



Press Release

16 April 2002

Commission on Human Rights
58th session
16 April 2002
Morning

Debate Continues on Civil and Political Rights

The Commission on Human Rights decided by roll-call vote this morning to express deep dismay that a request it had made for the High Commissioner on Human Rights to visit the occupied Palestinian territories and report on the situation there could not be fulfilled "due to the absence of a positive response from the occupying power".

In the decision, which passed by a vote of 41 in favour and 2 opposed, with 9 abstentions, the Commission urged immediate implementation of its resolution 2002/1, which called for the visit, and urged the High Commissioner to report urgently to the Commission on the deteriorating human rights situation in the occupied Palestinian territories on the basis of reports from all concerned organizations present there.

High Commissioner Mary Robinson told the Commission on Monday, 15 April, that she was unable to carry out the visit, as permission to enter the occupied territories had not been given.

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Action on Decision

In a decision adopted by a roll-call vote of 41 in favour to 2 against, with 9 abstentions, the Commission expressed its deep dismay that its resolution 2002/1 of 5 April 2002 had not been implemented due to the absence of a positive response from the occupying power even though the human rights situation in the Palestinian occupied territories had continued to deteriorate. The Commission called for the immediate implementation of its resolution 2002/1, and urged the High Commissioner for Human Rights to urgently report to the Commission on the deteriorating human rights situation in the occupied Palestinian territories on the basis of reports from all concerned organizations present in the occupied territories.

The result of the vote was as follows:

In favour : Algeria, Armenia, Austria, Bahrain, Belgium, Brazil, Burundi, Chile, China, Costa Rica, Cuba, Democratic Republic of the Congo, Ecuador, India, Indonesia, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Malaysia, Mexico, Nigeria, Pakistan, Peru, 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 and Guatemala,

Abstentions : Argentina, Cameroon, Croatia, Czech Republic, France, Germany, Poland, Russian Federation, United Kingdom of Great Britain and Northern Ireland,

YAAKOV LEVY (Israel) said the vote on this draft decision would be one more manifestation of the singling out of Israel in a series of one-sided resolutions. The language used yesterday by two of the speakers had again been of an inflammatory nature, which should be avoided. Once again, Israel cautioned speakers against belittling the greatest tragedy of the Jewish people, the Holocaust, by drawing on themes and motives so painful to the victims, to illustrate points in the current debate. One speaker had referred to a massacre. Again, there had been a massacre in Jerusalem on Friday, one more suicide bomber exploded, killing 6 innocent passengers at a bus station, wounding 64. One more of this series of massacres perpetrated against innocent Jewish victims. There was no massacre in the camp of Jenin. There was severe fighting. There were no mass graves. Israel neither dug nor buried anyone in a mass-grave. In fact, the Israeli Supreme Court ruled yesterday that the Israeli Defense Force (IDF) was prohibited from evacuating and burying Palestinians killed in the fighting. The IDF committed itself to enabling the International Committee of the Red Cross (ICRC) to participate in the location, identification, documentation and photographing of the bodies of those who fought against Israeli soldiers in the camp. The camp of Jenin had been opened to the media and to relief organizations.

NABIL RAMLAWI ([Palestine](#)) said he did not want to go into details as to the statement made by the Israeli delegate. However, if this information was valid why would the Israeli army close the areas, cities and camps? Why would Israel not allow Ms. Robinson's visit or give free access to journalists? Was it not so that Israel could hide its crimes and massacres? When hearing the Israeli speaker describe the fighting and the casualties on both sides, one had to wonder why the Israeli army was present in the Jenin camp in the first place? It was necessary to listen to the representatives of the Red Cross and other organizations who had described atrocities on par with those of the Second World War. Who had committed these crimes of destruction and devastation? The answer was simple -- it was the Israeli Defense Force. Sharon's history of cruelty was known throughout the world. He knew only blood and war.

MUNIR AKRAM ([Pakistan](#)) said action should be taken urgently due to the tragic situation. The situation in the Middle East had taken much of the Commission's time. Although that was not anticipated, the Commission could not avoid it. In light of consultations among the co-sponsors after the submission of the draft resolution, two amendments had been made to the text.

YAAKOV LEVY ([Israel](#)) said the Palestinian observer had raised two questions. First, why was Jenin closed to the media? The Jenin camp had been open for the past several days, including to humanitarian agencies. As for the second question, Why Jenin ? It was because 23 suicide bombers had left the camp on suicide bombing missions against Israel and dozens of tons of explosives and laboratories with explosives had been found there. For that reason, Israel had been compelled to enter the camp and had withdrawn after completing its operation.

NABIL RAMLAWI ([Palestine](#)) said Israel had still tried to hide the greater part of its actions. Yes, some organizations had entered, but no one had been allowed in while Israel was committing its crimes. If Israel was present in Jenin to prevent human bombs, why was the Israeli army in Nablus, and in all the Palestinian camps? Why was there Israeli presence on every metre of Palestinian land? The Israeli army was occupying the whole land and resistance to the occupation was a legitimate act. Now, when the occupation was continuing, there would be no peace for Israel and the Palestinians would not surrender.

ANTONIO ARENALES FORNO ([Guatemala](#)) said his country would not support the decision nor did it support the extraordinary discussion on the issue. The Commission should wait until US Secretary of State Secretary Powell, who was at present in the region, completed his mission.

MARIE GERVAIS-VIDRICAIRE ([Canada](#)), in an explanation of the vote after the vote, said her country was concerned about the human rights situation in the occupied territories. However it could not support this decision. Canada had serious concerns regarding the nature of the proposed observer mission and did not feel that resolution 2002/1 accurately reflected the full context of the current situation in the region. Canada had repeatedly stated that in order to make a positive contribution to the search for peace, third party monitoring must be accepted by both parties. Canada also considered that the maintenance of international peace and security was the responsibility of the Security Council, which was the most appropriate body for pursuing initiatives such as this one.

WALTER LEWALTER ([Germany](#)), explaining a vote after the vote, said Germany supported the visiting mission of the High Commissioner and believed that it could be important for the prospective of durable peace. That was why Germany wished the mission to be successful. However, the mandate could have been formulated in a more balanced way and the current text did not take this concern into account.

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Related documents :

- [UNCHR adopts resolution](#)
- [E/CN.4/RES/2002/1](#)
- [High Commissioner's statement](#)
- [UNCHR press release \(dated 08.04.02\)](#)
- [UNHCR press release \(dated 09.04.02\)](#)
- [UNHCHR statement](#)
- [UNHCHR status report](#)
- [UNCHR decision](#)
- [UNCHR press release \(dated 17.04.02\)](#)