

Statement by Pakistan, on behalf of the OIC, during the 12th Special Session of the Human Rights Council on “Human Rights Situation in the Occupied Palestinian Territory including East Jerusalem”, Geneva, 15 October 2009

Mr. President,

I have the honour to make this statement on behalf of the OIC Member States.

The OIC member states have unanimously supported the Palestinian call for holding this Special Session on the continuation of grave violations of human rights in the occupied Palestinian Territory in general and Occupied East Jerusalem in particular, by the occupying power, Israel. The international community has witnessed illegal and intensifying colonization measures in the Occupied Palestinian Territory, ongoing settlement activities, transfer of more Israeli settlers, continued construction of the Separation Wall in and around the Holy City including changing of its demographic and geographic character, restrictions on the freedom of movement of Palestinian citizens, their unlawful detention and imprisonment and in particular the continued digging and excavation work in and around Al-Aqsa mosque and its vicinity.

The OIC strongly condemns these violations and, as always, stands with the Palestinian people in this difficult moment. What makes this all the more dangerous is the vacuum created by the absence of a credible peace process.

Mr. President,

The Human Rights Council, during its 12th Session considered the report of the International Fact Finding Mission (IFFM). The Mission has presented an objective, impartial and comprehensive report, which has been welcomed, widely praised and appreciated by the UN Member states and international civil society.

The Report has called for certain urgent actions to be taken by the Council. Some member states, during the 12th Session, expressed the desire to have more time before an action was taken on that Report. The delegation of Palestine, in deference to the desire of these member states, with all its sincerity acceded to the request. Palestine expected, and rightly so, an acknowledgement from the international community and a positive response from Israel to further the Palestinian cause and promote the Peace Process. Unfortunately, the opposite happened. The concession made in good faith was construed as a sign of weakness and compromise. Israel, the occupying power, unleashed a renewed reign of terror on the poor Palestinians. Palestinian people had to pay a heavy price for deferring the consideration of the Goldstone Report by the Council. Is it just? No. Can the Council ignore the continuation of gross human rights violations? No. The Council must respond to this challenge and help the Palestinian people to enjoy their human rights.

Mr. President,

Early this year, the international community looked with horror the events in the Occupied Gaza Strip. All independent reporting on this 23 days aggression pointed to commission of serious violations of international human rights and humanitarian law by Israel. Reports,

following the Human Rights Council's Special Session on the Human Rights Situation in the Occupied Palestinian Territories particularly in the Occupied Gaza Strip, including High Commissioner's periodic report and combined report from Special Procedures have confirmed that significant prima facie evidence revealed serious violations of international humanitarian law as well as gross human rights violations during this military aggression. The Goldstone Report has authenticated and confirmed these violations with evidence. Most importantly, the report of the IIFFM, confirmed international community's worst fears of committing war crimes and crimes against humanity by Israel during its military aggression in the Occupied Palestinian Territories including East Jerusalem.

Criticism that the Goldstone Report is not balanced is not justified. The actions of the two parties cannot be equated. The impact of actions of the two sides in terms of loss of lives and damage is un-comparable.

The argument that Israeli actions were in the context of self-defense is untenable. Indiscriminate use of weapons against civilians is a clear violation of international humanitarian law and cannot be condoned under any circumstances.

The observation that the implementation of the report will affect the Peace Process has been aptly responded by Justice Goldstone himself that "there is no peace without justice".

Mr. President,

The humanitarian and human rights situation is turning worse for the Palestinian people living under illegitimate occupation. They live under terror and fear. The OIC has repeatedly cautioned that Israel's illegal measures undermine the contiguity, unity and integrity of the Palestinian Territory and imperil the establishment of an independent, sovereign and viable State of Palestine, with Al-Quds and Al-Sharif as its eternal capital, on the basis of the two-State solution in accordance with international law and UN resolutions. We reiterate our call on the need for the urgent intensification of efforts by the international community, including the Quartet and particularly by the Security Council, to address the continuing political and humanitarian crisis and to lend crucial support towards the resumption and early conclusion of a credible, sustained and result-oriented peace process to the satisfaction of the Palestinian people. The United Nations and the Human Rights Council must remain seized towards the question of Palestine until it is resolved in all of its aspects.

Mr. President,

The OIC considers this Special Session as an expression of international community's extreme concern over the ongoing human rights violations by Israel in the Occupied Palestinian Territory including East Jerusalem as well as the need to take the most appropriate and timely action by this Council on both the periodic report of the High Commissioner and that of the Independent International Fact Finding Mission. It is our sincere hope that the corresponding resolution, which has been co-sponsored by the OIC, Arab Group, African Group and NAM will be adopted by consensus.

I thank you, Mr. President.