



General Assembly

Distr.: General
21 September 2021

English only

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 7

**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2021]

* Issued as received, in the language(s) of submission only.



Sabra and Shatila: A genocide for which the criminal has not been held accountable

The Shatila camp for Palestinian refugees is located on the southern outskirts of the Lebanese capital Beirut, next to the popular "Sabra" neighborhood as well, and next to them are several other popular and adjacent neighborhoods, but the area is known as the Sabra and Shatila area and is inhabited by many Palestinian refugees. Most of the people living in the camp are Palestine refugees of 1948, and most of them are residents of the Upper Galilee in the north of the State of Palestine.

The biggest of all massacres was this one, in circumstances resembling the catastrophe, a Zionist military victory, and gangs that the occupation denies having any connection to. It took place during the Israeli invasion of Lebanon in 1982 after the Israeli occupation soldiers had besieged the camp. Although those who carried out the massacre were actually from the Lebanese militias, it was the Israeli military that provided their protection and facilitated their mission; Where the occupation soldiers were on the outskirts of the camp, preventing the escapees with their lives and threatening them with death, forcing them to return to their same fate. The Israeli flare bombs "illuminated" the killers' paths in the alleys of the camp, in a process unanimously agreed by observers, photographers and foreigners working in the Red Crescent and international institutions to describe the catastrophe as "it started quickly and continued without stopping for forty hours".

Today, it has become known that this massacre was part of an elaborate plan carefully prepared by then-Israeli Defense Minister Ariel Sharon and Rafael Eitan, Chief of Staff of the Israeli Army, and other Lebanese militia groups and that there was a meeting held at the headquarters of the Lebanese Forces in Karantina attended by Sharon who approved the speedy entry of groups of security personnel into the Shatila camp. Indeed, the groups began assembling their personnel and equipment at Beirut International Airport to prepare.¹

They shot everyone who moved in the alleys. They killed whole families while they were eating dinner after smashing the doors of their houses, and many were killed in their beds while they slept, and there were later found in many apartments children no more than three and four years old, soaked in their pyjamas and their covers stained with blood. In many cases, the attackers cut off the organs of their victims before executing them. They smashed the heads of some babies against the walls. Women were raped before they were killed. The men were dragged from their homes and executed in the street.

For the three days in which the massacre was ongoing, journalists or photographers were forbidden from entering; when they later entered, the pictures began to tell the details of the horrific massacre.

The massacre ended on Saturday the 18th of September. Hundreds of dead bodies in the streets and alleys lying under swarms of flies. Children lying on the roads. Women and girls were raped, some of whom survived, and some of whom were murdered naked in their beds, on the roads, or tied to electricity poles!! Pregnant women whose wombs have been cut open, their wombs violated, and children who were forcibly born prematurely and slaughtered before their eyes saw the light. Men who had their reproductive organs cut off and put in their mouths. They did not even spare any sympathy for people of old age.

Because of the many difficulties that the rescue teams faced, the numbers of victims varied. Press information stated that they were 1,400 victims. Civil Defense officials said in the last days of the exhumation of the bodies that they were 1,500 victims, whilst Yasser Arafat stated that they were between 5-6 thousand victims. According to the International Committee of the Red Cross, the number of victims is 2,750, not taking into account the bodies that were buried before the arrival of its teams by army bulldozers and criminal militias. The Lebanese Red Cross estimated the numbers to be between 4000-4500 victims.²

¹ <http://www.palestine-info.com/arabic/terror/history/sabrashatela.htm>.

² Bayan Nuweihid, Sabra and Shatila (Beirut: Institute for Palestine Studies, 2003), pp. 518-523.

In summary, the accounts varied a lot however, what is known among those with interest in the topic is that the number of victims of the massacre ranges between 2-3 thousand victims.

Investigation and Trial

The Sabra and Shatila massacre, the first "televised massacre", triggered the anger of international and Israeli public opinion, which prompted the Israeli government to form the Kahan Committee to investigate, in November 1982. The Kahan Committee's investigation concluded that the Israeli army was not to blame, as it did not bear "direct responsibility" for the massacre. The maximum punishment was to hold Sharon partly responsible, and the Ministry of Defense duties was withdrawn from him,³ and he returned as Minister of Housing.

In parallel to the Israeli Commission of Inquiry, an independent international investigation committee was formed; headed by the Irishman Sean MacBride in 1982, to investigate Israel's violations of international law during its invasion of Lebanon. The report of this committee was issued in 1983 and included a chapter on the massacre, which is considered one of the most prominent international investigations into it to date. The investigation held "Israel" the largest part of the legal responsibility, they considered what happened a crime of genocide and ethnic cleansing.

In 2001, a group of lawyers and human rights associations filed a lawsuit in the Belgian courts against Ariel Sharon, For the crimes that he oversaw in Sabra and Shatila, specifically the crime of "genocide".⁴

Although there is a Belgian law that allows "anyone and anywhere in this world to file a lawsuit in Belgium against anyone and anywhere"; Belgium dealt with Sharon's case differently, and its government announced its "concerns about possible negative diplomatic repercussions". Belgian official sources leaked that what happened was due to Israeli pressure.⁵

Who is responsible?

The occupation tried to evade accountability in contrary to facts and laws. In her book, Sabra and Shatila (Beirut: Institute for Palestine Studies, 2003), the researcher refuted this responsibility disclaimer according to the following clauses:

1. International law holds the occupation responsible for the safety and protection of civilians, whether from its own state or from those below it, such as the militias that were moving with the flag of the occupation army. Based on the Geneva Convention and international law, the occupying state or power, even if it did not carry out the massacres itself, remains responsible before international law.⁶
2. International and American guarantees for the Palestinian civilians remaining in Lebanon under international auspices. Three articles were included in the draft agreement that addressed their situation, which is the following:
 - 6- The security of the camps will be provided by the international force with an international guarantee.
 - 9- The rights of the Palestinian people will be safeguarded, and the international forces will guarantee these rights.

³ Report of the Kahan Committee on the Sabra and Shatila massacres (Beirut: Arab Information Center, 1983), p. 9.

⁴ <http://www.aljazeera.net/news/archive/archive?archiveID=9555>.

⁵ <http://www.aawsat.com/details.asp?section=4&article=4373&issueno=8240>.

⁶ Bayan Nuwaid, Sabra and Shatila (Beirut: Institute for Palestine Studies, 2003), pp. 564-564, based on the book: Franklin P. Lamb, International Legal Responsibility for the Sabra-Shatila Massacre. P22.

Conclusion and recommendations

The massacre is documented and clear in the reports of the International Committee of the Red Cross, eyewitnesses, reporters, the blood of the victims and the condemnation of the United Nations Security Council in the first clause of its resolution issued on 19/9/1982 on the Sabra and Shatila massacre, where it stated in the text "1- Condemns the criminal massacre of Palestinian civilians In Beirut".

The UN General Assembly also condemned it on 24/9/1982, as well as in the first article, in the text "1- Condemns the criminal massacre of Palestinian civilians and others in Beirut that occurred on September 17, 1982."

Rather, the massacre was documented and investigated by the Kahan Committee, which tried to hold individuals the responsibility rather than blaming Israel.

The victims belonged to several nationalities as follows (according to a study of about 600 victims):

303 Palestinians, 205 Lebanese, 56 Syrians, 45 unidentified, 14 Egyptians, 9 separate victims.⁷

It remains for the international community to bear full responsibility for restoring the rights and compensation of the victims of the massacre of Palestinian refugees in Lebanon and to determine the responsibility accurately and prosecute all those who were involved and can be reached under international and humanitarian law and in light of this the Palestine Return Centre (PRC) calls on the United Nations to reopen the file, investigate again into the massacre, and prosecute those responsible within a special international court.

⁷ Mahmoud Kalem, Shatila Camp, Al-Jarrah and Al-Kifah, Palestinian Camps Series in Lebanon, Thabet Organisation for the Right of Return, p. 121.