



# BRAZIL

## **Plenary Meeting of the General Assembly on the Report of the Human Rights Council**

Statement by H.E. Ambassador Maria Luiza Ribeiro Viotti,  
Permanent Representative of Brazil  
to the United Nations

4<sup>th</sup> November 2009

(Please check against delivery)

Mr. President,

The consideration by the General Assembly of the report of the Independent Fact-finding Mission headed by Justice Richard Goldstone is both timely and appropriate.

The Goldstone report is an important and serious document. Brazil commends the effective and professional work of the members of the Mission. They have investigated potential violations of international humanitarian and human rights law on both sides of the Gaza conflict in a rigorous and balanced manner. Their conclusions merit careful study.

Mr. President,

Pursuant to the principle of complementarity, Brazil is convinced that the report should, at the moment, be implemented primarily by the concerned parties, with the full support of the international community.

The Israeli Government and the relevant authorities in Gaza must establish full, independent and credible investigations, in conformity with international standards, into the serious violations of international humanitarian and human rights law reported by the Mission. Such investigations should be time-bound.

Given the responsibility of the international community to ensure accountability for infringements of international law, Brazil believes that international monitoring of those investigations is needed.

This can be done in a number of ways. In devising the most appropriate one, we should be guided by the need to seek justice and truth, while laying down solid foundations for reconciliation among Israelis and Palestinians. The ultimate political justification for investigating the alleged violations is that putting an end to the prevailing culture of impunity in the region will help deter further violence and encourage the parties to find a peaceful solution to their differences. There must be no room for vengeance, which only brings more violence, but for accountability, which brings reparation and, therefore, peace.

Mr. President,

It is important to respond to the concerns of those who believe that an effective follow-up to the Goldstone report recommendations might jeopardize Israel's right to self-defense and, consequently, the support, within that country, for credible peace negotiations.

Brazil fully recognizes the right of Israel to defend its people and territory against all kinds of aggression. It is a Charter-based right that no one – I repeat no one - can deny. We have also indicated - time and again - that public support in Israel for the peace process will erode if the population, especially in the south, feels threatened.

At the same time, in defending itself, Israel is bound by international law. Although often challenging, the observance of international humanitarian law is an imperative, especially in situations of asymmetric warfare in densely populated areas, where civilians are likely to be much more exposed to the effects of military action.

Those in control of Gaza are also bound by international humanitarian law and therefore must be held accountable for violations.

Mr. President,

Some say it is unrealistic or naïve to expect the parties to conduct independent investigations. We will speculate on the future action or inaction of no one. It is clear, however, that the possibility of a refusal by any of the parties to launch such investigations or of a half-hearted engagement in them, if initiated, should not be a cause for the international community to give up on the need for justice. It would fall on those who deny accountability to bear the onus of their decisions.

Mr. President,

The Goldstone report is a particularly eloquent proof of the urgency to put an end to the Israeli-Palestinian conflict and the violations of international humanitarian law it has brought about. The only lasting solution is to cease the occupation of the Palestinian Territories and to create an independent, geographically united, democratic and economically viable Palestinian State, living side by side with Israel, in peace and security, within internationally recognized borders.

Brazil renews its strong and unwavering support for the peace process, based on the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative, the Quartet Roadmap for Peace and the Annapolis process.

We reiterate our call for the parties to take the measures needed to restart and sustain credible negotiations. The momentum that existed earlier this year seems to be fading away. We must ensure that peacemakers on both sides of the conflict quickly regain terrain.

Thank you.