

ORAL STATEMENT BY NORD-SUD XXI
Union of Arab Jurists, The International Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD),
and The Arab Lawyers Union
TO 14TH SESSION OF THE HUMAN RIGHTS COUNCIL
Special Sitting
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Nord-Sud XXI expresses its shock and total condemnation of Israel's acts of aggression against humanitarian relief vessels and Israel's premeditated murder of unarmed civilians, human rights defenders, who were attempting to deliver humanitarian relief to the Palestinian people of Gaza who have been subjected to conditions of life that appear intended to destroy them in whole or in part as a people.

This wanton attack was carried out against civilians, members of civil society, human rights defenders, of diverse nationalities and religions who were showing compassion for suffering people. The victims intended no harm to their Israeli attackers and indeed posed no threat to them. Allegations that unarmed human rights defenders delivering humanitarian aid are a threat to highly armed Israeli commandos are an insult to the intelligence of international observers. These brave human rights defenders were acting to uphold international law.

International law firmly establishes the right of civilians to receive relief supplies. For example, Article 23 of the Fourth Geneva Convention, which is ratified by Israel, requires all states to allow the free passage of humanitarian relief. Even if Israel may have exercised administrative control over the assistance, it did not elect to do so, but instead violently, using disproportionate force, attacked the human rights defenders as they sought to deliver the needed humanitarian relief.

Israeli's actions of willful killing human rights defenders, of willful treating them inhumanely, of unlawful confining them and extensively destroying or appropriating their property are grave breaches of international humanitarian law. These war crimes require every state in the international community to search for the persons who committed these grave breaches and to prosecute them.

Such violations of international humanitarian law also violate the human rights to life, to humane treatment, to security of person that are found in International Covenant of Civil and Political Rights.

Israeli's actions against foreign vessels carrying humanitarian assistance are also serious violations of the law of the sea that provides for the free passage of civilian vessels. Similar to acts of piracy by a state, Israel's acts threaten the peace and security of the entire international community. To allow these acts to go unpunished threatens the legitimacy of the international community and the institutions it has erected to protect the human rights of peace-loving human beings.

The United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, American law professor Richard Falk characterized Israel's unlawful aggression as creating "a situation of regional and global emergency." We join the

Special Rapporteur Mr. Falk in calling upon the international community “to take urgent action in response to this flagrant flouting of international law ... [and] ... to insist on the end of the blockade of Gaza ... [and to support the] ... worldwide campaign of boycott, divestment, and sanctions against Israel ... [as] .. a moral and political imperative....”

We also call on the end of impunity for a State that has subjected the people of Palestine to more than half a century of inhumane conditions. To this end we again join Dr. Falk in stating that “[i]t is essential that those Israelis responsible for this lawless and murderous behavior, including political leaders who issued the orders, be held criminally accountable for their wrongful acts.”

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