

Secret

MINISTRY OF FOREIGN AFFAIRS

December 21, 1967

Classification

MEMO

To: Director general  
From: Legal advisor

To:  
From:

Re: Deportation of Arabs to East Jordan

In handwriting:  
111.1 West Bank

Yesterday the Israel Broadcasting Authority and today the newspapers reported about the deportation of an Arab from the West Bank as a result of incitement against Israel. I should like to call attention to the fact that Article 49(1) of the Geneva Convention No. 4 stipulates as follows:

*Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.*

Such deportations constitute a grave breach of the Convention, and, particularly given the wide publicity, may lead to complications. Following a conversation with Mr. Tekoah this morning, I called the attention of Col. Shamgar, the military advocate general, to the issue. He told me that he has stated his opinion that the deportations constitute a breach of the Geneva Convention, but that the Ministerial Committee on Security has nevertheless decided to approve the policy, despite his opinion.

I have found it necessary to bring this matter to your attention, as there may be a need to determine the position of the Ministry of Foreign Affairs. At any rate, there is the question of the policy of giving the deportations wide publicity.

Sincerely  
[signed]  
T. Meron

CC: Office of the Minister of Foreign Affairs  
Mr. Y. Tekoah, Deputy Director General  
Mr. S. Hillel, Deputy Director General  
Mr. M. Bitan, Deputy Director General

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