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Press Release

HIGH COMMISSIONER FOR HUMAN RIGHTS AND SPECIAL RAPPORTEUR ON SITUATION IN OCCUPIED PALESTINIAN TERRITORIES ADDRESS COUNCIL

Council Holds Interactive Dialogue with Special Rapporteur, then General Debate on Situation in Palestine and Other Occupied Arab Territories
16 June 2008

United Nations High Commissioner for Human Rights, Louise Arbour, and the newly appointed Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk, this morning addressed the Human Rights Council, which then held an interactive dialogue with the Special Rapporteur, followed by a general debate on the human rights situation in Palestine and other occupied Arab territories.

Ms. Arbour, presenting two reports, said that the first report focused on the closure of Gaza and its impact on the enjoyment of human rights. It described the effects of violence against the civilian population, as well as other human rights violations. Actions taken by Israel, the Palestinian Authority and Hamas during the reporting period continued to violate international human rights and humanitarian law. The second report focused on the question of access of Palestinians to religious sites in the Occupied Palestinian Territories. It described how obstacles to freedom of movement, such as that closure, permit regimes and the Wall, hampered such access. While security was undoubtedly important, measures that limited access to religious sites and hampered cultural exchange should be proportionate to that aim and non-discriminatory.

Richard Falk, the newly appointed Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, said he was concerned that the mandate as now formulated applied only to Israeli violations of human rights and international humanitarian law in the Occupied Palestinian Territories. This had allowed critics of the Human Rights Council and of the reports of this particular mandate to complain about the bias and one-sidedness of the approach taken. He asked the Council to consider expanding the mandate to also encompass inquiry into Palestinian violations of international humanitarian law, but not of alleged violations of human rights within the Palestinian territories.

In the interactive dialogue with the Special Rapporteur, Israel, speaking as a concerned country, said that none of the Israeli efforts to enlarge the focus of the mandate to include the suffering of Israeli civilians had borne any fruit. On the choosing of a new Special Rapporteur, Israel said it had been minimally reassured by the requirements specified in the Council's institutional-building text, namely that the candidate would possess independence, impartiality and objectivity. Regrettably, these requirements were not fulfilled in the present case, as all evidence suggested the Special Rapporteur had already formed a rather strong opinion on the situation in the Middle East.

Palestine, speaking as a concerned country, said the new Special Rapporteur was a very distinguished scholar, raising high the banner of justice in a world trapped in injustice imposed by the strong. They counted on people like him to continue holding the torch of freedom and thereby helping in shaping a better world for all, including the Palestinian people who yearned to get rid of their chains and shackles forced on them by the victims of yesterday. Israel, the occupying power, had been talking about peace while expropriating Palestinian land and farms piece by piece.

In the interactive dialogue with the Special Rapporteur, some delegations expressed concern over the request to change the mandate, saying that there had been no change to circumstances surrounding the root causes and therefore there was no need to change it. Others welcomed the proposal. Speakers said it was vital to contribute to rapid and tangible efforts to improve the economic and social conditions in the occupied territories, in order to return security in Israel. All acts of oppression by Israel formed a grave threat to international human dignity and security. The Palestinian people had yet to see progress in their quest for self determination. The situation has worsened in the Occupied Palestinian Territories.

Speaking in the interactive dialogue with the special Rapporteur were Pakistan on behalf of the Organization of the Islamic Conference, Slovenia on behalf of the European Union, Sri Lanka, Switzerland, China, South Africa, Egypt, Jordan, Cuba and Brazil.

The following non-governmental organizations also took the floor: B'nai B'rith, United Nations Watch, International Commission of Jurists and the Union of Arab Jurists.

In the general debate on the two reports presented by the High Commissioner on the human rights situation in Palestine and other occupied Arab territories, Israel, speaking as a concerned country, said it was gratifying to see that the High Commissioner for Human Rights had stretched beyond the very narrow confines placed on her by those who authored and voted in favour of resolution 7/1. By choosing not to focus solely on Israel, but by choosing also to detail the obligations and violations of the Palestinians under both humanitarian and human rights law, the Office of the High Commissioner for Human Rights set a new precedent for the Human Rights Council: the possibility of a balanced consideration of what neutral observers could acknowledge was a complex situation. Israel had always been committed to the safeguarding of sites which had cultural, religious or historical significance.

Palestine, speaking as a concerned country, said that what needed to be removed was the Israeli occupation of the Occupied Palestinian Territories. Only then could the item be deleted from the Human Rights Council's agenda. It was stressed that Israel to this day continued to negate its commitments and agreements it had signed with the Palestinians. Israel was imposing a siege on occupied Gaza and continued to conduct human rights violations by subjecting the Palestinians to extreme living conditions. It was time to make Israel respect its international commitments. The imposition of restrictions on the Palestinian people had to end. The international community was called to demonstrate real political will and to exercise pressure on Israel with a view to putting an end to the Israeli human rights violations.

Syria, speaking as a concerned country, said the people living in the Golan Heights were also subjected to similar practices that Palestinian people were subjected to. Israel continued to adopt policies against the citizens of Syria in the Golan Heights. Each time they heard the same lies, and each time a citizen was detained they were sentenced for a quarter of a century. The prisons led to detainees contracting dangerous diseases, because of the horrifying conditions.

In the general debate, speakers said Israel continued to build settlements in the Occupied Palestinian Territories, and the occupation continued. Support for the legitimate struggle of the Palestinian people to the right to self-determination and an independent State were reaffirmed. The fact that Israel continued to ignore United Nations resolutions was underlined. Both Israel and the Palestinians were urged to respect human rights and international humanitarian law.

Speaking in the general debate on the human rights situation in Palestine and other occupied Arab territories were Pakistan on behalf of the Organization of the Islamic Conference, Egypt on behalf of the African Group, Qatar on behalf of the Arab Group, Cuba on behalf of the Non-Aligned Movement, Slovenia on behalf of the European Union, Japan, Egypt in its national capacity, Saudi Arabia, Jordan, Malaysia, Senegal, Sri Lanka, Indonesia, the Russian Federation, Algeria, Iran, Morocco, Yemen, Bahrain, Thailand and Tunisia.

When the Council meets at 3 p.m. this afternoon, it will conclude its general debate on the human rights situation in Palestine and other occupied Arab territories, before starting a general debate on follow-up and implementation of the Vienna Declaration and Programme of Action.

Reports of the High Commissioner for Human Rights on the Human Rights Situation in Palestine and Other Occupied Arab Territories

The Council has before it the [report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution 7/1](#) (A/HRC/8/17), submitted pursuant to resolution 7/1 of 6 March 2008 on human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip. In a first chapter, the report looks at the legal obligations of the parties to respect the rules of international human rights law and international humanitarian law. In a second chapter, progress in the implementation of the resolution is detailed, focusing on the closure of Gaza, violence against the civilian populations, and other actions taken by the parties that affect the human rights situation in the Optional Protocol. The High Commissioner concludes that the human rights situation in the Occupied Palestinian Territory remains grave, particularly in Gaza. The recommendations in her most recent report on human rights violations in the Occupied Palestinian Territory, notably concerning the establishment of accountability mechanisms and the closure of Gaza, have not been implemented. On the contrary, during the reporting period, actions taken by the parties continued to violate international human rights and humanitarian law. Against this background, all previous recommendations made by the High Commissioner remain valid and should be urgently implemented by the parties.

The Council has before it the [report of the High Commissioner for Human Rights on the implementation of Human Rights Council resolution 6/19](#) (A/HRC/8/18), which assesses legislative and policy measures taken by Israel that have had an adverse impact on the enjoyment of religious and cultural rights in the Occupied Palestinian Territory. The report concludes that, during the reporting period, the measures adopted by the Government of Israel to restrict freedom of movement of both people and goods in the Occupied Palestinian Territory severely impeded the population's access to religious sites, notably in Jerusalem, cultural exchanges and events. While the security of the population is undoubtedly an important consideration, the relevant measures should be proportionate to that aim and non-discriminatory in their application. A considerable part of the restrictions were introduced to ensure and ease freedom of movement for the inhabitants of Israeli settlements, which have been established in breach of international law, creating intolerable hardship for hundreds of thousands of Palestinians attempting to exercise their right to freedom of movement inside the Occupied Palestinian Territory. Israel should also take the necessary measures to ease existing restrictions on local and foreign clergy and allow unhindered movement and access for spiritual leaders to communicate with members of their faith; should revisit rules concerning importation of Arabic literature to the Occupied Palestinian Territory to assess their proportionality; and should fully respect and protect the freedom to establish seminaries or religious schools and religious, charitable or humanitarian institutions. As the Occupying Power, Israel bears responsibility for the preservation of the cultural and religious heritage in the Occupied Palestinian Territory under international law, and should take positive measures to preserve this heritage and refrain from action which could negatively affect the sites.

The Council has before it the annual [report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), [John Dugard](#) (A/HRC/7/17), which says that this year marks the fortieth anniversary of the occupation of the Palestinian territory; Israel remains the occupying Power in Gaza despite its claim that Gaza is a "hostile territory". This means that its actions must be measured against the standards of international humanitarian law and human rights law. Judged by these standards Israel is in serious violation of its legal obligations. The collective punishment of Gaza by Israel is expressly prohibited by international humanitarian law and has resulted in a serious humanitarian crisis. The human rights situation in the West Bank has worsened, despite expectations that it would improve following the removal of Hamas from the Government of the West Bank. Settlements expand, the construction of the wall continues, and checkpoints increase in number. Military incursions and arrests have intensified, 779 Palestinian prisoners have been released but some 11,000 remain in Israeli jails. The right of self-determination of the Palestinian people is seriously threatened by the separation of Gaza and the West Bank resulting from the seizure of power by Hamas in Gaza in June 2007. Every effort must be made by the international community to restore Palestinian unity. On 27 November a new peace process was initiated at a meeting in Annapolis. This process must take place within a normative framework that respects international law, international humanitarian law and human rights. The Advisory Opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory is an essential feature of this framework and cannot be overlooked by the Annapolis peace process, the Israeli and Palestinian authorities, the Quartet and the United Nations. The Secretary-General as the representative of the United Nations must ensure that the Advisory Opinion, which represents the law of the United Nations, is respected by all parties engaged in the Annapolis process.

Statement by the High Commissioner for Human Rights

LOUISE ARBOUR, [High Commissioner for Human Rights](#), introducing two reports on human rights violations emanating from Israeli attacks and incursions in the Occupied Palestinian Territories, particularly in the occupied Gaza Strip and offering some updates regarding the High-Level Fact-Finding Mission tasked by the Human Rights Council to travel to Beit Hanoun, said that the first report focused on the closure of Gaza and its impact on the enjoyment of human rights. It described the effects of violence against the civilian population, as well as other human rights violations. Actions taken by Israel, the Palestinian Authority, and Hamas during the reporting period continued to violate international human rights and humanitarian law. The report also noted that the recommendations made in her most recent report on the issue, notably those concerning the establishment of accountability mechanisms and the closure of Gaza, had not been implemented.

Speaking about her second report which concerned the implementation of Human Rights Council Resolution 6/19 on religious and cultural rights in the Occupied Palestinian Territories, including East Jerusalem, Ms. Arbour said that it focused on the question of access of Palestinians to religious sites in the Occupied Palestinian Territories. It described how obstacles to freedom of movement, such as that closure, permit regimes and the Wall, hampered such access. The section devoted to cultural rights dealt with effect of the restrictions on freedom of movement and the enjoyment of cultural rights. Such restrictions severely impeded the population's access to religious sites as well as hindered cultural exchanges. While security was undoubtedly important, measures that limited access to religious sites and hampered cultural exchange should be proportionate to that aim and non-discriminatory.

Drawing attention to the follow-up to Human Rights Council Resolution S-3/1, which dispatched a High-Level Fact-Finding Mission to travel to Beit Hanoun, Ms. Arbour said that the mission had been successfully undertaken in May 2008. The Secretariat had provided backup to the mission jointly with the United Nations Relief and Works Agency for Palestine refugees in the Near East and the United Nations country team in Egypt.

Statement by the Special Rapporteur on the Situation of Human Rights in the Occupied Palestinian Territories

RICHARD FALK, [Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), said that this was his first appearance before the Human Rights Council under the mandate addressing the human rights situation in the Occupied Palestinian Territories. He thanked the Council for selecting him to carry out the mandate under circumstances that were bound to be challenging. Such a commitment meant, above all, an objective and impartial approach to both the facts and the law pertaining to the application of human rights legal standards and international humanitarian law to the conditions existing in the Palestinian territories. He had been asked to present formally the final report of the distinguished former Special Rapporteur, John Dugard, who set an admirably high standard in his reports submitted over the course of the past six years. He called to the attention of the members of the Human Rights Council to the availability of Professor Dugard's final report. It surveyed the overall situation in the Occupied Palestinian Territories in a very comprehensive manner, and he urged everyone concerned with this subject-matter to consider carefully its findings and recommendations.

Mr. Falk raised at the outset an issue of concern with regards to making the work of his mandate as effective as possible. The mandate as now formulated applied only to Israeli violations of human rights and international humanitarian law in the Occupied Palestinian Territories. This had allowed critics of the Human Rights Council and of the reports of this particular mandate to complain about the bias and one-sidedness of the approach taken. He

believed with all due respect that such complaints had considerable merit. In the past, critics of the reports had been able to deflect the attention of the media and the public from the substance of the findings by an exaggerated emphasis on the one-sidedness of the mandate. He respectfully asked the Council to consider expanding the mandate to also encompass inquiry into Palestinian violations of international humanitarian law, but not of alleged violations of human rights within the Palestinian territories. The mandate along these lines would enhance the credibility and effectiveness of the reports presented by the Special Rapporteur, and would respond in a constructive way to criticisms that had been made in the past, and yet maintain the focus of attention on core concerns of the Human Rights Council with the suffering inflicted on the Palestinian people as a result of the prolonged Israeli occupation. It was a delicate issue to be raised, but one that needed to be confronted as directly as possible, to both achieve the purpose of the mandate and to insulate the Human Rights Council from those who contended that its work was tainted by partisan politics.

Mr. Falk said his acceptance of the mandate was based on many years of study and contact with the conflict between Israel and Palestinian people, including periodic visits to the area. The mandate provided the parties with an opportunity to exhibit a willingness to respect the constraints of international law and of human rights in their behaviour with one another. He endorsed Professor Dugard's recommendation that the International Court of Justice be asked to give an Advisory Opinion on the observance of applicable international humanitarian law by the occupying power, as well as on the relevance of resolutions of the General Assembly and Security Council relating to the legal duties of the occupying power and the governmental representatives of the occupied people. Such a turn to the highest judicial body of the United Nations would help to express the confidence of the international community that a just peace between Israel and the Palestinian people could only be achieved by invoking the procedures and guidelines of international law, a mutually beneficial alternative to war and violence. Such a move would only be beneficial if the parties to the conflict were prepared to substitute law for force. The recent past was not encouraging. The Advisory Opinion of the World Court on Israel's security wall issued in 2004, and backed by a 14-11 vote, was not implemented, nor were serious efforts made to comply with its main legal conditions. Such disregard tended to invite a cynical view of international law, and to make force seem like the only option for a people struggle to exercise their right of national self-determination.

It was not possible to approach the mandate without expressing grave concern for the present circumstances confronting the Palestinians subject to the occupation, especially the 1.5 million Palestinians living in Gaza. He could not offer any conclusions without first assessing the facts in relation to the applicable rules of international humanitarian law and international human rights. It was desirable to prepare a report on the conditions in the Occupied Palestinian Territories to alert the Council to a dire situation in Gaza that daily threatened the health and well-being of the entire population. The focus on Gaza was justified by the extremity of the occupation policies being pursued by Israel, but the issues associated with the West Bank and Jerusalem were also serious, especially to the extent that any future possibility of the successful establishment of a Palestinian State was being daily undermined by the ongoing unlawful extensions of Israeli settlements. He hoped to be able to report in the future to the Council on improvements in the condition of the Palestinian people living under military occupation, on diminishing violence and on a consistent willingness by Israel to carry out its duties as the occupying power in compliance with applicable international humanitarian law.

Statements by Concerned Countries in Response to the Report of the Special Rapporteur

ITZHAK LEVANON ([Israel](#)), speaking as a concerned country, said that during Professor John Dugard's tenure, Israel made no secret of its discontentment with the one-side mandate under which he operated, nor its continuing incomprehension at the enthusiastic manner in which he embraced its inequitable nature. Israel cooperated with his visits, facilitated his movements and placed no restrictions in his way. In return, Israel endured seven years of biased, narrow reporting, in which responsibility for any problems in the region was placed squarely on the shoulders on one party, Israel. The final report of the Special Rapporteur took pains to justify the terrorism.

For seven years Israel's repeated calls for revision and correction of the mandate were studiously ignored. None of the Israeli efforts to enlarge the focus of the mandate to include the suffering of Israeli civilians bore any fruit. The current methodology was non-productive. Israel had been curious about who the new mandate holder would be. It had not been overly optimistic, but it had been minimally reassured by the requirements specified in the Council's institutional-building text, namely that the candidate would possess independence, impartiality and objectivity. Regrettably, these requirements were not fulfilled in the present case, as all evidence suggested the Special Rapporteur had already formed a rather strong opinion on the situation in the Middle East.

In spite of this, Israel was aware that the new Special Rapporteur had not yet taken steps in fulfilment of his mandate, and thus did not wish to pre-judge his future office. There was no time like the present to charge forward and call for a thorough and good faith review, rationalization, and improvement of the mandate, which must be expanded to apply to all terrorist attacks against Israeli civilians, as well as violations of human rights and humanitarian law committed by Palestinians. Israel had extensive legal and practical support for this measure in the relevant General Assembly and Human Rights Council resolutions, including the institutional-building package upon which all Council actions were to be based. It clearly called for review of the relevance, scope and content of each mandate. Also many Special Rapporteur themselves had interpreted their mandate as applying to the actions of non-state actors, who remained accountable for human rights violations.

The Special Rapporteur's mandate was the only country mandate that had not yet undergone the review, rationalization, and improvement process. It had not been reviewed in 15 years. It was scheduled to be reviewed for the first time in 15 years during the September session of the Council. As it stood today, Israel did not place much hope in the process, but an opportunity existed for the Council to grasp in order to change the course for the future and return it to its lofty principles.

MOHAMMED ABU-KOASH ([Palestine](#)), speaking as a concerned country, expressed their deep appreciation of the tremendous and noble work of the former Special Rapporteur. The new Special Rapporteur was a very distinguished scholar, raising high the banner of justice in a world trapped in injustice imposed by the strong. They counted on people like him to continue holding the torch of freedom and thereby help in shaping a better world for all, including the Palestinian people who yearned to get rid of their chains and shackles forced on them by the victims of yesterday. Israel, the occupying power, had been talking about peace while expropriating Palestinian land and farms piece by piece. The recent Israeli plans to build further housing units for Israeli settlers in Occupied East Jerusalem demonstrated in very clear terms the Israeli determination to undermine international peace efforts, including the Annapolis and Paris conferences. Israel was also simultaneously seeking to upgrade and develop its relations and status with the European Union. The international community was urged to take into account the Israeli practices on the ground and to, at least, ban importing goods originating in the Israeli colonial settlements. It was wondered why no real action was taken to end the disaster inflicted on the Palestinians. The Occupied Palestinian Territories had the most horrendous man-made catastrophe and the Palestinians urged for more action to help them not merely survive it but also to put an end to it.

Interactive Dialogue with Special Rapporteur on Situation in Occupied Palestinian Territories

MARGHOOB SALEEM BUTT ([Pakistan](#)), speaking on behalf of the [Organization of the Islamic Conference](#), thanked the former Special Rapporteur John Dugard for his report and welcomed Richard Falk as the new Special Rapporteur. In the last 40 years, Israel, the occupying power, had used all legal, political, moral and philosophical arguments to justify its occupation of and atrocities in the occupied Palestinian territories. There were many facts that had not changed even after a long and painful four decades. Israel occupied the Palestinian territories and as such it had obligations flowing from international humanitarian and human rights law which it must fulfil. Israel was in serious violation of humanitarian and human rights law which did not approve occupation. Israel's arbitrary declaration that any part of the occupied territory was hostile territory would not affect its own status as an occupying power and did not justify its abuse of the rights of Palestinians who were "protected" under international law. Israel's policy of collective punishment had violated the rights of life, food, health, education, water and above all freedom of religion of the occupied Palestinian people. Israel continued to undermine efforts to enable the Palestinian people to exercise their right to self determination. The separation wall being built in the Palestinian territories was illegal and must be demolished.

In the last 40 years, the repressive tactics used by Israel were embarrassing for humanity. The occupation was characterized by illegal settlements, indiscriminate use of force, torture, closure of crossings and military incursions, artificial shortages for food and water, use of Palestinians as human shields, sonic booms, targeted killings and large scale demolition of infrastructure. The human rights situation in the occupied territories particularly in Gaza remained grave. From February to April 2008, 221 Palestinians including 51 children and 7 women were killed in conditions created by Israeli's 75 air attacks and 30 military incursions in Gaza and 348 in various locations of the West Bank. Over eighty per cent of Gazans suffered from the slowing down of economic activities and persistent shortages.

ANDREJ LOGAR ([Slovenia](#)), speaking on behalf of the [European Union](#), said the European Union would support the expansion of the mandate to investigate all human rights abuses committed by all actors in the region.

DAYAN JAYATILLEKA ([Sri Lanka](#)) congratulated the new Special Rapporteur and said that he was one of the world's most outstanding scholars on this issue. He was far from being a one-sided critic. Professor Falk had presented the Council with a moral argument for the modification of the mandate; it had to be taken with great seriousness. It was not possible to equate the oppressor and the oppressed. No cause could justify the targeting of innocent civilians. History had shown that it was perfectly possible to fight against an oppressor while not targeting civilians. The Council should in all seriousness assess the plea the Special Rapporteur had made today.

MURIEL BERSET ([Switzerland](#)) expressed concern regarding the situation in the Occupied Palestinian Territories. It was vital to contribute to rapid and tangible efforts to improve the economic and social conditions in the occupied territories, in order to return security in Israel. All deliberate or indiscriminate tactics must be stopped. The siege must be lifted, especially in Gaza. Switzerland called on Israel to uphold international humanitarian and human rights law. Switzerland called on the Palestinian authorities to end the missile rockets on Israel. The events that started in June 2007 were worrying developments in violation of humanitarian and human rights. Switzerland supported a two-State solution where the two States coexisted in peace and security. Switzerland supported all efforts to achieve this as quickly and securely as possible.

KE YOUSHENG ([China](#)) congratulated the new Special Rapporteur for his appointment. China expressed regards for the preceding Special Rapporteur. He did a lot to help solve the humanitarian problem and push forward the peace process. The long standing conflict had caused huge suffering for the Israeli and the Palestinian people, in particular. Only 41 percent of the food needs in the Occupied Palestinian Territories could be met. Of the people who lived in Gaza, 80 per cent lived below the poverty line. The situation in Gaza was getting worse. The wall deepened religious intolerance and hatred. All of this formed a grave threat to international human dignity and security. China hoped all actors would play their roles, including the Human Rights Council. China hoped to work with the international community to search for a long-term solution.

GLAUDINE J. MTSHALI ([South Africa](#)) expressed grave concern about the deteriorating situation in the Middle East. Despite numerous declarations on the promotion and protection of human rights by the international community, the Palestinian people had yet to see progress in their quest for self determination. It was critical that the international community mobilized greater pressure to bring about stability in that area. Human rights mechanisms could also play a crucial role by paying closer attention to the deteriorating situation in the Occupied Palestinian Territories. The use of violence by all sides was condemned. The recent military attacks, incursions and blockades by the Government of Israel had resulted in extensive material damage and seriously endangered the lives of civilians. The economic strangulation and disruption of social life of the Palestinian people could not be allowed to continue. Israel bore responsibility for implementing its international human rights obligations in the Occupied Palestinian Territories. It was unacceptable that the disproportionate measures adopted by the Government of Israel to restrict the freedom of movement of Palestinians was continuously justified by the Israeli authorities as the need to provide security and protection to all people within its jurisdiction. The measures should be proportionate. All parties were called to exercise restraint and continue negotiations towards a peaceful settlement of the issue.

AMR ROSHDY HASSAN ([Egypt](#)) said the manner in which Mr. Dugard fulfilled his duties had been of great help to the Palestinian cause. However, the situation on the ground in the Occupied Palestinian Territories had not changed in the last 15 years, in fact the situation has worsened. Egypt and the Arab Group would be willing to abolish the mandate of the Special Rapporteur the day the Palestinians become free.

RICHARD FALK, [Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), welcomed the comments made from the floor. He welcomed the willingness to look at the mandate in making it more effective. If the Israeli occupation was ended, then the mandate would not be needed. His call to expand the mandate was to make it more credible and to further the cause of peace. Examination of any unlawful conduct by Palestinians served this purpose because it stopped the problem of the mandate examining only one side's violations. The mandate would better serve the Palestinians if it was reframed for that purpose.

MOUSA BURAYZAT ([Jordan](#)) welcomed the new Special Rapporteur. His excellence in scholarly work was noted. Concerning the adjustment of the mandate, Jordan had no reasons to doubt the intellectual sincerity of the Special Rapporteur. However, one should not equate the situation of the occupier and the occupied. There was no symmetry. One should not equate the victim and the oppressor and forget the root cause. The root cause was the occupation. They looked forward to the date of the end of the occupation and the ending of attacks from both sides. Violations of human rights by Palestinian groups were sometimes used to delay the peace process. The moral and noble motives of the Special Rapporteur were not put in doubt.

JUAN ANTONIO FERNANDEZ PALACIOS ([Cuba](#)) welcomed the new Special Rapporteur Richard Falk, whose appointment raised great expectations. The Special Rapporteur had pointed to the fact that the mandate was designed as a one-sided mandate. Cuba did not accept this. The so-called expansion of the mandate in the way that some wanted to see it did not make the Council more credible. Israel must respect the many resolutions adopted by the United Nations. Egypt put it eloquently when it said that there was no interest to continue the mandate, which could disappear once the Palestinians had an independent State to live in, and that was when the mandate of the Special Rapporteur would be put to an end.

MURILO VIEIRA KOMNISKI ([Brazil](#)) welcomed the new Special Rapporteur. Notwithstanding the attention of Brazil to the Human Rights Council and to the issue of the Occupied Palestinian Territories, there was a need to examine the issue from a broad perspective. Both sides should engage in an authentic manner. The number of Palestinian victims was far superior to Israeli victims. The manner in which this issue was dealt with brought the legitimacy of the Human Rights Council into question and would define the credibility of any review. Brazil reaffirmed its belief that the right to peace was universal. Brazil reserved its right to further analyse the proposal to change the mandate.

KLAUS NETTER, of [B'nai B'rith International](#), speaking on behalf of Coordination Board of Jewish Organizations, said that they did not wish to repeat statements they had made in earlier sessions regarding the obvious selectivity implicit in selecting a single geographic conflict with alleged allegations against only one party to the conflict and as the only one meriting a permanent place on the Council's agenda. Today's wasted time might have been used more usefully by devoting it to truly urgent situations. It had been hoped that the new Special Rapporteur could have been chosen on the basis of his political even-handedness. There was reason for concern regarding the impartiality of the new Special Rapporteur, simply on the basis of his published writings on the issue.

HILLEL NEUER, of [United Nations Watch](#), said that one of the report's exceptional features was its sharp criticism of the United Nations itself. Leading United Nations institutions and officials were accused of being insufficiently supportive of the Palestinians and of failing to acknowledge international law. The report criticized the United Nations role in the Quartet and the Road Map for Peace. It criticized the United Nations Security Council and one of its permanent members in particular. It criticized the United Nations Secretary-General, suggesting that he was refusing to fulfil legal obligations out of political reasons. United Nations Watch asked by what methodology did one challenge certain United Nations institutions and decisions, while accepting others uncritically. Why were there no questions about the justice of the Special Rapporteur's own mandate—the only one that (a) scrutinized one side while granting impunity to the other, (b) assumed the existence of violations by one side, and (c) was immune from regular review?

LUKAS MACHON, of the [International Commission of Jurists](#), remained deeply concerned by the continuing excessive, disproportionate and indiscriminate use of force against civilians committed by the Israeli Defence Force and the Palestinian armed groups. Attacks against civilians were contrary to the principles of distinction and proportionality, which were cornerstones of international humanitarian law. Protection of civilians must not be diluted and any attempts to reinterpret the international law to that end were impermissible. During the last three-months, Israeli Defense Force incursions in Gaza had killed civilians, unlawfully demolished residential structures and targeted non-military objects. The indiscriminate rocket attacks by Palestinian armed groups constituted a grave breach of international humanitarian law. Israel must not target civilians and civilian objects. The International Commission of Jurists had been deeply concerned by the continuing growth in the establishment of illegal settlements and settlers in the Occupied Palestinian Territories, including Hebron. Negotiations between Israel and Palestinian Authority on the permanent status should cover the issue of refugees.

ELIAS KHOURI, of [Union of Arab Jurists](#), speaking on behalf of International Association of Democratic Lawyers; International Organization for the Elimination of all Forms of Racial Discrimination; and the International Educational Development, said that the tragic humanitarian situation in the Occupied Palestinian Territories, especially in Gaza, were flagrant violations of human rights and humanitarian law. Systematic killings, destruction of homes and displacements were war crimes being committed before the eyes of the international community. Even though bodies like the Human Rights Council had condemned the situation, nothing had changed and the situation was even worsening. The Council was called on to force Israel to stop the building of settlements and to release all Palestinian prisoners.

RICHARD FALK, [Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), in closing remarks, said that he

welcomed the further comments and took very seriously the misgivings and concerns about challenging the present formulation of the mandate. The representative of Jordan very well expressed this issue that underlined the issue of concern; that it was not a matter of creating symmetry between the occupier and the occupied. It was about not allowing the discussion to be shifted to other issues. The mandate firstly addressed the Palestinians and secondarily the victimization of the Israelis from the violence that had been associated by Palestinian rocket attacks. The primary responsibility of the mandate was to see to it that international humanitarian law was respected, implemented and taken seriously and that required looking at the behaviour of all relevant parties. That should not confuse the issue of the primary responsibility of Israel to protect the lives and well-being of the people who lived in the occupied territory. By making the mandate more credible, the Council allowed it to focus on substantive issues that were most troubling.

With regards to the comments made during the discussion, it was important for the Human Rights Council, as the representative of Sri Lanka reminded the Council, to refuse to endorse any deliberate violence against civilians. This was an unconditional element in this institution and to see that it was applied in the most effective way. At the same time it did not mean to overlook unequal responsibilities and unequal burden of these two peoples involved. The changing of the mandate would allow the world to see the asymmetry of the occupation that would be more persuasive and more effective to the principle goals of the Human Rights Council.

Statements by Concerned Countries in Response to Reports of High Commissioner

ITZHAK LEVANON ([Israel](#)), speaking as a concerned country, said it was gratifying to see that the High Commissioner for Human Rights had stretched beyond the very narrow confines placed on her by those who authored and voted in favour of resolution 7/1. By choosing not to focus solely on Israel, but by choosing also to detail the obligations and violations of the Palestinians under both humanitarian and human rights law, the Office of the High Commissioner for Human Rights set a new precedent for the Human Rights Council: the possibility of a balanced consideration of what neutral observers could acknowledge was a complex situation. The Human Rights Council was not made up of neutral observers. It was made up of political representatives who spent significant time and effort advancing political agendas that were often unrelated to the issue at hand. Certainly any honest discussion of the situation in the region was prevented by those who feared frank assessment of their own human rights record. He quoted from the law regarding protection of the holy places in Jerusalem of all religions. Israel had always been committed to the safeguarding of sites which had cultural, religious or historical significance. For decades Israel had guaranteed the protection and freedom of access to holy sites for all religions, at times at the exposure of its own security consideration. Jews were prevented from praying at the sole Jewish Shrine, the Western Wall. There had never been a resolution brought to the Human Rights Council to rectify this historical wrong. Given the track record of the Human Rights Council during its first two years and the existence of Item 7, he doubted there ever would be. Unless and until Member States of the United Nations committed themselves to approaching the Israeli-Palestinian question in an equitable, non-politicised and even handed manner, the Human Rights Council was doomed to sit and engage in circular and repetitive debates for the foreseeable future. Israel had never asked to be exempt from critique of its human rights record. It asked to be judged by the same standards and on equal footing as every other country in the Human Rights Council and according to the same universal principles the Council was supposed to perpetuate.

MOHAMMAD ABU-KOASH ([Palestine](#)), speaking as a concerned country, said that what needed to be removed was the Israeli occupation of the Occupied Palestinian Territories. Only then could the item be deleted from the Human Rights Council's agenda. The High Commissioner was thanked for her two reports. It was stressed that Israel to this day continued to negate its commitments and agreements it had signed with the Palestinians. Israel was imposing a siege on occupied Gaza and continued to conduct human rights violations by subjecting the Palestinians to extreme living conditions. It was time to make Israel respect its international commitments. The imposition of restrictions on the Palestinian people had to end. The international community was called to demonstrate real political will and to exercise pressure on Israel with a view to put an end to the Israeli human rights violations. Resolution 7/1, adopted during the last session, urged all parties concerned to respect international human rights and humanitarian law and to refrain from attacks on civilians. It was unfortunate that several countries had abstained on this resolution.

The murders by the Israeli army were suffocating the Palestinian people and undermining all efforts to create peace in their territory. With regard to the holy places, it was known that Israel through its practices was undermining all access to Christian and Muslim holy places. Palestine conquered with the conclusions of the High Commissioner, stating that the occupying power should live up to its responsibility in allowing people free access to their religious places.

FAYSAL KHABBAZ HAMOUI ([Syria](#)), speaking as a concerned country, welcomed the new Special Rapporteur Richard Falk and wished him success in his difficult task. They also thanked the outgoing Special Rapporteur, John Dugard, for his courage and perseverance. Syria had read with interest reports on the human rights situation in Palestine. Syria thanked the High Commissioner for his report and Mr. Dugard for his report which confirmed that the Palestinian people were subjected to a siege, humiliation and impoverishment. Moreover they were subject to Israel's building of settlements on their land, purposeful killings and oppression of legitimate rights. Every time a United Nations mechanism or instrument was set up to review the situation in the Occupied Palestinian Territories, they recorded new violations that had never been heard of before.

The people living in the Golan Heights were also subjected to similar practices that Palestinian people were subjected to. Israel continued to adopt policies against the citizens of Syria in the Golan Heights. Each time they heard the same lies, and each time a citizen was detained they were sentenced for a quarter of a century. The prisons led to detainees contracting dangerous diseases, because of the horrifying conditions. Two Syrians, Basher and Sedan were being held and suffered from liver cancer and heart disease. Syria had requested from Israel to transfer these detainees to seek medical attention for their illness, however Israel had rejected such a request. Israel claimed that they were receiving medical attention. However, if Israel provided the Arab prisoners with medical help, then Abu Zaid, another prisoner, would not have died. Resolution 7/1 in the seventh session called on the release of these prisoners and the International Committee of the Red Cross to respond as speedily as possible to save the lives these two prisoners, but Israel has failed to respond. They hoped to save these prisoners before Israel killed them, adding them to a long list of others.

General Debate on the Human Rights Situation in Palestine and Other Occupied Arab Territories

SYED ALI ASAD GILLANI ([Pakistan](#)) speaking on behalf of the [Organization of the Islamic Conference](#), said the report of the High Commissioner for Human Rights indicated the continuation of a familiar pattern by Israel. Israel continued to build settlements in Occupied Palestinian Territories. And a long and painful occupation continued. The occupied Palestinians were victims of uneven force. Their rights were violated. Over 80 per cent of Gazans suffered from poor economic conditions. The Organization of the Islamic Conference condemned these acts. Israeli policy was the root cause. The international community should step up efforts to end this conflict. Israel should support this effort and not undermine it. The Organization of the Islamic Conference expressed its deepest concern for the Palestinians in Israeli prisons. It called for the release of all Syrian prisoners. It was regrettable that Israel chose to ignore the recommendations in the report of the High Commissioner for Human Rights. Israel had to stop its policy towards Occupied Palestinian Territories.

AMR ROSHDY HASSAN ([Egypt](#)), speaking on behalf of the [African Group](#), reaffirmed their full support to the Palestine people in their just and legitimate struggle to realize their inalienable national rights, including their right to self determination, return to their land and recover their properties, and the establishment of their independent State on their national soil with East Jerusalem as its capital, in accordance with the principles of international law and United Nations resolutions. The continuation of Israeli violations of human rights of the Palestinian peoples was strongly condemned. Grave concern was expressed over the deterioration of the living conditions of the Palestinian people. The Israeli policy of arbitrary detention of Palestinians in the Occupied Palestinian Territories, especially women, children and old men was of equal concern. The occupying power had failed to implement the Council's resolutions S-1/1 and S-3/1 and had hindered the dispatching of the urgent fact-finding missions. Such practices reflected the Israeli indifference to the United Nations and its resolutions.

ABDULLA FALAH ABDULLA AL-DOSARI ([Qatar](#)), speaking on behalf of the [Arab Group](#), said that the Arab Group appreciated the high level of objectivity, transparency and professionalism that characterized Mr. Dugard's reports. Since its establishment, the Human Rights Council had taken several decisions, at its regular and special sessions, on the human rights situation in Palestine, the Occupied Syrian Golan and the other occupied Arab territories. Many reports were submitted to the Council by the High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights in the Occupied Palestinian Territory. Because of the non respect by the Israeli Government, the Council's resolutions and recommendations, as well as the other Israeli obligations arising from the Security Council resolutions and the international humanitarian law had not been implemented by Israel. The Israeli authorities persisted in violating the fundamental rights and freedoms of the Palestinian people, and continued their cruel aggressions, killings of innocent civilians, and terrorizing of women and children.

The continuing Israeli occupation, military operations and the developments relating to the construction of the separation wall, as well as the continuation of building Israeli settlements, in addition to the operations of closures, checkpoints and roadblocks had directly caused suffering for the

Palestinian people, massive, continuing and systematic violations of all human rights which were integrated and indivisible. The Arab Group considered with deep concern the deteriorating situation of Arab prisoners in Israeli jails, where they suffered from the worst conditions of detention and systematic psychological and physical torture. Further there was a need to implement the relevant Council resolutions, which called for the release of all prisoners in occupation jails.

RESFEL PINO ALVAREZ (*Cuba*) speaking on behalf of the Non-Aligned Movement, welcomed the new Special Rapporteur. The Human Rights Council had devoted three Special Sessions and a number of resolutions to the human rights situation in the Occupied Palestinian Territories. No improvements on the ground had been achieved and Israel, the Occupying Power, continued with its policy of grave violations of human rights of the Palestinian people. The Non-Aligned Movement regretted that the human rights situation in the West Bank had continued to deteriorate. The toll of human lives, injured, displaced, homeless, impoverished and those without access to basic needs in the Occupied Palestinian Territories continued to increase at an alarming rate. The Non-Aligned Movement consistently expressed its strong solidarity with the Palestinian people and reaffirmed its long-standing principled positions. The Non-Aligned Movement strongly condemned the fact that the Palestinian people continued to suffer under the prolonged and brutal Israeli military occupation of their land. It was gravely concerned about the serious deterioration of the humanitarian situation on the ground as a result of the ongoing unlawful policies and practices being carried out by Israel against the Palestinian people, including continuing grave human rights violations and reports of war crimes. The human rights situation in the occupied Syrian Golan was also deteriorating as a direct result of the Israeli occupation. The Non-Aligned Movement called upon the international community, especially the Security Council, to assume its responsibilities and called upon Israel to immediately cease its violations and comply with its obligations under international law and all relevant United Nations resolutions. The Human Rights Council had an important role to play. Actions were needed.

ANDREJ LOGAR (*Slovenia*), speaking on behalf of the European Union, expressed deep concern about the human rights situation in the Occupied Palestinian Territories. Respect for human rights constituted the foundation for all sustainable democratic systems. Israel and the Palestinian Authority were urged to respect human rights and international humanitarian law. Both sides had responsibilities as regards preventing, investigating and remedying human rights violations. The Palestinian authorities were called on to make every effort to fight terrorism with all legitimate means at their disposal in conformity with international human rights standards. Terrorism had to be condemned in all of its forms and those committing such acts had to be brought to justice. The European Union appealed to the Palestinian authorities to institute a moratorium on the death penalty. Israel's right to self defence was reiterated. However, the occupying power had specific duties under international humanitarian law. It had to facilitate movement in the Occupied Palestinian Territories and transport of humanitarian aid. The European Union called on Israel to take all necessary measures for the normalization of the economic, social and cultural life in the Occupied Palestinian Territories. The Geneva Convention was fully applicable to the Occupied Palestinian Territories. The European Union remained firmly committed to the objective of a two-State solution, living side-by-side in peace and security.

SHINICHI KITAJIMA (*Japan*) said that Japan was deeply concerned over the continuing violence that had been taking place in Gaza and southern Israel and the negative impact it had on the Middle East peace process. It was truly regrettable that civilian persons had become victims of these cases of violence both in Israel and Palestine. Japan urged both parties to exercise maximum restraints. The Government of Japan intended to continue to extend maximum support for the Middle East Peace Process.

AMR ROSHDY HASSAN (*Egypt*), speaking on behalf of the African Group, said once again the Human Rights Council was discussing the situation in the Occupied Palestinian Territories. The Palestinian question was a question of legitimacy versus violation of law. They were being lectured day and night about the rule of law and its necessity for the promotion of all societies. Where was the rule of law while the international community was motionless while the Palestinian cause was being turned from a cause of legitimacy and rights into a humanitarian issue that could be addressed by mere intensifying assistance and relief efforts? The International Court of Justice had expressed itself clearly about the illegitimacy of the Israeli occupation of the Palestinian territories. The Middle East did not need walls to divide. It needed bridges. Israel's continued building of the wall and the settlements was proof of the little value Israel provided to the practice of international law. The African Group could not speak of Israeli practices without speaking about Syrian prisoners in Israeli jails. This provided further evidence to Israel's disregard of international law. The Human Rights Council debate should send a strong signal to the people to the Palestinian people that the Human Rights Council had not forgotten their cause.

ABDULWAHAB ABDULSALAM ATTAR (*Saudi Arabia*) thanked the High Commissioner for her reports and welcomed the new Special Rapporteur. The situation in the Occupied Palestinian Territories was painful and regretful. The suffering of the Palestinian was increasing. The gravest human rights violation was occupation *per se*. The Council was called on to shoulder its responsibility and to call for the end of human rights violations in the Occupied Palestinian Territories. The building of settlements was especially seen as running counter to international standards. Nonetheless, Israel continued its challenging of international law. Last week's announcement that further settlements were planned and the explanation that this expansion was done under grounds of natural growth was of concern. Israel's continuation of building settlements and disregard of international law was a clear challenge for the Council. A true political will was needed and the Palestinian people should be granted their rights especially the right to live a dignified life.

MUTAZ FALEH S. HYASSAT (*Jordan*) said Jordan associated itself with the statement of Qatar on behalf of the Arab Group, the statement of Pakistan on behalf of the Organization of the Islamic Conference and the statement of Cuba on behalf of the Non-Aligned Movement. The situation in Gaza continued to deteriorate, with violations including the right to life, the right to health and the freedom of movement. There continued to be a dire economic situation in the Occupied Palestinian Territories as a result of the Israeli occupation. Human Rights Council resolutions addressed the Occupied Palestinian Territories where the situation remained grave as international humanitarian and human rights law continued to be ignored by Israel. Jordan called on Israel to fulfil its obligations to the Palestinian people, particularly in line with the international humanitarian and human rights law.

MOKTAR IDHAM MUSA (*Malaysia*) said Malaysia was seriously concerned about the situation in the Occupied Palestinian Territories and in particular in Gaza. Violations had been clearly documented. Those violations were in clear contravention of the applicable international human rights law and international humanitarian law. Palestinians had for decades been subjected to a form of collective punishment, subjugation and oppression, with a long list of gross and systematic human rights violations by the occupying power. As the list of violations on the human rights of the Palestinians occurred in many fields, the Human Rights Council had a special responsibility to alleviate the suffering and hardship faced by the Palestinians under foreign occupation. The grave situation in the Occupied Palestinian Territories continued to call for sincere efforts by all who championed the cause of human rights and who genuinely desired to make this new Council as an effective and credible United Nations human rights organ, to redress this challenge.

PIERRE DIOUF (*Senegal*) said that Senegal's analysis of the reports presented today confirmed what they already knew. The situation was alarming, especially in the Gaza Strip. The picture was also grim with regard to the humanitarian situation. The situation described in the two reports reminded the international community of the importance to bring peace to the world and how essential it was to ensure that both parties abstained from any acts undermining the peace process. It was in this spirit that Senegal would continue its mandate as President of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Senegal would further support all efforts towards an independent Palestinian State with secure borders, living peacefully side by side to Israel. It was further noted that the Head of the State of Senegal, who was also the current head of the Organisation of the Islamic Conference, had taken steps toward the normalisation of relations with Israel.

DAYAN JAYATILLEKA (*Sri Lanka*) said that with the collapse of colonization and apartheid, the occupation of the Palestinian people was now the longest standing moral outrage. The reference in this discussion should be to the Israeli occupation not to the State of Israel, where no security requirement of a State could justify collective oppression of a people. There was a systematic distortion of facts that characterized the Israeli occupation. The sanctions on Gaza were imposed prior to the election of the Palestinian Government. Others had said the Palestinian Authority must crackdown on extremism, but how could this be met when Israel was allowed to surround Yasser Arafat's compound. Settlements continued to be built in the West Bank. Sri Lanka did not believe in the policy of collective oppression of people anywhere in their territory. This was the moral erosion that encompassed other peoples, other nations and parts of the world. Sri Lanka supported the viability and security of the State of Israel, but this was being undermined by its practices. It was counterproductive. Sri Lanka admired Israeli democracy and the achievements of its people. But Sri Lanka was friends and longstanding supporters of the people of Palestine. Sri Lanka's President had reiterated most recently on a visit to London that there was no such thing as good or bad terrorism. Therefore Sri Lanka called upon all sides of the conflict to eschew this.

GUSTI AGUNG WESAKA PUJA (*Indonesia*) thanked the Special Rapporteur and the High Commissioner for Human Rights. Religious and cultural rights were guaranteed under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Fourth Geneva Convention. Indonesia regretted to learn from the various reports that the different religious communities in the Occupied Palestinian Territories were unable to enjoy their religious rights because of the innumerable obstacles impeding their freedom of movement which the occupying power authorities placed in their way. These impediments, which Israel tried to justify on the grounds of security, were grossly out of proportion with any perceived threat. The victims of these measures were the civilian population who were seeking nothing more than to be allowed to perform their daily prayers. Indonesia was of the view that the Universal Declaration of Human Rights and resolution

6/19 and 7/1 and other relevant international human rights instruments and resolutions in this regard should be respected and implemented.

SERGEY KONDRATIEV ([Russian Federation](#)) said that any acts of violence and violent acts in the region were of concern. The current main objective was to halt all activities that could spiral down Israeli and Palestinian relations. This included the plan to build more settlements. It was also important to prevent chaos and clashes between Palestinian groups. One of the constant conditions for effectively promoting and protecting human rights was cooperation among States and the good will of States when carrying out decisions of international bodies. Israel was urged to cooperate with all missions set up by the Human Rights Council. Rejecting access to United Nations missions created an unacceptable precedent, which could have a negative impact on all the work of the Human Rights Council. The use of strict prerequisites for the conduct of a mission was rejected. Selectivity of this kind undermined the spirit of dialogue and ran counter the idea of cooperation in the human rights field. It was hoped that the newly elected Special Rapporteur would be invited to make a visit to the Occupied Palestinian Territories.

IDRISS JAZAIRY ([Algeria](#)) said that the Universal Declaration of Human Rights granted all peoples all rights, and asked where were these rights with regards to the Palestinian people? The flagrant violations of the rights of Palestinians had resulted in enough material that should have the attention of all Special Rapporteurs in the United Nations system. The international community bore on its shoulders the responsibility of the Israeli occupation policies, assassinations and arbitrary detention. The situation in the Golan Heights showed more violations that should also be condemned. Israel should abide by international humanitarian and human rights law so that Palestinians could enjoy their freedom, self-determination and live in a State which included Jerusalem as its capital. As long as the situation in Palestine and the Golan Heights remained as it did, violations of human rights would continue to be committed.

ASADOLLAH ESHRAGH JAHROMI ([Iran](#)) said the international community was witnessing a new wave of violations of human rights and international humanitarian law by the Israeli regime against the people of Palestine, which had occurred in a systematic and consistent manner in the Occupied Palestinian Territories for more than six decades. Over recent months, new rounds of air strikes and military incursions into the Gaza Strip and the other occupied territories by the Israeli regime forces against the Palestinian civilians, including woman and children, had continued uninterrupted. As a result, just over the past few days a large number of innocent people had been killed and many others had been injured. Iran strongly condemned recent military attacks and incursions into the Occupied Palestinian Territories and called upon the international community to take all concrete and necessary measures to prevent further deterioration of the human and humanitarian situation in the Occupied Palestinian Territories. Iran regretted that despite all decisions and resolutions adopted by the Human Rights Council, the human rights situation in the Occupied Palestinian Territories remained grave and was worsening, within a general climate of impunity, and the Israeli continued to perpetuate massive and systematic violation of human rights in defiance of the Human Rights Council's decisions and resolutions. The Council was in dire need of concrete actions and not mere words.

MOHAMMED LOULICHKI ([Morocco](#)) welcomed the report of the High Commissioner for human rights with regard to the situation of the respect of the religious and cultural rights in the Occupied Palestinian Territories. The newly elected Special Rapporteur was also welcomed. Various international resolutions, including those of the Human Rights Council, condemned the situation in the Occupied Palestinian Territories and the siege Palestinian people were subjected to. The situation impeded the enjoyment of economic, social and cultural rights. Further, Palestinian prisoners were living in inhuman situations in Israeli prisons. The various impediments, such as on the possibility to go to places of worship and to visit families, constituted breaches of moral human standards and constituted a form of discrimination. Morocco hoped that there would be international conceded efforts to push Israel to respect its international obligations.

IBRAHIM SAIED MOHAMED AL-ADOOFI ([Yemen](#)) said that Yemen associated itself with the statements made by Pakistan on behalf of the Organization of the Islamic Conference, Cuba on behalf of the Non-Aligned Movement and Qatar on behalf of the Arab Group. Yemen thanked both the incoming and outgoing Special Rapporteurs. The question of prisoners was the ultimate violation by Israel. Detainees were subjected to all sorts of physical and psychological torture. Many children along with 800 administrative detainees were being held. Israel deliberately deprived detainees of medical care, showing Israel's true qualities. Syrian prisoners were also detained and suffered from diseases that had intensified by detention. Yemen urged that international community address these issues through all the relevant instruments.

AMMAR EBRAHIM RAJAB ([Bahrain](#)) thanked the High Commissioner for Human Rights. The policy adopted by the Human Rights Council was a reflection of the real will of the Human Rights Council to settle this issue. Israel's flagrant violations of human rights existed. He raised the issue of conditions in Israeli jails. Bahrain called on the Human Rights Council to remember the resolutions regarding the release of Syrian prisoners. Bahrain confirmed the responsibility of the Council to ensure the enforcement of previous resolutions.

SIHASAK PHUANGKETKEOW ([Thailand](#)) said that the plight of the Palestinians should be addressed with greater attention. The concerns of the international community with regard to the grave humanitarian situation were shared. Thailand had continuously supported the humanitarian needs of the vulnerable Palestinian people through their financial contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Special assistance should be given to women and children affected by the situation. Thailand hoped that all parties concerned would redouble their efforts to bring the situation back to normalcy in order to avoid any further escalation of the humanitarian crisis. The call from the international community to all parties concerned to exercise utmost restraint was reiterated. Both sides were urged to explore all possible steps.

SAMIR LABIDI ([Tunisia](#)) said that Tunisia associated itself with the statements made by Qatar on behalf of the Arab Group, Egypt on behalf of the African Group, Cuba on behalf of the Non-Aligned Movement and Pakistan on behalf of the Organization of the Islamic Conference. Tunisia thanked the High Commissioner for her report. Tunisia also expressed appreciation for the work completed by John Dugard. The two reports clearly showed the gravity of the situation in the Occupied Palestinian Territories. There continued to be a deteriorating humanitarian situation of Palestinian people under the Israeli occupation despite the recommendations made to Israel to end the use of force against civilians. The Israeli military carried out 30 military operations in Gaza and 248 in the West Bank that resulted in alarming casualties. The Security Council, the Human Rights Council and international humanitarian law had passed numerous resolutions condemning such acts. Despite such resolutions, Israel continued the building of the separation wall, settlements, and the siege imposed on Gaza. The international community needed to protect the Palestinian people in accordance with humanitarian and human rights law. The Palestinian people looked to the Council for protection of their rights. Tunisia called on the Council to protect the rights of the Palestinian people.

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