



General Assembly

A/HRC/S-9/L.1/Rev.2
12 January 2009

The Grave Violations of Human Rights in the Occupied Palestinian Territory particularly due to the recent Israeli military attack against the occupied Gaza Strip

The Human Rights Council,

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

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Guided also by the right to self-determination of the Palestinian People and the inadmissibility of the acquisition of land by the use of force, as enshrined in the Charter of the United Nations,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Affirming the applicability of International Human Rights Law, to the Occupied Palestinian Territory, including East Jerusalem,

Affirming also the applicability of the International Humanitarian Law namely the Fourth Geneva Convention relative to the protection of Civilian persons in Time of War, to the Occupied Palestinian Territory, including East Jerusalem,

Emphasizing that International Human Rights Law and international humanitarian law are complementary and mutually reinforcing,

Recalling also the obligations of the High Contracting Parties to the Fourth Geneva Convention,

Reaffirming that each High Contracting Party to the Fourth Geneva Convention relative to the Protection of Civilian persons in Time of War, is under obligation to respect and ensure respect the obligations arising from that convention,

Stressing that the right to life constitutes the most fundamental of all human rights,

Expresses serious concern at the lack of implementation by the occupying Power, Israel, of previously adopted resolutions and recommendations of the Human Rights Council related to the human rights situation in the Occupied Palestinian Territory, including East Jerusalem,

Recognizing that the massive ongoing Israeli military operation in the Occupied Palestinian territory, particularly in the occupied Gaza Strip, caused grave violations of the human rights of the Palestinian civilians therein, exacerbated the severe humanitarian crisis in the Occupied Palestinian Territory, and undermined international efforts towards achieving a just and lasting peace in the region,

Condemning all forms of violence against civilians and deploring the loss of human lives in the context of the current situation,

Recognizing also that the Israeli siege imposed on the occupied Gaza Strip, including the closure of border crossings and the cutting of the supply of fuel, food and medicine, constitutes collective punishment of the Palestinian civilians and leads to disastrous humanitarian and environmental consequences,

1. *Strongly condemns* the ongoing Israeli military operation carried out in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, which have resulted in massive violations of human rights of the Palestinian people and systematic destruction of the Palestinian infrastructure;
2. *Calls for the immediate cessation of Israeli military attacks throughout the Palestinian Occupied Territory, in particular in the Occupied Gaza Strip that have resulted, thus far, in the killing of more than 900 and the injury to more than 4000 Palestinians, including a large number of women and children, and the end to the launching of the crude rockets against Israeli civilians that resulted in the loss of 4 civilian lives and some injuries;*
3. *Demands* the occupying Power, Israel, to immediately withdraw its military forces from the occupied Gaza Strip;
4. *Calls upon* the occupying Power, Israel, to end its occupation to all Palestinian lands occupied since 1967, and to respect its commitment 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 neighbors;

5. *Demands* the occupying Power, Israel, to stop the targeting of civilians and medical facilities and staff as well as the systematic destruction of cultural heritage of the Palestinian people in addition to the destruction of public and private properties as laid down in the Fourth Geneva Convention;
6. *Demands further* the occupying Power, Israel, to lift the siege, open all borders to allow access, free movement of humanitarian aid to the occupied Gaza Strip, including the immediate establishment of humanitarian corridors, in compliance with its obligations under International Humanitarian Law and to ensure free access of media to areas of conflict through media corridors;
7. *Calls upon* the international community to support the current initiative aiming at putting an immediate end to the current military aggression in Gaza;
8. *Calls* for urgent international action to put an immediate end to the grave violations committed by the occupying Power, Israel, in the occupied Palestinian Territory, particularly in the occupied Gaza Strip;
9. *Calls* for immediate international protection of the Palestinian people in the Occupied Palestinian Territory in compliance with the International Human Rights Law and International Humanitarian Law;
10. *Urges* all parties concerned to respect the rules of International Human Rights Law and International Humanitarian Law and to refrain from violence against the civilian population;
11. *Requests* the United Nations High Commissioner for Human Rights to report on the violations of human rights of the Palestinian people by the occupying Power, Israel, through (a) strengthening the field presence of the office in the Occupied Palestinian Territory particularly in the occupied Gaza Strip and the deployment of the necessary personnel and expertise to monitor and document Israeli violations of human rights of Palestinians and destruction of their properties; (b) to submit periodic reports to the Human Rights Council on the implementation of this resolution;
12. *Requests* all relevant Special Rapporteurs, in particular the Special Rapporteur on the Situation of Human Rights of the Palestinian People in the Palestinian Territories Occupied since 1967, Special Rapporteur on the Right to Mental and Physical Health, Special Representative of the Secretary General on Children in Armed Conflict, Special Rapporteur on Violence against Women, Special Representative of the Secretary-General on internally displaced persons, Special Rapporteur on Adequate Housing, Special Rapporteur on the Right to Food, Special Rapporteur on Extrajudicial, Summary, Arbitrary Executions, Special Rapporteur to the Right to Education, Special Rapporteur on Extreme Poverty, to urgently seek and gather information on violation of the human rights of the Palestinian people and submit their reports to the next Human Rights Council Session;
13. *Requests* the occupying Power, Israel, to fully cooperate with all the above mentioned Rapporteurs and to desist from any further hindrance of the work of the Special Rapporteur on the Situation of the Human Rights of the Palestinian People in the Palestinian Territories Occupied in 1967;
14. *Decides* to dispatch an urgent independent international fact-finding mission, to be appointed by the President, to investigate all violations of international human rights law and International Humanitarian Law by the occupying Power, Israel, against the Palestinian people throughout the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, due to the current aggression, and calls upon Israel not to obstruct the process of investigation and to fully cooperate with the mission;
15. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all administrative, technical and logistical assistance required to enable the above mentioned Special Procedures and the fact-finding mission to promptly and efficiently fulfill their mandates;
16. *Requests* the Secretary-General of the United Nations to investigate the latest targeting of UNRWA facilities in Gaza, including schools, that resulted in the killing of tens of Palestinian Civilians including women and children; and to submit a report to the General Assembly in this regard;
17. *Decides* to follow-up on the implementation of the present resolution at the next session of the Human Rights Council.

Recorded vote of 33 in favour, 1 against and 13 abstentions.

In favour: 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, Zambia;

Against: Canada;

Abstentions: Bosnia and Herzegovina, Cameroon, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.