



UNITED NATIONS

Press Release

COUNCIL EXTENDS MANDATES ON ARBITRARY DETENTION, INDIGENOUS PEOPLE, BURUNDI, CREATES MANDATES ON SLAVERY, MINORITIES

Human Rights Council
MORNING

28 September 2007

President of Council Receives Request for a Special Session on Myanmar

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In a resolution on the human rights situation in Palestine and other occupied Arab territories: follow-up to Human Rights Council resolutions S-1/1 and S-3/1, the Council calls for the implementation of its resolutions S-1/1 and S-3/1, including the dispatching of the urgent fact-finding missions. In a resolution on religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem, the Council calls upon Israel, the occupying power, to respect the religious and cultural rights enumerated in the Universal Declaration of Human Rights in the Occupied Palestinian Territory, including East Jerusalem, and to allow Palestinian worshippers unfettered access to their religious sites.

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Resolution on Follow-Up to Human Rights Council Resolutions S-1/1 and S-3/1

In a resolution (A/HRC/6/L.2) on the human rights situation in Palestine and other occupied Arab territories: follow-up to Human Rights Council resolutions S-1/1 and S-3/1, adopted without a vote, the Council, noting with regret that Israel, the occupying power, has not implemented to date these two resolutions and hindered the dispatching of the urgent fact-finding missions specified therein, calls for the implementation of its resolutions S-1/1 and S-3/1, including the dispatching of the urgent fact-finding missions; and requests the President of the Human Rights Council and the United Nations High Commissioner for Human Rights to report to the Council at its next session on their efforts for the implementation of Council resolutions S-1/1 and S-3/1 and on the compliance of Israel, the occupying power, with these two resolutions.

MASOOD KHAN (Pakistan), introducing the draft resolution on behalf of the Organization of the Islamic Conference (OIC) and the Arab Group members of the Council, said that both missions under Resolution S-1/1 and S-3/1 had not been able to carry out their assigned tasks, due to difficulties of accessing the Occupied Palestinian Territory. The OIC and the Arab Group remained concerned about the inordinate delay in their implementation. Non-implementation of these resolutions was also a test of the will of the Council. The Council's resolutions should not be flouted. Through this resolution the High Commissioner and the President of the Council were being asked to request a report to the Council on the implementation of the two resolutions and compliance by the occupying power.

AMR ROSHDY (Egypt), in a general comment, said the just struggle of the Palestinian people did not need more resolutions. The vote about to be cast was not on the daily atrocities faced in Palestine, but on the credibility of the Council. Would the Council continue to issue resolutions without any follow-up? A Yes vote was a yes to the credibility of the Council. A No vote was a big No to the Council itself. Israel should know that it could not get away with continued atrocities.

ANDREJ LOGAR (Slovenia), speaking on behalf of the Members of the European Union that were Member States of the Council, in a general comment, said the European Union remained concerned about the human rights situation in the Palestinian territories, and had made a detailed statement to this effect under agenda item 7. The European Union had not been in a position to support the resolutions S-1/1 and S-3/1 as they were unbalanced, and failed to call upon all parties to cease violence. However, it was of vital importance that all States effectively cooperate with the mechanisms of the Human Rights Council. Therefore, the European Union did not oppose previous resolutions on this, and would not oppose this one. However, the situation had changed on the ground over the last year, and the sponsors of this draft should take note of this in the future.

MOHAMMED ABU-KOASH (Palestine) said that last week the Council had witnessed the attempt to absolve Israel of its continued obstruction of the Tutu mission. But facts did not cease to exist by merely being ignored. The two resolutions had been ignored and not been implemented. All in the Council seemed to agree that resolutions should be implemented, except Israel.

Resolution on Religious and Cultural Rights in the Occupied Palestinian Territory, Including East Jerusalem

In a resolution (A/HRC/6/L.4) on religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem, adopted with a vote of 31 in favour, one against, and 15 abstentions, the Council stresses that all policies and measures taken by Israel, the occupying power, to limit access of Palestinians to their holy sites, particularly in Occupied East Jerusalem, on the basis of national origin, religion, birth, sex or any other status are in violation of the provisions of [the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the

International Covenant on Economic, Social and Cultural Rights; the Universal Declaration of Human Rights; relevant Security Council resolutions on Occupied East Jerusalem; and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War]; calls upon Israel, the occupying power, to respect the religious and cultural rights enumerated in the Universal Declaration of Human Rights in the Occupied Palestinian Territory, including East Jerusalem, and to allow Palestinian worshippers unfettered access to their religious sites; and requests the High Commissioner for Human Rights to report to the Council at its next session on the implementation of the present resolution.

The result of the vote was as follows:

In favour (31): Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay and Zambia.

Against (1): Canada.

Abstentions (15): Bosnia and Herzegovina, Cameroon, France, Germany, Guatemala, Italy, Japan, Madagascar, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine and United Kingdom.

MASOOD KHAN (Pakistan), speaking on behalf of the Organization of the Islamic Conference (OIC) and Arab Group Members of the Council, introducing the draft, said the preamble of the draft emphasized the rich religious and cultural heritage of East Jerusalem, recalled earlier Security Council resolutions on occupied East Jerusalem and affirmed the applicability of the Fourth Geneva Convention. The draft called for a cessation of policies and measures that limited access to holy sites, respect for religious and cultural rights enumerated under the Universal Declaration of Human Rights, and requested the High Commissioner to report at the next Council Session.

ANDREJ LOGAR (Slovenia), speaking on behalf of the European Union Member States that were Members of the Council, said the European Union attached the highest importance of all to the freedom of worship, and called upon all States to respect these rights, and to refrain from all acts impeding the exercise of these rights, including restriction of aspects to places of worship. The European Union could not accept this draft, as it did not reflect correctly the relevant human rights provisions, including the limitations on such rights as charted through international human rights law. Part of the language was unbalanced and excessive. The European Union was concerned that the presentation of this draft could have negative effects on the discussion of such issues as access to the Al-Aqsa mosque in UNESCO. For these reasons the European Union called for a vote on the resolution, and would abstain.

MOHAMMED ABU-KOASH (Palestine) said that the text had been the outcome of a number of consultations. Currently it was the holy month of Ramadan and worshippers would like to be able to pray in the Al-Aqsa Mosque, but could not do so because of Israel. This was a normal practice by Israel to block access to Muslim and Christian worship places. Palestine hoped the resolution was accepted by consensus.

MARIUS GRINIUS (Canada), in an explanation of the vote after the vote, said Canada agreed and supported the principle that there should be substantive follow up to Council decisions. Canada may have supported these texts had they been more evenly balanced and objective. The texts did not accurately reflect the true situation. Referring to L.4, Canada was a strong supporter of freedom of religion. The periodic restrictions on Palestinian worshippers imposed by Israel should be consistent with international humanitarian and human rights law. But the resolution did not acknowledge legitimate security concerns and that restrictive actions could be taken for security reasons.

MARIANA OLIVERA (Mexico), in an explanation of the vote after the vote, said Mexico had voted for resolution L.4, but felt that restrictions of free access of all to their places of worship and free circulation among peoples such as by walls were one of the gravest violations of history, as well as being pointless. They were an offence to mankind, separating families. Peaceful cooperation could only be achieved through dialogue and peaceful understanding. New walls would fall, but those that existed today would leave scars, causing mistrust.
