

MR. Aftab Khokher

Introduction by Pakistan, on behalf of the OIC and Arab Groups, on the Draft Resolution A/HRC/15/L.34 on the Follow up to the report of the Committee of Independent Experts in International Humanitarian and Human Rights Law pursuant to HRC resolution 13/9, on 29 September 2010

Mr. President,

On behalf of the OIC and Arab Group I have the honour to introduce orally the revised draft resolution A/HRC-15/L.33 entitled 'Follow up to the report of the Committee of Independent Experts in International Humanitarian and Human Rights Law pursuant to HRC resolution 13/9'.

The Human Rights Council strongly condemned the aggression launched by the Occupying Power Israel last year in the Occupied Gaza Strip. The Council held two Special sessions on the subject and fully endorsed the report and recommendations contained in the report of the UN international fact finding Mission (IIFFM) on the Gaza conflict. The IIFFM report asked for a series of actions which need serious and consistent follow up by the UN system. In this context, the Council in its 13th session, decided to establish a committee of independent experts in international humanitarian and human rights laws to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side.

The report presented by the Committee in the Council last Monday concluded that the non-cooperation by Israel hampered the Committee's assessment of Israel's response to conduct investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian law and international human rights law.

In order to ensure that Israel complete investigations in conformity with international standards of independence, thoroughness, effectiveness and promptness into the serious violations of international humanitarian law and international human rights law as reported by IIFFM on the Gaza Conflict, the OIC decided to table a follow-up resolution in the ongoing session of the Council.

In the preambular part the resolution recalls relevant resolutions of the Human Rights Council and the General Assembly as well as relevant rules and principles of international law including international human rights and humanitarian laws that are applicable to the Occupied Palestinian Territory including East Jerusalem. The resolution reaffirms the obligation of all parties to respect international humanitarian law and international human rights law under all circumstances and reiterates the importance of safety and well being of all civilians in particular the obligation to ensure their protection in armed conflict as well as stresses the need

to ensure accountability for all violations of international humanitarian law and international human rights law to prevent impunity, ensure justice, and deter further violations and promote peace.

Mr. President

In the operative part the draft resolution

- Takes note of the reports of the United Nations Secretary General and the UN High Commissioner, and requests the both to follow-up on the implementation of the recommendations contained in the report of the IIFFM on the Gaza conflict, in accordance with paragraph 3 of section B of HRC resolution S-12/1 ;
- Welcomes the report of the Committee of Independent Experts
- Warmly welcomes the cooperation by the Palestinian National Authority with the UN Committee of independent experts, and the report submitted to the United Nations Secretary General on the investigations carried out by the Palestinian Independent Commission of Investigations according to Goldstone's report ;
- Urges the Palestinian Independent Commission of Investigations to complete its investigations ,in order to cover the allegations contained in the report of the IIFFM in occupied Gaza Strip;
- Condemns the non-cooperation by Israel, the occupying power, which hampered the UN committee's assessment of Israel's response to the call by the General Assembly and the Human rights council to conduct investigations that are independent, credible and in conformity with international standards;
- Urges Israel, the occupying power, in compliance with its duties to complete investigations in conformity with international standards of independence, thoroughness, effectiveness and promptness into the serious violations of international humanitarian law and international human rights law reported by the IIFFM on the Gaza Conflict;
- Decides to renew and resume the mandate of the UN Committee of Independent Experts, and requests this Committee to present its report to the Council at its sixteenth session of March 2011;

- Requests the UN High Commissioner for Human Rights to present a report on the implementation of the present report to the council at its sixteenth session of March 2011;

I will now present a number of oral revisions to this draft:

There is a revision in Op1. The revised Op1 is

“Takes note of the report of the Secretary-General, and requests the Secretary-General to follow up on the implementation of the recommendations contained in the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, in accordance with Human Rights Council resolution S-12/1”

There is also revision in OP2. The revised OP2 is

“Also takes note of the report of the United Nations High Commissioner for Human Rights, and requests the High Commissioner to follow up on the implementation of the recommendations contained in the report of the Fact-Finding Mission, in accordance with Human Rights Council resolution S-12/1”

Finally, we have a revision in OP3. The revised OP3 is

“Welcomes the report of the Committee of independent experts in international humanitarian and human rights law to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side, including the independence, effectiveness, genuineness of these investigations and their conformity with international standards”

In conclusion, we hope that member states would join the consensus on this resolution. It is our firm belief that attainment of a comprehensive, just and lasting peace and stability in the Middle East is possible only through ensuring accountability, preventing impunity and ensuring justice. This resolution addresses this important issue.

I thank you Mr. President.