



Press Release

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COMMISSION ON HUMAN RIGHTS ASKS HIGH COMMISSIONER MARY ROBINSON TO CARRY OUT A MISSION TO OCCUPIED ARAB TERRITORIES

Commission on Human Rights
58th session
5 April 2002
Afternoon

Adopts Resolution Condemning Frightening Increase in Loss of Life in the Occupied Territories

The Commission on Human Rights decided today to ask High Commissioner for Human Rights Mary Robinson to head a visiting mission that would travel immediately to the occupied Palestinian territories and return expeditiously to submit its findings and recommendations to the current session of the Commission.

In a resolution which was passed by a roll-call vote of 44 in favour, 2 against and 7 abstentions, the Commission condemned the frightening increase in the loss of life, the invasion of Palestinian cities and villages, the arrest and detention of Palestinians, the restrictions on the movement of residents as well as personnel of the International Committee of the Red Cross and the Palestinian Red Crescent Society, medical personnel, human rights defenders and journalists, the refusal of humanitarian access to United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and the serious and systematic destruction of homes, installations and infrastructure in the territory as reported by the High Commissioner for Human Rights.

The resolution endorsed the proposals made by the High Commissioner for Human Rights in her statement and requested her to head a visiting mission that would travel immediately to the area and return expeditiously to submit its findings and recommendations to the current session of Commission on Human Rights.

The resolution was adopted at the end of a "special sitting" held this afternoon on the situation in the occupied Palestinian territories.

At the beginning of the special sitting, the High Commissioner said she was ready, in principle, to head a visiting mission that would travel immediately to the occupied areas and return expeditiously to submit her findings and recommendations to the current session of the Commission. She would do so on the understanding that there was broad support in the Commission, as well as full cooperation on the part of Israel and the Palestinian Authority. The implementation of a visiting mission would also depend on whether security conditions would permit it.

The Representative of Israel said that the singling out of Israel in the Human Rights Commission was manifest in the convening of this special sitting. The Bureau was curtailing the time for speeches on all other agenda items, yet, when it was time allotted to attack Israel, no such limitations were required. The Israeli strike against terrorism was not an operation against the Palestinian Authority or its institutions, nor was it against the Palestinian people. It was against those groups of terrorists who had taken hostage the peace process. Despite accusations, Israel would continue to respect humanitarian agencies and places of worship in the face of lack of such respect on the other side.

The Representative of Palestine said the Israeli incursion had been accompanied by the violation of human values and the perpetration of the most hideous crimes against humanity at the hands of the Israeli army against the Palestinian people. If all the crimes committed by Israel did not constitute a crime of ethnic cleansing and of genocide against Palestinians, then how could they be classified? If all this was not sufficient to call forth the intervention of the international community, then what crimes were likely to incite the international community to take action to save humanity?

Representatives of Member and observer States took the floor to express their sentiments about the situation in the Middle East. Many speakers stressed the importance of the stopping of the bloodshed and the return of the parties to the negotiating table. There were calls for an immediate cease-fire from both sides.

Representatives of Algeria, Argentina, Australia, Bangladesh, Brazil, Canada, China, Chile, China, Cuba, Ecuador, Egypt, Guatemala, the Holy See, India, Indonesia, Iran, Malaysia (on behalf of the Organization of the Islamic Conference), Mexico, New Zealand, Nepal, Nigeria (on behalf of the

African Group), Norway, Pakistan, the Russian Federation, Senegal, South Africa, Spain (on behalf of the European Union), Switzerland, the United States, Uruguay, Venezuela, and Viet Nam took the floor.

Canada, Germany, Peru and the Russian Federation offered explanations of vote after the vote.

The Commission will reconvene at 10 a.m. on Monday, 8 April.

Action on Motions and Draft Resolution

The motion to adjourn the debate, which would have continued to hear statements by non-governmental organizations, and to proceed with taking action on the draft resolution was adopted with a roll-call vote of 28 in favour, 3 against and with 22 abstentions.

The result of the vote was as follows:

In favour: Algeria, Bahrain, Brazil, Burundi, Chile, China, Cuba, Democratic Republic of the Congo, India, Indonesia, Kenya, Libyan Arab Jamahiriya, Malaysia, Nigeria, Pakistan, Saudi Arabia, Senegal, Sierra Leone, South Africa, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Uganda, Venezuela, Vietnam and Zambia.

Against: Canada, Guatemala and Poland.

Abstentions: Argentina, Armenia, Austria, Belgium, Cameroon, Costa Rica, Croatia, Czech Republic, Ecuador, France, Germany, Italy, Japan, Mexico, Peru, Portugal, Republic of Korea, Russian Federation, Spain, Sweden, United Kingdom and Uruguay.

The motion to waive the 24-hour-rule before action was taken on a resolution, which was imposed by the rule of procedures, was supported by a roll-call vote of 50 in favour to 2 against and with 1 abstaining.

The result of the vote was as follows:

In favour: Algeria, Argentina, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Cameroon, Chile, China, Costa Rica, Croatia, Cuba, Czech Republic, Democratic Republic of the Congo, Ecuador, France, Germany, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Guatemala.

Abstaining: Peru.

Resolution L.13 was adopted in a roll-call vote of 44 in favour to 2 against, and with 7 abstaining.

The result of the vote was as follows:

In favour: Algeria, Argentina, Austria, Bahrain, Belgium, Brazil, Burundi, Chile, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, France, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, Poland, Portugal, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Uganda, Uruguay, Venezuela, Viet Nam, Zambia.

Against: Canada, Guatemala.

Abstaining: Armenia, Cameroon, Croatia, Czech Republic, Germany, Russian Federation, United Kingdom of Great Britain and Northern Ireland.

In the resolution, the Commission condemned the frightening increase in the loss of life, the invasion of Palestinian cities, and villages, the arrest and detention of Palestinians, the restrictions on the movement of residents, as well as personnel of the International Committee of the Red Cross and the Palestinian Red Crescent Society, medical personnel, human rights defenders and journalists, the refusal of humanitarian access to United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and the systematic destruction of homes, installations and infrastructure in the territory as reported by the High Commissioner for Human Rights.

The Commission endorsed the proposals made by the High Commissioner for Human Rights in her statement; requested the High Commissioner to head a visiting mission that would travel immediately to the area and return expeditiously to submit its findings and recommendations to the current session of the Commission; and decided to remain seized of that matter of high priority.

Statements

KRZYSZTOF JAKUBOWSKI, Chairman of the Commission, underlined that the peace process should be resumed on the basis of respect for international humanitarian law standards and human rights. This special sitting provided the Commission with a historical opportunity to consider the situation from a human rights perspective. The discussions preceding this special sitting were laborious, but despite the divergence of opinions, it had been possible to organize this meeting. It was important that all delegates should express their views in strong terms but while showing respect. The Chairman urged everyone to try to act in such a manner that would make it possible to say that the Commission had made a useful contribution, from

a human rights standpoint, in the search for a solution on the ground.

MARY ROBINSON, United Nations High Commissioner for Human Rights, expressed her appreciation for the efforts of the Commission to address the difficult human rights situation that had developed in Israel and the occupied Palestinian territories since 29 March. When she had addressed the Commission on 2 April, she had envisaged that members of the Commission might constitute a visiting mission to the occupied Palestinian territories. She was ready, in principle, to head a visiting mission that would travel immediately to the areas and return expeditiously to submit her findings and recommendations to the current session of the Commission. She would do so on the understanding that there was broad support in the Commission, as well as full cooperation on the part of Israel and the Palestinian Authority. The implementation of a visiting mission would also depend on whether security conditions would permit it. In constituting a visiting mission to the occupied Palestinian territories, if it was agreed, it would be her intention to ask two prominent international personalities to join her on the mission. She would inform the Chairman of the Commission of her selection once she had confirmation of their readiness to join the mission.

Mrs. Robinson said the parameters of a visiting mission would be those that applied in fact-finding activities in the United Nations human rights programme: the independence of the members of the mission, freedom to visit places they wished and to speak with those they would select, diplomatic immunity, guarantees of safety and security, and the faithful cooperation of the parties. In planning for the mission, she would consult with the UN Secretary-General. The timing would have to be worked out carefully. It would be her intention to have the mission depart as soon as practicable and to return within a week from departure to report to the Commission.

YAAKOV LEVY (Israel) said that the singling out of Israel in the Human Rights Commission was manifest in the convening of this special sitting. The situation had already been discussed at great length under other agenda items. The Bureau was curtailing the time for speeches on all other agenda items, yet, when it was time allotted to attack Israel, no such limitations were required. Again, he said, he had to state the obvious. At Camp David in July 2000, Israel had proposed to tackle the very essence of the Arab-Israeli conflict and reach a solution by negotiations and agreements, on issues such as territories, borders, settlements, refugees and Jerusalem. The Palestinian Authority had rejected the Israeli proposal. The launching of the continuous wave of violence was a deliberate choice made by the Palestinian Authority. The issue could not be solved by brilliant speeches, one-sided resolutions or calls on one party alone to make concessions. Painful compromises on both sides were required.

The Israeli strike against terrorism was not an operation against the Palestinian Authority or its institutions, nor was it against the Palestinian people. It was against those groups of terrorists who had taken hostage the peace process. In Arafat's headquarters in Ramallah, documentation had been found in the office of his right-hand man clearly establishing a link between the Al-Aqsa brigades, which was a cover-name for Fatah, the mainstream PLO organization, in which they specified their financial needs for making explosives charges to be laid in Israeli towns and villages. In Arafat's compound, Israeli forces had found massive caches of arms, RPG rocket-powered anti-tank grenades, machine guns, kalashnikov assault rifles, explosive devices, most of which were outlawed by the Oslo agreement signed by Mr. Arafat himself.

This material was used to support acts of terrorism such as those committed by Hamas, which boasted recently that it had acquired better explosives. Hamas had killed 35 Israelis in two suicide bombings in Israelis cities. How could one not condemn such acts of terror? How could one justify it as legitimate resistance? Some of the speakers in the Commission continued to draw a distinction between the kind of terrorism, which they condemned, and another one which they excused on the pretext of legitimate resistance, or extenuating circumstances. Despite accusations against Israel, Israel would continue to respect humanitarian agencies and emblems and places of worship in the face of lack of such respect on the other side. The Commission was reminded that over 50 Israeli Red Magen David ambulances had been shot at when attempting to offer help to wounded Israelis and Palestinians.

NABIL RAMLAWI (Palestine) said that there was no need for further description of the situation and the amount of the humanitarian tragedy that was currently prevailing in the occupied Palestinian territory after the Israeli military incursion in the Palestinian cities, towns and camps. It was an incursion accompanied by the violation of human values, the principles of human rights and the perpetration of the most hideous crimes against humanity at the hands of the Israeli army against the Palestinian people. The world was witnessing these crimes through the media each day and every hour. The Israeli machine war was destroying anything in its way. This war was killing human beings, destroying buildings, be they houses, schools, firms or hospitals. Even the Islamic and Christian shrines could not escape this outrageous Israeli aggression. The Israeli occupation forces were still tightening their siege of the headquarters of President Yasser Arafat, cutting off water, electricity and all means of communication, and imposing severe restrictions on his right to movement.

If all the crimes committed by Israel did not constitute a crime of ethnic cleansing against Palestinians, then how could they be classified? If the crimes committed against the Palestinians did not constitute crimes of genocide, then how could they be classified? If the crimes did not constitute crimes against humanity, then how could they be classified? If they did not constitute a systematic policy of State terrorism perpetrated by Israel against Palestinian civilians, then how could they be classified? If all this was not sufficient to call forth the intervention of the international community in order to stop these crimes and maintain international peace and security which were being endangered, then what were the kinds of crimes that were likely to awaken the conscience of the world and incite the international community to take action to save humanity?

The massacre of Palestinians was still persisting. Not a single day nor even a single hour went by without hearing that new victims had fallen, and nobody could tell how many of them because they were increasing every hour, not to say every minute. Everyone in this hall knew the results of the war launched by Israel, a State which possessed an army, with all kinds of weapons, battle tanks, artillery, missiles, helicopters, battleships, nuclear weapons and all kind of weapons of mass destruction, against a civilian population, deprived of any army. All the Palestinian people had was their strong will, extraordinary fate in self-defense, the defense of their homeland and their shrines against injustice, aggression, military occupation and all kinds of crimes practised by Israel, its army and its occupation forces against the Palestinian people, thus presenting the world with a model of the worst kinds of subjugation, persecution, assassination and usurpation in the twenty-first century.

MOHAMED-SALAH DEMBRI(Algeria) said that day after day humanity discovered the grave reality in the occupied territories. The occupation was marked by the expropriation of lands, forced eviction of the local population, the use of explosions against houses, the destruction of harvests and the strangling of the economy, among other things. The practice of torture against detainees in police stations had become commonplace. The Israeli Supreme Court had given its approval to the Government to use torture during interrogations as well as to the use of secret detention. All Israeli practices should be condemned; they were against international law. Algeria supported the High Commissioner for Human Rights in her mission to the region.

HORACIO SOLARI ([Argentina](#)) said his country was concerned about the worsening situation in the Middle East and the violations against humanitarian law and human rights. Argentina had links with all peoples in the Middle East and appealed to the parties involved to comply with relevant Security Council resolutions. Both parties needed to take necessary steps to ensure that the violence and terrorism ceased. There could be no military solution to the problem -- only negotiations could produce an effective and lasting peace. All ideas and proposals attempting to get the peace process back on track needed to be considered. It was also necessary not to destroy holy sites that were important for the religious and historic memory of all Christians.

LESLIE LUCK ([Australia](#)) said his country was appalled by the latest upsurge in violence and urged both sides to the dispute to exercise leadership and restraint in seeking a peaceful solution to their differences which would also respect and protect the human rights of the peoples of the region. Everyone had a role to play in exerting what influence they could to this end, but in a situation as grave as that currently in the Middle East, outside influence needed to be exercised with the utmost prudence and care for the rights of all concerned.

Clearly there were human rights issues arising in the situation which were appropriate for this Commission to consider, but Australia noted that significant time had already been devoted to that end. Australia did not consider extended discussion of the issue in the Commission was likely to be productive or helpful. Further, in a situation where the Commission was well behind schedule and had many important issues yet to consider, additional time spent on this issue could compromise the Commission's capacity to deal adequately with the rest of its agenda. For these reasons Australia opposed this special sitting of the Commission. Australia also believed that the question of any visit by a UN mission to the region was primarily a matter for the Security Council and did not consider a proposal for a mission originating from the Commission as helpful.

TOUFIQ ALI ([Bangladesh](#)) said that his country was deeply concerned about the dangerously escalating situation in the occupied territories. The use of excessive and disproportionate force against Palestinian civilians by Israeli troops, as well as collective punishment, resulting in heavy casualties of precious and innocent human lives and destruction of property, had assumed horrifying dimensions. The Palestinian leadership had been put under virtual house arrest. Foreign occupation in itself constituted a serious violation of human rights. Bangladesh called for an end to those wanton acts of violence and destruction and urged a full and immediate withdrawal of Israeli forces from all occupied Arab territories, including Palestine.

LUIS FELIPE DE SEIXAS CORREA ([Brazil](#)) said the Commission could not be indifferent to the uncontrollable aggravation of the situation in the Middle East involving a series of human rights violations. Brazil was extremely concerned about the situation and urged those who had concrete possibilities to act to do so as urgently as possible with a view to imposing an immediate cease-fire in the region. In order to achieve that goal, Brazil urged the international community to guarantee the physical and political integrity of President Arafat; to restore the infrastructure of the Palestine National Authority; to ensure that parties abide by the international humanitarian law in case of conflict; to make sure that Israeli forces unconditionally withdrew from the occupied territories; and to prevent the continuation of terrorist acts against civilians.

MARIE GERVAIS-VIDRICAIRE ([Canada](#)) said that Canadians were dismayed by the violence and loss of life in the Middle East. The ever-worsening spiral of violence was threatening peace and stability well beyond the confines of the current fighting and was having disastrous consequences for Israelis and Palestinians. The mounting toll of killed and injured was putting peace and normal life progressively further out of reach for ordinary people. Canada called on both parties to step back from the brink. In the current escalation of violence which had engulfed the region, the security of the proposed human rights mission could not be guaranteed. The current situation was as unpredictable as it was dangerous and Canada could not condone sending foreign civilians into the territories. Furthermore, given the depth and range of the discussion already undertaken, it was unlikely that the proposed mission would contribute a sufficiently useful and unique perspective to justify the risks involved.

JUAN ENRIQUE VEGA ([Chile](#)) said that violence could not bring peace; and a spiral of violence only aggravated a situation. Chile was concerned about the situation in the occupied territories of Palestine, particularly by the demolition of houses and the killing of innocent people. Both sides should immediately start negotiations to bring peace to the current situation. Chile supported the sending of a mission to the occupied territories and would support the High Commissioner in her efforts.

SHA ZUKANG ([China](#)) said the situation in the Middle East had deteriorated in the last few weeks, resulting in the death of civilians and increasing human rights violations. China appealed to Israel to implement the Security Council resolutions and withdraw all its troops from Palestine. At the same time, the Palestinian Authority was called upon to end the violence against civilians within Israel. China appreciated the report of the High Commissioner. The report clearly stated that there had already been massive and gross violations of human rights. One example of such human rights violations was the lack of timely medical treatment of Palestinians. If the situation went by unchecked, the credibility of the Commission and the international community at large, would be damaged.

JUAN ANTONIO FERNANDEZ PALACIOS ([Cuba](#)) said that it had never been as urgent as it was today to find a just solution to the right of the Palestinian people to self-determination. Israeli forces had launched a bloody offensive against the Palestinians in recent days. The Palestinian people and President Arafat were in imminent danger. Water and electricity had been cut off in Palestinian cities. Churches and hospitals were bombed and ambulances targeted. Torture and summary executions were daily events. All these activities constituted crimes of war. The response of the Sharon Government to the Arab peace initiative taken in Beirut was State terrorism and war. The situation called for urgent action by the Commission. The international community was called upon to take action to halt the genocidal war by the Israeli army against the Palestinian people. Cuba called upon Israel to withdraw from the territories and lift the siege on Yasser Arafat.

ALFREDO PINOARGOTE ([Ecuador](#)) said the fundamental freedoms of Palestinians had been undermined by the occupation and the Israeli practices. The international instruments guaranteed each individual basic rights and they should not be violated under any circumstances, including military incursions. The problem in the occupied Palestinian territories could only be settled by peaceful negotiations. It was urgent to respect the rights of Palestinian people and one should not wait until the peace negotiations started. Ecuador supported the presence of international observers in place in the region.

NAELA GABR ([Egypt](#)) said the report presented to the Commission on the situation in the Middle East had brought a courageous message to the conscience of the world. The report was before the body of the United Nations that was responsible for human rights and the current meeting of the Commission provided an opportunity to face the very serious violations of human rights by Israel. Israeli aggression clearly aimed to destroy all Palestinian infrastructure -- closing the door to peace. Israeli aggression had put an end to all peace initiatives that had been underway. It was

particularly telling that Israel had totally ignored the wishes and recommendations of the Arab Summit. No interest or respect had been shown for international legitimacy or the achievement of peace. Egypt urged Israel to withdraw totally from the occupied territories. The withdrawal of Israeli troops would be beneficial for the region as a whole. Israeli aggression, including detentions, restriction of movement and limitations to the work of humanitarian organizations, must end. The Commission had a role to truly be the conscience of the world.

ANTONIO ARENALES FORNO ([Guatemala](#)) said that his country believed that this debate was useless and indeed counterproductive and was convinced that a simple resolution would suffice to address the manifold issues relating to the conflict. Five resolutions and a special item constituted a politicized and exaggerated manner to address the Israeli-Palestinian problem. If anyone was to be blamed for the suffering of the Palestinian people it was some of its own leaders, as well as political and religious leaders of certain Arab States who privileged their agenda of destroying Israel over the rights and well-being of the Palestinian people. Guatemala could not accept this agenda that aimed at the destruction of both peoples.

DIARMUID MARTIN ([the Holy See](#)) said that the only future for the peoples of the Middle East was that they find a way to live side by side in mutual respect. The parties should sit down together to negotiate the means to make that possible; why wait until more lives were destroyed? Why let the hope of the future be poisoned today by acts of terror and reprisal which could do nothing else than increase the sense of frustration and hatred. The Holy See unequivocally condemned terrorism from whatever part it came from; it disapproved of the conditions of injustice and humiliation imposed on the Palestinian people, as well as reprisals and retaliation; and it appealed for proportionality in the use of legitimate means of defence.

HARDEEP SINGH PURI ([India](#)) said the sharp deterioration of the situation in the Middle East was a matter of serious concern. The report of the High Commissioner for Human Rights was disquieting -- speaking as it did of the increasing loss of innocent lives in the occupied Palestinian territories, Israel and Jerusalem, and further serious deterioration of the human rights and humanitarian situation in the occupied Palestinian territories. India deplored all unwarranted acts of violence resulting in the loss of innocent lives. Violence begetting violence was not the answer to the problems of the region. All relevant Security Council resolutions needed to be adhered to and it was hoped that resolution 1403 in particular would lessen the tension. President Arafat embodied the struggle and aspirations of the Palestinian people. The shocking manner in which he was being treated amounted to denuding the Palestinians of their sense of nationhood. It was hoped that the Commission would give immediate constructive consideration to the High Commissioner's call.

NUGROHO WISNUMURTI ([Indonesia](#)) said that his country had repeatedly added its voice to the international outcry calling on Israel to immediately halt its latest invasion and occupation of Palestinian territories and towns, in total defiance of the latest Security Council resolutions. Indonesia condemned Israel's use of brute force in flagrant violation of the human rights of innocent men, women and children. In the process of their recent incursions, the Israeli occupying forces were applying a policy of total destruction. Indonesia requested the High Commissioner to head a visiting mission which would travel immediately to the area and which would return expeditiously to submit its findings and recommendations to the current session of this Commission. Finally, Indonesia called on Israel to fully cooperate with the visiting mission and to withdraw immediately from Palestinian occupied territories in accordance with Security Council resolution 1403.

MOHAMMAD REZA ALBORZI ([Iran](#)) said that the Commission was meeting while Palestinian civilians were exposed to the most brutal attacks at every minute. Genocide and brutality against Palestinian people by Israeli forces was the result of a systematic policy of violation of human rights based on racial grounds. The bloody campaign against defenceless civilians in the occupied territories was deteriorating. Palestinians were trapped by Israeli tanks and other weapons that were generously donated to the Israeli regime. Israel was not binding itself to the Commission's decisions. There was an irony that there existed attempts to detach the Commission from its principal role to address the actual cases of grave human rights violations and to divert it to culturally biased illusions.

HUSSAIN RAJMAH ([Malaysia](#)), speaking on behalf of [the Organization of the Islamic Conference](#) , said that the Organization had supported the proposal made by the Ambassador of Palestine for this special sitting because of its deep concern about what was happening in the occupied Palestinian territories. The situation was deteriorating day by day. Palestinians were being killed, Israeli tanks were terrorizing the people and patrolling the streets with impunity, houses were being burnt, gunfire filled the air, utilities had been cut off, freedom of movement was impeded, ambulances were prohibited from getting to the wounded, and President Arafat was forcibly confined to his headquarters in Ramallah and even threatened with expulsion. These were blatant human rights abuses which were well within the mandate of the Commission.

Ariel Sharon had declared that Israel was at war. The perception needed to be corrected -- Israel was not at war -- Israel was waging the war. The report of the High Commissioner had proposed to send a visiting mission to the occupied territories and to return expeditiously to the Commission with its findings and recommendations. This was a serious commitment on the part of the High Commissioner to end the flagrant violation of human rights of the Palestinians and she deserved to be commended for her dedication and great sense of justice towards the oppressed Palestinian people. The State terrorism wielded by Israel must not be condoned but condemned.

MARICLAIRE ACOSTA ([Mexico](#)) said that his country was deeply concerned about the serious deterioration in the situation in the Middle East and the disastrous consequences it had on human rights and the continuing flouting of Security Council resolutions. Mexico supported a just and lasting solution to the conflict and the concept of a region where two States, Israel and Palestine, could live side by side within recognized and secure borders. Mexico strongly condemned the suicide attacks in Israel and expressed its energetic rejection of Israeli military attacks in the Palestinian territories, including against the headquarters of the President of the Palestinian Authority. These actions had intensified the spiral of violence in the region. Mexico deplored the indiscriminate attacks that had led to loss of life and untold suffering among the civilian population and called upon the parties concerned to respect human rights and the provisions of international humanitarian law, in particular the Fourth Geneva Convention. In this context, Mexico informed the Commission that it was in favour of the High Commissioner's proposal to send a human rights mission to the occupied Arab territories.

DEBORAH GEELS ([New Zealand](#)) deplored the increased intensity of violence in Israel and the occupied territories that was simply putting a durable solution further out of reach. The fact that it had escalated so dramatically in such a short period led to further concern and New Zealand urged both sides to reflect on where that terrible violence was leading. Her Government had already criticized the use of excessive force by the Israeli defence force, along with its stated policy of assassinations, policies that New Zealand believed should be halted immediately. New Zealand viewed plans further expand Israeli settlements in the occupied territories as a particularly provocative obstacle to reconciliation and urged the Israeli Government to halt such actions. The recent wave of Palestinian suicide bombings, timed to coincide with the feast of Passover, was reprehensible.

SHAMDHU RAM SIMKHADA (Nepal) said that conscience did not allow the Commission to remain silent regarding the situation of the Palestinian people today and the killing of innocent Israelis. The international community must get involved and get involved vigorously. The international community must act fast and decisively to save the future generations of both Israelis and Palestinians from being consumed by the flame of hatred and hostility. This Commission's responsibility was unique and specific -- the goal must be to heal the wounds and bridge the gap, not to further inflame the already tragic and explosive situation. To this end, a number of ideas had already been proposed. He concluded by quoting the Secretary-General's call to leaders on both sides: "respect life, renounce violence and return to rational discourse".

MIKE G. OMOTOSHO (Nigeria), speaking on behalf of the African Group , called upon Israel to withdraw from all Palestinian towns, in accordance with Security Council resolution 1402/3 and urged both parties to return to the negotiating table. The challenge before the Commission today was to choose between the dignity of life and the culture of death. It was the ardent view of the Group that being part of the international community which had whole heartedly subscribed to the principles enshrined in the Universal Declaration of Human Rights, all members of this community had a responsibility not only for the substance of those values but also for their consolidation and enhancement. The Group did not believe that inflammatory rhetoric and excessive sentimentalism would foster the cause of promoting and protecting the most cardinal right of all humankind, the right to life. The Group endorsed the proposals of the High Commissioner and expected that they would be expeditiously implemented through the dispatch of international observers and a visiting mission.

ROALD NAESS (Norway) said that his country remained deeply alarmed by the renewed cycle of violence in the Middle East. The core problems in the area were occupation; violence, including terrorism; and the economic plight of the Palestinians. Unless those problems were addressed, the conflict would only escalate further. Norway had repeatedly condemned Palestinian terrorist attacks. Terrorism was not acceptable as a tool to reach political goals. Palestinians should renounce terrorism and dissociate themselves from the practices of extremist groups. However, the ongoing Israeli military campaign, bringing terror and destruction upon so many innocent civilians, would bring neither peace nor security. The campaign should be brought to an end immediately. The Israeli siege of the compound of President Arafat in Ramallah was another matter of concern. The treatment of Arafat, the democratically elected leader of the Palestinians, was unacceptable and could only contribute to complicating the possibility of finding any political solution.

MUNIR AKRAM (Pakistan) said the situation in the Holy Land was unacceptable, not only as a threat to peace and security but also in human terms. The fruits of decades of peace endeavours were being trampled under the tracks of tanks. Security Council resolutions provided the political parameters for action, particularly the call for an immediate cease-fire and a withdrawal of Israeli troops. One could not hope for fruitful dialogue when one of the interlocutors was under siege and when the infrastructure of Palestine was being destroyed. The courage of the High Commissioner was commended. The Commission must act within the framework of its mandate. The actions must be for the brutalized and suppressed people. But such action would also be important for the credibility of the Commission and the correction of the common perception of double standards in the implementation of human rights. This draft resolution must be adopted with the broadest possible support of the Commission.

BORIS TSEPOV (the Russian Federation) said that it had been following with grave concern the events of recent days in the Middle East. It was apparent that the situation was entering a new phase of violence. Russia remained convinced that there was a way out of the crisis. Such a way was indicated in Security Council resolutions that called for a cease-fire and for Israel to withdraw from the occupied Arab territories. Russia was of the view that the Israeli military occupation was the main cause of the many violations of human rights in the region. While not opposing the proposal put forward by the High Commissioner to send a human rights mission to the territories, Russia raised doubts over its usefulness.

OMAR DEMBA BA (Senegal) said that his country was deeply concerned about what was going on in the occupied territories of Palestine. The Palestinians had the right to live in dignity next to Israelis. It was also concerned about the measures taken by Israel to humiliate the Palestinian leader Yasser Arafat. The immediate resumption of peace negotiations should lead to the cessation of the conflict. Senegal supported the mission of the High Commissioner for Human Rights to the occupied territories. The peace initiative by Saudi Arabia was also supported by the Government of Senegal as an authentic measure to establish peace in the Middle East. The current situation in the occupied territories was a tragedy and Senegal hoped that peace would triumph as soon as possible.

SIPHO GEORGE NENE (South Africa) welcomed the report of the High Commissioner and fully supported the proposals contained therein. Like all conflict situations, the innocent civilians were the most affected. The bullying and militaristic behaviour in Israel put both the Palestinians and Israelis in an environment dominated by fear. Israel's strategy had elevated the military above politics and reflected poor vision and misdirected political leadership. Attempts to isolate, humiliate and demonise the elected leader of the Palestinian people could only exacerbate the ongoing conflict and render the elusive peaceful settlement more difficult. Israel's security could not be achieved through the barrel of a gun. The escalating vortex of violence and the ever increasing death toll of innocent Israelis and Palestinians would never end without a political solution. As shocking and terrible as the tragic events of recent days had been to Israel, no solution was to be found in retaliation by the military invasion of Palestinian cities, the further destruction of Palestinian infrastructure, and yet more killings of innocent Palestinians. Peace could not be built or achieved by one side attempting to defeat the other through violent means.

JOAQUIN PEREZ-VILLANUEVA Y TOVAR (Spain), speaking on behalf of the European Union , said that the Middle East was in the grip of an extremely grave crisis. The EU repeated its call upon both sides to take immediate and effective action to stop the bloodshed. There was no military solution to this conflict. Peace and security could only be achieved through negotiations. The Israeli presence and military operations in the occupied territories were leading to repeated human rights violations. The EU urged Israel, notwithstanding its right to fight terrorism using all legitimate means, to immediately withdraw its military forces from recently occupied cities and areas under the control of the Palestinian Authority, stop extra-judicial executions, lift the closures and restrictions, and reverse its settlement policy.

The use of excessive force could not be justified. The actions against medical, humanitarian and religious institutions and personnel were particularly unacceptable. The Palestinian Authority must make all possible efforts with all the legitimate means at its disposal to fight terrorism and to prevent terrorist attacks. Its capacity to do so must be restored. The EU had repeatedly called for a third party monitoring mechanism to assist both parties in their peace efforts and was prepared to participate in such a mechanism. A solution to the conflict must be based on international law and Security Council resolutions 242, 338, 1397 and 1402 and must be reached through peaceful negotiations.

FRANCOIS NORDMANN (Switzerland) said that his country supported the mission of the High Commissioner for Human Rights. The Government of Switzerland was concerned by the dramatic developments in the occupied territories. The mission of the High Commissioner was

necessary within the context of the restriction and even manipulation of information. The facts and the information collected through the mission could enable the international community to determine the facts. Israel should respect all international laws, including the Fourth Geneva Convention. All the actors to the conflict, should respect, in all circumstances, humanitarian laws. Terrorizing a whole population in the logic of vengeance and blind reprisal, by suicide bombing and extra-judicial killings, gravely violated international law. Israel and Palestine should mutually recognize their right to existence.

KEVIN EDWARD MOLEY ([the United States](#)) said that the United States shared the concern of Commission members regarding the importance of the human rights and dignity of all those affected by the current crisis, both Israeli and Palestinian. The American vision was clear, as expressed by President Bush: "two States, Israeli and Palestine, living side by side, in peace and security". The question was how the international community could most effectively cooperate to achieve the goals of peace, respect for human rights, relief for those who were suffering, and restore hope. The task of this body must be to bring balance where others brought extremism, to bring understanding where others brought prejudice, and above all, to protect the rights of the individual without recourse to the politics of hate. The Commission was encouraged to consider where it could most meaningfully improve the protection of human rights around the globe, and to return to the other important work on its agenda. With regards to today's special sitting, members of the Commission were asked to support an outcome that was consistent with the mandate of the Commission without creating new and uncoordinated action.

CARLOS PEREZ DEL CASTILLO ([Uruguay](#)) said his country was deeply concerned at the escalation of violence in the Middle East and expressed full support for the holding of this meeting to consider the report by High Commissioner Mary Robinson. This sitting was a reflection of the Commission's authority in the field of human rights and its crucial role in protecting and promoting human rights. Uruguay called for the implementation of Security Council resolution 1402 and supported all diplomatic missions in the field whose objective was to protect civilian populations and ensure the observance of international law. In this connection, Uruguay expressed its support for the High Commissioner's proposal to send a human rights mission to the territories.

VICTOR RODRIGUEZ CEDENO ([Venezuela](#)) said that his Government supported the relevant Security Council resolutions, particularly calling for the withdrawal of Israel and the cessation of terrorism. The mission by the High Commissioner, and selected personalities accompanying her, to the occupied territories of Palestine should be supported. The actual situation in the Middle East was a great concern to the whole international community.

DINH THI MINH HUYEN ([Viet Nam](#)) said the world community was deeply shocked and totally horrified at the excessive military use by the Israeli occupying forces in the occupied territories which had caused a huge loss of life, destruction and so much suffering to the Palestinians, particularly women and children. The main cause of the conflict, indisputably, was Israel's occupation of the Arab and Palestinian territories. It was extremely frustrating that so many resolutions had been adopted by the United Nations calling for an end to the hostilities, yet because of Israel's non-compliance, the situation was getting worse. Viet Nam consistently supported peaceful negotiations in order to find a just and lasting political solution to the conflict. Such a solution could only be achieved once the root cause of the conflict had been fully addressed, namely, Israel's withdrawal of all its forces from the Arab occupied territories and enabling the Palestinians to fully exercise their inalienable rights, including their legitimate right to self-determination and to establish a sovereign and independent State in their homeland.

Explanations of Vote after the Vote

The Representative of ([Canada](#)) said her country had serious concerns regarding this resolution and was not convinced that a mission as described in the resolution would be useful or would bring about a cease-fire.

A Representative of ([Germany](#)) said his country subscribed to the statement made by the European Union earlier in the debate. Germany had abstained on L.13 on the following grounds: the Commission was already considering the situation in the occupied territories in five resolutions under separate items and Germany did not see the point of having yet another resolution. Furthermore, Germany was not convinced that a monitoring presence in the form of a human rights mission would be useful under the present circumstances. Finally the resolution contained unbalanced language would not contribute to peace.

A Representative of ([Peru](#)) said that his country supported the resolution because his delegation was convinced that the situation of human rights should be given a priority.

A Representative of ([the Russian Federation](#)) said that during the debate he had already stressed that the Russian Federation believed that human rights could only be respected if the already existing resolutions were complied with. The resolution which had just been adopted was not sufficiently balanced, even with Sweden's amendment. Furthermore, a resolution such as this one should have been considered under agenda item 8.

Related documents:

- [E/CN.4/RES/2002/1](#)

- [High Commissioner's statement](#)

- [UNCHR press release \(dated 08.04.02\)](#)

- [UNCHR press release \(dated 09.04.02\)](#)

- [UNHCHR statement](#)

- [UNHCHR status report](#)

- [UNCHR decision](#)
- [UNCHR decision - press release](#)
- [UNCHR press release \(dated 17.04.02\)](#)

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