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**Human Rights Council
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Agenda Item 7



**UNITED NATIONS
HUMAN RIGHTS
OFFICE OF THE HIGH COMMISSIONER**

**Introductory remarks by
Ms. Kyung-wha Kang
Deputy High Commissioner for Human Rights**

Geneva, 24 September 2012

Madam President,

Distinguished members of the Human Rights Council,

Excellences,

Ladies and gentlemen,

On behalf of the High Commissioner, I am pleased to introduce one report under agenda item 7.

The Secretary-General's report on progress made in the implementation of the recommendations of the Fact-Finding Mission on the Gaza conflict is submitted pursuant to Human Rights Council resolution 19/18. The report not only reviews the status of implementation of the Fact-Finding Mission's recommendations, it also contains the Secretary-General's observations regarding the measures required to ensure the most adequate and effective implementation of each recommendation.

The High Commissioner encourages the Government of Israel and the Palestinian side to take prompt action in response to the Secretary-General's observations. In addition, the High Commissioner highlights the need to more earnestly pursue accountability for the serious violations of human rights and international humanitarian law that were documented by the Fact-Finding Mission.

It has been nearly three years since this Council endorsed the Fact-Finding Mission's recommendations. Yet, not one person has been indicted for any of the incidents documented by the Fact-Finding Mission.

The High Commissioner notes the recent indictment by Israel of a soldier for “manslaughter of an anonymous person.” This soldier had been under investigation for killing Ms. Abu Hajaj and her daughter, an incident documented in the Fact-Finding Mission’s report. In light of this soldier’s indictment on charges apparently relating to a different incident, Israel must continue to investigate the killing of Ms. Abu Hajaj and her daughter.

Let me further note the High Commissioner’s concern regarding the appropriateness of the punishment given to this same Israeli soldier. His indictment for “manslaughter of an anonymous person” resulted in a 45 day jail sentence. This contrasts starkly with the seven and a half month jail sentence that an Israeli soldier received for having stolen a credit card during Operation Cast Lead.

Respecting human rights and international humanitarian law obligations means that perpetrators of violations are brought to justice. This requires investigations that are independent, impartial, thorough, effective and prompt. It requires fair trials that meet international standards. And it requires penalties that are commensurate with the crimes.

Excellences,

There is a need to ensure accountability for violations of human rights and international humanitarian law throughout the occupied Palestinian territory. This includes bringing to justice Israeli settlers who perpetrate violence against Palestinians and their property.

The High Commissioner's field presence continues to document such violence. I should like to note selected recent developments in this regard.

On 16 August, the Hassan family was travelling in the southern West Bank when their taxi was hit with a Molotov cocktail. Three of the family members, including a six year old child, remain hospitalized today. The father is still being treated in intensive care. Israel initially detained three children of settlers in relation to this incident, but they were released into house arrest after five days. This was a horrific attack and justice must be delivered for the Hassan family.

In the northern West Bank, the case of the Daraghmeh family provides a striking example of the need to hold Israeli settlers accountable. The Daraghmeh family has been attacked repeatedly by Israelis from nearby settlements. Over the past two years alone, family members have had to seek medical treatment 35 times due to injuries sustained during settler attacks. At least 850 of the family's olive trees have been damaged or stolen by settlers. Despite several complaints filed with the Israeli police, no action has been taken to prosecute offenders. On the contrary, Israeli police have arrested the father and sons on numerous occasions following attacks by settlers.

With the upcoming olive harvest, the phenomenon of Israeli settlers destroying Palestinians' olive and other productive trees merits focused attention. Between 1 August and 11 September alone, 426 olive trees were damaged or destroyed in 25 incidents of settler violence. Israeli settlers set fire to 150 olive trees in Immatin, and

chopped down 27 olive trees in Kafr Laqif and 18 olive trees in Burin. Such attacks have a seriously detrimental impact on Palestinian livelihoods, as agricultural is a critical source of income for many communities in the West Bank.

These incidents are characteristic of a long-standing pattern of frequent, at times extreme violence by Israeli settlers against Palestinians and their property. Israel has a legal obligation to protect Palestinians from such violence. When it occurs, Israel must ensure the perpetrators are brought to justice.

It is in this context that the High Commissioner welcomes the recent announcement from Israel's Internal Security Minister that a police task force will be established to address "nationalistic hate crimes" committed by Israeli settlers. We look forward to immediate and effective action by the Israeli authorities to prevent, investigate and punish any incident of violence by Israeli settlers against Palestinians or their property.

This concludes my introductory remarks.

Thank you.
