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UNITED NATIONS HUMAN RIGHTS COUNCIL

13th Session

(1 - 26 March 2010)

Item 7

General Debate

Statement by

H.E. Ambassador Javier GARRIGUES

**Permanent Representative of Spain
to the United Nations Office in Geneva**

on behalf of the European Union

Geneva, 22 March 2010

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EU Statement
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Human rights situation in Palestine
and other occupied Arab territories

Mr President,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia*¹, the Countries of the Stabilisation and Association Process and potential candidates Albania, Montenegro, Serbia, and the EFTA country Iceland, member of the European Economic Area, as well as Ukraine and Armenia align themselves with this declaration.

The European Union reaffirms its distress over the humanitarian and human rights situation in the Occupied Palestinian Territories, and reiterates the need to promptly engage in negotiations. It is of our opinion that both the Palestinian Authority and the Government of Israel should engage in preventing, investigating, and remedying violations of international law, respect previous agreements and coordinate steps towards maintaining peace in the region. We call upon both parties to fully adhere to international humanitarian and human rights law, combat impunity, and focus on the principle of accountability. Ultimately, we urge the timely arrival of a political solution culminating in an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbors.

The steps taken by the United States to promote peaceful talks between the two parties are warmly welcomed, and the European Union supports their calls for a prompt resumption of negotiations.

Mr President,

The European Union expresses further concern at the humanitarian and human rights situation in the Gaza Strip and asks the State of Israel to promote the movement and flow of commercial goods, humanitarian and reconstruction aid, and persons to and from Gaza. Fully recognizing Israel's legitimate security needs, we hope this will result in the immediate and sustained opening of crossings into Gaza and the realisation of social and economic rights in the area. Whilst we are pleased with developments made by Israel regarding the promotion of Palestinian economic development, we stress that further improvements should be made that echo our requests, in addition to the full and sustained implementation of the 2005 Agreement on Movement and Access. We additionally reiterate our call on those holding the abducted Israeli soldier Gilad Shalit to release him without delay and for the cessation of the firing of Kassam missiles from the Gaza Strip.

¹ * Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

Mr President,

Another area of deep concern is the continuation of settlement activities, and the European Union takes note of the 10 month moratorium on settlement expansion established in November 2009. We recognise that this is a constructive step towards peace, but also note that the agreement is binding in the West Bank only. Consequently, the European Union once again urges the Government of Israel to end all settlement activities immediately, and calls on the state to honour the commitment made regarding the road map at the Annapolis Conference. We reiterate that the construction of settlements in the Occupied Palestinian Territories and East Jerusalem is illegal under international law, and subsequently ask for all outposts erected since March 2001 to be disassembled, as stipulated in the Roadmap.

In this context, the European Union condemns the decision by the Government of Israel to build new housing units in East Jerusalem. The EU calls upon the Israeli authorities to fulfil all their commitments and the obligations vis-a-vis the peace process and to refrain from unilateral decisions and actions that may jeopardize the final status negotiations.

The European Union wishes to reaffirm its support for the Arab Peace Initiative, and additionally encourages inter-Palestinian reconciliation behind President Mahmoud Abbas and supports the efforts of the Arab League as mediators. The divisions amongst Palestinians needs to be addressed and reformed, to avoid a deeper separation between the West Bank and Gaza. For this reason, the European Union calls on all Palestinians to restore unity, based on non violence and reconciliation, in order to facilitate a Palestinian state.

Mr President,

The report by the UN Fact Finding Mission on the Gaza Conflict includes allegations of grave violations of international humanitarian law, including deliberate attacks on civilians. We once again take note of the recommendations of the mission and invite the parties to the conflict to implement those addressed to them, in particular, the establishment of appropriate, credible and independent investigations into the possible violations of international humanitarian and human rights law in accordance with international standards. We acknowledge the first steps made in this direction, and strongly urge the Palestinian Authority and the Government of Israel to fully adhere to the aforementioned laws, and reiterate the responsibilities of both parties to prevent, investigate, and remedy violations, with a view to hold accountable those responsible.

The European Union remains strongly committed to continue working alongside other members of the Quartet and the region's states to end the violence and alleviate the intolerable humanitarian situation of the civilian population. We believe that it is essential that the Council sends a strong, clear and united message calling for the protection of all civilians and an immediate and lasting halt to all violence, both on the Israeli and on the Palestinian sides. The European Union believes that it is paramount that the Council takes a balanced approach to these issues.

Thank you, Mr President.