

Draft Statement by the Islamic Republic of Iran

On behalf of the NAM

Item 7 General Debate

23rd HRC Session

10 June 2013

Mr. President,

I have the honour to deliver this statement on behalf of the NAM.

The NAM pays special compliment to the resilience of the Palestinian people throughout the decades of hardship they have been forced to endure , which dispossessed and rendered the majority of Palestinians as refugees, occupation of their land; ongoing brutal military raids and attacks against the civilian population; blockade of the Gaza Strip; settlement colonization campaign involving, inter alia, land confiscations, construction and expansion of settlements and “outposts”; transfer of Israeli settlers; construction of the Wall; home demolitions, and imposition of severe movement restrictions and hundreds of checkpoints; detention and imprisonment of thousands of Palestinians; forced displacement of Palestinian civilians; and all other measures of collective

punishment against the Palestinian people, constituting systematic and grave violation of international law, including international humanitarian law and international human rights law.

The NAM maintain that the prolonged occupation of the Occupied State of Palestine by Israel, the occupying power, remains the main obstacle to the realization of the inalienable right of the Palestinian people to self-determination and to the establishment of a sovereign and independent Palestinian State and remains the main source of gross violations of the basic rights of Palestinians in the Occupied State of Palestine, particularly in east Jerusalem.

The NAM reaffirms the need to end the occupation and establish the independent and sovereign state of Palestine with East Jerusalem as its capital based on the 1967 borders and the return of Palestinian refugees in accordance with relevant United Nations resolutions including GA resolution 194. In this connection, The NAM welcomes the GA resolution adopted on 29 November 2012 which upgraded the status of Palestine in the UN.

The NAM also extends all its support to the Government of the state of Palestine and the Palestinian leadership in their ongoing efforts

to put an end to the occupation of the land of the State of Palestine and realizing the legitimate rights of the Palestinian people and the ongoing plans of building the state of Palestine and its institutions.

Mr. President

The NAM strongly condemns the continuous systematic and gross violations of the legitimate and inalienable rights of the Palestinian people by Israel, the occupying power, in particular the most fundamental rights including their right to life, right to self-determination and freedom of movement.

The NAM strongly believes that Israel, the occupying power, has to be held accountable for its continued grave and systematic violations of both international human rights law and international humanitarian law in the all Occupied Arab Territories including Syrian Golan

In this connection, Israel's treatment of Palestinian prisoners in particular children in detention continues to be alarming. Indisputably, Israel's use of illegal administrative detention blatantly violates international law. In this context, the following policies and practices remain serious, on-going concerns for the NAM : detention without

charges and other forms of arbitrary detention, such as Israel's abusive misuse of administrative detention; torture and other forms of ill, inhumane and humiliating treatment; coerced confessions; solitary confinement, including of children; denial of equality of arms; denial of visits by family members and the International Committee of the Red Cross; denial of access to legal representation; unacceptable conditions in prisons and detention centers; lack of access to required health care, at times amounting to medical neglect; and denial of access to education, including for children. These concerns are punctuated by Israel's flagrant disregard of article 76 of the Fourth Geneva Convention.

In this regard, the Movement calls on the international community to act urgently to address this critical situation in line with obligations under international law, specifically Article 76 of the 4th Geneva Convention, which defines the rights of protected persons faced with detention by an occupying Power.

Mr President

The NAM calls upon the occupying power:

- To lift immediately the illegal blockade on Gaza as well as check points, to open borders and crossing points and to facilitate the free movement and circulation of persons and goods within the Occupied State of Palestine and with the outside world based on article 12 of the covenant of civil and political rights.
- To comply with the ICJ advisory opinion on the construction of the wall in the Occupied State of Palestine.
- To release all Palestinian prisoners particularly children, women and members of the Palestinian parliament.
- To stop the destruction of Palestinian properties in East Jerusalem and refrain from any measure aiming at altering the legal, geographic and demographic character or status of Jerusalem.

Finally, the Movement calls upon international community:

- To establish a commission of enquiry into the situation of Palestinians detained or imprisoned by Israel. This enquiry should have a broad mandate, to examine Israel's track record of impunity for prison officials and others who interrogate Palestinians;

- To investigate the activities of businesses that profit from Israel's settlements, and take appropriate action to end any activities in occupied Palestine and ensure appropriate reparation for affected Palestinians;

I thank you

Thank you