUS-LIFT TO JORDAN.

«Individual or mass forcible transfers as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motives». (4th Geneva Convention, Article 49).

But :

1. Public cars leave Gaza regularly every morning for the West Bank. The number of travellers vary from 400 to 500 daily, only 10 per cent of which return to Gaza in the evening». (Red Cross Report No. 3, 11 August 1967).

2. «Each day for the last 2 weeks, 500 residents have left the Gaza Strip... Any reduction in Gaza area's population is a benefit to everyone in Israel's view». (*New York Times*, 26 August 1967).

3. «The opportunity of reprisals on security grounds has been taken to hasten the departure of more people from the West Bank and the Gaza Strip and to prevent the return of those who had fled. The Israeli authorities believe that whatever the eventual political status of the Gaza Strip, the refugees there should be moved elsewhere». (*Observer*, 17 December 1967).

4. «It is estimated that between 30,000 and 35,000 people have left the strip as a result of the measures taken by the Israeli authorities.» (*Observer*, 28 January 1968).

5. «The Israelis encourage the population to leave». (*The Times*, 7 March 1968).

6. The Israeli newspaper, **Kol Ha'am**, affirmed on 17 January 1968, that the Israeli authorities force the Arab citizens of Gaza to seek refuge in Jordan.

WHITHER GAZA ?

a) Declared Policy.

1. Mr. Levi Eshkol said in an interview to *Der Spiegel* on 10 July 1967, «The Gaza Strip must remain on Israel's side».

2. Moshe Dayan declared that: «The Gaza Strip is an integral part of Israel. I do not see any difference between Gaza and Nazareth». (*Jerusalem Post*, 6 July 1967).

3. «The Israeli Minister of the Interior decided to distribute Israeli identity cards to all the Arab population in Gaza. These

cards will be distributed by the end of February». (*A.F.P.*, 1 February 1968).

b) Real Policy.

1. «It was not easy to know whether those acts of violence are performed privately by some Israeli soldiers or if they fit into a definite Israeli policy which aims at spreading fear amongst the citizens so that they leave Gaza». (*Red Cross Report No. 3*, 11 August 1967).

2. «The non-Arab, non-Jewish population of Gaza believe that the only danger to security in Gaza comes from the present determined and often brutal attempts by the Israeli Army to persuade the Arab refugees to leave the Gaza Strip, thus opening the way to its annexation by Israel. My observations confirm this view». (*The Guardian*, 26 January 1968).

3. «There was a well-attested intimidation of Arabs in the Gaza Strip and elsewhere to encourage them to leave », wrote the British M.P.'s Ian Gilmour and Colin Jackson in a letter to *The Times* on 10 February 1968.

4. «No Israeli, when he deals frankly with you (and many do) will deny that he would prefer to accept «the dowry without the bride», meaning that, from Israel's point of view, the ideal solution to the problem of the occupied territories would be their absorption by Israel, but without their Arab population», wrote Michael Adams. (*The Guardian*, 19 February 1968).

This mass of documentation provides ample evidence that the Israelis are prepared to use any means available, legitimate or illegitimate to uproot the indigenous Arab population, while furthering their plans to annex the Gaza strip and absorb it into Israel as an integral part of their state.

