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Human rights situation in Palestine and other
occupied Arab territories

Human rights in the occupied Syrian Golan

Report of the Secretary-General

Summary

The present report is submitted pursuant to Human Rights Council resolution 13/5 of 24 March 2010, in which the Council reaffirmed inter alia, that the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void, and constitute a flagrant violation of international law.

1. The present report is submitted pursuant to Human Rights Council resolution 13/5 of 24 March 2010. In this resolution, the Council called upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly, the Security Council and the Human Rights Council, in particular Security Council resolution 497 (1981), in which the Council decided, *inter alia*, that the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and without international legal effect, and demanded that Israel rescind forthwith its decision. The Human Rights Council also requested the Secretary-General to bring resolution 13/5 to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report on this matter to the Council at its sixteenth session.
2. On 3 August 2010, the Office of the High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, addressed a note verbale to the Government of Israel referring to Human Rights Council resolution 13/5, requesting information on any steps taken or envisaged to be taken concerning the implementation of the relevant provisions of that resolution. No reply has been received at the time of the preparation of the present report.
3. Also on 3 August, OHCHR, on behalf of the Secretary-General, addressed a note verbale to all permanent missions drawing their attention to the same resolution and asking the Governments of Member States to provide information on any steps they had taken or envisaged taking concerning the implementation of the relevant provisions of Council resolution 13/5.
4. In a note verbale dated 30 August 2010 addressed to OHCHR, the Permanent Mission of the Syrian Arab Republic to the United Nations Office in Geneva strongly condemned Israel's continued refusal to withdraw from the occupied Golan Heights and to comply with the relevant General Assembly and Security Council resolutions, particularly Council resolution 497 (1981).
5. The Syrian Arab Republic further condemns the decisions of the Government of Israel to intensify the building of settlements in the occupied Golan Heights, particularly the decision of the Golan Regional Council to build new tourist destinations in the occupied Golan with the aim of drawing more persons to Golan. Syria denounces the efforts of the Israeli tourism agencies to draw more settlers to Golan, in particular under the guise of attracting tourists in the Batihah area in the southern part of the occupied Golan Heights, and especially to Tall al-Sayyadin on the Eastern shore of Lake Tiberias. Syria also condemns the development of infrastructure and expansion of settlements by the occupation forces in the settlements of Eliad, Ein Zivan, Natur, Khasfin, Hadnes and Nof. Syria believes that such Israeli actions attest to Israel's rejection of peace and its disregard for Security Council and General Assembly resolutions, the most recent of which, General Assembly resolution 63/97 of 5 December 2008, again called for a complete halt to Israeli settlement activities.
6. In its response, the Syrian Arab Republic condemns Israel's exporting of products from the occupied Syrian Golan and stresses that such conduct constitutes a flagrant violation of Security Council resolution 497 (1981) and General Assembly resolution 63/201 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". Syria calls on United Nations Member States to reject such products and to put pressure on the Government of Israel to comply with its obligations in that regard under international law.

7. The Government of the Syrian Arab Republic emphasizes the responsibility of the United Nations to put pressure on Israel to release Syrian detainees in Israeli prisons and withdraw from the occupied Golan Heights. Syria calls upon the international community to put pressure on Israel to annul its decision barring family visits by citizens from the occupied Syrian Golan to Syria through the Qunaitra crossing. In addition to the psychological and physical suffering of Syrian citizens, Syria maintains, this also violates international humanitarian law. Syria stresses that Israeli practices in the occupied Syrian Golan exceed legal and moral boundaries. The most recent example of this is the imposition by the Israeli authorities of a two-year house arrest on a two-year-old child, Fahid Lu'ay Shuqeir, who was born outside Israel while his parents were students in the Syria.

8. Finally, the Syrian Arab Republic underscores its support for the General Assembly resolution 63/30, entitled "Jerusalem", and calls upon the international community to put pressure on Israel to withdraw from the Arab territories occupied since 1967, including Jerusalem, and to comply with Security Council resolution 478 (1980), in which the Council determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and, in particular, the "basic law" on Jerusalem, are null and void and must be rescinded.

9. In a note verbale dated 30 August 2010, the Government of Argentina expressed its support for United Nations resolutions concerning the situation in the occupied Golan Heights. In this context, it calls for Israel's strict observance of international law and relevant United Nations resolutions, especially Security Council resolution 497 (1981). In addition, Argentina maintains the principle of inadmissibility of annexation of territory by force, in accordance with Council resolution 242 (1967). Argentina further expresses the view that the conflict between Syria and Israel should be resolved peacefully and calls on Israel to fully comply with Human Rights Council resolution 13/5, particularly in light of the relevant General Assembly resolutions on this matter. Finally, Argentina affirms that it does not recognize legislative and administrative measures and actions taken or to be taken by Israel that seek to alter the character and legal status of the occupied Syrian Golan.

10. On 20 October 2010, the Permanent Mission of the Democratic People's Republic of Korea to the United Nations Office at Geneva replied to the note verbale, denouncing the human rights violations in the occupied Syrian Golan and stating that it considers all legislative and administrative measures and actions taken or to be taken by Israel that seek to alter the character and legal status of the occupied Syrian Golan to be null and void and with no legal effect. The Government of the Democratic People's Republic of Korea also demands the immediate withdrawal of Israel from the occupied Golan Heights.
