

**Agenda Item 52: Report of the Special Committee to
Investigate Israeli Practices Affecting the Human
Rights of the Palestinian People and Other Arabs of the
Occupied Territories (A/65/327)**

**Statement by Ambassador H.E. Dr. Palitha T. B. Kohona
Permanent Representative of Sri Lanka to the United Nations
Chairman of the Special Committee**

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Mr. Chairman,

I am pleased to present to you the 42nd report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

The report examines the human rights situation in the occupied Palestinian territory and the occupied Syrian Golan between September 2009 and August 2010 as mandated by GA/Res/64/91. It is a summary of the information gathered during the Committee's mission to Egypt, Jordan and Syria in June 2010. The Committee appreciates the cooperation of representatives of the Governments of these countries. Since the Committee's establishment, the Government of Israel has not accommodated its repeated requests to visit the occupied territories.

While on mission, the Committee interviewed 43 Palestinian, Israeli and Syrian witnesses and representatives of non-governmental organizations. In addition, it met with government representatives, representatives of regional and intergovernmental organizations, staff of the Palestinian Red Crescent Society at the Palestine Hospital in Cairo, United Nations officials, and experts from specialized United Nations agencies. The Committee also reviewed numerous documents and other material. Witness testimonies were supported by secondary written and audio-visual materials from independent and credible sources.

Mr. Chairman,

The testimonies that we heard this year attest to a failure to address the long-standing pattern of serious violations of human rights. The Committee found that the Government of Israel continued to fail to protect the population of the occupied territories and to meet its obligations under international human rights and humanitarian law. The report notes that the policies and practices emanating from the occupation were a key source of violations, which had a specific impact on women and children. Indeed, the current regime continues to infringe on a broad range of rights, including the rights to health, education, an adequate standard of living, work and family life. Consequently, a high proportion of the occupied population lives in poverty, large numbers, totally dependent on humanitarian assistance. The Report also deals with the situation of over 6,200 Palestinian prisoners and of allegations of the widespread use of torture and ill-treatment. It concludes that an unacceptable culture of impunity prevails leading to the repetition of violations that were highlighted in previous years by this Committee and others.

Mr. Chairman,

In this presentation, I would like to draw your attention to several issues that we consider to be of pressing concern. I wish to address the issue of the Palestinian right to self-determination which is undermined by the ongoing confiscation of land, settlement expansion, the construction of the Wall and efforts to remove traces of Palestinian heritage.

Information received by the Committee demonstrated that settlement building continued in East Jerusalem and in the West Bank during the ten month partial moratorium on settlement construction. As you are aware, the partial settlement freeze was ended on 26 September. In late October, media reports suggested that Israeli settlers had begun building new homes at an extraordinary pace - almost 600 in three weeks, more than four times faster than in the last two years.

Beside the illegal settlements, the report notes that the construction of the Wall continued. The Committee heard that, over the past year, organizers and prominent activists of the weekly demonstrations protesting against the Wall have been increasingly targeted. They have been arrested during night raids, detained, often ill-treated, and in some cases sentenced to prison terms.

The Committee believes that these and other measures are jeopardizing the right of Palestinian people to realize self-determination.

The Report further outlines Israel's policy of forced evictions and home demolitions in the West Bank, notably in East Jerusalem and Area C. These take place in a context in which policies relating to planning, development and building seek to severely restrict the Palestinian right to construct homes or extensions. In addition, Israeli authorities continue to withdraw the status of "permanent resident", given to Palestinians living in East Jerusalem.

Policies on settlement expansion, settler violence, home demolitions and forced evictions, the Wall, and the revocation of residency rights have caused significant forced displacement in the occupied Palestinian territory. The risk of forced displacement took on an additional dimension in April 2010 with the issuance of Israeli Military Orders 1649 and 1650. The Committee is extremely concerned that these orders place large numbers of Palestinians residing in the West Bank, and East Jerusalem, at risk of transfer or deportation to the Gaza Strip or elsewhere at any moment.

Turning to the Gaza Strip, we are disturbed to have to raise the issue of the blockade again this year. In June, this policy, which is tantamount to collective punishment, entered its fourth year and the economic and social rights of Gaza's residents continue to be violated. Despite Israel's decision in June to ease the blockade, goods entering Gaza continue to fall well below the needs of the population. At the same time, the almost total ban on exports and the severe restriction on the movement of people remain in place. Witnesses have stated that Israel consistently prevents Palestinian civilians in Gaza from leaving the territory to visit family, to study and to receive medical treatment. The report cites nine cases where permit rejections or delays culminated in the deaths of patients, including that of 19-year-old Fida Talal Hijji. In October, after we finalized our report, we were saddened to learn of another case: that of two-year-old Nasma Abu Lasheen who died in Gaza after the Israeli authorities failed to issue her an urgent entry permit for life-saving medical treatment in Israel.

The report also highlights witness reports and our serious concern for the ongoing loss of life in conflict-related violence across the occupied Palestinian territory, but perhaps most notably in the so-called 'buffer zone', the no-go military area in Gaza along the perimeter fence with Israel. These included 21-year-old Ahmad Deeb, who was killed while participating in a peaceful protest against the lack of access to the 'buffer zone'.

As a means to ensuring that these violations cease to be repeated year after year, the Committee believes that the issue of accountability assumes critical importance. Two prominent examples come to mind. The first, relates to the Israeli military offensive in Gaza in December 2008 / January 2009. This year, the Committee received evidence that investigations conducted by the Israeli authorities into the offensive failed to meet the required standards. The second relates to the rise in the number of attacks by settlers against Palestinian civilians and their property in 2010. The Committee is concerned by the Israeli

authorities' ongoing failure to prevent and stop attacks or to adequately prosecute those responsible for these attacks.

In relation to the occupied Syrian Golan, the report outlines violations relating to illegal settlements, to the inequitable distribution of water resources, access to essential services and to limited local employment opportunities, among other things. The report also finds that landmines continue to be a major threat to safety, including of children, and to limiting the movement of people and use of land.

In order to address the pattern of infractions of human rights standards which are persistent, the Committee reminds the Government of Israel of its responsibility as the occupying power to respect international humanitarian and human rights laws. It further calls on the General Assembly to ensure that Israel takes concrete measures to fulfill that responsibility. In this regard, the Committee would like to stress the following recommendations, elaborated in its latest report:

The General Assembly may wish to consider all means at its disposal to enable the Special Committee to fulfill its responsibilities, as mandated by the General Assembly, including with regard to access to the territories occupied by Israel since 1967. It may also urge the Member States to implement the recommendations of the Special Committee, and intensify diplomatic efforts including the adoption of appropriate measures to require Israel's compliance with relevant United Nations resolutions, particularly Security Council resolutions, and with international humanitarian and human rights laws. It also requests the High Contracting Parties to the Fourth Geneva Convention to take concrete measures, in respect of their obligations under article 1, to ensure respect for the Convention by Israel.

The Committee recommends that the Government of Israel should cease its policies of confiscating land and of expanding settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, which are contrary to international law. Israel also needs to end the collective punishment of the people of Gaza and establish a just, independent and transparent system of accountability that ensures prompt and impartial investigations, brings perpetrators to justice and enables victims to enjoy the right to an effective remedy. Israel should refrain from obstructing the work of human rights defenders and peaceful civil activists and support and protect them in the context of their work. To build confidence and trust it is necessary to stop all measures that result in the forcible displacement of Palestinians from their own land. The Committee once more urges Israel to cooperate with the Special Committee and grant it full access to the occupied territories.

The Committee also calls on the Palestinian authority to abide by its obligations under international human rights and international humanitarian law.

Mr. Chairman,

It is the sincere hope of the Special Committee that its recommendations would be implemented by all parties concerned and that long deprived rights of the Palestinian people and the other Arabs in the Occupied Territories would become a reality.

Thank you, Mr. Chairman.