
HUMAN RIGHTS COUNCIL CONSIDERS HUMAN RIGHTS SITUATION IN PALESTINE AND OTHER OCCUPIED PALESTINIAN TERRITORIES

14 June 2010

The Human Rights Council this morning considered the human rights situation in Palestine and other occupied Arab territories, holding an interactive dialogue on the annual report of Richard Falk, the Special Rapporteur on the situation of human rights in the Palestinian Territories Occupied since 1967, listening to a presentation by Navi Pillay, United Nations High Commissioner for Human Rights, on her progress report on the follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict and holding a general debate on the human rights situation in Palestine and other occupied Arab territories.

Mr. Falk, presenting his report said that despite periodic formal requests, there was no indication that Israel had reconsidered its policy to allow him entry to the territory. He would arrange a visit to the Gaza Strip by way of Egypt in the near future. Emphasizing the importance of the Goldstone Report, he said that recommendations contained in it should be fully implemented. Also, the persistence of the Gaza blockade was in violation of several provisions of the Fourth Geneva Convention. The Freedom Flotilla incident ensured effective attention was given to the blockade. The role of peace activism and civil society seemed increasingly justified and effective. In the West Bank and East Jerusalem, the continued construction of settlements and house demolitions and the various impacts of the Security Wall increasingly threatened the realization of the Palestinian right to self-determination within the rubric of a two-state solution, giving rise to the view that the de jure occupation of the West Bank and East Jerusalem was becoming a form of de jure annexation.

Palestine, speaking as a concerned country, said that for the report of the Special Rapporteur to be complete, the Special Rapporteur must carry out a field visit to find out about all violations that the Occupying Power had perpetrated. Otherwise, the report would be scientifically incomplete. Rather than rejecting the mandate of that Special Rapporteur, Israel should cooperate with it.

In the interactive dialogue with Mr. Falk, speakers said the refusal of Israel to allow the Special Rapporteur to visit Occupied Palestinian Territories was in defiance of international norms and standards. They also expressed concern over the humanitarian and human rights situation in the Occupied Palestinian Territories. The occupation remained the single most important cause of human rights violations in the Occupied Palestinian Territories. Speakers also called upon Israel to lift the blockade of the Gaza Strip and to release Palestinians in Israeli jails, many of whom were elderly, women and children. Some speakers expressed concern about the one-sided focus of the report.

Speaking in the interactive dialogue were Brazil, on behalf of India, Brazil, South Africa (IBSA) Forum, Pakistan on behalf of the Organization of the Islamic Conference, the European Union, Yemen, Sudan on behalf of the Arab Group, Saudi Arabia, Algeria, Libya, Jordan, the Syrian Arab Republic, Egypt, Cuba, Malaysia, Indonesia, the United States of America, Lebanon, Iran, Tunisia, Iraq, Japan, Bangladesh and Sudan. The following non-governmental organizations took the floor: the Coordinating Board of Jewish Organizations, North-South XXI, United Nations Watch, Defence for Children International and BADIL Resource Center for Palestinian Residency and Refugee Rights.

Navi Pillay, United Nations High Commissioner for Human Rights, presenting her progress report on the follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, said that her Office had sought to explore and determine the modalities for the establishment of an escrow fund for the provision of reparations to Palestinians who suffered loss and damage as a result of unlawful acts attributable to Israel during the conflict in Gaza. She also announced the appointment of Mr. Param Cumaraswamy, from Malaysia, Judge Mary McGowan Davis of the United States of America, and Professor Christian Tomuschat of Germany to form part of an Independent [Committee](#) which will monitor and assess domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian authorities.

At the beginning of the general debate on the human rights situation in Palestine and other occupied Arab territories, Palestine, Israel and Syria spoke as concerned countries.

Palestine said decisions taken in special sessions should not be forgotten and should be implemented in order to ensure respect for human rights. On the Committee the High Commissioner had just referred to, which would be monitoring developments on the ground with regard to respect for humanitarian law, all countries in the region should benefit from this and draw lessons from the suffering of the Palestinian people. This should improve democracy in the region. The recommendations of the Goldstone Report should also be implemented. Further, a serious study should be undertaken into the use of internationally-prohibited weapons; an inquiry into this should be informative, not just for Palestine, but for the international community as a whole.

Israel said that recent facts had come to light with regard to the flotilla incident, and the image of what differentiated between a true humanitarian mission and what could only be understood as an extremely violent provocation had become clear. Besides ordinary passengers on board the Mavi Marmara, there were 40 Turkish IHH operatives, with a clearly defined hierarchy, who had boarded in Istanbul without undergoing a security check. Some of them had connections with international terrorist and extremist Islamic organizations. Israel would announce later today the establishment of an independent committee to analyze the legality of a number of key issues in the events connected to the flotilla.

Syria said it was important that a fact-finding mission be deployed to investigate the unnecessary use of Israeli force against peaceful humanitarian activists and called on Israel to immediately lift the blockade on Gaza. It was no longer acceptable for the international community to stand idle, as a spectator. The situation in the Syrian Golan was no less tragic than what was occurring in Gaza. Over the last 40 years, numerous Syrian farmers had been killed by anti-personnel landmines.

In the general debate, speakers called upon the High Commissioner to conclude the necessary arrangements toward the establishment of the escrow fund. Speakers also expressed grave concern about the unilateral measures by Israel aimed at altering the status and

demographic composition of the Occupied Palestinian Territories, its continuation of settlement activities, particularly in East Jerusalem, and its illegal blockade of Gaza. It was simply unacceptable that the international community sat back and let the humanitarian situation in Gaza deteriorate further. Speakers also touched upon the recent attack against the Gaza humanitarian flotilla.

Speaking in the general debate were Spain on behalf of the European Union, Egypt on behalf of the Non-Aligned Movement, Nigeria on behalf of the African Group, Pakistan on behalf of the Organization of the Islamic Conference, Sudan on behalf of the Arab Group, Cuba, Qatar, China, the Russian Federation, Bahrain, Saudi Arabia, Indonesia, South Africa, Japan, Jordan, Italy, the United States of America, Brazil, Algeria, Sri Lanka, Oman, Yemen, Tunisia, Libyan Arab Jamahiriya, Switzerland, Turkey, Sudan, Malaysia, Morocco, Lebanon, Iceland, Iran, Democratic People's Republic of Korea, the League of Arab States, Venezuela, United Arab Emirates and Kuwait.

The following non-governmental organizations also took the floor: the Commission of the Churches on International Affairs of the World Council of Churches, the Coordinating Board of Jewish Organizations, the European Union of Jewish Students, the Charitable Institute for Protecting Social Victims, the Indian Movements "Tupaj Amaru", the General Arab Women Federation, the Union of Arab Jurists, the Organization for Defending Victims of Violence, the Institute for Women's Studies and Research, the World Union of Progressive Judaism, the International NGO Forum on Indonesian Development, the Association of World Citizens, Al-Haq, Law in the Service of Man, North-South XXI, United Nations Watch, the Cairo Institute for Human Rights Studies, and the Association for World Education.

Egypt spoke in a right of reply.

The Council today is holding a full day of meetings from 9 a.m. to 6 p.m. During its afternoon meeting, from 3 p.m. to 6 p.m., the Council will hold a panel discussion on maternal mortality.

Documentation

The [Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967 \(A/HRC/13/53/Rev.1\)](#) examines developments related to human rights in the Occupied Palestinian Territories from the period from July through December 2009. The Special Rapporteur gives primary attention to the establishment, activities and main findings of the United Nations Fact-Finding Mission on the Gaza Conflict. Reactions to the Mission report, including criticisms and objections from the international community, are also reviewed. The report considers the question of Israeli settlements and their impact on the enjoyment of human rights, gives considerable attention to the ongoing blockade of Gaza by the Government of Israel, recalls the situation of Palestinian refugees, and emphasizes the need to keep their plight on the agenda of any effort to establish peace and welcomes a civil society-led campaign to boycott, divest from and sanction Israel for its occupation of Palestinian territories.

Presentation of Report

RICHARD FALK, [Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967](#), said his situation as Special Rapporteur remained essentially unchanged, despite periodic formal requests, there was no indication that Israel had reconsidered its policy to allow him entry to the territory, which incapacitated his mandate and violated Israel's legal obligations to cooperate with the United Nations in the discharge of its functions. He still intended to do his best to fulfill the purposes of the mandate and would arrange a visit to the Gaza Strip by way of Egypt in the near future, as well as meet with relevant personalities in countries bordering the Gaza Strip. The report was limited to the period July to December 2009, and its presentation was delayed by action of an interested party. However, it remained the case that the material reported upon was still urgently relevant. In that period, there was a preoccupation with Israel's military attacks upon the Gaza Strip, which lasted for three weeks. From a human rights perspective, the most important development in the aftermath of those attacks was the report of the Fact-Finding Mission established by the Council and the Goldstone Report. The Special Rapporteur's report emphasized three reasons the Goldstone Report became and remained so important: it documented the Israeli disregard of civilian innocence in a war-time setting and its reliance on gross misuse of force in the name of security; such extent of violence violated international human rights law, international humanitarian law, and had consequences on international criminal law that should lead to the establishment of appropriate measures of accountability if the rule of law were to be taken seriously in such circumstances; and the Israeli reaction at the highest levels of Government of anger and denunciation gave the report a greater weight.

The Goldstone Report should be fully implemented; the integrity of the Human Rights Council and the United Nations was at stake with significant strands of world public opinion in terms of what happened with the report. The Goldstone Report unfortunately diverted attention from other aspects of the Occupation, with serious humanitarian concerns. The unlawful blockade of the Gaza Strip both preceded the Israeli attacks and continued after Israel withdrew its military forces and continues until this very day. The persistence of the blockade itself was in violation of several provisions of the Fourth Geneva Convention. The Freedom Flotilla incident ensured effective attention was given to the Blockade and the pressure to lift it. The role of peace activism and civil society seemed increasingly justified and effective; this assessment was already contained in the report and prefigured the more recent developments. Among the more serious consequences of the preoccupation with the humanitarian situation in Gaza was to draw away attention from serious developments in the West Bank and East Jerusalem. The continued settlement and house demolitions, harsh residence requirements and the various impacts of the Security Wall increasingly threatened the realization of the Palestinian right to self-determination within the rubric of a two-state solution, giving rise to the view that the de jure occupation of the West Bank and East Jerusalem was becoming a form of de jure annexation. No right was more important than the right to self-determination, and prolonged occupation impaired that right, and was a silent destroyer of Palestinian aspirations and possibilities that had heretofore been inadequately acknowledged. Of all human rights concerned in the Occupied Territory, none was more currently in jeopardy or fundamental than the right to self-determination.

Statements by Concerned Countries

IBRAHIM KHRAISHI ([Palestine](#)), speaking as a concerned country, said Palestine believed that the mechanisms of the Human Rights Council must be activated and given priority as the Council was re-evaluating its work. The Member States must respect the mechanisms so that the Council could activate the implementation of law in order to make sure that the message sent by this Council reached every corner of the globe. Palestine believed that for the report of the Special Rapporteur on the human rights situation in the Palestinian territories to be complete, the Special Rapporteur must carry out a field visit to find out about all violations that the Occupying Power had perpetrated. Otherwise, the report would be scientifically incomplete. Rather than rejecting the mandate of that Special Rapporteur, Israel should cooperate with it. Palestine therefore called upon the Human Rights Council and the United Nations Secretary-General to work with Israel and allow the Special Rapporteur on Palestine carry out visits to the Occupied Palestinian Territories for the preparation of his report.

Interactive Dialogue

MARIA NAZARETH FARANI AZEVEDO ([Brazil](#)), speaking on behalf of India, Brazil, South Africa (IBSA) Forum, said that the human rights situation in Palestine remained of a particular concern to India, Brazil and South Africa and agreed that the occupation remained the single most important cause of human rights violations in the Occupied Palestinian Territories, as recognized by the High Commissioner for Human Rights. India, Brazil and South Africa deplored the attack by Israeli forces on the humanitarian flotilla and called on Israel to fully cooperate with the fact-finding mission that would investigate the incident. In view of the deteriorating humanitarian situation, India, Brazil and South Africa called upon Israel to lift the blockade of the Gaza Strip and to alleviate circulation restrictions on the movement of people and goods. India, Brazil and South Africa reiterated their support for negotiations what would lead to a two-state solution and said that an enlarged participation of the international community could bring a fresh perspective to the peace process. The India, Brazil and South Africa Facility Fund was establishing a Multipurpose Sports Centre in Ramallah and was supporting the formation of sports leagues in the Occupied

Palestinian Territories. The Human Rights Council could give an effective contribution to the enjoyment of human rights in Palestine and to the achievement of peace in the region.

ZAMIR AKRAM, ([Pakistan](#)), on behalf of the Organization of the Islamic Conference, said the Special Rapporteur had highlighted the continuing repressive practices of the Israeli authorities in Occupied Palestine, which had resulted in immense suffering and violations of the fundamental human rights of the Palestinian people. It was sad to note that in keeping with its tradition, the occupying power did not extend any cooperation towards the mandate holder, thus displaying arrogance and insensitivity towards the international community. This was reflective of the impunity pervasive in Israeli circles related to these human rights violations. Israel should cooperate fully with the Special Rapporteur as well as international Fact-Finding Missions. Israel should be held accountable for committing crimes against humanity by deliberately attacking civilians and civilian structures. The Special Rapporteur's report had rightly considered the blockade to be a fundamental violation of Israel's responsibility to protect the civilian population in the Occupied Gaza Strip. This illegal and inhuman blockade lay at the heart of many problems plaguing the Israeli-Palestinian conflict. The latest Israeli outrage was the continuation of a familiar pattern of impunity by Israel. No country that claimed to uphold human rights and international law could even try to justify such crimes against humanity. If violence and retaliation were to be effectively countered, the international community would need to step up its efforts to end this occupation.

JOELLE HIVONNET ([European Union](#)) thanked the Special Rapporteur on the human rights situation in the Palestinian territories for the presentation of his report. The European Union conveyed its concern over the humanitarian and human rights situation in the Occupied Palestinian Territories and continued to regret the imbalanced mandate of the Special Rapporteur. The European Union deeply regretted the import prohibition and export limitations that had impaired the economic, social and cultural rights, as well as other rights of the Gaza population. The Special Rapporteur was asked how he assessed the evolution of Israeli policies with regards to the freedom of movement and goods in Gaza. The European Union also once again condemned the decision by the Israeli Government to build new housing units in Gaza and reminded the Council that that was illegal under international law. The European Union expressed support for a peace-process that led to a two-state solution and asked the Special Rapporteur to shed light on how the Council could contribute to this process.

IBRAHIM SAIED MOHAMED AL-ADOOFI ([Yemen](#)), said that the refusal of Israel to allow the Special Rapporteur to visit Occupied Palestinian Territories was in defiance of international norms and standards, but it still did not stop the Special Rapporteur from producing an excellent report. The recommendations contained in the report must be implemented, if not, the effectiveness of the Council would be jeopardized. In his report, the Special Rapporteur had referred to flagrant human rights violations; Israeli forces were even destroying the landscape and were failing to bring to justice those who committed crimes. Yemen asked if it wasn't high time to lift the blockade and stop the human rights violation of Palestinians. The blockade imposed by Israel was illegal and illegitimate, and no one could legitimize using hunger as a means to wage war.

HAMZA OMER HASSAN AHMED, ([Sudan](#)), on behalf of the Arab Group, said Sudan had been able to understand the problems encountered by the Special Rapporteur in preparing his report. The Group took note of the report with a great deal of attention, and wished to express every concern, as the Report portrayed an aggravation of the situation, particularly the impunity enjoyed by Israel, following its attack on the Gaza Strip last December. There were a number of violations in the report, and it highlighted the need for an equitable solution for Palestinian refugees in the context of a final solution. Palestinians had been living in a state of diaspora; the Israelis had been expelling them since 1948, and this continued to this very day. The Group called for international action to ensure that the Palestinian people be saved and no longer have to face systematic violations of their human rights by the Israelis.

ABDULWAHAB ABDULSALAM ATTAR ([Saudi Arabia](#)) welcomed the Special Rapporteur and his report. The Special Rapporteur had reviewed a number of issues related to the human rights situation in the Occupied Palestinian Territories and had shown that violations against the original inhabitants of the Palestinian Territories continued and were on the rise. The Special Rapporteur particularly highlighted the follow-up of the Goldstone report, made reference to important recommendations, and attached importance to the expansion of settlements on Palestinian territories, and how that impaired Palestinians' enjoyment of human rights. The Special Rapporteur also addressed the operations taking place in East Jerusalem where houses were demolished and settlements built. Saudi Arabia agreed with the Special Rapporteur that the Council had the authority to request that Israel end the settlement process in the Occupied Palestinian Territories as Israel had systematically failed to comply by its obligations as an Occupying Power. The delegation underscored that the blockade must be ended and that the Council needed to take all necessary measures to put an end to the forced evacuation of civilians.

IDRISS JAZAIRY ([Algeria](#)), underlined the fact that the Special Rapporteur had not received the necessary cooperation from Israel, which had impaired the Council from fulfilling its responsibility to protect the human rights of Palestinian people. Algeria hoped that there would be a clear distinction between victim and aggressor as to what was happening in Gaza. Algeria drew the attention of the Council to one of the gravest and most dangerous policies of Israel, which was to distort the identity of Jerusalem and East Jerusalem. Algeria reminded the Council of the 10,000 Palestinian prisoners, all of whom were deprived of their basic human rights, including the right to visits by their families. It was important to respect the right of Palestinians to self-determination and to establishment of an independent state with its capital in East Jerusalem. Algeria called on Israel to stop changing the nature and demographic composition of East Jerusalem.

IBRAHIM A. E. ALDREDI, ([Libya](#)), said the report covered the period from July to December 2009, and showed that the Israelis did not respect international human rights instruments, and that they systematically infringed article 33 of the Fourth Geneva Convention which applied to the situation in the Occupied Palestinian Territories. The unjust blockade by the Israeli occupation forces imposed on 1.5 million Palestinians in Gaza was tantamount to depriving them of their human rights enshrined in international instruments and Conventions, including their right to life, health, food and the freedom of movement. The pursuit of the settlements policy and the expulsion of Palestinians from their own land was an ethnic cleansing by the Israelis against the Palestinians. Attempts to Judaize towns were an attempt to wipe out the cultural and religious history of those towns. Israeli war criminals were still free and enjoying impunity and the Council should redouble its efforts at all levels, including in the General Assembly and Security Council, to end impunity. The international community should make an effort to end Israeli occupation and force Israel to release Palestinians in Israeli jails, many of whom were elderly, women and children. Resistance was a legitimate right of all peoples. The building of the Separation Wall was a flagrant violation of the right to freedom of movement and the right to work. The use of force against Palestinians should be formally forbidden. There should be an end to the systematic violation of the rights of the Palestinian people in the Occupied Palestinian Territories.

SHEHAB MADI ([Jordan](#)) said the Gaza Strip remained an Occupied Palestinian Territory and subjected to the provisions of international humanitarian law, particularly the Fourth Geneva Convention. Israel's blockade of the Gaza Strip constituted collective punishment and must end. Further, and despite the so-called "10-month freeze on settlement growth" in the occupied West Bank, the construction of settlements and their expansion continued in a flagrant violation of international law, particularly international humanitarian law. The settlement activities ran counter to efforts aimed at reaching a just and lasting peace in the Middle East. It was also disturbing to note Israel's newly issued/modified military orders that sought to deport Palestinians from their homeland, and Jordan asked the Special Rapporteur to elaborate on this issue which violated international humanitarian law and other human rights. The holding of proximity talks was a welcome development, but it was imperative to conduct negotiations in good faith to achieve tangible progress in a speedy manner. The cause of peace, security and stability in the Middle East would be best served by a negotiated solution that ended the Israeli occupation of the Occupied Palestinian Territories.

FAYSAL KHABBAZ HAMOUI ([Syrian Arab Republic](#)), extended Syria's thanks to the Special Rapporteur for the excellent and in-depth report on the violation of rights of Palestinians at the hands of Israel, despite the obstacles placed in his way. Syria urged the Special Rapporteur to continue to discharge the mandate with the same determination. Syria had read with attention the report which reiterated the continuing violations committed by Israel. Syria asked the opinion of the Special Rapporteur on the proposed resolution to allow the import of food into Gaza. Also, Syria asked what the views of the Special Rapporteur were on the process to terminate the human rights violations in the Occupied Palestinian Territories.

AHMED IHAB GAMALELDIN, ([Egypt](#)), said Egypt was fully supportive of the mandate of the Special Rapporteur; this mandate dealt with a clear, continual and flagrant situation of occupation under international law. It was undeniable that this illegal situation of occupation was associated with continuous and flagrant human rights violations committed by the Israeli authorities. Arguments against the findings and recommendations of the Fact-Finding Missions established by the Human Rights Council built around the claim that anything emanating from the Council was bound to be biased, or exhibiting an anti-Israeli, or even an anti-Semitic bias were unacceptable. The Special Rapporteur had tackled the continuing violations committed by the Israeli authorities in the Occupied Palestinian Territories, particularly the Israeli blockade of Gaza and the settlement activities including in East Jerusalem. The Special Rapporteur should pay attention in coming reports as well to the issue of Palestinians who were detained in Israeli prisons. The Special Rapporteur should follow up and report on illegal Israeli decision 160, which considered Palestinian citizens as infiltrators in their own country and sought to deport them; this was contrary to international law.

RODOLFO REYES RODRIGUEZ ([Cuba](#)) said Israel continued to flout this Council's resolutions as it had repeatedly done with those of the Security Council and the United Nations General Assembly. Israel's extension of illegal settlements had not stopped, as had its air attacks; impunity could no longer be tolerated. The Palestinian population was still deprived of its rights, including the right to self-determination, and the human rights situation in the Occupied Palestinian Territories must be given priority attention by this Council. Facts confirmed that Israel continued with policies aimed at destroying the Palestinian people with the attacks on the humanitarian flotilla being the most recent example of this sort of activity. Cuba strongly condemned that attack and reiterated that independent investigations must be carried out and that victims and their families must have access to reparation. Cuba also reasserted its unambiguous support of the Palestinian people and its noble and legitimate aspiration to establish an independent and sovereign Palestinian State with East Jerusalem as its capital.

SITI HAJJAR ADNIN ([Malaysia](#)), appreciated the efforts of the Special Rapporteur to highlight the asymmetric and one-sided nature of the conflict which had always been heavily tilted against the citizens of occupied Palestine. Malaysia agreed that the settlement expansion in the Occupied Territories was wholly inconsistent with, among others, the legally binding United Nations Security Council resolutions, and completely rejected any attempt to create linkages between the freeze on settlement expansion and the ongoing peace process by the Occupying Power. Even greater concern was caused by the observations recorded by the Special Rapporteur from a number of sources, which appeared to indicate that the Occupying Power seemed committed to changing the facts on the ground, thereby creating conditions for the possible circumvention of its obligation under international humanitarian law. Malaysia noted the Special Rapporteur's concerns on the situation of the Palestinian refugee community and wanted to hear suggestions from the Special Rapporteur on how this issue could be pursued within the international human rights system, particularly within the framework of the Human Rights Council.

DIAN TRIANSYAH DJANI, ([Indonesia](#)), said the Special Rapporteur's report focused primarily on the main findings of the United Nations Fact-Finding Mission on the 2008 Gaza conflict. Indonesia was deeply concerned by the findings of the investigation into Operation Cast Lead, and believed that stronger measures should be taken to ensure the Occupying Power was thoroughly investigated and held accountable for war crimes under international humanitarian law. It was illegal under international humanitarian law to deliberately target civilians or to strike intentionally at protected buildings. Confining civilians to a densely populated area during a military attack and denying them access to a safe refuge was a blatant breach of the Geneva Convention. From a humanitarian perspective, such brutality was simply inhumane, and only served to fan the flames of hatred in an already volatile area. Over a year had passed since the Gaza conflict, and there was yet to be any real form of justice for those affected, or accountability for the actions of those responsible. Collective punishment on a population was a flawed and dangerous policy, and the Occupying Power should end the blockade of Gaza. Israel should fully implement the recommendations of the report of the Fact-Finding Mission on the Gaza Conflict with respect to ensuring accountability for war crimes. All Member States should take a more proactive stance in defending the human rights of the Palestinian people and in ensuring international humanitarian law was upheld and respected by all Member States.

MARK CASSEYRE ([United States of America](#)) said the United States regretted that the mandate of Special Procedure Falk extended only to a report on Israel; on many occasions the United States had urged this Council to adopt a balanced, objective, and constructive focus on the situation in Israel, the West Bank and Gaza. The United States did not ask the Council to refrain from addressing Israel, but asked that the human rights situation in Israel, the West Bank and Gaza be examined in the same way as the human rights situations in other countries. The United States also remained concerned about the one-sided focus of the report; the conclusions and recommendations of the report were seriously flawed and the Special Rapporteur failed to adequately address the responsibility of Hamas in the lead up to the Gaza conflict, and, indeed, sought to minimize that responsibility. The Special Rapporteur also deliberately misconstrued elements of efforts made by the United States to advance a comprehensive Middle East peace. The Special Rapporteur's call for further boycotts and divestments from Israel was highly inappropriate, and, if implemented, would only serve to heighten the tensions in the region and move the parties further from peace.

NAJLA RIACHI ASSAKER ([Lebanon](#)), said that the report had contributed to the depiction of reality on the ground and brought the evidence for the disastrous and detrimental results of Israel's blockade. Israel had been acting in defiance of international law, from occupying the land, to expelling the people, to imposing illegal blockade on Gaza. The role of the Human Rights Council and the Special Rapporteurs was crucial in giving voice to victims. Lebanon asked how Israel could be brought to cooperate with the Special Rapporteur on the situation of human rights in the occupied Palestinian territories and other Special Rapporteurs. Also, Lebanon wanted to hear his views on how the silent destruction of the Palestinian right to self determination could be stopped.

MOHAMMAD REZA GHAEBI, ([Iran](#)), said Iran strongly condemned the continuing refusal of the bigheaded Occupying Power to cooperate and grant the Special Rapporteur access to the Occupied Palestinian Territories, which impaired the capacity of the Human Rights Council to exercise its responsibility to stop long-lasting and deteriorating gross and systematic violations of international humanitarian law and international human rights law in Occupied Palestine, which had resulted in massive misery and violations of the fundamental human rights of the Palestinian people. Iran endorsed the recommendations made in the Fact-Finding Mission with regard to the accountability for war crimes and crimes against humanity associated with Operation Cast Lead and the applicability of universal jurisdiction against perpetrators for war crimes for deliberately attacking innocent civilians including women and children and inhabited structures. The Special Rapporteur had rightly pointed out that the humanitarian situation in Gaza not only remained deplorable, but had worsened. The total blockade of the Gaza Strip remained in full effect, having lasted now for nearly three years, contributing to deteriorating physical and mental health in nearly 1.5 million persons. The root cause of all violence, insecurity and instability in the region was the illegitimate, illegal, and lingering occupation of Palestinian and other Arab territories. If violence and retaliation were to be effectively countered, the international community would need to step up its efforts to end the occupation.

ABDELWAHEB JEMAL ([Tunisia](#)) expressed satisfaction at the objectivity of the Special Rapporteur's report but voiced concern that the situation in the Occupied Palestinian Territories continued deteriorating due to the actions of the Occupying Power, Israel. Tunisia underlined the responsibility associated with the mandate of the Special Rapporteur, particularly that of carrying out investigations of the violations perpetrated by the Occupying Power. Tunisia highlighted that the rights of the Palestinian people must be respected, called for the implementation of the Special Rapporteur's recommendations, and underlined that Israel must take these into consideration and facilitate the Special Rapporteur's mission. The report reflected some fundamental issues, particularly with regards to the rights of refugees, the situation in Jerusalem and the blockade, and Tunisia called upon all peace-loving forces to work towards Israel complying with its international obligations.

RIYADH YALIDA ([Iraq](#)), said that Palestine, like any other country, had the right to live in dignity, while its population had the right to protection of their human rights as enshrined in international instruments. What was seen on the ground instead was carnage and punishment of the Palestinian population, the evidence of which was the latest crime Israel had committed against the flotilla. This was in violation of international law and international humanitarian law. Iraq called upon the Council and international community to safeguard

the rights of the Palestinian population and called upon Israel to lift the blockade and allow the inflow of the necessary materials into Gaza.

KENICHI SUGANUMA, ([Japan](#)), said Japan continued to have concern about the human rights situation in Palestine and other Occupied Territories. It was vital to preserve and defend the right to life of those in the Territories, as well as their right to health and freedom of movement. Food and rehabilitation supplies should reach those in Gaza. Japan would make the maximum possible effort to improve the situation in the Occupied Palestinian Territories, as well as providing humanitarian assistance such as food-aid, water supplies, and health services for women and children. Japan deplored the deaths and injuries of those who brought food and other services in. To prevent such a tragedy from happening again, there should be a full investigation of the situation of the Freedom Flotilla and a lifting of the blockade.

NAHIDA SOBHAN ([Bangladesh](#)) regretted that Mr. Falk could not conduct a visit to the Occupied Palestinian Territories. His report provided a gloomy picture of the human rights situation in the Occupied Palestinian Territories where people were in a dire situation due to Israel's demolition of houses and the blockade, among other issues. The construction of separation walls had continued and effectively deprived the Palestinian people from accessing employment and livelihoods, and poverty and violence had risen to alarming levels, with 80 per cent of Gaza's population living below the poverty line. Furthermore, the recent attacks on the humanitarian flotilla reflected Israel's utter disregard for the principle of legality and its argument that those were actions of self-defense was a travesty. Military actions must distinguish between military and civilian targets and those actions were illegal crimes against humanity and subject to international law. Lasting peace in the Middle East could only be ensured if the Palestinian people had a right to self-determination and the Palestinian people deserved to enjoy their human rights as much as any other people in the world. Only a negotiated political settlement could ensure the long-standing peace in the Middle that all wished to achieve.

HAMZA OMER HASSAN AHMED ([Sudan](#)), said it took note on the concern of the Special Rapporteur on the lack of cooperation by Israel. Sudan was concerned about the deteriorating humanitarian situation in Gaza, the continuing construction of the wall and increasing violations of the human rights of Palestinians. Sudan called upon Israel, the Occupying Power, to abide by its obligations as described under international humanitarian law. The closure of border crossings was an illegitimate act by Israel. Finally, Sudan asked the Special Rapporteur what plan for action he would like to implement in the face of Israel's lack of cooperation with him.

KLAUS NETTER, of [Coordination Board of Jewish Organizations](#), in a joint statement with [B'nai B'rith International](#), said a careful reading of the report of the Special Rapporteur revealed not only his usual unbalanced criticisms of Israel, but also arguments that were hardly conducive to reaching a lasting peace agreement between Israel and Palestinian moderates. Hamas had made it clear, both in its rhetoric and actions, that it had no interest in peace with Israel. The Special Rapporteur made no mention of this reality, and in fact sought to mask it. The Special Rapporteur also objected to the idea that developments subsequent to the 1967 war be taken into account in any peace deal. By thereby depriving Israel of its Jewish identity, he effectively nullified the idea of a two-state solution. The report did little to advance the peace process, but rather introduced arguments rendering this process even more difficult.

DANIELA MCBANE, of [North-South XXI](#), in a joint statement with [Union of Arab Jurists](#), [Arab Lawyers Union and General Arab Women Federation](#), reiterated its long-standing concern for the plight of the Palestinian people and the ongoing denial of their basic human rights. The non-governmental organization strongly supported the independence and integrity of the mandate of the Special Rapporteur who continued to document the ongoing massive, widespread, and serious human rights violations perpetrated against the Palestinian people. That situation was the direct result of a long-standing impunity that the Israeli authorities had taken advantage of. The international community had for too long allowed the Occupying Power to act as a State above the law. It had thereby encouraged Israel to increasingly disregard international law, resulting in the suffering of innocent civilians. North-South XXI recalled that all actions taken by the international community or any individual State to ensure respect for human rights were legitimate under international law.

HILLEL NEUER, of [United Nations Watch](#), said that the Special Rapporteur was in fact advocating for a war of legitimacy against a United Nations member state and asked how this could be justified under the United Nations Charter. In paragraph 12, Mr. Falk had portrayed Hamas as a peaceful organization and his support for Hamas had been so strong that the Palestinian Authority had asked him to quit, accusing him to be no less than "a partisan of Hamas". Since this Council was meant to protect human rights, the non-governmental organization asked why the report had not mentioned that Hamas was a fundamentalist group that systematically discriminated against women, crushed religious minorities and persecuted gays. The representative from United Nations Watch asked for an explanation for the making of excuses for terrorists who were enemies of human rights.

ILEANA BELLO, of [Defense for Children International](#), said each year around 700 Palestinian children were arrested, interrogated, prosecuted and detained in a military court system that had now operated for over 42 years. Once arrested, children as young as 12 years of age were interrogated in the absence of a lawyer, and reports of mistreatment, sometimes amounting to torture, were widespread. Once convicted, the majority of Palestinian children were detained in Israel, making family visits difficult, in clear violation of the Fourth Geneva Convention. There were reports that these children were being subjected to sexual assault, or threatened with sexual assault, in order to obtain confessions. Short-term measures should be implemented to potentially reduce what appeared to be the unacceptable abuse of children in order to obtain confessions. The Special Rapporteur should pay particular attention to the situation of child prisoners.

NADA KISWANSON, of [Badil Resource Center for Palestinian Residency and Refugee Rights](#), in a joint statement with [Al-Haq, Law in the Service of Man](#), said the United Nations had been affirming the rights of the Palestinian people to self-determination and reparation for more than six decades. On the other side, Israel had been infringing the rights of the Palestinian people and breaching international law and relevant resolutions. More recently, two weeks ago, the United Nations Security Council failed to hold Israel accountable for its offensive aggressions on the Freedom Flotilla, and last month, the OECD voted in favor of Israel's membership, contrary to its statute. On another front, it had become notable that the so-called balanced approach of the European Union official policies, as well those of individual European States, had been lifted.

Concluding Remarks

RICHARD FALK, [Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967](#), in his concluding remarks, referred to the question of the European Union about the compliance of Israel with the obligations of an Occupying Power, and said there was no question that the Human Rights Council had a responsibility and opportunity to highlight the degree to which achieving the objectives of the peace process, i.e. a Palestinian state, were becoming more difficult. This was true because of the increase in the human rights violations, the encroachment on the territory as a result of expansion settlements, and unlawful policies that Israel had been pursuing. It was important to say that the preconditions for promoting the peace process were the lifting of the unlawful blockade and making clear commitments to end the occupation in light of the relevant United Nations resolution. In response to the United States, the Special Rapporteur regretted that the focus of their remarks was on the alleged bias of the Special Rapporteur, which masked substantive issues of Israeli occupation policies, which should be the focus of the argument. For the Council to maintain credibility in this peace process, it was crucial to link the issue of prolonged occupation and the realization of the right to self-determination. The objective of Israeli policies was to create conditions close to annexation and it was absolutely crucial to take seriously the prohibition of the expansion of settlements of any kind, including natural growth. The question was not whether to freeze the settlements, but their unlawfulness.

Regarding the frequent reference to the importance of securing more cooperation by Israel with the activities of the Human Rights Council, including his mandate, the Special Rapporteur had already said that Israel needed to be reminded of its legal obligations to cooperate with the Human Rights Council and other United Nations organs. One possible mode of this cooperation could be seeking advisory opinions from International Court of Justice. The disadvantage of this mode could be that it would take time and that Israel's reaction to the decision related to the separation wall would put the whole idea in question. Because of the failures of governments and the United Nations to

protect the human rights of the Palestinians, civil society activism was increasingly relevant and largely symbolic. It constituted non-violent forms of struggle with a global scope, and was intensified by the attack in the operation "Cast Lead", and now with the attack on the humanitarian flotilla. These actions came to resemble anti-apartheid actions we had witnessed in South Africa and were recognition of the Palestinian situation and a reminder of the Israelis' obligations under international and international humanitarian law.

Presentation of Report by the United Nations High Commissioner for Human Rights

NAVI PILLAY, United Nations High Commissioner for Human Rights, addressed the Council with the Conference Review Paper entitled "Progress report of the High Commissioner on follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict". As indicated in the report, the Office of the High Commissioner had sought to explore and determine the modalities for the establishment of an escrow fund for the provision of reparations to Palestinians who suffered loss and damage as a result of unlawful acts attributable to Israel during the conflict in Gaza. The report also included information on the appointment of a committee of three Independent Experts, who would monitor and assess domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian authorities. The Committee members were well-known experts in international humanitarian and human rights law. They were Mr. Param Cumaraswamy, of Malaysia, Judge Mary McGowan Davis of the United States of America, and Professor Christian Tomuschat of Germany. Professor Tomuschat had agreed to serve as chair of this committee. In conclusion, the High Commissioner said that these experts were eminently suited to fulfill the committee's mandate and called on all relevant parties to fully cooperate with the committee.

Statements by Concerned Countries

IBRAHIM KHRAISHI, (Palestine), speaking as a concerned country, said decisions taken in special sessions should not be forgotten and should be implemented in order to ensure respect for human rights. Ways and means of establishing the Fund sent a signal to all peoples who may one day have to suffer as Palestine did today. When Palestine proposed setting up a Committee of Experts to monitor the situation on the ground, there was a positive response to this. This mechanism would confer greater credibility and clarity. Yesterday, the Government of Israel said it would launch an inquiry into the flagrant violation of human rights that occurred during the attack on the Freedom Flotilla. Palestine called for respect for the law, and the Commission that President Abbas had also set up to inquire into the event would also respond at the end of the month. The Human Rights Council had also been requested to set up the Committee the High Commissioner had just referred to, which would be monitoring developments on the ground with regard to respect for humanitarian law. All countries in the region should benefit from this and draw lessons from the suffering of the Palestinian people, subject to the yoke of occupation. This should improve democracy in the region. The recommendations of the Goldstone Report should be implemented. Many important points had not been implemented. A serious study should be undertaken into the use of internationally-prohibited weapons; an inquiry into this should be informative, not just for Palestine, but for the international community as a whole. The latter should assume its individual and collective responsibility in this sphere. The international community had a duty, under international humanitarian law and international human rights law, and there should be a clear response from the International Criminal Court and the International Court of Justice. All parties should be able to study the issue in an impartial manner and assume their responsibility for human rights violations, which would move forward the cause of human rights.

AHARON LESHNO-YAAR (Israel), speaking as a concerned country, said that this body returned to the eternal agenda item 7, its obsessive and unique examination of one situation and one State. As the Council had already spent two days discussing the events that took place off the coast of Israeli's region, more recent facts had come to light and the image of what differentiated between a true humanitarian mission and what could only be understood as an extremely violent provocation had become clear. Besides ordinary passengers on board the Mavi Marmara, there were 40 Turkish IHH operatives, with a clearly defined hierarchy, who had boarded in Istanbul without undergoing a security check. There had been no humanitarian containers whatsoever on the Mavi Marmara or on two other ships, there had been no basic foodstuffs and very little fresh medicine. Israel was learning more about the hard core members of the group, such as thick envelopes stuffed with cash many of them had been holding, connections some of them had with international terrorist and extremist Islamic organizations, or the systematic preparation for violent battle in the hours before the arrival of the Israelis onboard.

Israel would announce later today the establishment of an independent committee to analyze the legality of a number of key issues in the events connected to the flotilla. It had not been surprising that this Human Rights Council had quickly voted to form a fact-finding body that cynically predetermined Israel's guilt. Israel deeply regretted the loss of life, but also said that those who would like to see Israel defenseless and without the right or the ability to defend its people would be deeply disappointed. Israel called repeatedly for direct negotiations and that was the only way to reach the solution and hoped that the proximity talks would be an important step in that direction. Once again, the Human Rights Council had announced a new committee regarding the region, and as with its infamous Goldstone Committee, Israel had significant concerns about the balance of the mandate and agenda of this new panel.

FAYSAL KHABBAZ HAMOUI (Syrian Arab Republic), reiterated its strong condemnation of the violent acts committed by Israel against the freedom flotilla as well as the Irish aid ship that was headed to Gaza. In this regard, it was incredibly important that a fact-finding mission be deployed to investigate the unnecessary use of Israeli force against peaceful humanitarian activists. Syria called on Israel to immediately lift the blockade on Gaza. It was no longer acceptable for the international community to stand idle, as a spectator. The situation in the Syrian Golan was no less tragic than what was occurring in Gaza. Unfortunately, however, the Human Rights Council had not been able to prevent Israel from pursuing its occupation of Arab territories. Over the last 40 years, numerous Syrian farmers had been killed by anti-personnel landmines. Arab States had proposed a peace initiative in 2002 in exchange for the return of Arab lands, but Israel refused to cooperate. Syria called on Israel to end its occupation of the Syrian Golan and to respect the resolutions drafted and approved by the Human Rights Council.

General Debate on Item 7

JAVIER GARRIGUES, (Spain on behalf of the European Union), said the European Union continued to reaffirm its distress over the humanitarian and human rights situation in the Occupied Palestinian Territories, and called once again upon both parties to engage in preventing, investigating and remedying violations of international law, respect previous agreements, and coordinate steps toward maintaining peace in the region. Both parties should also fully adhere to international humanitarian and human rights law, combat impunity, and focus on the principle of accountability. The European Union deeply regretted the loss of life during the Israeli military operation in international waters against the Flotilla sailing to Gaza, and had condemned the use of violence, demanding an immediate, full and impartial inquiry conforming to international standards into the events and circumstances surrounding them. The humanitarian and human rights situation in Gaza remained a source of concern; the policy of closure was unacceptable and politically counterproductive, and the European Union underlined its call for an immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza. The European Union called on all parties and relevant actors to prevent a further escalation of tensions, and underlined the need to continue the proximity talks with a view to the resumption of direct negotiations. It was essential for the Council to send a strong, clear and united message that called for the protection of all civilians and for an immediate and lasting halt to all violence.

HISHAM BADR (Egypt), on behalf of Non-Aligned Movement, welcomed the appointment by the High Commissioner of a committee to monitor and assess any legal or other proceedings undertaken by the Government of Israel and the Palestinian side with regard to independence and effectiveness of the investigations and their conformity to international standards. Egypt looked forward to receiving from the High Commissioner the requested input with regard to the modalities of the establishment of an escrow fund for the provision of repatriation to the Palestinians who suffered loss and damage as a result of Israeli military operations in Gaza from December 2008 to January 2009. The Non-Aligned Movement expressed grave concern about the unilateral measures by Israel aimed at altering the status and demographic composition of the Occupied Palestinian Territories, its continuation of settlement activities, particularly in East Jerusalem

and its illegal blockade of Gaza. The Non-Aligned Movement expressed its deep concern at the continuing deterioration in the human rights situation in the Occupied Syrian Golan and demanded that Israel comply with relevant Security Council resolutions and fully withdraw. Finally, the Non-Aligned Movement firmly believed that the international community should put an end to the persistent patterns of defiance of international law by Israel and that the time has come for this Council to send a strong collective message that the occupation had to end and that there was no justification for human rights violations under any circumstances.

MOHAMMED I. HAIDARA (Nigeria), speaking on behalf of the African Group, commended the High Commissioner for the presentation of her progress report in accordance with Human Rights Council Resolution 13/9. Nigeria fully supported the appointment of members of the committee, which were composed of experts of international repute with unquestionable knowledge of international human rights and international humanitarian law. The Nigerian delegation also called upon the High Commissioner to conclude necessary arrangements towards the establishment of the escrow fund that was expected to provide succor to the Gaza residents. Furthermore, Nigeria called on all United Nations Member States to shoulder the responsibility and swiftly act to bring to an end Israel's counter-productive and illegal blockade of Gaza. Over the years, the Heads of Government of the African Union had been consistent not only in their reaffirmation of total support for the cause of the Occupied Palestinian Territory and other Arab territories, but had also decried Israel's refusal to abide by numerous United Nations resolutions on the matter. Finally, Nigeria reaffirmed the right of the Palestinians to an independent, viable and fully sovereign State with internationally recognized borders.

AHMED ZAHOOR, (Pakistan), said on behalf of the Organization of the Islamic Conference, the Council in its resolution had strongly condemned the yet again unprovoked and outrageous Israeli attack on the humanitarian flotilla in international waters which resulted in the loss of lives and injury to many other innocent civilians. The Organization of the Islamic Conference wished to reiterate its strong condemnation of the crimes committed by the Israeli occupation forces against innocent people. The unwarranted and unprovoked military action by Israel against a humanitarian mission constituted a flagrant violation of international law and norms and values of humanity. Israeli forces and leadership were fully responsible, and must be held accountable for these blatant violations of international human rights and humanitarian laws. The Organization of the Islamic Conference hoped the independent international Fact-Finding Mission would be created soon by the Council, enabling it to report on the violation of international law including international human rights and humanitarian law to the next session of the Council. Despite Israel's policy of unbridled persecution and repression, the Palestinian people and the Palestinian National Authority were not prepared to waver in their struggle for their inalienable right to self-determination. Under such conditions, there could be no hope for a peace process in the Middle East, or for the protection of human rights. There should be an end to the illegal occupation of Syrian land, and an end to the violations of human rights law and international humanitarian law.

HAMZA OMER HASSAN AHMED (Sudan), on behalf of the Arab Group, welcomed the establishment of the legal experts group to check that internal inquiries by Israel and Palestine called for would be carried out. The African Group confirmed that the Council needed to make sure there was a full investigation in the matter. It was of a great importance to implement recommendations from the Goldstone report, so that justice prevailed for the people of Occupied Palestinian Territories. Israeli occupation was the main reason behind the suffering of the Palestinian people and the systematic violation of their rights by Israel aggravated their suffering. Pursuing colonization and settlements was a crime, including in East Jerusalem. The restrictions imposed on the freedom of movement in the Occupied Palestinian Territories and the unjust blockade of the occupied Gaza were all factors which torpedoed any international effort to bring an end to the occupation and establish peace in the region. The African Group called on the international community to fulfill its obligations and ensure respect for international humanitarian law, international human rights law and relevant resolutions, as well as the decision of the International Court of Justice. The African Group called upon Israel to put an end to the building of the wall, release prisoners and lift the blockade of Gaza.

PABLO BERTI OLIVA (Cuba), said that the report by the Special Rapporteur showed that there had been no progress made in the situation in Occupied Palestine. Israel continued to pursue aggressive policies of occupation and attacks on Gaza and the amplification of tensions in East Jerusalem were further evidence of the human rights violations committed by Israel. The recent attack on the freedom convoy showed Israel's genocidal tendencies. The confiscation of Palestinian territories, the continued destruction of homes, forced evacuations and the racist restrictions on the movement of people needed to cease immediately. Moreover, the blockade of the Gaza strip had to be lifted and all humanitarian aid needed to be able to reach Palestinians. Cuba called on Israel to comply with the resolutions of the United Nations Security Council, the General Assembly and the Human Rights Council and to withdraw from the Syrian Golan. In conclusion, Cuba reaffirmed its unequivocal support for the cause of the Arab peoples against Israeli occupation and supported the right of Palestinians to self-determination.

ABDULLA FALAH ABDULLA AL-DOSARI, (Qatar), said reports prepared under this agenda item had been read attentively, particularly the report of the Special Rapporteur and that of the High Commissioner on follow-up to the Fact-Finding Mission in Gaza. The Special Rapporteur once again had to prepare his report without the requisite cooperation from Israel, who had denied him access to the Occupied Palestinian Territories, despite him being a United Nations representative. The decision to not allow him to enter the territory not only impeded his work but affected the Human Rights Council's capacity to deal with human rights violations. Pressure should be exerted on Israel to comply and respect international human rights law and international humanitarian law, and deal seriously with United Nations envoys. If Israel was incapable of abiding by its international obligations, then other United Nations Member States should oblige Israel by various means to abide by these obligations. It was no longer possible to not see clearly Israeli crimes and to justify them. Efforts made by the Government of Egypt to facilitate the visit of the Special Rapporteur to Gaza were appreciated; this would help to uncover violations committed against Palestinians, and to bring those accountable to justice. A Fund should be set up to compensate Palestinians who suffered losses due to the illegal acts of Israeli aggression. The blockade was a grave violation of human rights and a form of collective punishment. The Israeli Settlement Expansion Policy and attacks by settlers against Palestinians and their public utilities were one of the gravest violations of international humanitarian law and international human rights law. The people of the Syrian Golan had their rights systematically violated in full impunity.

HU MIAO (China) thanked the Special Rapporteur and the High Commissioner for Human Rights for their reports on the human rights situation in the Occupied Palestinian Territories and noted with appreciation that the High Commissioner had nominated a Commission of Independent Experts. China was in favor of continued attention of Council to the Occupied Palestinian Territories and hoped that the relevant parties would continue to implement the recommendations that had been made in that regard. The long-lasting blockade had undermined the Palestinian people's enjoyment of human rights and China thus urged Israel to take all necessary measures to ensure that the people living in Gaza could resume a normal life. China was in favor of the peaceful coexistence of two States and would continue working with the international community in a constructive way in order to contribute to a long-lasting and peaceful solution.

EVGENY USTINOV (Russian Federation), said that it consistently advocated full-scale negotiations, with the purpose of establishing a two-state solution on the fundamental basis of peacefully coexistence. Russia urged all relevant parties to cooperate in this ongoing peace process and reiterated that it was important to prevent any escalation of conflict that could have a negative impact on the peace process. Russia condemned Israel's attack on the freedom flotilla and said that those responsible, the culprits, had to be brought to justice. In March of 2010, Russia hosted a meeting of the Quartet and condemned Israel's intentions of building more homes in East Jerusalem. Due to the blockade of Gaza, the humanitarian situation remained dire and Russia therefore called on Israel to lift the blockade. That said, Russia understood Israel's security concerns and condemned the shooting of rockets into Israeli territory and also called for the release of Israeli soldier, Gilad Shalit. Russia reaffirmed its commitment to a peaceful solution and would continue to work closely with the relevant parties of the conflict, including the League of Arab States and the Organization of Islamic Conference.

BUDOOR ABDULAZIZ AHMED, (Bahrain), said Bahrain condemned the continued Israeli occupation of the Occupied Palestinian Territories and the Syrian Golan. The occupation violated human rights, and these continued without any halt and were on the increase, extending beyond these territories, leading to the recent attack on the Freedom Flotilla containing assistance for those under blockade in the Gaza Strip. The continued activities of the settlers were a further demonstration of Israel's defiance of the Council. States had made great efforts to reach a peaceful solution, but Israel, the occupying power, had been evading peace and peace initiatives, and continuing and creating new crises. The Council should play its role in providing protection to the Palestinian people so they could exercise their legitimate

rights to live in an independent Palestinian State with East Jerusalem as its capital. Israel should lift the blockade and allow assistance to the Palestinian people.

ABDULWAHAB ABDULSALAM ATTAR ([Saudi Arabia](#)) thanked the High Commissioner for her report and for appointing a legal experts committee, and called upon her to continue her constructive efforts. The international community needed to stand firmly to alleviate the suffering of the Palestinian people. What was being seen was not only Israeli occupation but a whole range of human rights violations. Saudi Arabia called upon the Council to put an end to those, particularly to the settlement activities in East Jerusalem which were illegal and violated the Fourth Geneva Convention. Israel, in spite of the international community's condemnation and this Council's resolutions, went ahead with its settlement activities and its flouting was a disregard of and a challenge to international laws. Saudi Arabia believed that peace would not be achieved unless the inalienable rights of the Palestinian people were ensured and Israel withdrew from the Occupied Palestinian Territories and the occupied Syrian Golan. It called upon the Council to take the necessary measures to put an end to Israel's occupation and guarantee the protection of the Palestinian people's human rights.

DESRA PERCAYA ([Indonesia](#)), said that the occupying power's ongoing policy of preventing an adequate supply of food, clean water, fuel and medical supplies into the Gaza Strip illustrated a blatant disregard for the human rights and welfare of the long-suffering Palestinian people. It was simply unacceptable that the international community sat back and let the humanitarian situation in Gaza deteriorate further. Criticism and condemnation were no longer enough. In solidarity with the people of Occupied Palestine, Indonesia called upon Israel to lift the blockade of Gaza, to open up border crossings and to put an end to the inhumane policy of collective punishment. These kinds of hostile actions did nothing to foster trust and understanding. Surely, if fair and constructive peace negotiations were to take place, it was essential that both sides were on equal footing in terms of human rights, health and general welfare. For the sake of meaningful progress in peace negotiations, Indonesia urged the Government of Israel to freeze all illegal construction in the Occupied West Bank and Occupied East Jerusalem and to withdraw to the 1967 borders. Finally, Indonesia expressed its concern about the worsening human rights situation in the Occupied Syrian Golan, particularly in relation to the ongoing detention of Syrian prisoners of conscience in Israeli jails.

JERRY MATTHEWS MATJILA, ([South Africa](#)), said South Africa wished to reiterate the international community's call to the Israeli Government to lift the blockade of Gaza, which continued to impose untold suffering on the Palestinians, often with dire consequences. The Palestinian people deserved better from this Council; they had watched special session after special session convene, and it did not translate into the practical enjoyment of their human rights, nor an improvement in their material conditions. Instead, they continued to be exposed to more acts of brutality. The Israeli Government needed to be held to account for gross and systematic violations of the human rights of the Palestinian people; otherwise the Council risked losing its integrity due to the utter disrespect with which the Israeli Government treated the international community. Acts such as the attack on the flotilla of ships carrying humanitarian aid to Gaza, Operation Cast Lead, as well as settlement activity, did not augur well for peace negotiations and the settlement of the Middle East. Only a negotiated political settlement with the two-state solution could lead to the realization of peace. Israel should withdraw from the occupied Syrian Golan.

KENICHI SUGANUMA ([Japan](#)) said Japan was seriously concerned about the increasing number of civilian casualties and the human rights situation in the Occupied Palestinian Territories. To ensure that ordinary citizens enjoyed not only the right to life, but also the right to health, housing, and freedom of movement, Japan requested that all concerned States provide humanitarian assistance to the people in need, particularly those in Gaza. Japan further deplored the casualties and injuries of the people who were on the humanitarian flotilla and had already previously condemned those violent acts. In order to prevent such events from happening again, Japan called for full and impartial investigations and would continue to extend humanitarian assistance to the Palestinian people. Japan welcomed the start of indirect talks and strongly hoped that both the Palestinian authorities and Israel would make every effort to reach peace.

GHADEER HMEIDI MOH'D ELFAYEZ ([Jordan](#)), said that it greatly appreciated the High Commissioner's presentation of the progress report and her fight against impunity. In this context, Jordan warmly welcomed the appointment of the Independent Experts of the committee and looked forward to their crucial contributions in order to monitor and assess whether the parties concerned were undertaking investigations into the serious violations of international humanitarian law and international human rights law. The right of the Palestinian people to self-determination was a well established principle in international law and had been reaffirmed not only as a rule of customary international law but also as an erga omnes obligation. In addition, the Human Rights Committee underlined the importance of the realization of the right to self-determination as an essential condition for the promotion of human rights. In closing, on the issue of the Occupied Syrian Golan, Jordan called on Israel to comply with relevant United Nations resolutions and to end its occupation.

LAURA MIRACHIAN, ([Italy](#)), said two weeks ago the world was shocked by the tragic consequences of the Israeli military operation in international waters against the Flotilla on its way to Gaza. The human cost of that operation was unacceptable. The negative vote expressed in the Council on the 2nd of June had raised concern in a number of countries to which Italy was linked by strong relations and historical friendship. Italy remained supportive for an immediate, full and impartial investigation, in conformity with international standards. The Minister for Foreign Affairs had been engaging in intensive consultations with all parties involved with the view to identifying a formula acceptable for everybody. Beyond these tragic events, the humanitarian and human rights situation in Gaza remained a source of deep concern. The dramatic conditions in which 1.5 million Palestinians, half of which were children, lived in Gaza was unacceptable. The policy of closure, in addition to being unjust from the humanitarian and human point of view, was politically counterproductive. There should be an immediate opening of crossings for humanitarian aid, commercial goods and persons to and from Gaza, and for the full implementation of the 2005 Agreement on Movement and Access. At this juncture, there was an absolute need to revitalize the peace process through proximity talks conducive to direct negotiations between Israel and the Palestinian Authority.

EILEEN CHAMBERLAIN DONAHOE ([United States of America](#)) said the Council had too often been exploited to unfairly single out Israel, while ignoring significant human rights situations elsewhere. The United States was not asking the Council to refrain from addressing Israel, but asked that the human rights situation in Israel, the West Bank and Gaza be examined in the same way as the human rights situations in other countries. The United States remained dedicated to assessing the conduct of all countries in the world and Israel, like every other country, should also examine its human rights records. The United States was working vigorously to achieve a comprehensive peace in the Middle East, based on the establishment of an independent and viable Palestinian State, living side by side in peace and security with Israel and its neighbors. The United States wanted the direct negotiations to resume as soon as possible with a 24-month timetable for their successful conclusion. The United States also expected Israel to conduct a prompt, credible, transparent, and impartial investigation conforming to international standards into all the facts surrounding the tragic incident that had occurred on 31 May aboard the Gaza-bound ships.

ALEXANDRE GUIDO LOPES PAROLA ([Brazil](#)), quoted an article from Friday, June 11 from the International Herald Tribune. Essentially, the attempts made by Israel to weaken Hamas had failed. Since the Gaza blockade, Hamas had managed to take full control of the area's Government, education and the economy. Brazil concluded its brief intervention by pointing out the fact that Israeli policies in the Gaza Strip were not working, either for Israel's security or for the promotion of stability and peace in the region.

IDRISS JAZAIRY, ([Algeria](#)), said this morning it had been seen that it was not possible to follow the guidelines to respect the rules of diplomacy. There was one delegation which insulted the Council by accusing it of being arrogant and of inciting hatred. The High Commissioner was thanked for her report on the implementation of resolution 13/9, and Algeria welcomed the measures adopted by Israel. With regard to the implementation of this resolution, and the establishment of a Fund for compensation to Palestinian victims of the Israeli occupation, and the establishment of a Committee of Independent Experts, Algeria would follow very carefully the results of the exercise. On the report submitted to the Council and the discussion on the legality of using certain munitions in the attack against Gaza and the implementation of the recommendations of the Fact-Finding Mission, there was a need to respect the Fourth Geneva Convention, and there should be a conference of the High Contracting Parties to ensure the application of the Convention in the Occupied Palestinian Territories including East Jerusalem. The Council and the High Commissioner should attach priority to putting an end to the unjust blockade

of the Palestinians. The 10,000 civilian Palestinians detained in Israeli prisons without any justice should be freed; human beings should be treated equally.

KSHENUKAN SENEWIRATNE ([Sri Lanka](#)) said Sri Lanka shared the deep concern expressed about the deteriorating humanitarian situation in Palestine and other occupied Arab territories. Sri Lanka firmly believed that only meaningful negotiations would achieve the two-state settlement that was envisaged by all, putting an end to the Israeli occupation and culminating in the establishment of a sovereign, independent and viable Palestinian State for the realization of Palestinian people's inalienable rights. Therefore, it was an urgent need to put an end to all unlawful settlement activities, including the continued campaign of colonization that fragmented the Palestinian territories. That had also led to the displacement of thousands of Palestinians from their homes, destroying the economic, social and cultural fabric of that society. Israel should heed the call of the international community to lift the blockade, open the crossings, and end the regime afflicting the entire population of the Gaza Strip. Those actions had jeopardized all efforts to initiate a meaningful dialogue for peace. Sri Lanka called upon all parties to intensify their efforts in forging an early solution based on the two-state settlement envisaged by all, to establish a sovereign and independent Palestinian State.

YAHYA SALIM AL-WAHAIBI ([Oman](#)), said that the Human Rights Council was meeting at a time when Israeli violations were becoming increasingly aggressive. The attack on the freedom flotilla showed the aggressive nature of Israel as well as its blatant disregard for human rights. The continued occupation of Palestinian Territories illustrated Israel's unwillingness to find a peaceful solution. Israel continued to beat the drums of war, which only further complicated the fragile stability in the region and impeded the path to peace. As such, Oman called for a complete cessation of Israeli settlement activities and called on all relevant parties to help promote a peaceful resolution to this ongoing conflict, leading to the establishment of an independent Palestinian State that would live side-by-side with Israel.

FADHL AL-MAGHAFI ([Yemen](#)), thanked the High Commissioner for her efforts in following up the Council's resolution regarding the human rights situation in Occupied Palestinian Territories and welcomed the appointment of the committee to follow up on its implementation. Discussions of violations committed by Israel were always overtaken by new Israeli violations. Today the Council was supposed to discuss the follow up on the Goldstone report, but was instead discussing the Israeli military attack and the act of piracy against the peaceful convoy. Israel continued to occupy territories and change their demographic makeup. Israel was the Occupying Power and was displacing civilians and preventing reconstruction activities in Gaza by its blockade. Finally, Yemen called upon the Council to oblige Israel to respect international humanitarian law and international human rights law and implement the legally binding resolutions of the United Nations.

ABDELWAHEB JEMAL ([Tunisia](#)) thanked the High Commissioner for her report and reaffirmed Tunisia's position concerning this issue. Tunisia rejected the Israeli occupation of the Palestinian territory, condemned any repression against the Palestinian people, condemned Israel's practices against those human rights activists who had attempted to lift the blockade, and rejected the use of force, which constituted a flagrant violation of human rights. Tunisia was determined to see a peace in the Middle East that would allow the Palestinian people to establish an independent and viable State and urged Israel to respect the decisions of the United Nations regarding human rights violations in the occupied Syrian Golan and all other occupied territories; Israel must respect international law.

HASNIA MARKUS ([Libyan Arab Jamahiriya](#)), aligned itself with the statements made by the Groups of which they were members. Libya said that despite numerous efforts, the international community had been unable to bring an end to Israeli Occupation in Gaza and other Arab territories, including the Occupied Syrian Golan. In addition to the many crimes it committed, Libya deplored Israel's recent crime of piracy. The attack on the humanitarian convoy led to major casualties and there needed to be a stricter respect for international navigation. The war in Gaza in late 2008 and early 2009 saw Israel using white phosphorous on civilians, a chemical which was illegal under international law. In Occupied Syrian Golan, Israel continued to detain many innocent civilians and Libya therefore called on Israel to free the detainees and to withdraw from Syrian territory. Finally, Libya stated that the Israeli Defense Forces continued to operate with impunity, illustrating that they believed they were above the law.

MURIEL BERSET ([Switzerland](#)), expressed its greatest concern over the humanitarian situation in Gaza and said that pursuant to the Geneva Conventions, rapid and unimpeded access for humanitarian aid must be guaranteed. Switzerland called for lifting of the blockade of Gaza and had proposed several times the establishment of an international mechanism that would allow for regular access to the Gaza Strip, while taking into full account the security needs of Israel. Switzerland was concerned about the increased pressure on Israeli and Palestinian non-governmental organizations that were working in the field promoting peace and defending human rights. Switzerland took note of the freeze of the construction of new settlements in East Jerusalem and said that until the policy of colonization was abolished, Israel would be in violation of international law. The restrictions on the freedom of movement prevented economic growth in Cisjordania and Switzerland called upon Israel to fulfill its obligations as an Occupying Power pursuant to international law and international humanitarian law.

AHMET UZUMCU ([Turkey](#)) said on the first day of this session that all had been shocked by the Israeli military attack against a humanitarian aid convoy sailing to Gaza. However, the Council proved its ability to react promptly and held an urgent debate, and it had adopted a resolution supported by a large majority. This action had been an important element of the international community's response to the Israeli attack, and the task of the fact-finding mission and the Investigation Commission that was to be established would be complementary. The ultimate objective of the international community was to reach a comprehensive and durable solution in the region. Turkey was of the view that a just and lasting settlement could only be achieved through the implementation of the United Nations Security Council resolutions, the Madrid Principles, the Arab Peace Initiative, and the road map. Turkey supported the continuation of the proximity talks and hoped that they would help to restore the confidence between the parties and pave the way for substantive and comprehensive direct negotiations.

HAMZA OMER HASSAN AHMED ([Sudan](#)), welcomed the progress report presented by the High Commissioner and stated the importance of enforcing all recommendations made in the report. Sudan also confirmed the importance of preparing a fund for the victims of Israeli aggression. Expelling Palestinians from their homes and replacing them with Israeli citizens and excavations on important religious sites further demonstrated Israel's complete disregard for international human rights. The impunity of the Israeli Government was partially due to the support they received by certain influential, and so-called democratic, States. In the Occupied Syrian Golan, the Israeli Government continued to detain innocent civilians and humiliate the occupied Syrians. Finally, Sudan urged Israel to withdraw from Occupied Syrian Territories.

SITI HAJJAR ADNIN ([Malaysia](#)), said that the recent bloody events involving military forces of the Occupying Power against unarmed a humanitarian flotilla had highlighted, once again, the costs of Israeli occupation to Palestinian and Arab Territories. Malaysia remained firmly convinced that the international community must continue prioritizing delivery of humanitarian aid to Gaza and the West Bank, while working to end the unjustifiable blockade against Gaza. For the long term, the objective remained the establishment of a viable and contiguous Palestinian state, side by side with Israel, within secure and recognized borders, and with East Jerusalem as its capital. With regard to the human rights situation in the Occupied Syrian Golan, Malaysia noted that since the presentation of the Secretary-General's report during the last Human Rights Council session, the situation remained grave and merited the Council's continued attention.

MOHAMED ACHGALOU ([Morocco](#)) said the debate on human rights in the Occupied Palestinian Territories and other occupied Arab territories was taking place in the wake of the aggressions against the humanitarian flotilla. Morocco had been one of the first States that had taken action in that regard and that had expressed its solidarity with the Palestinian people and the victims. The international community knew well that the ongoing settlement activities continued to threaten the safety of the Palestinian people and the violations of their human rights continued in front of the whole world. Morocco hoped that the international community would make every effort to put an end to those unlawful acts and to lift the siege imposed on the Occupied Palestinian Territories. The most recent events that had taken place in Palestine and the latest human rights violations made it more necessary than ever to implement the road map. Morocco

encouraged all to contribute to the peace process that should culminate in a two-state solution.

NAJLA RIACHI ASSAKER ([Lebanon](#)), welcomed the appointment of the Independent Experts on the committee. Israel continued to refuse calls made by the international community to lift its blockade of Gaza. The Israeli Government rejected all reports and accused all Special Rapporteurs of being biased and unbalanced. Israel's actions continued to prevent any attempts at peace and the establishment of an independent Palestinian State. Lebanon said that the Occupied Palestinian Territories had become open-air prisons. Villages in the West Bank were totally cut off by the wall erected by Israel. Opening up the borders and ceasing in armed aggression would be an important show of trust and would be the only way that peace could be established.

VERTURLIDI THOR STEFANSSON ([Iceland](#)), said that Iceland strongly believed that the siege of Gaza was contrary to international humanitarian and human rights law, and it was inflicting collective punishment on the Gazan population. The humanitarian situation remained deplorable and the Government of Iceland called upon the Government of Israel to lift the siege immediately so that the people of Gaza could regain their dignity and start living their lives as ordinary human beings. Iceland had strongly condemned the Israeli raid on the Gaza flotilla and said that such an incident called for an immediate, independent and transparent international investigation. Iceland was a strong supporter of a peaceful resolution of the conflict and the two state solution, and said that a prerequisite was a genuine political willingness by both parties to reach an agreement. Going through the motions would not suffice, results were called for. Iceland called upon Israel to improve the situation on the ground in the Occupied Palestinian Territories, and cease all activities that directly or indirectly lead to forced displacement of Palestinians.

ASADOLLAH ESHRAGH JAHROMI ([Iran](#)) said Iran fully supported the Council's urgent dispatching of an international and independent fact-finding mission to investigate violations of international law during the past attempts to provide humanitarian aid. Iran also expressed its grave concern over the deteriorating human rights situation in the occupied Syrian Golan in which the civil, political, economic, social and cultural rights of the Syrian population were systematically violated by the occupiers. Iran further regretted that, in spite of numerous decisions and resolutions, including from this Council, no concrete measures had been taken to stop the horrible actions. That had led the aggressors to continue committing heinous crimes in full defiance of all international norms and standards, and all this with absolute impunity.

CHOE MYONG NAM ([Democratic People's Republic of Korea](#)), deplored the extreme repression of Palestinian peoples by Israel. Moreover, the recent attack on the Freedom Flotilla represented crimes against humanity. Millions of children, women and civilians were suffering in the Occupied Palestinian Territories under Israel's illegal occupation. The situation continued to deteriorate and the only way that would change was if Israel's illegal occupation, which was the root cause of all these atrocities, ended. In conclusion, the Democratic People's Republic of Korea expressed its continued support for all Arabs living under Israeli occupation.

SAAD ALFARARGI ([League of Arab States](#)), said that once again the Human Rights Council was dealing with the Occupied Palestinian Territories. Israel was imposing collective punishment on the Palestinian people in Gaza, contrary to the provisions of international law. The blockade of Gaza must be promptly lifted in order to avert catastrophe. The land, on which a Palestinian state should be set up, was being eaten up, and Israel was building an apartheid wall to dismember Palestinian people. Israel pursued its expansionist policies and didn't want Palestinian people to even complain; otherwise they would be called terrorists. International jurisdiction must be used to end impunity of those who had committed crimes against humanity, crimes of war and genocide.

FELIX PENA RAMOS ([Venezuela](#)) said Venezuela once again reiterated its firm condemnation of the flagrant human rights violations and violations of international humanitarian law that Israel had systematically been committing in the Occupied Palestinian Territories and other occupied Arab territories. Those crimes, as well as the recent killings of pacifists on the humanitarian flotilla, should not go unpunished. Further, the illegal and inhuman blockade that Israel had been imposing on Gaza for three years constituted an unacceptable collective punishment which aggravated the situation of the Palestinian people every day. Venezuela joined its voice with peace-loving peoples in asking that the Council take urgent action given Israel's refusal of all United Nations resolutions. All necessary steps should be taken so that Israel responded to the international community for its multiple human rights violations that it had committed and was still committing against the Palestinian people.

SAEED AL-HABSI ([United Arab Emirates](#)), said that the situation in the occupied Palestinian Territories was very serious, particularly in Gaza because of the blockade. Constant resettlements on Arab land and the establishment of the wall isolated Palestinians from the rest of the world. The physical and psychological suffering of this isolation was immeasurable. The United Arab Emirates called on Israel to respect the recommendations made by the Human Rights Council, to lift the blockade and to respect Lebanese borders and air space. It was obvious that Israel continued to show aggression toward innocent Palestinians and it was up to the Human Rights Council to take the appropriate measures to safeguard the human rights of the Palestinian people.

SADIQ MARAFI ([Kuwait](#)), condemned systematic violations of Palestinian human rights and called upon the international community to put an end to this tragedy. The situation in Gaza continued to deteriorate, and the occupation of Syrian Golan continued with impunity. Israel was called upon to cease flouting international humanitarian law and international human rights law to which it was party. Kuwait called upon the international community to hold Israel responsible for its acts and requested that Israel fulfill its obligations as an Occupying Power. Kuwait called upon the Human Rights Council to take all actions that would enable it to fulfill its obligations in the promotion and protection of human rights. Kuwait reiterated that lasting and just peace could be achieved only with Israel's full withdrawal from all occupied territories and the establishment of an independent Palestinian state with East Jerusalem as its capital.

SAMAR KHAMIS, of [Badil Resource Center for Palestinian Residency and Refugee Rights](#) , said that they expressed dismay at the amended Israeli order on infiltrators that had come into force on 13 April 2010 according to which everyone in the West Bank was an infiltrator unless he or she was in possession of a permit issued by Israel. As the wording of the order was very vague, it was not clear who it affected. The Commission was concerned that the order would primarily be used against Palestinians who had been established in the West Bank for many years but whose official address remained in the Gaza Strip. This order and the deportations resulting from it could become a subtle and underhand way of reducing the Palestinian population in the West Bank.

KLAUS NETTER, of [Coordination Board of Jewish Organizations](#) , in a joint statement with [B'nai B'rith International](#) , expressed its deep concern over the Council's decision to dispatch yet another fact-finding mission to investigate an incident to which this Council had already pre-assigned blame on Israel. The resolution was but the latest symptom of this Council's continued indifference to two of its most basic founding principles: impartiality and non-selectivity. In the past year, the Council had spent an inordinate amount of time discussing Israel, but yet consistently failed to recognize the great improvement in terms of stability and economic growth in the West Bank. The non-governmental organization reiterated its call for this Council to end the agenda item 7 during the course of next year's review.

DEBORAH ABISROR, of [European Union of Jewish students](#) , said a major rise in anti-Semitism had been seen in Europe and the rest of the world, but this was not talked about. The European Jewish community was inundated with slogans against them, demonstrations of support for Palestinian people, and support to Hamas, which was a terrorist organization. Furthermore, some countries boycotted Israeli products while the world continued to sell products from countries where there was violence every day. Every time that Israel was seen as fighting with the international community, it was not only a nation that was delegitimized but also Jewish communities around the world whose security was threatened.

MARYAM SAFARI, of the [Charitable Institute for Protecting Social Victims](#) , said that Israel's settlement construction continued in the Occupied Palestinian Territories, while the International Court of Justice had declared that this was unlawful and an obstacle to peace and economic and social development. The Security Council had also condemned the illegal Israeli outposts in the occupied territories. Israel's

persistence on continuation of this policy was considered as an undeniable challenge in the talks' process and despite Israel's commitments made in the Annapolis conference regarding the halting of all settlement construction activities, these constructions continued on both sides of the security barrier.

LAZARO PARY, of Indian Movement "Tupai Amaru", said that with the indifference of Western powers, the Israeli Occupying Power continued to commit crimes with full impunity. The tragedy of the Palestinian people had originated in the United Nations resolution of 1947 in which the colonial powers had decided on the partition of Palestine and had created the Jewish state. It was now the responsibility of the United Nations to repair this human tragedy. The Jewish state had become an occupying power, possessed nuclear weapons, killed women and children and launched bombs on towns and cities. The cruel air and sea attack against Palestinian people, particularly in the Gaza Strip, led to hundreds of thousands of dead and wounded. The international community and this Council should no longer tolerate an Occupying Power seeking to exterminate disarmed people who were looking to live in peace.

JULITTE SAYESH, of General Arab Women Federation, said that in spite of numerous meetings and Council sessions explaining the dreadful situation of the Palestinian people, and despite the many United Nations resolutions condemning Israel's actions, nothing had changed except for the worst. The Occupying Power used its military force to maintain the occupation, confiscated the Palestinians' land, took their resources, built settlements, controlled the movement of the Palestinians through hundreds of police check points, continued to construct the separation wall and blocked import and export of basic goods necessary for the survival of the civilians. This dire humanitarian crisis was the direct result of the long-standing impunity Israeli occupation had enjoyed.

ELIAS KHOURI, of Union of Arab Jurists, in a joint statement with Arab Lawyers Union, said that by attacking the Gaza humanitarian flotilla Israel had violated the Law of the Seas, just as it had violated international human rights law and international humanitarian law in the occupied territories. The occupation of the Syrian Golan continued. There was an increase of gross human rights violations that went without punishment. Israel refused to implement the Council's resolutions and to receive its Special Rapporteurs. The continued practices by Israel threatened peace and security in the world and in the region. Israel should implement all Human Rights Council resolutions.

ALIREZA DEIHIM, of Organization for Defending Victims of Violence, said it wanted to highlight how the culture of impunity in the context of the situation of human rights in the Occupied Palestinian Territories was institutionalized. The Non-governmental organization listed acts of impunity by Israel since 2009, such as the refusal to give access to the Special Rapporteur on the situation of human rights in the Palestinian territories, rejection of the Goldstone report, rejection of the Arab League fact-finding mission conclusions, rejection of the High Commissioner urging action toward the end of the culture of impunity, rejected the global demand for lifting of the unlawful blockade as collective punishment and others.

SALIMEH DAREMI, of Institute for Women's Studies and Research, said the continuation of the occupation of Palestinian territories and the homelessness of their citizens was one of the deepest problems of the Middle East; the West was indifferent to the dreadful plight of the Palestinians. Israel always reacted disproportionately against the Palestinian resistance movements, which was a flagrant violation of international law. The time had come for the west and the most important and main Israeli ally, the United States, to abandon their double standard approach and facilitate the holding of comprehensive talks between the Palestinians and Israel to resolve the long conflict once and for all.

DAVID LITTMAN, of the World Union of Progressive Judaism, said that the Special Rapporteur's report was an eye-opener, especially the recommendations for a boycott, divestment and sanctions campaign. The root cause of today's Philistine tragedy was its genocidal Hamas Charter. Just as Hitler's struggle against the Jews had been pooh-poohed in the 1930s, so was the Jihad struggle by Hamas. This ongoing incitement flew in the face of the Genocide Convention. The Hamas Charter called for Jews to be killed and Israel eliminated and referred in great detail, as in Hitler's "Mein Kampf", to a century-old forgery to inspire a Jihadist regime. Bloodthirsty incitements to hate and kill continued unabated. The genocidal Hamas Charter should be condemned, as well as the teaching of heinous defamation of Jews and Judaism.

RAFENDI DJAMIN, of International NGO Forum on Indonesian Development, said that the serious situation of human rights in the Palestine territory had always been the focus of this Council that had divided the Council in the most extreme of political group positions. This unfortunately led to the practice of politicization and double standards in human rights. The polarization would become deeper if the Council failed to properly address the incidents of grave human rights violations in Palestine and failed to implement its own decisions. The non-governmental organization welcomed the progress report of the High Commissioner on the fact-finding mission on Gaza and the announcement of the committee of independent experts who would monitor and assess the actions taken by Israel and Gaza to examine the events in light of the General Assembly resolution 64/254.

JOURDAIN GENEVIEVE, of Association of World Citizens, said the decree signed to accept the Convention on the Elimination of Discrimination Against Women and the training of qualified human rights defenders in the Occupied Palestinian Territory was welcomed, but there was very little to celebrate among the population in the Gaza Strip, despite some small alleviations in the blockade, as there was very little difference in the variety of produce allowed in. There was a process of real deterioration which could lead to a total breakdown of public infrastructure, which was vital for the population. Dependency on international assistance had become aggravated, and it could not meet the needs of the population. Children suffered particularly from the food shortages. The political disputes within the Palestinian territory had aggravated very difficult conditions.

NADA KISWANSON, of Al-Haq, Law in the Service of Man, said that they wanted to raise alarm regarding a wave of Israeli actions that would lead to the increased forcible transfer of Palestinians from East Jerusalem and other parts of the West Bank, a prohibited action under the Fourth Geneva Convention. Under Israeli Military Orders 1649 and 1650, tens of thousands of Palestinians, including those born and/or living in the West Bank for decades, were at risk of being torn away from their homes. Second, as Israel neared completion of the wall around occupied East Jerusalem, new administrative changes to the municipal boundary of Jerusalem were anticipated. Other indicators causing concern were the so called national services that were being provided to Jerusalemites to the east of the Wall, which included an office for the ministry of the interior, unemployment, national insurance and a post office.

DENISE MUMFORD, of North-South XXI, said it was deeply concerned with the effects of Israel's occupation of Palestine and other Arab territories. Israeli policies were directly responsible for the deteriorating circumstances in many parties of this region. This occupation and its consequences were affronts to lasting peace in the region and a serious threat to international peace and security. North-South XXI was outraged by the continued suffering of the Palestinian people in the Gaza Strip which was under illegal Israeli blockade for the third successive year. It was legally wrong and morally condemnable and was a scar on the world's conscience. North-South XXI was of the opinion that the Israeli blockade against the Gaza Strip represented a blatant violation of international law and taking tangible steps to lift it was a legal, moral and political imperative.

HILLEL NEUER, of United Nations Watch, said this agenda item was biased, and that was terribly wrong, as this risked undermining the Council's principles, was counter to non-selectivity, and breached the Council's principles of universality, and impartiality. There was a range of human rights violations in the world, and it was wrong for the Council to spend an entire day discussing alleged human rights violations, and discussing reports with predetermined conclusions, while at the same time in Kyrgyzstan the international community was witnessing violence, riots, deaths of women and children, and the International Committee of the Red Cross was warning that the situation was getting worse by the hour. Speeches had been heard today from many countries; if all human beings were equal, why were they silent about the deaths in Kyrgyzstan, the speaker asked, as there was a humanitarian tragedy happening there of colossal proportions. This agenda item was deafening the cries of victims of human rights violations everywhere.

JEREMIE SMITH, of the Cairo Institute for Human Rights Studies, said that they welcomed the High Commissioner's establishment of the Human Rights Council Independent Expert Group tasked with monitoring and reporting on the implementation of the Goldstone report. It would be important to ensure that follow-up actions on the report at the General Assembly and the Human Rights Council were harmonized and the Group should be given an important role to play not only at the Council, but at the General Assembly as well. The Goldstone Report was not an issue that should or would be allowed to fade away through endless procedural delays and institutional weakening. Non-governmental organizations and concerned citizens throughout the world were and would remain intently focused on the fate of this report and its recommendations.

DAVID LITTMAN, of Association for World Education, quoted the words of the previous Special Rapporteur on the situation of human rights in the Palestinian territories that there was no immediate prospect of reconciliation between Hamas and Fatah and said that Gaza under the administration of Hamas since the coup d'état three years ago was a classic example of a divided society: the divisions between Gaza and the West Bank, Gaza and Israel, and Gaza and the wider world. Gaza's future status was a key issue of any Arab-Israel negotiations and the Association for World Education suggested a separate entity and the establishment of four independent states within the former 1922 area of Greater Palestine: Israel, Jordan, a mutually agreed "West Bank" and Gaza.

Right of Reply

AHMED IHAB GAMALELDIN (Egypt), speaking in a right of reply, said Egypt would have hoped that Brazil would not have taken information with regard to the Middle East conflict from newspapers, even if it was from the International Herald Tribune, and Egypt categorically rejected the statement in the article from the Friday issue. Brazil was referred to the statement Egypt read out at the beginning of the session.

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