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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE
OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE**

**Note verbale dated 6 January 2006 from the Permanent Mission of
the Syrian Arab Republic to the United Nations Office at Geneva
addressed to the Secretariat of the Commission on Human Rights**

The Permanent Mission of the Syrian Arab Republic to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Secretariat of the Commission on Human Rights and has the honour to enclose herewith in an annex, a copy of the letter addressed to the High Commissioner for Human Rights by the Permanent Representative of the Syrian Arab Republic, regarding the Israeli practices aiming towards the partition of the occupied Syrian village of Al-Ghajar into two parts, through the displacement of its inhabitants and the construction of a separation wall between the inhabitants and their own lands, in violation of international law and international humanitarian law, including the Fourth Geneva Convention.

The Permanent Mission of the Syrian Arab Republic would be grateful if this letter and its enclosure** could be circulated under agenda item 8 of the sixty-second session of the Commission on Human Rights.

* Reissued for technical reasons.

** Reproduced in the annex as received, in the language of submission and English only.

Annex

I am writing to you with regard to a number of complaints that the Government of the Syrian Arab Republic has received from the inhabitants of the Syrian village of Ghajar in the Golan, which has been occupied by Israel since 1967. The complaints indicate that the Israeli occupation army has for several weeks been carrying out operations with a view to partitioning the village by erecting a border fence that will cut the village in two. Under this Israeli plan, Israel intends to transfer the population living to the north of the so-called Blue Line delineated by the United Nations in 2000 to the southern part of the village, in preparation for the construction of a security wall that will definitively separate the southern part of the occupied Syrian village from the northern part, the northern part being absorbed into Lebanon and the southern part being left under Israeli occupation.

In the context of this partition plan, the Israeli occupation forces informed the people of Ghajar last week that the northern part of the village must be evacuated by the end of March 2006, meaning that 90 per cent of the inhabitants must move to the south of the village. Otherwise, the occupation forces will seal off the village and prevent the villagers from moving beyond the wall encircling it.

At the same time as these operations were being carried out, and in pursuance of the partition plan, the prosecutor service, at a session held by the Israeli Supreme Court in Jerusalem to look into this issue, presented the following requests:

1. Permission to stop cars from entering Ghajar, including those belonging to residents, and to allow inhabitants to enter on foot only into the part of the village located in Lebanon;
2. Permission to order the population to move to the southern part of the village and not to leave them with any other option.

At the aforementioned Supreme Court session, a representative of the Israeli prosecution service explained that his Government was not prepared to endanger its soldiers because of a few people living in the northern part of the village.

Israel's partition of the village and removal of the civilian population from their land will result in the expropriation of 900 dunums of land which belongs to the villagers and is situated outside the wall which Israel intends to build and, consequently, to the seizure of this land and the alteration of the demographic situation in the village. Israel's forcible transfer of the civilian population to the southern part of the village is a flagrant violation of international humanitarian law, especially the Fourth Geneva Convention which prohibits the displacement of any civilian population living under occupation. According to the Statute of the International Criminal Court, such acts are regarded as a crime against humanity. Indeed, article 7 of the Statute refers to "Deportation or forcible transfer of population" as a crime against humanity over which the Court has jurisdiction. The village of Ghajar is a Syrian village which has been occupied by Israel since 1967 and the villagers are Syrian Arab nationals living under Israeli occupation. They have title deeds to show that the village and surrounding land is part of the Syrian province of Quneitrah. This partition operation is therefore designed to alter the Syrian character of the village.

The Syrian Arab Republic, in accordance with international law and international humanitarian law, requests that you bear your responsibilities by bringing pressure to bear on Israel in order to compel it to put a stop to this crime and prevent the partition of the village of Ghajar, which would be a breach of international law and a violation of the human rights of Syrian citizens worn down by the Israeli occupation. We also call on you to put an end to the humanitarian, social and economic predicament of the Syrian residents of the village, because it deprives them of their homes, their land and their livelihood, severs their family ties and separates villagers from their families.

The Syrian Arab Republic, which reserves the right to take whatever legal measures are necessary in this situation, requests that this letter be circulated under agenda item 8 of the sixty-second session of the Commission on Human Rights and looks forward to the tangible results of your efforts to bring a halt to these violations at the earliest possible juncture.
