



UNOG
THE UNITED NATIONS
OFFICE AT GENEVA

COUNCIL ESTABLISHES NEW EXPERT IN FIELD OF CULTURAL RIGHTS, EXTENDS MANDATE ON DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR ONE YEAR

Council Adopts 10 Resolutions on Human Rights Situation in Palestine and Other Occupied Arab Territories and on Combatting Defamation of Religions, Among Others

26 March 2009

The Human Rights Council this afternoon adopted 10 resolutions in which it established an Independent Expert in the field of cultural rights and extended the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea for one year, among others. Five of the resolutions concerned the human rights situation in Palestine and other Arab territories and others dealt with the protection of human rights and fundamental freedoms while countering terrorism, combating defamation of religions and implementing the Convention on the Rights of the Child.

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Under its agenda item on the human rights situation in Palestine and other Arab territories, the Council adopted five resolutions on human rights in the occupied Syrian Golan; on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan; on human rights violations emanating from the Israeli military attacks and operations in the Occupied Palestinian Territory, particularly the recent ones in the Occupied Gaza Strip; on the right of the Palestinian people to self-determination; and on follow-up to Council resolution S-9/1 on the grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip. Four of the five resolutions were passed following a vote.

On human rights in the occupied Syrian Golan, the Council expressed deep concern at the suffering of the Syrian citizens in the occupied Syrian Golan due to the systematic and continuous violation of their fundamental and human rights by Israel since the Israeli military occupation of 1967. On Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, the Council deplored the recent Israeli announcements of the construction of new housing units for Israeli settlers in the Occupied Palestinian Territory, as they undermined the peace process and the creation of a contiguous, sovereign and independent Palestinian State. On human rights violations emanating from the Israeli military attacks and operations in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip, the Council strongly condemned the Israeli military attacks and operations in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip. On the right of the Palestinian people to self-determination, the Council reaffirmed the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity and to establish their sovereign, independent, democratic and viable contiguous State. On follow-up to Council resolution S-9/1 on the grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip, the Council expressed with regret that resolution S-9/1 had not been fully implemented to date and requested the President of the Council to continue his tireless efforts to appoint the independent international fact-finding mission.

On the protection of human rights and fundamental freedoms while countering terrorism, the Council called upon States to ensure that any measure taken to counter terrorism complied with international law, in particular international human rights, refugee and humanitarian law, and in this context expressed serious concern at the violations of human rights and fundamental freedoms while countering terrorism.

On combating defamation of religions, the Council strongly deplored all acts of psychological and physical violence and assaults, and incitement thereto, against persons on the basis of their religion or belief, and such acts directed against their businesses, properties, cultural centres and places of worship, as well as targeting of holy sites, religious symbols and venerated personalities of all religions. The Council noted with deep concern the intensification of the overall campaign of defamation of religions and incitement to religious hatred in general, including the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001. The resolution was passed by a vote of 23 in favour, 13 against and 11 abstentions.

On the implementation of the Convention on the Rights of the Child and the Optional Protocols thereto, the Council called on the States that had not yet become States parties to the Convention and the Optional Protocols thereto to do so as a matter of priority, and to systematically assess any proposed law, administrative guidance, policy or budgetary allocation that was likely to have an impact on children and their rights, ensuring appropriate enforcement of their obligations under the Convention and the Optional Protocols thereto.

Speaking in introduction of resolutions were Czech Republic on behalf of the European Union, Mexico, Japan, Pakistan on behalf of the Organization for the Islamic Conference and the Arab Group, and Cuba.

Speaking in general comment were Germany and Canada.

Speaking in explanation of the vote before the vote were Cuba, China, Malaysia, Indonesia, Brazil, Germany, Canada, Netherlands, Japan, Angola, Chile and India.

Speaking in explanation of the vote after the vote were Canada and Japan.

Speaking as concerned countries were Democratic People's Republic of Korea, Israel, Syria, and Palestine.

The Council will meet at 10 a.m. on Friday, 27 March, when it will continue to take action on draft decisions and resolutions before concluding the tenth regular session of the Council.

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Action on Draft Resolutions on the Human Rights Situation in Palestine and Other Arab Territories

In a resolution (A/HRC/10/L.4) on human rights in the occupied Syrian Golan, adopted by a vote of 33 in favour, one against, and 13 abstentions, the Council, deeply concerned at the suffering of the Syrian citizens in the occupied Syrian Golan due to the systematic and continuous violation of their fundamental and human rights by Israel since the Israeli military occupation of 1967, calls upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly, the Security Council and the Human Rights Council; also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their property; further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against them and from all other practices that obstruct the enjoyment of their fundamental rights and their civil, political, economic, social and cultural rights; calls upon Israel to allow the Syrian population of the occupied Syrian Golan to visit their families and relatives in the Syrian motherland through the Quneitra checkpoint and under the supervision of the International Committee of the Red Cross (ICRC), and to rescind its decision to prohibit these visits, as it is in flagrant violation of the Fourth Geneva Convention and the International Covenant on Civil and Political Rights; also calls upon Israel to release immediately the Syrian detainees in Israeli prisons, some of whom have been detained for more than 23 years, and calls on Israel to treat them in conformity with international humanitarian law; further calls upon Israel to allow delegates of the ICRC to visit Syrian prisoners of conscience and detainees in Israeli prisons accompanied by specialized physicians to assess the state of their physical and mental health and to protect their lives; determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that seek to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law, and have no legal effect; again calls upon Member States of the United Nations not to recognize any of the above-mentioned legislative or administrative measures; and requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report on this matter to the Council at its thirteenth session.

The result of the vote were as follows:

In favour (33): Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, and Zambia.

Against (1): Canada.

Abstentions (13): Bosnia and Herzegovina, Cameroon, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, and United Kingdom.

ZAMIR AKRAM (Pakistan), introducing the draft resolution on behalf of the Arab Group and the Organization of the Islamic Conference, said that they had held open-ended consultations. Israel had committed systematic human rights violations in the Golan Heights, including imposing Israeli citizenship on Syrian citizens and prohibition of visits of family members. The resolution focused on the dire humanitarian situation of the Syrian citizens under Israeli occupation. The resolution called on Israel to allow Syrians to visit their family members in the Golan Heights as well as to immediately release the Syrian prisoners in Israel, some of whom had been detained for more than 20 years.

AHARON LESHNO-YAAR (Israel), speaking as a concerned country, said the Syrian delegation was of the opinion that in the case of the Golan Heights, facts ceased to exist because they were ignored. Israel came into possession of the Golan Heights in 1967 in an act of self-defence after decades during which Syria used the area to repeatedly attack Israeli civilians. The Syrian Government purported that all individuals living in the Golan Heights were denied basic freedoms, yet nothing could be further from the truth. All inhabitants of the Heights, Israeli citizens or otherwise, were protected and enjoyed the full range of civil and political, economic, social and cultural rights. These individuals had the distinct advantage of living in democratic Israel which safeguarded their rights and freedoms. The resolution also reflected the commitment to politicise dialogue over reality. While the Syrian delegation could prefer politicised rhetoric to the reality on the ground, Israel was more concerned about the inhabitants of the Heights. The Syrian delegation should offer a more honest version of the facts in order to promote peace.

FAYSAL KHABBAZ HAMOUI (Syria), speaking as a concerned country, said one of the main manifestations of the suffering of the population of the Golan Heights was the occupation itself. In 1967 it was occupied by Israel, and since then dozens of resolutions had condemned this occupation and considered Israeli practices null and void. Nevertheless, Israel continued to persist in ignoring them and continued to deprive people in the Golan Heights of their rights. Israel had rejected its responsibility for the deteriorating human rights situation in the Golan and this constituted an outrageous disregard to the credibility of the Council and international law. The population of the Golan called on Israel to withdraw from its territories, and to return to the Madrid reference and Security Council resolution 242 which was adopted by 15 members of the Security Council. In addition, Israel was called on to refrain from agricultural activities in the Golan, and to release detainees who had been in Israeli prisons for more than 24 years, as well as to release Syrian prisoners of war. Syria called on the international community to vote in favor of the draft which would send a strong and clear message to the population of the Golan to show its devotion to human rights, and provide proof that the occupying force was not above the law.

KONRAD SCHARINGER, (Germany), speaking on behalf of the European Union in an explanation of the vote before the vote, regretted that the European Union could not support the resolution. The situation in the Golan was of great concern to the European Union, but the text had not changed from last year and the European Union's concerns remained. The European Union regretted the limited willingness from the main co-sponsors to negotiate the draft. The European Union could only support a text that took a balanced approach to the occupied Syrian Golan. The European Union called for a vote and would then abstain.

TERRY CORMIER (Canada), speaking in an explanation of the vote before the vote, said Canada supported the concept that the peace process must be based on Security Council resolutions, but had serious concerns that the resolution did not provide a balanced assessment of the human rights situation in the region, and did not contribute to a solution in the region. For these reasons, Canada would vote against the resolution.

In a resolution (A/HRC/10/L.5) on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, adopted by a vote of 46 in favour, one against, and no abstentions, as orally revised, the Council deplores the recent Israeli announcements of the construction of new housing units for Israeli settlers in the Occupied Palestinian Territory, as they undermine the peace process and the creation of a contiguous, sovereign and independent Palestinian State; expresses grave concern at, inter alia, the continuing Israeli settlement and related activities; the increasing number of newly built structures amounting in 2008 to 1,257; the implications for the final status negotiations of Israel's announcement that it will retain the major settlement blocks in the Occupied Palestinian Territory; the expansion of Israeli settlements and the construction of new ones on the Occupied Palestinian Territory rendered inaccessible behind the wall, which create a fait accompli on the ground that could be tantamount to de facto annexation; the continued closures of and within the Occupied Palestinian Territory, including the repeated closures of the crossing points of the Occupied Gaza Strip; the continued construction, contrary to international law, of the wall inside the Occupied Palestinian Territory; and the latest Israeli plan to demolish more than 88 houses in Al-Bustan neighbourhood at Silwan which will be resulting in displacing more than 1,500 Palestinian residents of East Jerusalem. The Council urges Israel, the occupying Power, to reverse the settlement policy in the occupied territories as a first step towards their dismantlement, to stop immediately the expansion of the existing settlements, including "natural growth" and related activities; urges the full implementation of the Access and Movement Agreement of 15 November 2005, particularly the urgent reopening of the Rafah and Karni crossings; calls upon Israel to take and implement serious measures, including confiscation of arms and enforcement of criminal sanctions, with the aim of preventing acts of violence by Israeli settlers; and urges the parties to give renewed impetus to the peace process in line with the Annapolis Peace Conference and the Paris International Donors' Conference for the Palestinian State and to implement fully the road map endorsed by the Security Council in its resolution 1515 (2003).

The result of the vote were as follows:

In favour (46): Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Bosnia and Herzegovina, Brazil, Burkina Faso, Cameroon, Chile, China, Cuba, Djibouti, Egypt, France, Gabon, Germany, Ghana, India, Indonesia, Italy, Japan, Jordan, Madagascar, Malaysia, Mauritius, Mexico, Netherlands, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Switzerland, Ukraine, United Kingdom, Uruguay and Zambia.

Against (1): Canada.

Abstentions (0):

MARGHOOB SALEEM BUTT (Pakistan), speaking on behalf of the Organization for the Islamic Conference and the Arab Group, introducing the draft resolution on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and in the occupied Syrian Golan, said in violation of international humanitarian and human rights law Israel was building and expanding settlements in the Occupied Palestinian Territories. The resolution sought to establish the legal framework based on the Charter, the Fourth Geneva Convention, the Security Council, the General Assembly, the Human Rights Council and the International Advisory Court of Justice, among others. The establishment of further settlements and the expansion of existing ones was contrary to international law. The draft resolution expressed grave concern at the settlement activities that were a violation of international law, in the West Bank and the expansion of Israeli settlements in East Jerusalem. There was also concern over the repeated closures of Occupied Palestinian Territories, and the plan to demolish houses in East Jerusalem which would displace 1,500 Palestinians. The draft also encouraged Israel to accept the recommendations made by the High Commissioner for Human Rights on settlements, and the International Criminal Court on the wall. It was hoped that the draft resolution would be accepted with consensus.

KONRAD SCHARINGER (Germany), speaking on behalf of the European Union members of the Council, in a general comment, said that Israeli settlements, for example in east Jerusalem, were illegal under international law. Settlements were an obstacle to peace. Israel should freeze all settlement action and dismantle outposts erected since March 2001. The European Union would vote in favour of the resolution, as had been agreed by the European Union as a whole

FAYSAL KHABBAZ HAMOUI (Syria), speaking in an explanation of the vote before the vote, said the introduction of the resolution came in a particular context, during escalated activities, which was very dangerous in the colonised territories including Jerusalem and the Golan Heights. These activities were undertaken after Israel's 1967 aggression, since which Israel had stolen Palestinian territory, bringing more and more foreigners from the four corners of the world to settle there. They were seeking excuses such as necessary expansion to justify the theft of Arab lands. Colonisation activities continued even during peace negotiations, and were attempts to impose a fait accompli on the territories and to modify the demographic architecture of the territories, which was a violation of international humanitarian and human rights law, as well as of the Universal Declaration of Human Rights. The Council should grapple with this very dangerous policy so that there was opportunity for fair and comprehensive peace in the region, and rights were brought back to those living without them.

TERRY CORMIER (Canada), speaking in an explanation of the vote before the vote, said that maintenance and expansion of settlements on territories confiscated by Israel since 1967 was a violation of international law. Canada was concerned about the draft resolution as it was not balanced and did not refer to the Palestinian obligation, which did not contribute to a peaceful and fair solution to the conflict. For those reasons Canada called for a vote and would vote against the draft resolution.

In a resolution (A/HRC/10/L.6) on human rights violations emanating from the Israeli military attacks and operations in the Occupied Palestinian Territory, adopted by a vote of 35 in favour, four against, and eight abstentions, as orally amended, the Council demands that the occupying Power, Israel, end its occupation of the Palestinian land occupied since 1967, and to respect its commitments within the peace process towards the establishment of the independent sovereign Palestinian State, with East Jerusalem as its capital, living in peace and security with all its neighbours; strongly condemns the Israeli military attacks and operations in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip, which have resulted in the killing and injury of thousands of Palestinians civilians, including a large number of women and children, and also condemns the firing of crude rockets on Israeli civilians; demands that Israel stop the targeting of civilians and the systematic destruction of the cultural heritage of the Palestinian people, in addition to the destruction of public and private properties, and the targeting of United Nations Facilities, as laid down in the Fourth Geneva Convention; demands further that Israel cease immediately all current excavations beneath and around the Al-Aqsa Mosque compound and refrain from any act that may endanger the structure or change the nature of the holy sites both Islamic and Christian in the Occupied Palestinian Territory, particularly in and around Jerusalem; calls for immediate protection of all civilians including an international protection of the Palestinian people in the Occupied Palestinian Territory; also calls for the immediate cessation of all Israeli military attacks and operations throughout the Occupied Palestinian Territory and the firing of crude rockets by Palestinian combatants against southern Israel; demands that Israel immediately stop its illegal decision to demolish a large number of Palestinian houses in the East Jerusalem neighbourhood of al-Bustan in the Silwan area, near the Al-Aqsa Mosque, which will be resulting in the displacement of more than 1,500 Palestinian

residents of East Jerusalem; demands that Israel release Palestinian prisoners and detainees; and calls upon Israel to lift checkpoints and to open all crossing points and borders in accordance with international agreements.

The result of the vote were as follows:

In favour (35): Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Bosnia and Herzegovina, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Switzerland, Uruguay, and Zambia.

Against (4): Canada, Germany, Italy, and Netherlands.

Abstentions (8): Cameroon, France, Japan, Republic of Korea, Slovakia, Slovenia, Ukraine, and United Kingdom.

MARGHOOB SALEEM BUTT (Pakistan), introducing the draft resolution, said that the resolution condemned the Israeli violations of human rights of the occupied Palestinian people. The resolution stated the inadmissibility of acquisition of land by use of force. It stated the applicability of human rights law on the Occupied Palestinian Territories, including East Jerusalem. Israel had committed severe violations of international law and the human rights of Palestinian people. The resolution condemned the Israeli military attacks and operations in the Occupied Palestinian Territories and demanded that Israel stopped targeting civilians and the destruction of cultural heritage seized as well as all excavation around the Al-Aqsa Mosque. The resolution called for immediate protection of all civilians in compliance with international law. The resolution urged all parties concerned to refrain from violations against civilians.

BOUDEWIJN J. VAN EENENNAAM (Netherlands), speaking also on behalf of Italy in an explanation of the vote before the vote, said there were serious concerns for the severe humanitarian situation in the Occupied Palestinian Territories, but the Netherlands and Italy were not in a position to support the text, as it contained a number of unacceptable phrases and concepts. A number of paragraphs had been added since last year. It was unbalanced as it addressed the situation on the ground but it did not present a balanced perspective on the responsibility for the conflict. The Netherlands and Italy therefore called for a recorded vote, and would vote against the resolution.

In a resolution (A/HRC/10/L.7) on the right of the Palestinian people to self-determination, adopted without a vote, the Council reaffirms the inalienable, permanent and unqualified right of the Palestinian people to self-determination, including their right to live in freedom, justice and dignity and to establish their sovereign, independent, democratic and viable contiguous State; also reaffirms its support for the solution of two States living side by side in peace and security, Palestine and Israel; stresses the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem; and urges all Member States and relevant bodies of the United Nations system to support and assist the Palestinian people in the early realization of their right to self-determination.

ZAMIR AKRAM (Pakistan), speaking on behalf of the Organization for the Islamic Conference and the Arab Group, introducing the draft resolution on the right of the Palestinian people to self-determination, said the realization of the right to self-determination guaranteed the observance and protection of individual human rights. The United Nations Charter, international law, and United Nations resolutions granted this to the Palestinian people. The Vienna Declaration and Programme of Action, among others established the right to self-determination. Based on the accepted norm of the right to self-determination the preamble part of the resolution reaffirmed this right to the Palestinian people, and their inalienable and qualified right to live in freedom, justice and sovereignty, and to establish a contiguous State. The draft stressed for and the preservation of the territorial unity of the Occupied Palestinian Territories, including East Jerusalem and called on all relevant United Nations bodies to assist in the early realization of the Palestinian people's right to self-determination. Due to its universality to all peoples in all parts of the world and in particular to the Palestinian people, it was hoped that the draft resolution would be adopted without a vote and therefore by consensus.

KONRAD SCHARINGER (Germany), speaking on behalf of the European Union in a general comment, said that the European Union supported the Palestinian people's right to self-determination. The European Union urged all concerned parties to implement their roadmap obligations. The goal remained a peaceful and viable Palestinian State that would unite all Palestinians living side by side with Israel and its neighbours.

TERRY CORMIER (Canada), in a general comment, said that Canada recognised the right of the Palestinian people to self-determination, and recognised the need for a Palestinian State, living side-by-side with Israel in peace, as included in the Road Map. Canada was nevertheless disappointed to see this resolution, as it did not contribute towards a peaceful settlement to the conflict, nor did it improve the situation on the ground, and Canada therefore disassociated itself from the consensus.

AHARON LESHNO-YAAR (Israel), speaking as a concerned country, said Israel recognized the aspirations of the Palestinian people to self-determination and had recognized this for many years. This could only be realized with a two-State solution - an Israeli homeland and a Palestinian homeland. Time and again Israel had stated that peace was in the interest of Israel. Palestinians had to accept that Israel was the homeland of the Israeli people and their right to live in peace and security. The use of Hamas of Gaza as a launching pad did nothing for the aspiration of the Palestinian people. The draft resolution affirmed the right to self-determination of the Palestinian people in a one-sided manner. Any peace process between Israel and Palestine meant that each had rights and responsibilities and obligations. Israel called on the co-sponsors of the resolution to sit down and discuss a resolution that was established with both sides - Palestine and Israel. Israel said it was time to turn away from the tide of political blames and turn to the tides of hope.

IBRAHIM KHRAISHI (Palestine), speaking as a concerned country, said that Palestine thanked all States that had voted in favour of previous resolutions, as well as States that had abstained and voted against. Palestine also thanked all States that had worked on resolutions on Palestine. The resolution would strengthen the struggle in Palestine. Palestine called on the occupying force to respect its obligations. Palestine did not want to transform this Council into a platform to attack anyone, but simply stressed that Israel should not have a monopoly in this Council by simply refusing to respect human rights. Israel had a monopoly by refusing to submit to the will of the international community. Occupation was reprehensible and was a flagrant violation of human rights. This should constitute a lesson for Israel, it should not feel that the power it had would solicit solidarity. Palestine was against targeting of innocents and civilians wherever they were, rejected provocation, colonization, imprisonment, walls and blockades. Palestine wanted to build an independent State. The Arab peace initiative, if implemented, would guarantee a life in peace for all partners in the region.

In a resolution (A/HRC/10/L.37) on follow-up to Council resolution S-9/1 on the grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip, adopted by a vote of 33 in favour, one against, and 13 abstentions, the Council, expressing with regret that resolution S-9/1 has not been fully implemented to date, requests the President of the Council to continue his tireless efforts to appoint the independent international fact-finding mission; calls upon the occupying Power, Israel, to abide by its obligations under international law, international humanitarian law and international human rights law; demands that Israel fully cooperate with all relevant special procedures mandate-holders in the discharge of their mandates; and also demands that Israel facilitate and provide unhindered access to the members of the independent international fact-finding mission.

The result of the vote were as follows:

In favour (33): Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Bolivia, Brazil, Burkina Faso, Chile, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Uruguay, and Zambia.

Against (1): Canada.

Abstentions (13): Bosnia and Herzegovina, Cameroon, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, and United Kingdom.

ZAMIR AKRAM (Pakistan), introducing resolution L.37, said Israel had been committing violations of the human rights of the Palestinian people since its occupation of the Palestinian Territories, including recently. The psychological trauma caused by these violations was incalculable. The Human Rights Council had decided to send an independent fact-finding mission to investigate all violations of international human rights and international humanitarian law, and the resolution requested the President to appoint this mission, and called upon Israel to allow the Mission to have unhindered access. All members of the Human Rights Council should support the resolution with consensus.

AHARON LESHNO-YAAR (Israel), speaking as a concerned country, said it could only watch the resolutions with amazement and wonder. The fulfillment of the Jewish people's right to self-determination continued to be a hate campaign. NGOs and Member States time and time again used language that legitimized terrorism and shuttered the opportunity at peace in the Middle East. Israel said terrorist and radical Governments who rejected peace and ruled through the car bomb and human shields were not subjected to criticism. Israel extended its hand to Palestine, and called for a new way forward, and for the creation of new resolutions that spoke to the aspirations of the Palestinian people and Israeli people too. Israel's human rights record was not perfect, but the system of justice upheld in Israel ensured that justice was corrected, 11 Special Rapporteurs were invited to visit the country and showed an Israeli agenda for discussion and fairness. The notion of justice was lost in the Council, where only Israel was condemned on a one sided and unfair manner, only Israel was subjected to double standards, and yet many delighted in the obsessive treatment of Israel.

KONRAD SCHARINGER (Germany), speaking on behalf of the European Union in an explanation of the vote before the vote, said the European Union had already expressed its utmost concern about the situation in the Gaza Strip. The resolution only addressed one side of the conflict. This also applied to the dispatching of a fact-finding mission. The European Union was not convinced that the fact-finding mission was not the right means in order to address violations of international humanitarian law. The fact that it had not been possible until today to appoint the members of such a mission, confirmed the European Union's concerns. The European Union would abstain in a vote.

TERRY CORMIER (Canada), speaking in an explanation of the vote before the vote, said Canada remained deeply concerned about the recent hostilities between Israel and Hamas and the ensuing casualties. The resolution of the Special Session failed to establish responsibilities for the conflict. Canada would vote against the resolution.

DANTE MARTINELLI, (Switzerland), speaking in an explanation of the vote before the vote, said it was concerned as to the prevailing situation in the Occupied Palestinian Territories, especially with regard to the most recent military incursion. Switzerland supported the creation of an impartial investigation into the violations of international law occurring in the Occupied Palestinian Territories, including Gaza. Switzerland would abstain on the vote on this resolution. The declaration of the Chairperson to put in place an investigative mission to account for all allegations of violations was applauded, and Switzerland would participate in this, as it was important to shed light on allegations of violations by all parties, as this was the only way to prevent future violations.

OSAMU YAMANAKA (Japan), speaking in an explanation of the vote before the vote, said regarding the fact- finding mission and resolution L.37, Japan was of the expectation that the investigation would be conducted in a fair and equitable way, and that the report to be submitted to the Council would contribute to resolving the human rights situation. The draft resolution should be more balanced and for this reason Japan would abstain.

TERRY CORMIER (Canada), speaking in an explanation of the vote after the vote on the resolution on human rights violations emanating from the Israeli military attacks and operations in the Occupied Palestinian Territories, particularly the recent ones in the occupied Gaza Strip, said that Canada regretted that the resolution did not take into consideration all concerned parties and focused only on Israeli action. Canada was concerned by the escalation of violations in Gaza. But this resolution did not represent the situation correctly.

OSAMU YAMANAKA, (Japan), speaking in an explanation of the vote after the vote, said on resolution L.6 on human rights violation emanating from Israeli attacks and operations in the Occupied Palestinian Territories, it was essential that Human Rights Council resolutions contributed to solving the issue on which they were created. It was unfortunate that many of the proposed revisions to the text were not accepted, and therefore Japan had abstained from the resolution. Japan strongly condemned the firing of rockets against Israeli civilians and military attacks on Palestinian civilians. Japan would continue to lend its maximum support to the peace process and to the victims of human rights violations.

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