
Report of the Human Rights Council

First session

(19-30 June 2006)

First special session

(5-6 July 2006)

Official Records
Sixty-first session
Supplement No. 53 (A/61/53)

Part One: Report of the Human Rights Council on its first session

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Chapter II. Resolutions and decisions adopted by the Council at its first session, as well as President's statements agreed upon by the Council at that session

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B. Decisions

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1/106. Human rights situation in Palestine and other occupied Arab territories

At its 24th meeting, on 30 June 2006, the Human Rights Council adopted, by a recorded vote of 29 votes to 12, with 5 abstentions, the following text:

"The Human Rights Council,

"Taking into account the statements made during its first session concerning the human rights situation in Palestine and other occupied Arab territories,

- "1. Requests the relevant special rapporteurs to report to the next session of the Council on the Israeli human rights violations in occupied Palestine;*
- "2. Decides to undertake substantive consideration of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories at its next session and to incorporate this issue in following sessions."*

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Chapter V. Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council"

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B. Discussion on issues identified by the President on the basis of consultations with States members and observer States of the Council, including the situation of human rights in Palestine and the other occupied Arab territories; support for the Darfur Peace Agreement: backing efforts for the strengthening of the promotion and protection of human rights; avoiding incitement to hatred and violence for reasons of religion or race through the promotion of tolerance and dialogue; the human rights of migrants in the context of the High-Level Dialogue on International Migration and Development to be held at the sixty-first session of the General Assembly in September 2006; and the role of human rights defenders in promoting and protecting human rights

39. At its 12th and 13th meetings, on 26 June 2006, the Council held a discussion on issues identified by the President on the basis of consultations with States members and observer States of the Council. Statements were made by the following:

(a) Representatives of States members of the Council: Algeria (on behalf of the Group of African States), Argentina, Austria⁶⁶ Ibid. (on behalf of the European Union), Azerbaijan, Bahrain, Bangladesh, Brazil, Canada, China, Cuba, France, Germany, India, Indonesia, Japan, Jordan, Malaysia, Mali, Mexico, Morocco, Netherlands, Pakistan (on behalf of the Organization of the Islamic Conference), Peru, Philippines, Saudi Arabia, Senegal, South Africa, Sri Lanka, Switzerland, Tunisia (also on behalf of the Group of Arab States), United Kingdom of Great Britain and Northern Ireland;

(b) Observers for concerned States or parties: Israel, Lebanon, Sudan, Syrian Arab Republic; Palestine;

(c) Observers from the following States: Chile, Egypt, Iran (Islamic Republic of), Iraq, Kuwait, Libyan Arab Jamahiriya, Nepal, Nicaragua, Norway, Qatar, Spain, Sweden, United Arab Emirates and United States of America;

(d) Observers for the following non-governmental organizations: Asian Forum for Human Rights and Development (also on behalf of Asia Pacific Forum on Women, Law and Development, Centre for Organization, Research and Education and International Women's Rights Action Watch), Association for World Education (also on behalf of World Union for Progressive Judaism), Baha'i International Community, B'nai B'rith International (also on behalf of the Coordinating Board of Jewish Organizations, the Dzeno Association, the Indian Social Institute, the International Association of Jewish Lawyers and Jurists, the S.M. Sehgal Foundation, United Nations Watch, Women's International Zionist Organizations and the World Union for Progressive Judaism), Colombian Commission of Jurists, Human Rights Advocates, Inc., International Association of Democratic Lawyers, International Federation of Human Rights Leagues

(also on behalf of Human Rights Watch, the International Commission of Jurists and the World Organization against Torture), the International Humanist and Ethical Union, International Service for Human Rights; International Women's Rights Action Watch, Movement against Racism and for Friendship among Peoples, Union de l'Action Féminine, World Federation of United Nations Associations.

40. At the 13th meeting, on the same day, statements in exercise of the right of reply or of the equivalent of the right of reply were made by the representatives of Algeria and Cuba, and the observers for Colombia, the Democratic People's Republic of Korea, the Islamic Republic of Iran, the Sudan, the Syrian Arab Republic, Uzbekistan, as well as Palestine.

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Human rights situation in Palestine and other occupied Arab territories

106. At the same meeting [24th meeting], the representative of Pakistan (on behalf of the Organization of the Islamic Conference) introduced and orally revised draft decision A/HRC/1/L.15, sponsored by Afghanistan, Algeria, Azerbaijan, Bahrain, Bangladesh, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen. The Bolivarian Republic of Venezuela, Guinea, Iraq and Mali subsequently joined the sponsors.

107. Statements in connection with the draft decision were made by the representative of Tunisia (on behalf of the Group of Arab States), and the observers for Israel, Lebanon, the Syrian Arab Republic as well as Palestine.

108. Statements in explanation of vote before the vote were made by the representatives of Canada (also on behalf of Australia), Finland (on behalf of the members of the European Union that are States members of the Council, and the acceding countries), Guatemala, Romania and the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union).

109. At the request of the representative of Finland (on behalf of the European Union), a recorded vote was taken on the draft decision, as orally revised. The draft decision was adopted by 29 votes to 12, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Gabon, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Cameroon, Ghana, Guatemala, Nigeria, Republic of Korea.

110. Statements in explanation of vote after the vote were made by the representatives of Argentina, Japan, Switzerland and Uruguay.

111. For the text of the decision as adopted, see chapter II, section B, decision 1/106.

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Annex III Administrative and programme budget implications of resolutions and decisions adopted by the Council at its first session, as well as President's statements agreed upon by the Council by consensus at that session

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1/106. Human rights situation in Palestine and other occupied Arab territories

1. In paragraphs 1 and 2 of the text of its decision 1/106, the Council:

(a) Requested the relevant special rapporteurs to report to its next session on the Israeli human rights violations in occupied Palestine;

(b) Decided to undertake substantive consideration of the human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories at its next session and to incorporate this issue in following sessions.

2. Total full costs of travel, daily subsistence allowance and general operating expenses during field missions envisaged under decision 1/106 will amount to US\$ 97,700. Provisions for these activities have been included under the programme budget for the 2006-2007 biennium. Hence, no additional appropriation will be required for these activities.

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Part Two: Report of the Human Rights Council on its first special session

Chapter I. Resolution adopted by the Council at its first special session

S-1/1. Human rights situation in the Occupied Palestinian Territory

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Affirming the applicability of the Geneva Convention relative to the Protection of Civil Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and to other occupied Arab territories,

Expressing deep concern at the breaches by Israel, the occupying Power, of international humanitarian law and human rights law in the Occupied Palestinian Territory, including the arbitrary arrest of Palestinian ministers, members of the Palestinian Legislative Council and other officials, as well as the arbitrary arrest of other civilians, the military attacks against Palestinian ministries, including the office of the Premier, and the destruction of Palestinian infrastructure, including water networks, power plants and bridges,

1. *Expresses grave concern* at the violations of the human rights of the Palestinian people caused by the Israeli occupation, including the current extensive Israeli military operations against Palestinians in the Occupied Palestinian Territory;

2. *Demands* that Israel, the occupying Power, end its military operations in the Occupied Palestinian Territory, abide scrupulously by the provisions of international humanitarian law and human rights law, and refrain from imposing collective punishment on Palestinian civilians;
3. *Expresses grave concern* at the detrimental impact of the current Israeli military operation on the already deteriorating humanitarian conditions of the Palestinian people;
4. *Urges* Israel, the occupying Power, to immediately release the arrested Palestinian ministers, members of the Palestinian Legislative Council and other officials, as well as all other arrested Palestinian civilians;
5. *Urges* all concerned parties to respect the rules of international humanitarian law, to refrain from violence against the civilian population and to treat under all circumstances all detained combatants and civilians in accordance with the Geneva Conventions of 12 August 1949;
6. *Decides* to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967;
7. *Calls* for a negotiated solution to the current crisis.

*2nd meeting
6 July 2006*

[Resolution adopted by a recorded vote of 29 to 11, with 5 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Ghana, Guatemala, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Morocco, Pakistan, Peru, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Cameroon, Mexico, Nigeria, Republic of Korea, Switzerland.

See chapter II.]

Chapter II. Organization of work of the first special session

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G. Action on draft resolution A/HRC/S-1/L.1

Human rights situation in the Occupied Palestinian Territory

19. At the 1st meeting, on 5 July 2006, the representative of Pakistan introduced draft resolution A/HRC/S-1/L.1, sponsored by Algeria, Bahrain, Cuba, Egypt, Indonesia, Jordan, Lebanon, Malaysia, Morocco, Pakistan (on behalf of the Organization of the Islamic Conference), Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia (on behalf of the Group of Arab States) and the United Arab Emirates. Azerbaijan, Bangladesh, the Bolivarian Republic of Venezuela, the Democratic People's Republic of Korea, Djibouti, Guinea, Iraq, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Mali and Senegal subsequently joined the sponsors.
20. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) orally revised the draft resolution by replacing paragraph 5 with a new text.
21. Also at the same meeting, the representative of Switzerland orally amended the draft resolution by proposing the insertion of three new paragraphs following paragraph 4, to read as follows:

Urges all Palestinian armed groups to respect the rules of international humanitarian law;

Also urges all Palestinian armed groups to refrain from violence against the civilian population;

Urges those who detain the Israeli soldier to treat him humanely, in all circumstances, in conformity with the Geneva Conventions.
22. At the 2nd meeting, on 6 July 2006, the representative of Switzerland modified his proposed amendment by withdrawing the third paragraph proposed.
23. At the same meeting, the representative of Pakistan (on behalf of the Organization of the Islamic Conference) orally modified the amendment proposed by Switzerland by combining the two new paragraphs.
24. Statements in explanation of vote before the vote on the modification proposed by Pakistan (on behalf of the Organization of the Islamic Conference) were made by the representatives of the following States: Canada, Cuba, Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), the Russian Federation.
25. At the request of the representative of Switzerland, a recorded vote was taken on the modification proposed by Pakistan (on behalf of the Organization of the Islamic Conference), which was adopted by 28 votes to none, with 17 abstentions. The voting was as follows:

In favour: Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, Ghana, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Philippines, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.

Against: None.

Abstaining: Cameroon, Canada, Czech Republic, Finland, France, Germany, Guatemala, Japan, Netherlands, Nigeria, Peru, Poland, Republic of Korea, Romania, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

26. At the same meeting, statements in connection with the draft resolution were made by the observers for Israel and Palestine.
27. In accordance with rule 153 of the rules of procedure of the General Assembly, the attention of the Council was drawn to the estimated administrative and programme budget implications [Annex II contains the estimated administrative and programme budget implications of the Council resolution. of the draft resolution].

28. Statements in explanation of vote before the vote were made by the representatives of Canada, China, Ecuador, Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), Guatemala, Peru, the Philippines and Switzerland.

29. At the request of the representative of Finland (on behalf of the States members of the European Union that are members of the Council and the acceding country, Romania), a recorded vote was taken on the draft resolution, as orally amended and revised. The draft resolution was adopted by 29 votes to 11, with 5 abstentions (see chapter I).

30. Statements in explanation of vote after the vote were made by the representatives of Brazil (also on behalf of Argentina and Uruguay), Japan and Mexico.

31. After the adoption of the resolution, a statement was made by the representative of Pakistan (on behalf of the Organization of the Islamic Conference).

32. For the text of the resolution as adopted, see chapter I (resolution S-1/1).

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ANNEXES

Annex I

Administrative and programme budget implications of the resolution adopted by the Council at its first special session

1. Under paragraph 6 of resolution S-1/1, the Council decided to dispatch an urgent fact-finding mission headed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to the occupied Palestinian territories.
2. The activity envisaged under paragraph 6 of the resolution consists of a mission of the Special Rapporteur to the occupied Palestinian territories, accompanied by four staff members of the Office of the United Nations High Commissioner for Human Rights and two Security Officers to support the mission.
3. The estimated costs for the year 2006 under section 23, Human rights, would amount to US\$ 27,300.
4. No provisions have been made under the programme budget for the 2006-2007 biennium for the above activity. It is anticipated, however, that the costs could be absorbed within overall resources included in the programme budget for this biennium under section 23, Human rights.^a

^a See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 6 (A/60/6/Add.1)*.

Annex II

List of documents issued for the first special session of the Council

Documents issued in the general series

<i>Symbol</i>		
A/HRC/S-1/1		Letter dated 30 June 2006 from the Permanent Representative of Tunisia to the United Nations Office at Geneva, addressed to the President of the Human Rights Council
A/HRC/S-1/2		Contribution of the World Bank to the special session on the human rights situation in the Palestinian and other occupied Arab territories
A/HRC/S-1/3		Draft report to the General Assembly on the first special session of the Council
A/HRC/S-1/SR.1-2 and A/HRC/S-1/SR.1-2/ Corrigendum		Summary records of meetings held by the Council at its first special session, and corrigendum

Documents issued in the limited series

<i>Symbol</i>		
A/HRC/S-1/NGO/1		Written statement submitted by Amnesty International
A/HRC/S-1/NGO/2		Written statement submitted by World Vision International
A/HRC/S-1/NGO/3		Written statement submitted by United Nations Watch

Documents issued in the non-governmental organization series (concluded)

<i>Symbol</i>		
A/HRC/S-1/NGO/4		Joint written statement submitted by the Association for World Education and the World Union for Progressive Judaism
A/HRC/S-1/NGO/5		Written statement submitted by the International Association of Jewish Lawyers and Jurists
A/HRC/S-1/NGO/6		Written statement submitted by the International Youth and Student Movement for the United Nations and others
A/HRC/S-1/NGO/7		Written statement submitted by Human Rights Watch
A/HRC/S-1/NGO/8		Written statement submitted by the International Commission of Jurists

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