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Conflict between Israel and the Arab countries

Throughout 1976 the ICRC continued protecting and assisting civilian victims of the Israelo-Arab conflict, especially those in the occupied territories.

For that purpose the ICRC retained in Israel and the occupied territories an organization similar to that of previous years, namely a delegation in Tel Aviv (which also covered the occupied territory of Golan) and two sub-delegations, one in Jerusalem and one in Gaza. The total personnel strength was twelve delegates and four administrative employees from headquarters, and 33 locally recruited employees.

The ICRC also maintained its delegations in the Arab Republic of Egypt (two delegates, a radio operator and five locally recruited employees), in Jordan (one delegate, one radio operator and seven locally recruited employees) and in the Syrian Arab Republic.

In the latter country, in view of the Lebanese conflict, the ICRC reinforced its delegation in the second half of the year. The

Damascus delegation, accustomed to dealing with problems relating to the Israelo-Arab conflict, played an important role in providing relief and in making travel arrangements for personnel going to Lebanon. At the height of the ICRC operations in Lebanon, the staff of the Damascus delegation had eleven persons (three delegates and eight locally recruited employees).

Applicability of the Fourth Convention

In 1976 the Israeli government maintained its attitude of non-recognition of the applicability of the Fourth 1949 Geneva Convention in the occupied territories. The ICRC, in contrast, has consistently stated its opinion that all conditions existed for the applicability of that Convention.

Its delegates, authorized to act on a pragmatic basis, endeavoured to ensure as much respect as possible for the provisions of the Fourth Convention relative to the protection of civilians in time of war. In many respects, they observed that the attitude of the occupying power was in keeping with the Conventions, whilst in others they encountered the obstacle presented by the attitude of the Israeli authorities referred to above.

Work for the benefit of civilian detainees

The ICRC delegates in Israel and the occupied territories at regular intervals visited thirteen prisons in which protected persons were being held, that is to say persons from the occupied territories and the Arab countries.

These detainees were of two categories: (1) persons detained for security reasons who were under interrogation, on remand, convicted or under administrative detention; (2) penal law detainees, on remand or convicted.

At the end of 1976 the number of people detained for security reasons was almost 3,000, including about fifty administrative detainees. In addition there were about 400 penal law detainees.

Moreover, during the year, the Israeli authorities placed in assigned residence for four months a journalist whom the delegates visited on several occasions.

It should be recalled that the ICRC obtained from the Israeli authorities an undertaking that they would notify it of the arrest of protected persons—other than those from East Jerusalem—within 18 days of arrest. The ICRC endeavoured to obtain the same undertaking in respect of people from East Jerusalem but did not succeed. Nevertheless, its delegates did visit such detained people under the same conditions as applied to other protected persons in detention.

During their visits, delegates could talk in private with detainees of their choice. However, during the period of interrogation following arrest—which should not, according to the Israeli authorities, exceed 30 days—delegates were not permitted to see detainees without witnesses.

These visits took place in 1976 every two months in the Israeli prisons and every month in prisons in the occupied territories. Their main objective was to inspect detention conditions (quarters, hygiene, medical care, food, clothing, work, leisure and physical exercise, treatment and discipline). The major problem encountered in 1976 was overcrowding. This had become alarming and was adversely affecting all conditions of detention. The delegates made repeated approaches to the detaining authorities, asking them to remedy the situation. However no tangible result had been obtained by the end of the year. Among other questions the delegates in particular raised with the detaining authorities the problems of medical care, family visits and cultural facilities.

The ICRC continued providing direct material assistance to detainees and their families:

- *Family visits*: The ICRC organized bus and taxi transport for some 36,000 people in the occupied territories to visit their detained relatives.
- *Prostheses*: More than 280 detainees were fitted with prostheses financed by the ICRC.
- *Food*: 34,000 parcels—85 tons—of fresh fruit were delivered to detainees by the ICRC during monthly distributions. In addition, the most destitute detainees were given each month a small sum of money for purchases at prison canteens.

- *Books*: the ICRC provided nearly 1,800 books to the prison libraries for the detainees.

The overall cost of this material assistance programme amounted to 339,200 Swiss francs.

Disturbances in the occupied territories

In disturbances which broke out several times in the occupied territories, especially on the West Bank of the Jordan, ICRC delegates maintained close contact with protected persons through municipal authorities, hospitals and local sections of the Red Crescent. With special passes issued by the Israeli authorities they went to localities subject to curfew, checked that hospital services were able to continue their activities, and brought the attention of the competent authorities to cases of wounded or sick persons requiring urgent evacuation. They also accompanied people home who had been stranded by the curfew. The authorizations delivered by the Israeli authorities enabled the delegates to carry out their task under satisfactory conditions.

Destruction of houses

No destruction of houses was brought to the notice of the ICRC between 7 January and 21 April 1976. Subsequently, however, the occupying power destroyed further dwellings in breach of Articles 33 and 53 of the Fourth Convention.

As far as the ICRC knows, 21 houses were destroyed or bricked up in 1976, depriving 109 people of their homes (61 on the West Bank of the Jordan and 48 in the Gaza Strip). In each case the delegates protested to the Israeli authorities and made sure that the inhabitants had been decently rehoused. When necessary they gave tents and blankets to the affected families.

Expulsions

In 1976 two people, originally from the West Bank of the Jordan, were expelled into Lebanon. The ICRC protested strongly to the Israeli authorities not only that such action was in violation of Art. 49 of the Fourth Convention but also that it entailed considerable risk to the people forced across the border through particularly dangerous areas.

Food Relief

Some 3,250 tons of food donated by the European Economic Community (see table on page 30) was delivered by the ICRC to the populations of the occupied territories of Gaza, Sinai and the West Bank of the Jordan.

The distributions were carried out in co-operation with the Israeli Ministry of Social Affairs and various organizations active in the occupied territories, such as CARE (Co-operative for Assistance and Relief Everywhere), the World Lutheran Federa-

tion, the Catholic Relief Service and with the help, in some circumstances, of local charitable societies and administrative authorities.

In addition, the Arab Republic of Egypt sent 368 tons of relief to the Sinai population. This relief was forwarded in the course of three operations under ICRC auspices in the United Nations buffer zone in Sinai. Egypt also transferred, through the ICRC, cash to families which had lost one of their members during the floods which ravaged northern Sinai in February 1975.

Disabled persons in the Gaza Strip

The funds made available to the ICRC by the German Red Cross in the Federal Republic of Germany enabled scores of disabled persons in the Gaza Strip to be fitted with prostheses.

This work was carried out in close co-operation with the Magen David Adom.

At the end of 1976, the German Red Cross remitted a further 30,000 DM for continuation of this work.

Relief supplies from the populations of the occupied territories to the victims of the Lebanese conflict

The populations of the occupied territories, wishing to help the victims of the Lebanese conflict, sent them, through the ICRC, relief in kind and in cash to a value of 450,000 Swiss francs.

The Israeli authorities facilitated the transfer operations.

Travel across the demarcation lines

Repatriation of civilian detainees and infiltrators. — On several occasions the ICRC delegates were requested to organize the repatriation of civilian detainees or of infiltrators from Egypt, Jordan, Lebanon, Syria and Israel.

When so requested, the ICRC undertook to help, provided it received the agreement both of the authorities concerned and of the person to be repatriated, and provided the person concerned had the opportunity freely to express his desire in the course of an interview in private with an ICRC delegate.

In 1976, the ICRC participated in the following repatriation operations:

| | |
|--|------------|
| – From Jordan to the occupied territories: | 10 persons |
| – From the occupied territories to Jordan: | 11 persons |
| – From the occupied territories to Egypt: | 8 persons |
| – From the occupied territories to Syria: | 2 persons |
| – From Israel to Lebanon: | 8 persons |

Visitors. — In co-operation with the authorities of the Arab Republic of Egypt and of Israel, the ICRC organized the travel

of visitors between Cairo and the occupied territories of Gaza and Sinai. In 23 such operations under ICRC auspices across the United Nations buffer zone 2,641 visitors from Cairo went into the occupied territories while 2,822 travelled in the opposite direction.

Students. — Similarly, the ICRC organized travel to enable some 5,600 students to go from the occupied territories of Gaza and Sinai to Cairo, to study at Cairo University and return for their holidays or after their studies to their homes in the occupied territories. The traffic went on for several months, as for various technical reasons no more than 500 students could travel at any one time.

Scores of students from Gaza being registered at Damascus University, the ICRC also arranged for them to travel across the United Nations buffer zone at Kuneitra, on the Golan Heights.

In addition, following many overtures made by the ICRC in the last few years, the Israeli authorities, in the autumn of 1976, agreed to allow students from the occupied territory of the Golan heights the same facilities as students in the other occupied territories to enable them to continue their studies in Arab Universities.

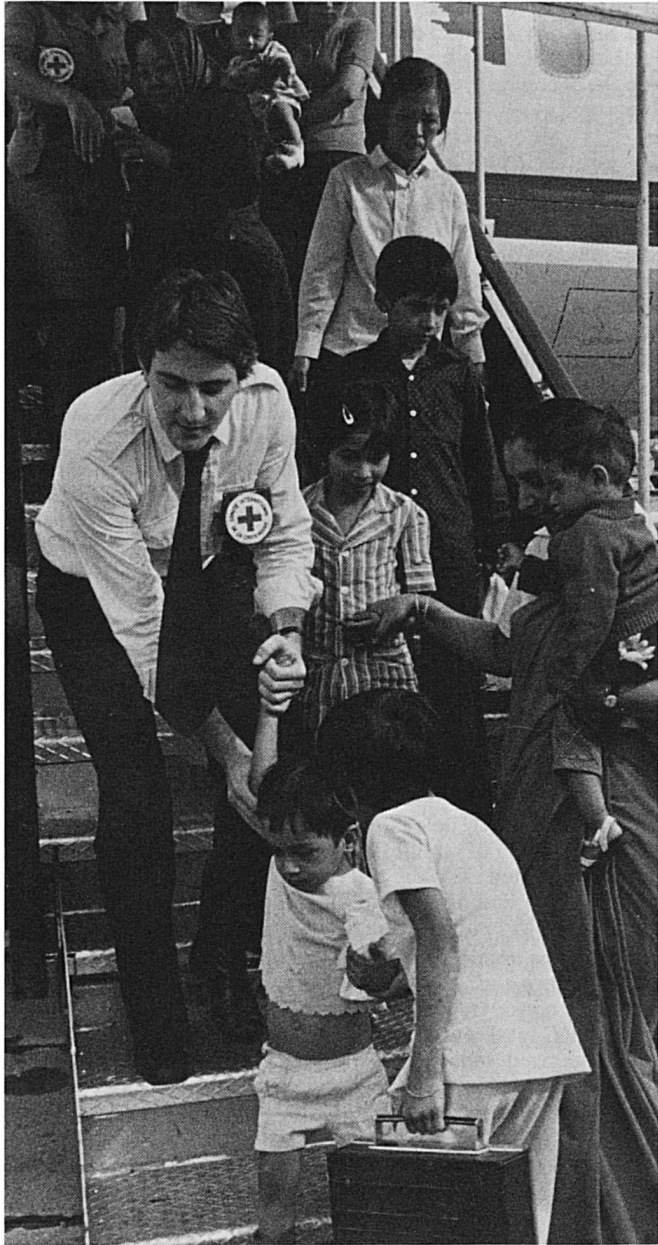
Family re-uniting. — In accordance with the procedure laid down by the Israeli authorities for the re-uniting of families dispersed by the Israel-Arab conflict, families in the occupied territories had to make direct application to the Israeli authorities. If the application was rejected the family generally turned to the ICRC which, if the case was particularly tragic, approached the Israeli authorities on the family's behalf.

In 1976, ICRC delegates submitted seventeen such requests for the reuniting of families on the *West Bank of the Jordan*. Not one was accepted: six were rejected and eleven were still awaiting a reply at the end of the year. The ICRC had no knowledge of the number of families re-united without its intervention.

Of three applications submitted by the ICRC for families in the *Gaza Strip and the Sinai*, two were rejected while the third was still being considered at the end of the year. Some cases did not need ICRC intervention, and in the course of the travel operations organized under ICRC auspices in the UN buffer zone, the ICRC recorded eleven persons who had been authorized to join their families in the occupied territories and eighty leaving the occupied territories to join their relatives in Cairo.

From the occupied territory of the *Golan*, six persons left to join their families in Syria and in August 1976 the Israeli and Syrian authorities agreed to regular meetings of separated family members at the line of disengagement. These meetings, which the ICRC had advocated, were organized under United Nations auspices.

Repatriation of mortal remains. — The bodies of 121 persons were repatriated from Cairo and Jordan to occupied territories so that they might be buried in accordance with the wishes of the deceased persons or their families.



Unsolved problems relevant to the Fourth Convention

In spite of ICRC efforts there remained a number of outstanding problems relating to the Fourth Convention: first and foremost the applicability of the Fourth Convention, the destruction of homes and the settlement of Israelis in the occupied territories.

Western Sahara

The ICRC continued its activities of protection and assistance begun the previous year for victims of the events in the Western Sahara.

Protection

The ICRC encountered considerable difficulty in providing protection owing to the unusual character of the crisis in the former Spanish Sahara and to the fact that humanitarian questions were often used for political or propaganda purposes.

Prisoners in the hands of Polisario. — As soon as fighting began, in 1975, the leaders of the Polisario forces (Popular Front for the Liberation of Saguiet el Hamra and Rio de Oro) undertook to respect the Geneva Conventions and in December 1975 authorized ICRC delegates to visit eight Moroccan and four Mauritanian soldiers whom they had taken prisoner.

In 1976, the ICRC made repeated efforts to make further visits, and to obtain access to other Moroccan and Mauritanian troops captured in the meantime. In September, delegates were able to meet 57 of these prisoners, out of a total of about 250, the number given at that time by the Polisario leaders.

At the same time, the delegates visited two French nationals, to whom they handed letters from their families and some relief supplies. These two persons were freed soon afterwards by the Polisario forces.

At the end of 1976, the ICRC had still not received authorization to visit all the Moroccan and Mauritanian prisoners, since the Polisario leaders made it a prerequisite that the ICRC should obtain access to all combatants captured by the Moroccan and Mauritanian armed forces.

Morocco and Mauritania. — The ICRC also approached the Moroccan and Mauritanian authorities for permission to visit the persons captured by their armed forces since the start of hostilities.

In *Morocco*, the ICRC delegates made three visits to 99 Algerian military prisoners and, with the collaboration of the Moroccan Red Crescent, gave them messages, parcels and money from their families and from the Algerian Red Crescent.

Concerning the Polisario fighters, about whom the ICRC had also made representations, the Moroccan authorities stated that, on capture by the royal armed forces, they had been disarmed and freed in the territories where they lived.

In *Mauritania*, the delegates were allowed access, in January 1976, to 63 Polisario fighters captured by the country's armed forces. They were authorized to make another visit, but in spite of numerous efforts, the date for this visit had still not been fixed by the end of 1976. The Mauritanian authorities gave their permission for the Mauritanian Red Crescent to distribute relief supplies to these prisoners.