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Sixty-ninth General Assembly  
Fourth Committee  
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**Excessive Number of Palestinian Fatalities during Gaza Crisis Cannot Be Dismissed as 'Collateral Damage',  
Fourth Committee Hears in Review of Israeli Practices**  
*Special Committee Presents Reports, Palestine Observer Says Despite Grave Situation, Palestinians 'Have Not Given Up on Peace'*

The appalling level of violence and unprecedented scale of destruction unleashed by Israel upon the people of Gaza in July and August exacerbated the suffering of a population already reeling from years of repression and restriction, the Fourth Committee heard today, as it began its consideration of the [Report](#) of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Presenting the report, Hussein Haniff, Permanent Representative of Malaysia and Vice-Chair of the Special Committee, regretted that the Government of Israel had continued in its non-cooperation with the body and had failed to respond to requests for meetings, or allow access to the Occupied Palestinian Territory. Notwithstanding that, the Special Committee, as in past years, sought information from a wide range of sources, including United Nations officials, representatives of non-governmental organizations as well as victims and witnesses of Israeli violations from within and outside Israel and the Occupied Territory.

"Three months after the ceasefire, it is all too clear that civilians, including children, have paid the heaviest price," he said, noting that the latest figures available from the United Nations indicated that 1,523 Palestinian civilians, including 519 children, were killed during the hostilities last summer. Civilian deaths represented 69 per cent of the total number of Palestinian fatalities during the hostilities — an unacceptably high ratio that could not be dismissed as "collateral damage", he said.

An interactive dialogue followed, during which the observer for the State of Palestine declared that there was a human rights crisis in Palestine, where every aspect of life was being infringed as the occupying Power continued to subjugate the people and entrench its occupation. While 2014 began on a hopeful note, with the United States-brokered peace negotiations, she said, Israel had reverted to its colonial policies, destroying the fabric of Palestinian society. Despite the gravity of the situation, Palestinians had not given up on peace.

Speaking on behalf of the Non-Aligned Movement, the representative of Iran said Israel's policies and practices continued to violate the fundamental human rights and dignity of the Palestinian people and other Arabs living under its occupation. The Group was seriously concerned about the findings of the latest report of the Special Committee, particularly in regard to the situation of Palestinian prisoners and detainees, as well as the vastly detrimental impact of the illegal Israeli settlement campaign throughout the Occupied Palestinian Territory.

The representative of Saudi Arabia, on behalf of the Organization of Islamic Cooperation and the League of Arab States, said closing access to the holy mosque and inflicting damage on it was a very serious provocation. The 1,000 settlement units in Jerusalem made a two-State solution impossible, he said, adding that settler violence was another grave concern.

Calling on the international community to demand Israel's accountability through relevant international mechanisms and support the implementation of the mandate of the Commission of Inquiry, the representative of Indonesia also urged the United Nations to respond favourably to the Palestinian demand for international protection.

Referring to [Sweden's recent recognition](#) of the State of Palestine, the representative of Pakistan said the momentum was irreversible and urged the Security Council to work towards doing the same. Throughout history, said the representative of Bolivia, humanity had been obliged to take sides on the basis of fairness and justice, and it had done so on such issues as slavery and apartheid. It was time for the world to act boldly once again.

Also making statements today were representatives of Morocco, Cuba, Ecuador, Syria, Indonesia and Turkey. A representative of the European Union Delegation also contributed.

Ivan Simonović, Assistant Secretary-General for Human Rights, introduced five reports of the Secretary-General.

The Committee will meet at 10 a.m., Friday, 7 November, to conclude its debate on the agenda item.

Background

The Fourth Committee (Special Political and Decolonization) met today to begin its consideration of the Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, for which it had before it documents [A/69/355](#), [A/69/128](#), [A/69/316](#), [A/69/348](#), [A/69/347](#) and [A/69/327](#).

Briefings

Presenting the Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, Vice-Chair Hussein Haniff, Permanent Representative of [Malaysia](#), regretted that the Government of Israel continued in its non-cooperation with the Committee and failed to respond to requests for meetings, or allow access to the Occupied Palestinian Territory.

Notwithstanding that, he said, the Special Committee, as in past years, sought information from a wide range of sources, including United Nations officials, representatives of non-governmental organizations as well as victims and witnesses of Israeli violations from within and outside Israel and the Occupied

Territory.

He said the Committee was appalled by the level of violence and unprecedented scale of destruction unleashed by Israel upon the people of Gaza during the summer, exacerbating the existing suffering of the people there.

Three months after the ceasefire, it was all too clear that civilians, including children, had paid the heaviest price, he said, noting that the latest figures available from the United Nations indicated that 1,523 Palestinian civilians, including 519 children, were killed during the hostilities in July and August. That figure was shocking, not only because it exceeded the casualty figures of Israel's military operations in 2008-09 and 2012, but also because civilian deaths represented 69 per cent of the total number of Palestinian fatalities during the hostilities — an unacceptably high ratio that could not be dismissed as "collateral damage". A further 11,000 or so people were injured, many of whom would live with debilitating injuries and disabilities for the rest of their lives. Moreover, one third of the 1.8 million people of Gaza was affected by damage to homes, as an estimated 20,000 housing units were completely destroyed or uninhabitable.

During each conflict between Israel, Hamas and Palestinian armed groups, he said, there had been indications of serious violations of international humanitarian and human rights law, but Israel's track record on accountability had been dismal. The Special Committee welcomed the establishment of an independent Commission of Inquiry by the Human Rights Council and urged Israel to cooperate with it. The Special Committee also called on the international community to honour its generous pledge made in Cairo last month for reconstruction to begin in earnest. Israel must implement, in good faith, the Gaza Reconstruction mechanism brokered by the United Nations. At the same time, the international community must continue to apply pressure on Israel to lift the blockade, which continued to impose a form of collective punishment on the enclave's population.

The Committee's finding also revealed the ill-treatment, torture and medical neglect of detainees, including women and children by Israel, which, he said, remained a serious issue. Of the 500 to 700 children arrested and detained by Israeli security forces every year, an estimated 76 per cent reportedly endured some form of abuse or physical violence during arrest, transfer or interrogation.

The Committee also reported on the ongoing construction of the wall in the context of the tenth anniversary of the advisory opinion of the International Court of Justice; infringement of Palestinian rights in East Jerusalem; the dispossession of Palestinians from their agricultural land; settler violence; the increasingly frequent use of live ammunition and excessive use of force by Israeli security forces in the context of demonstrations and search operations; and the lack of serious efforts by Israeli authorities to ensure accountability. For the first time, the Committee heard disturbing reports of Israeli interference in the provision of international humanitarian assistance especially targeted at the Bedouin communities.

As in past years, the Committee also reported on the role of companies doing business and profiting from the maintenance or construction of settlements, or exploitation of natural resources — whether in the occupied West Bank or in the occupied Syrian Golan. The Committee urged companies to act with heightened due diligence without delay and called on Member states to review national policies, legislation, regulations and enforcement measures in relation to business activity to ensure that it served to prevent and address the heightened risk of human rights abuses in conflict-affected areas. In relation to the occupied Syrian Golan, the report drew attention to the exploitation of natural resources, including water, wind, gas and oil, by both Israeli and multinational companies.

He said that the collapse of the nine month-long negotiations in April, together with subsequent announcements of new settlements tenders and construction, had once again diminished hopes of peace and further undermined prospects for a two-State solution. The tensions in the West Bank, including East Jerusalem, and the renewed provocations around the Holy sites in Jerusalem, if not addressed, could ignite another round of deadly violence and tragic loss of life. Sustainable peace and security for both Israelis and Palestinians alike could only be achieved by addressing the conflict's root causes.

IVAN ŠIMONOVIĆ, Assistant Secretary-General for Human Rights, introduced five reports of the Secretary-General pursuant to General Assembly resolutions [68/80](#), [81](#), [82](#), [83](#) and [84](#) and contained in documents [A/69/355](#), [128](#), [316](#), [348](#), [347](#) and [327](#).

Presenting the report on the work of the Special Committee, he said that it outlined activities undertaken in line with resolution 68/80 and by the Department of Public Information in support of the Committee's work. The report on the applicability of the Geneva Convention relative to the protection of civilians in time of war (resolution 68/81), summarized the responses received for a request for information about steps taken towards the resolution's implementation.

Moving on to the reports on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, for the period of July 2013 to May 2014, he pointed out that it focused on the creation and expansion of settlements. It also addressed the forcible transfer of Palestinian Bedouins, the failure of the Israeli Government to maintain public order and contain settler violence, and it offered an update on Israeli settlement activities in the occupied Syrian Golan. The report called on Israel to cease the creation of settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, and to implement all relevant United Nations resolutions.

He said the report on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory including east Jerusalem ([resolution 68/83](#)) focused on assessing the impact of the wall; Israel's practice of administrative detention; the human rights situation in Gaza; and accountability for the reported use of force by security personnel. It also provided an update on the ongoing efforts to build the capacity of Palestinian institutions; it addressed recommendations to the Israeli Government and the Government of the State of Palestine, as well as Palestinian armed groups in Gaza.

Regarding the report of the Secretary-General on the occupied Syrian Golan ([resolution 68/84](#)), he noted that it was a compilation of responses to the request of Member States for information on the steps taken concerning the resolution's implementation.

[Interactive Segment](#)

Taking the floor in an interactive dialogue, the observer of the [State of Palestine](#) said the reports attested to a systematic pattern of human rights violations by the occupying Power. The facts reported were alarming and consistent with recent reports by other mandate holders, all of which examined the situation of the human rights covenants and the [Fourth Geneva Convention](#).

Deploing Israel's refusal to cooperate with the Special Committee, she said that that country must be held accountable. The Palestinians had fulfilled their responsibilities and the international community must do so as well. Even 10 years after the advisory opinion of the International Court of Justice on the wall, the Israelis had continued their colonization activities. She sought further details from the Special Committee on the situation on the ground.

The representative of [Pakistan](#) asked for details on the condition of the detained children and the impact on their lives. On another matter, the delegate of [Egypt](#) asked what follow-up measures were planned in view of the responses received from the companies listed in the report. Then, the representative of [Cuba](#), citing horrendous figures of death and destruction inflicted by Israel, asked about the urgent measures being taken by the Special Committee. The representative of [Lesotho](#) said, year after year, the Special Committee faced Israeli non-cooperation. He asked what should be done to make that country work with that body?

Responding, Mr. Haniff said the expansion of settlements and the wall were at the root of the daily violations of human rights in the territories. Apart from violating the right to free movement, Israel also impeded the rights to work, education, health, and maintenance of an adequate standard of living. On top of that, the wall infringed the Palestinian right to self-determination. The illegality of the barrier, the occupation and settlement construction were clear, he said, urging the international community to act to reverse them.

On child prisoners, Mr. Haniff said they were particularly vulnerable, with access to parents, legal representation limited. Many children did not understand Hebrew and were taken to detention centres in Israel, he said, citing examples of abuses and ill-treatment, which risked long-term physical and psychological damage. The Committee believed that not enough had been done to implement recommendations by the United Nations Children's Fund (UNICEF) on protecting the children's rights.

Regarding Israeli non-cooperation, he said it was in Israel's interest to work with the Special Committee, which could then reflect the views of all parties more effectively. Regarding immediate steps, the Committee believed concerted international efforts were needed to pressure Israel to lift the blockade in an effort to improve the humanitarian situation in the occupied territories.

The representative of [Iran](#) asked how long the investigation on the Israeli assault on the Gaza Strip would take.

Responding to a number of comments and questions, Mr. Šimonović said the international community must live up to the pledges made in Cairo last year. The relevant parties must ensure adequate humanitarian assistance, medical supplies and passage of material for Gaza's reconstruction, he added. In response to the representative of Iran, he stated that the Office of the High Commissioner for Refugees (UNHCR) was entrusted by the Human Rights Council to establish a commission of inquiry. The timeline was to get back to the Council in March 2015.

[Statements](#)

FEDA ABDELHADY-NASSER, Observer of the [State of Palestine](#), said there was a human rights crisis in Palestine, where every aspect of life was being infringed, as the occupying Power continued to subjugate the people and entrench its occupation. While 2014 began on a hopeful note, with the United States-brokered

peace negotiations, Israel reverted to its colonial policies, destroying the fabric of Palestinian society. The carnage, trauma and terror inflicted on Gaza were the most shocking manifestation of the prevailing grave situation. It was clear that gross human rights violations, amounting to war crimes, had been committed. Of the more than 2,100 Palestinians killed, the majority were civilians, including women and children. In addition, hospitals and medical facilities, including United Nations facilities, water and waste networks were damaged.

Economic and industrial properties, constituting 60 per cent of Gaza's production capacity, were destroyed, with 35,000 jobs directly or indirectly affected. Ten percent of the thousands of munitions launched by Israel at Gaza remained scattered in civilian areas. Daily violent operations continued to be carried out by Israel, with more than 6,000 Palestinians held in Israeli prisons and detention centres. The effects of the blockade were wide-ranging and devastating. Extraordinary efforts would be required to heal the wounds and rebuild lives. Beyond human and physical rehabilitation, justice was needed for any reconciliation between Palestine and Israelis. In the West Bank, the picture was equally grim. Casualties continued owing to daily Israeli raids, including in East Jerusalem. The occupying forces continued to use human shields as they inflicted a nightmare on Palestinians.

In occupied East Jerusalem, Israel continued its illegal and destructive attempts to alter its demographic composition, character, status and identity to negate the Palestinian rights, presence in and connection to the city. The situation had dramatically escalated in recent days, she said, calling for immediate attention and action by the international community. Despite the gravity of the situation, Palestinians had not given up on peace. The international community must shoulder its responsibility at that critical junction to salvage the small prospects that remained to make that a reality.

GHOJAVHOSSEIN DEHGANI (Iran), speaking on behalf of the Non-Aligned Movement, said Israel's policies and practices continued to violate the fundamental human rights and dignity of the Palestinian people and other Arabs living under its occupation. The group was seriously concerned about the findings of the latest report of the Special Committee, particularly in regard to the situation of Palestinian prisoners and detainees, as well as the vastly detrimental impact of the illegal Israeli settlement campaign throughout the Occupied Palestinian Territory. He called for urgent action and practical measures by the international community, in particular, the Security Council, to compel the occupying Power to completely cease its illegal and destructive settlement campaign in the Occupied Territory, and abide by all of its obligations under international law.

Turning to the Syrian Golan, he reaffirmed that all unlawful actions by Israel since 1967 constituted a clear violation of international law, the United Nations Charter and relevant resolutions, including Security Council [resolution 497](#) (1981), and the [Fourth Geneva Convention](#). In that regard, the Movement demanded that Israel abide by resolution 497 (1981) and withdraw completely from the occupied Syrian Golan to the 4 June 1967 border. He expressed the Movement's unwavering commitment to a just and comprehensive solution to the Arab-Israeli conflict and to the immediate restoration of the inalienable rights of the Palestinian people to self-determination and sovereignty in an independent State, with East Jerusalem as its capital, as well as an outcome for the plight of the Palestine refugees on the basis of General Assembly [resolution 194 \(III\)](#).

ABDALLAH Y. AL-MOUJALLIM (Saudi Arabia), on behalf of the Organization of Islamic Cooperation and the League of Arab States, said the reports showed that the Israeli practices violated international law. Israel continued its inhumane blockade against Gaza and the use of force against unarmed civilians. The Arab Group held Israel responsible for the recent escalation of violence in the region. Closing access to the holy mosque and inflicting damage on it, was a very serious provocation to the Group. The 1,000 settlement units in Jerusalem were totally unacceptable and made a two-State solution impossible. Settler violence was another grave concern and he called on the international community to force Israel to bring to justice the people responsible for crimes.

He said the war on Gaza in July and August was an embarrassment to the international community who witnessed death and destruction in the Gaza strip, including the destruction of property of the United Nations. The Organization's Human Rights Council must provide immediate assistance to the Palestinian people and put together a fact-finding mission to investigate that conflict. He expressed his appreciation to the Governments that curtailed commercial activities with Israel and welcomed Sweden's recognition of the State of Palestine, asking other countries to follow. He also welcomed the Cairo summit and the steps taken for Gaza's reconstruction.

After decades of failure, he said, the Group called on the international community to draw a timeline to put an end to the Israeli occupation; to go back to the border of June 1967 and to implement a two-State solution, allowing the Palestinian people to exercise their right to sovereignty.

IOANNIS VRALAS, representative of the [European Union](#) Delegation, said that ending the Arab-Israeli conflict remained a key priority of the Union's Common Foreign and Security Policy. He urged a return to negotiations aimed at a final and comprehensive peaceful settlement of the conflict based on a two-State solution. In view of the rising number of violent incidents in the West Bank, he strongly deplored the continuing Israeli plans and activities to expand settlements there, including in East Jerusalem. He also condemned the continuing settler violence and deliberate provocations against Palestinian civilians. Leaders from both sides must send messages of calm. To achieve genuine peace, the status of Jerusalem as the future capital of two States must be resolved through negotiations.

Turning to the situation in Gaza, he said that, while the Union recognized Israel's legitimate right to defend itself against any attacks, its military operation must be proportionate and in line with international humanitarian law. Regarding the protection of human rights, he urged Israel to fully cooperate with the Human Rights Council, and the Office of the United Nations High Commissioner for Human Rights on the ground. He was concerned about the extensive recourse by Israel to administrative detention of excessive duration without charge, and called upon it to bring formal charges against those individuals, as determined through fair trials. He was also concerned about the high number of Palestinian children held in detention by Israel and by continuing reports of ill treatment during their arrest, transfer and interrogation.

MOHAMMED ATLASSI (Morocco), associating with the Non-Aligned Movement and Organization of Islamic Cooperation, said the tragedies that occurred during the Special Committee's reporting period were another testimony for history, which had recorded Israel's systematic violation of international humanitarian law and the Geneva Conventions through its harsh, inhumane and unjustified activities. The construction of settlements was part of a deliberate strategy that flagrantly rejected international conventions and decisions, which repeatedly emphasized their illegality. The fact that the settlement policy continued while peace talks were under way demonstrated a lack of seriousness on Israel's part for a two-State solution. When settlers recently attacked the Al-Aqsa Mosque, Israeli occupation forces stood by, he said, adding that Morocco viewed with concern Israel's escalations in pursuit of its illegal ambitions. Condemning those aggressive methods, which embittered Palestinians and Muslims around the world, he said efforts to give Jerusalem a Jewish character must be resisted.

HOMERO ACOSTA ÁLVAREZ (Cuba), associating with the Non-Aligned Movement, noted that the Special Committee was unable to comply with its mandate because of the lack of cooperation from Israel. He asked the Committee to strive to find a solution, as the situation in the Middle East worsened. The crimes committed by Israel against the Palestinian people in July and August shocked the international community. Cuba condemned the many deaths, displacements, and destruction, which aggravated the humanitarian situation in the Gaza Strip. His country supported the Palestinian call for the end of the military occupation and the exercise of their right to self-determination in an independent Palestinian State with pre-1967 borders, with east Jerusalem as its capital. The displacement of Palestinian families for the construction of new Israeli settlements was unacceptable and he asked for its immediate cessation. The activities committed by Israel were contrary to international law and constituted a threat to peace, while depriving the Palestinian people of their human rights.

Cuba urged an end to the Israeli occupation and requested a lifting of the cruel blockade of Gaza.

JOSÉ EDUARDO PROAÑO (Ecuador), associating with the Non-Aligned Movement, said a resolution to the Israeli-Palestinian conflict would be a positive contribution to international peace and stability. Such reconciliation would require vision on the part of both sides and the political will to take the required steps.

Fundamentally, it would require a definitive solution to the Palestinian question through the establishment of an independent, democratic, sovereign, contiguous and viable State, with East Jerusalem as its capital. The right of return of Palestinian refugees, demilitarization, an end to the blockade and reconstruction of Gaza were all central to a fair and just settlement. The report on Israeli practices cited multiple violations of international humanitarian and human rights law by Israel. As an occupying Power, it had clear obligations under those laws, which it must discharge.

ALI AHMAD HAYDAR (Syria) welcomed the impartial reports presented. What happened in Gaza recently was just a new chapter in the history of Israeli aggressions on Palestine. How many decades should pass before a stop was put to that brutal occupation, how many victims must fall, how many more settlements must be built, how many racist walls should be erected before the conscious of the world woke up to put an end to those Israeli crimes? he asked. The violence and racist practices of the settlers under the Israeli authority was terrible. The Israeli occupation in the Syrian Golan kept Syrians from their homeland, depriving them of their natural resources, and did not even allow them to carry a Syrian identification card. The Special Committee's report showed systematic violations by Israel of international and humanitarian law. Syria urged the end to the occupation of all Arab territory and a return to the June 1967 borders.

A. AGUS SRIYONO (Indonesia), associating with the Non-Aligned Movement and Organization of Islamic Cooperation, said the Special Committee's report was a further confirmation of the grim realities in the Occupied Territory. Indonesia was deeply disturbed by the continued deterioration of the humanitarian and socio-economic conditions of Palestinians. Ten years after the International Court of Justice advisory opinion, Israel still completely ignored that historic decision. The wall was now three times as long as it was in 2004, and settlements, illegal acquisition of territory by force, demolitions, and forcible transfers had become routine. While the illegal settlements had grown out of control, the blockade in Gaza had further exacerbated the terrible humanitarian conditions.

Welcoming various steps taken by the Government of Palestine to ensure the centrality of human rights in its development efforts, he said the report's recommendations for Israel were critical. He called on the international community to demand Israel's accountability through relevant international

mechanisms and to support the implementation of the Commission of Inquiry's mandate. Indonesia also urged the United Nations to respond favourably to the Palestinian demand for protection.

MASOOD KHAN ( Pakistan ), associating with the Non-Aligned Movement, condemned the attack on the Al-Aqsa mosque. Such provocative actions triggered protests and imperilled the fragile calm in the region. The peace process had collapsed due to the biggest land grab from Israel with the development of new settlements. As the report highlighted, 10 years after the International Court of Justice advisory opinion, the wall continued to be built and was now three times bigger. Would Gaza be rebuilt only to be destroyed again, he asked, adding that that cycle must be broken. The Security Council must show its leadership by calling for a clear road map to reinvigorate the peace process. However, the dialogue must be accompanied by clear timelines. Sweden recognized the State of Palestine, and French lawmakers were drafting a resolution for the Government to recognize Palestine as a State. That momentum was irreversible, and it was time for the Security Council to work for the same objective — an independent State of Palestine based on the pre-1967 borders with Al-Quds Al-Sharif as its capital. He reiterated his support for the work of United Nations Relief and Works Agency for Palestine Refugees (UNRWA), and welcomed the \$5.4 billion in pledges to rebuild Gaza. Pakistan strongly supported the Palestinian people in their quest for self-determination, peace and for an independent State.

SACHA SERGIO LLORENTTY SOLÍZ ( Bolivia ), associating with the Non-Aligned Movement, said humanity had witnessed one of the coldest acts of aggression by one State against another in July. Over the decades, Israel had committed several atrocities against the Palestinian people, while the international community stood by. Those who blocked the Security Council from acting on behalf of Palestinians were accomplices of Israel. Bolivia condemned Israel's illegal expansion in the occupied territories, its repression of and restrictions on the Palestinian people, and its desecration of religious sites. It was unacceptable that thousands of Palestinians were being detained in harsh conditions, without medical care or contact with their families. Throughout history, humanity had been obliged to take sides on the basis of fairness and justice, and it had done so on such issues as slavery and apartheid. It was time for the world to act boldly once again.

MAKBULE BAŞAK YALÇIN ( Turkey ) called for a cessation to the blockade, ongoing settlements, settler violence, forced displacements, demolitions, and excessive use of force. Turkey strongly condemned the previous day's incursion of Israeli extremists in Haram al-Sharif as a clear violation of the site's sanctity. Israeli practices violated human rights and freedom of worship, and that should not be tolerated.

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