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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

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 2022]

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



The Release of Crucial Documents on Kafr Qasim's Massacre on its 66th Anniversary

The Massacre of Kafr Qasim

On October 29th 1956, 49 unarmed Palestinian civilians were massacred by Israeli state forces in the Palestinian town of Kafr Qasim. On the first day of the Israeli, British and French invasion of the Sinai, which came in response to Egypt's closure of the Suez Canal, Israel imposed a night curfew on most of the areas with high Palestinian (Arab) populations in Israel. Late Brigadier General, Issachar Shadmi, was the commander of the Israeli army brigade, he ordered the curfew to start earlier that day and ordered his officers to strictly implement it with immediate effect. Palestinian farmers, who were working at their farms outside of the town of Kafr Qasim, returned home without knowing anything about the updates relating to the curfew. The Israeli Border Police officers commanded by Brigadier General, Issachar Shadmi mercilessly opened fire at the unarmed farmers, killing 49 Palestinian unarmed civilians, including the elderly, women and 23 children.¹ The massacre was widely condemned, which led Brigadier General Issachar Shadmi and the other officers involved in the massacre to go to a mock-trial. However the officers were given a presidential pardon and managed to evade both accountability and justice that the Palestinian families of the victims of the Kafr Qasim massacre deserve.¹

Shortly after the massacre and the attempts to conceal what had happened failed, the Israeli government and military command became aware that it has become public knowledge that such a huge number of Palestinians had been massacred, including men, women, and children. They then used a variety of tactics to attempt to cover up the horrific massacre. But slowly, news spread that a massacre had been carried out by soldiers in their military uniforms and under clear orders from the high military command to fire on citizens returning home. Journalists, activists, communist members of the Knesset, and others went to the village to investigate and inform the public. This forced the Israeli government to bring the perpetrators to court. However, instead of bringing the high command to trial, the soldiers in the field were put on trial and only given light sentences, which were cut even shorter by a presidential pardon.²

The trial of those responsible for the massacre did not change the hostile Israeli government policy targeting the Palestinian minority in Israel, nor did it lead to an easing of Israel's repressive policies. By 1960, all the soldiers had been released from prison after their sentences were reduced or they had received pardons. Members of the cabinet, including the prime minister, expressed solidarity with those responsible for the massacre, and "compensated them" for their time in prison by giving them official appointments, including to positions of responsibility over Palestinian-Arab citizens in the city of Lydda and elsewhere. The sentence given to Colonel Yishkhar Shadmi – the highest-ranking officer, and the one responsible for ordering a strict curfew punishable by shooting violators after 5 p.m. – is a mockery of justice, and a clear example of Israel's disregard for the lives of Palestinian citizens of Israel. He was given a reprimand and paid a fine of a single pruta (a thousandth of the Israeli pound before 1960).²

The Long-Awaited Release of Crucial Documents Relating to the Massacre

Earlier this month, after 65 years of the Israeli Government withholding crucial documents and transcripts on the Kafr Qasim massacre, the Israeli government finally released some of the court documents relating to the massacre due to ongoing pressure from the families of the victims of the massacre and both Israeli and Palestinian human rights organisations. A large number of both Palestinian and Israeli lawyers and historians have also placed increasing pressure on the Israeli government to release even more crucial documents in order to attain more information on the massacre. Israeli historian Adam Raz, has endeavored to work to publish thousands of Israeli documents that are still banned from publication, knowing that the documents that were allowed to be published relate to Israeli officers and soldiers at the

field level, while the role of senior military and political leaders in the massacre is still kept secret.³

The concealment of the remaining documents and testimonies, and the 66 year-long secrecy of the Kafr Qasim protocols, indicates that the Israeli government is deliberately trying to evade both accountability and justice for its role in the massacre of Kafr Qasim.

The Kafr Qasim Massacre as Wider Israeli Plan of Ethnically Cleansing Palestinians

The United Nations defines the act of ethnic cleansing as “rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups from the area.”⁴ The Kafr Qasim massacre is categorically an act of wider Israeli ethnic cleansing. As the 66th anniversary of the Kafr Qasim massacre approaches it is of empirical importance to not only actively seek justice and hold those responsible to account, but it is also important to acknowledge the massacre as part of a wider Israeli government policy of ethnically cleansing Israel of its Palestinian population. The Kafr Qasim massacre is not an isolated or single massacre in the history of the state of Israel. It is but one of many, from the Kafr Qasim massacre to the Deir Yassin massacre, to the Tantura Massacre, to the Sabra and Shatila massacre which is also reaching its 40th anniversary this September.

Conclusion

The Palestinian Return Centre (PRC) is deeply concerned with the seeming impunity Israel is repeatedly dealt after committing countless massacres of Palestinian civilians and then concealing its role in said massacres to evade both accountability and justice. All states should be held to the same level of scrutiny, accountability and legality when it comes to its own actions, and especially to its own crimes.

The Palestinian Return Centre calls on the international community to take the necessary measures towards the Israel, in order to ensure the families of the victims of the Kafr Qasim massacre attain the justice they have waited 66 years for.

1 Middle East Monitor, Kafr Qasim was not just a massacre, but part of an ethnic cleansing plan. Middleeastmonitor.com. Available at: <https://www.middleeastmonitor.com/20220801-kafr-qasim-was-not-just-a-massacre-but-part-of-an-ethnic-cleansing-plan/>

2 Interactive Encyclopedia of The Palestine Question, Kafr Qasim - 1956. Palquest.org. Available at: <https://www.palquest.org/en/highlight/14334/kafr-qasim-1956>

3 Teller Report, After 66 years Al Jazeera obtains Israeli documents about the Kafr Qasim Massacre. Tellerreport.com. Available at: <https://www.tellerreport.com/amp/2022-08-12-after-66-years----al-jazeera-net-obtains-israeli-documents-about-the-kafr-qasim-massacre.r1lGZPuXC5.html>

4 United Nations, Ethnic Cleansing. UN.org. Available at: <https://www.un.org/en/genocideprevention/ethnic-cleansing.shtml>