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Sixth special session

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Held at the Palais des Nations, Geneva,
on Wednesday, 23 January 2008, at 4 p.m.

President: Mr. COSTEA (Romania)

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REQUEST BY THE PERMANENT REPRESENTATIVE OF PAKISTAN, ON BEHALF OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE, AND THE PERMANENT REPRESENTATIVE OF THE SYRIAN ARAB REPUBLIC, ON BEHALF OF THE GROUP OF ARAB STATES, TO CONVENE A SPECIAL SESSION OF THE COUNCIL “TO CONSIDER AND TAKE ACTION ON HUMAN RIGHTS VIOLATIONS EMANATING FROM ISRAELI MILITARY ATTACKS AND INCURSIONS IN THE OCCUPIED PALESTINIAN TERRITORY, PARTICULARLY IN THE OCCUPIED GAZA STRIP”

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The meeting was called to order at 4.10 p.m.

REQUEST BY THE PERMANENT REPRESENTATIVE OF PAKISTAN, ON BEHALF OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE, AND THE PERMANENT REPRESENTATIVE OF THE SYRIAN ARAB REPUBLIC, ON BEHALF OF THE GROUP OF ARAB STATES, TO CONVENE A SPECIAL SESSION OF THE COUNCIL “TO CONSIDER AND TAKE ACTION ON HUMAN RIGHTS VIOLATIONS EMANATING FROM ISRAELI MILITARY ATTACKS AND INCURSIONS IN THE OCCUPIED PALESTINIAN TERRITORY, PARTICULARLY IN THE OCCUPIED GAZA STRIP”
(A/HRC/S-6/1)

1. The PRESIDENT declared open the sixth special session of the Human Rights Council, which had been convened pursuant to General Assembly resolution 60/251 at the request of the Permanent Representative of Pakistan, on behalf of the Organization of the Islamic Conference, and the Permanent Representative of the Syrian Arab Republic, on behalf of the Group of Arab States. The text of a draft resolution had been submitted to the Council secretariat the previous day by the representative of the Syrian Arab Republic on behalf of the Group of Arab States and the Organization of the Islamic Conference and had been circulated to all States Members of the United Nations for consideration.
2. Ms. ARBOUR (United Nations High Commissioner for Human Rights) said that the recent flaring up of the conflict in the Occupied Palestinian Territory had been paralleled by an escalation of human rights violations. The right to life had been imperilled for all in the region, both those living in Israel and Palestinians, in particular those living in Gaza, who were in fact being systematically deprived of almost all their human rights and basic needs.
3. In December 2007, 58 Palestinians in Gaza had reportedly been killed as a result of the conflict, making December the month with the highest death toll in the Gaza Strip for that year. The number of wounded had also increased: 61 Palestinians and 8 Israelis had been injured during Israel Defense Forces operations in Gaza, and 6 Israelis had been wounded by Palestinian Qassam rockets and mortar shells. From the beginning of 2008 until midday on 22 January, as hostilities continued unabated, some 70 Palestinians had been reported killed, 23 of them on 15 and 16 January alone. Israeli military operations continued also in the West Bank, particularly in Nablus, where Palestinian security forces had been attempting to restore law and order.
4. Although differing in scope and proportion, operations that had failed to respect international humanitarian law had resulted in the loss of civilian lives on both sides. The Israeli practice of collective punishment, disproportionate use of force and targeted killings continued, as did the Palestinian militants' practice of indiscriminate firing of mortars and rockets into Israel. As at midday 22 January 2008, Palestinian militants had fired some 230 mortar shells and 110 rockets into the northern Negev, including the cities of Sderot and Ashkelon.
5. According to Israeli and Palestinian civil society organizations, more than one third of all Palestinians killed in 2007 had been civilians, with a total of 7 Israelis and 131 Palestinian civilians killed that year. In the two incidents that had taken place on 15 and 16 January, five Palestinian civilians had been killed during the Israeli army operation and another three had died when an Israeli aircraft had allegedly fired a missile at their car by mistake. On 18 January, a

Palestinian woman had been killed and some 30 civilians, including several children, had been injured when an Israeli air strike had targeted an empty building of the Ministry of the Interior. An Ecuadorian volunteer worker had been killed by Palestinian gunfire in southern Israel.

6. The escalating violence had exacerbated the already critical situation in the Gaza Strip, which was the result of the restrictions imposed by Israel on the movement of people and goods to and from the territory, the breakdown of law and order, and abuses committed by local authorities and armed groups. As the Secretary-General had recently noted, the 1.4 million people of Gaza lived under the most abhorrent conditions; with few exceptions, legitimate trade with Gaza had come to a halt with the closure of the crossings into the territory, and the effects on the economy and on livelihoods had been devastating.

7. The United Nations Office for the Coordination of Humanitarian Affairs reported that 80 per cent of the population in Gaza lived below the poverty line and depended on food and direct assistance provided by aid agencies. With regard to the right to food, the World Food Programme (WFP) estimated that only 56 per cent of basic commercial food import needs had been met from mid-November to mid-December 2007. The level of desperation had become even more starkly apparent that very morning when thousands of Palestinians had poured out of Gaza into Egypt in order to buy food, fuel, medicines and other supplies that had become scarce in Gaza. Masked gunmen had blown dozens of holes in the wall on the border to facilitate passage. In the context of the right to health, the World Health Organization (WHO) had highlighted a serious shortage of essential drugs and the increasing difficulties in leaving Gaza faced by patients requiring emergency care to exit Gaza, which sometimes resulted in the death of the patients concerned.

8. Access to essential services and utilities, such as water, waste-water systems and energy, was becoming more uncertain. Electricity was essential to ensure adequate provision of health services, yet on 20 January 2008, Gaza's main power plant had shut down. The power plant could resume working properly only when the regular provision of fuel was allowed in the territory. On 22 January, Israel had allowed fuel and medical supplies to be brought into Gaza and had signalled that it was considering a further easing of restrictions. She therefore exhorted the Government of Israel to lift all restrictions on the free flow of desperately needed aid and essential supplies into Gaza. She also wished to recall the point made by a number of experts with regard to Israeli action in Gaza, namely that the use of collective punishment was strictly prohibited under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

9. While aid agencies and the donor community were committed to providing humanitarian support in Gaza, such aid could not by itself reverse the situation; it was only a palliative. The denial of basic and fundamental rights could not be compensated for by permitting a trickle of charity.

10. Unless broader steps were taken, both by the parties to the conflict and by the international community, the situation could only continue to deteriorate. All parties concerned should put an end to the vicious spiral of violence before it became unstoppable. To that end they must ensure accountability for breaches of international humanitarian law and violations of international

human rights law through credible, independent, and transparent investigations. Whenever such violations were confirmed, the perpetrators must be brought to justice and victims must receive adequate reparation.

11. The international community must intensify its efforts to ensure that the human rights dimension of the conflict was properly addressed regardless of the development of a political settlement. It was therefore imperative that Israel, the Palestinian Authority and Hamas should respect the long-standing international legal obligations governing the situation. While States had a primary responsibility to protect all persons under their jurisdiction or control from war crimes, crimes against humanity, genocide, and ethnic cleansing, under the doctrine that had been reconfirmed in the 2005 World Summit Outcome Document, the entire international community shared the responsibility to protect civilians, in particular where and when the authorities concerned were unable or unwilling to do so. The people of Gaza thus looked legitimately to the international community to respond with urgency and appropriate measures to their desperate and still worsening situation.

12. Mr. ABU-KOASH (Observer for Palestine) said that the Israeli military offensive in the Gaza Strip and repeated raids in the West Bank, particularly in Nablus, constituted war crimes against and collective punishment of the Palestinian civilian population. The perpetrators should be brought to international justice. He urged the international community, particularly the States that had met at the Annapolis Conference and the Paris Donors' Conference for the Palestinian State, to intervene in order to halt the daily bombardment of unprotected people in occupied Gaza and lift the military and economic siege, which had exacerbated an already dire humanitarian situation.

13. Israel was once again engaging in terror, massacres and ethnic cleansing that had characterized the creation of that State. The recent atrocities in Gaza and attacks on Nablus were in line with the strategic goals Israel had pursued since its inception. Its impunity marked a departure from international law, yet any attempt to curb its flagrant violations was labelled anti-Semitic, a situation that had given it licence to kill and dispossess Palestinian Semites for decades.

14. The shaky boat of the Israeli coalition Government was floating on Palestinian blood. Israeli leaders were competing in their efforts to oppose the creation of an independent, contiguous and viable Palestinian State. The ultimate winner would be the one who managed to produce a State that was Palestinian in name only while tilting the demographic balance in favour of a Jewish national State that incorporated maximum Palestinian land. Measures such as cutting off sources of livelihood would never succeed in forcing an Israeli-tailored solution on the Palestinian people. While paying lip service to peace at Annapolis and Paris, Israel had been planning its vicious assault on Gaza. Yet it could not persist indefinitely in thwarting serious international efforts to revive the peace process by acts that transgressed legal, ethical and moral standards. He therefore urged the international community to intervene in order to put an end to the Israeli occupation and the suffering of the Palestinian people.

15. Mr. KHABBAZ HAMOUI (Observer for the Syrian Arab Republic), speaking on behalf of the Group of Arab States and the Organization of the Islamic Conference, said that the convening of the special session had been inevitable, given the continued aggression of the Israeli

occupying Power against the Palestinian people. The session must send a clear message to Israel that it should immediately stop its criminal attacks and attempts to suffocate the Palestinian people by cutting off vitally important supplies.

16. The number of civilian casualties had exceeded 90, and the Gaza Strip had become a giant prison holding more than 1.5 million people. The international community, the United Nations and its agencies and the Quartet must condemn Israel in terms commensurate with the scale of aggression, oppression and crimes. They should end their silence and hold those who made a mockery of international law accountable.

17. Israel's real intent was to abort all Arab and international efforts to revive the peace process. It did not want peace, to withdraw from the Occupied Arab Territories or to see a Palestinian State with East Jerusalem as its capital; it wanted to continue its occupation and the displacement and segregation of the Palestinians behind the hideous wall.

18. As the competent forum in such matters, the Human Rights Council must condemn Israel's action and demand that it immediately halt its aggression and deliberate killings of civilians. The Council must also demand the lifting of the siege in the Occupied Palestinian Territory so that the United Nations and other relief agencies could deliver aid, thereby averting the humanitarian catastrophe that was already unfolding.

19. The sixtieth anniversary of the Universal Declaration of Human Rights had been commemorated only a few days previously, yet its principles were being flouted by the Israeli occupying Power without that Power being held in any way accountable. Israel considered itself to be above international law and unaccountable, a position supported by some other States. The Council must condemn such selectivity in dealing with flagrant and systematic violations of human rights in the strongest terms possible.

20. Mr. SHOUKRY (Egypt), speaking on behalf of the Group of African States, expressed concern at the situation in the Occupied Palestinian Territory and condemned the recent Israeli military attacks, which had resulted in extensive civilian casualties and widespread destruction. Such acts constituted gross violations of the Palestinian people's human rights and grave breaches of international humanitarian law. The deliberate and indiscriminate targeting of innocent civilians and other acts perpetrated by the Israeli occupying Power in recent weeks were part of a wider campaign of illegal measures and collective punishment, such as the burning of Palestinian farmlands and the construction of the illegal barrier in the West Bank, that were exacerbating an already catastrophic humanitarian situation.

21. He called for an immediate end to the violations in the Occupied Palestinian Territory, the cessation of Israeli military attacks and the lifting of the siege in Gaza. The international community should take the necessary steps to provide protection for Palestinian civilians, redress violations and bring those responsible to justice.

22. The African States wished to express their solidarity with the Palestinian people in the Occupied Territory and their support for that people's right to self-determination and the establishment of an independent State. The Israeli military campaign threatened to undermine

international and regional efforts aimed at reviving the peace process in the Middle East, including those undertaken at the Annapolis Conference and the Paris Donors' Conference for the Palestinian State.

23. All relevant human rights mechanisms should focus efforts on addressing the situation, and the United Nations High Commissioner for Human Rights in particular should conduct more visits to the region to assess the situation first-hand, in keeping with her mandate. The High Commissioner's office in the Occupied Palestinian Territory should also report more regularly and extensively on violations, and such information should be included in the High Commissioner's updates to the Council.

24. Previous special sessions of the Council on the situation in the Occupied Palestinian Territory ought to have served as a reminder to the Israeli Government that its gross and systematic human rights violations were inadmissible. Regrettably, it had been allowed to disregard the will of the Council and of the international community at large by refusing to implement all relevant Council decisions.

25. In the midst of the current crisis, the world must not lose sight of the principal underlying cause of the situation: the illegal occupation of Palestinian territory, which systematically denied the human rights of an entire people and continued to threaten regional and international peace and security.

26. In order to maintain its credibility and relevance and uphold its guiding principle of human rights for all without distinction, the Human Rights Council must convey an unequivocal and united message to the Israeli Government that no one was above international law, and that the Council would continue to monitor human rights violations in the Occupied Palestinian Territory for as long and as often as necessary.

27. Mr. FERNÁNDEZ PALACIOS (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, said that the latest chapter in Israel's long history of aggression against the Palestinian people and violations of their human rights must be censured by the international community. Steps must be taken to hold Israel accountable and to prevent the recurrence of such events. The non-aligned countries strongly condemned the recent military attacks against the civilian population in the Gaza Strip, which had resulted in numerous casualties and widespread destruction, and the decision to close access to Gaza and cut off basic supplies, including fuel. Such action had serious humanitarian consequences, since it had disrupted essential services such as hospitals and sanitation. The military escalation was a violation of international law and threatened international peace and security. It also exacerbated the grave humanitarian situation in the Gaza Strip, where the civilian population continued to undergo collective punishment and siege.

28. Accordingly, he called upon the international community, in particular the Security Council, to assume its responsibilities by urging the occupying Power to cease the violations immediately and to comply with its obligations under international law and relevant United Nations resolutions. The Human Rights Council had an important role to play in ending Israel's impunity and guaranteeing the Palestinian people full enjoyment of their rights. The High Commissioner for Human Rights must fulfil her mandate and address the flagrant and systematic violations of human rights.

29. The Movement of Non-Aligned Countries had recently adopted a declaration on the current crisis and had requested that it should be circulated as a Council document at the current session. They also wished to express their solidarity with the Palestinian people and reaffirm their commitment to the establishment of an independent State with East Jerusalem as its capital.

30. Mr. LOGAR (Slovenia), speaking on behalf of the European Union and Albania, Armenia, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Liechtenstein, Moldova, Montenegro, Serbia and Ukraine, expressed concern at the latest surge of violence affecting Gaza and communities in southern Israel. He deplored the fact that innocent civilians on both sides were suffering and called for the immediate cessation of all acts of violence and activities that were contrary to international law and endangered civilians. Recent events were particularly regrettable in view of the need to maintain the impetus of the negotiations that had been launched between Israeli and Palestinian officials on all outstanding issues with a view to concluding a peace agreement before the end of 2008.

31. The European Union viewed the Council as the appropriate forum for considering and, where appropriate, taking timely action on human rights situations of concern. The human rights violations in Gaza were severe, and humanitarian conditions continued to deteriorate as a result of violence and the restricted movement and access of people and goods in the Palestinian territories. According to the Office for the Coordination of Humanitarian Affairs, 88 per cent of Palestinian families in the Gaza Strip lived in poverty. WHO had reported a recent rise in chronic diseases and malnutrition among children under 5 and a lack of access to safe drinking water. The activities of non-governmental organizations (NGOs) were also being hampered in the West Bank.

32. Israeli and Palestinian officials must reach agreement on steps to facilitate movement and access in the West Bank and the Gaza Strip so that basic provisions and services could be delivered. The delivery of European Union-funded fuel had resumed the previous day, thereby allowing some electricity supply to the Gaza Strip; he hoped that there would be no obstacles to its delivery in the future.

33. The European Union was committed to providing substantial financial support for the Palestinian people and to ensuring that such assistance went to those in urgent need. He therefore called on all parties concerned to guarantee unimpeded humanitarian access to Gaza and urged the Israeli Government to ensure the opening of border crossings for the transit of goods and people. Israel must also redress the serious humanitarian situation in those territories, which was being exacerbated by its military activities there, as such a situation was incompatible with the concept of a just and lasting peace. For their part, the Palestinians must address all relevant security concerns, such as the indiscriminate launching of rockets on Israeli civilian areas.

34. While recognizing the country's legitimate right to self-defence, the European Union urged Israel to exercise restraint: its action should not be disproportionate, indiscriminate or otherwise in contravention of international humanitarian law. It must cease all military operations that endangered the Palestinian civilian population in the Occupied Territories. The European Union remained firmly convinced of the need for a political solution to the crisis, and it intended to contribute actively to efforts to get the Middle East peace process back on track.

35. Mr. PUJA (Indonesia) deplored the recent incidents that had taken place in Gaza, resulting in the death of Palestinian civilians. Far from creating an environment conducive to peace, such repeated harsh and disproportionate acts of violence reflected a total disregard for the international community's efforts to find a lasting peaceful solution. Indonesia supported any peace process aimed at creating an independent and sovereign Palestinian State living peacefully side by side with the State of Israel, and was convinced that peace could be achieved only through dialogue and negotiation.

36. The current session was the third special session to be held on Palestine, a fact that suggested that the situation was indeed very serious. He urged all the parties concerned to exercise restraint and to renounce violence in favour of political dialogue.

37. Mr. SHOUKRY (Egypt) said that his delegation had joined in the request for a special session because of its concern for human rights, and especially in view of the continued systematic violations being committed against an entire people under foreign military occupation. The Israeli military operations and the blockade of the Occupied Palestinian Territory together with the targeted killings in Gaza and the West Bank required that the Council should urgently assume its responsibilities to address the grave consequences of those practices. Egypt condemned Israel's violations of human rights and international humanitarian law in the Occupied Palestinian Territory which constituted collective punishment and had been described as serious war crimes in the recent press statement issued by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, whose clarity and objectivity were to be commended.

38. The international community and the Council must take immediate steps to end the Israeli attacks, pressure Israel to lift the siege and protect Palestinian civilians in order to avert an escalation of military operations and further deterioration of the situation. Israel should be prevented from continuing its construction of the racist wall of separation, which was contrary to international legal decisions. The Council had so far failed to discharge its responsibilities by not ensuring the implementation of its previous decisions. Both the Human Rights Council and the Security Council had contributed to the deterioration of the situation by failing to send a strong message to Israel to cease its violations. By placing aggressor and victim on an equal footing, some had encouraged Israel in its violations and disregard for international law. Furthermore, the High Commissioner for Human Rights had been expected to respond rapidly to the situation, yet she had not done so, raising questions as to the extent to which she was fulfilling her mandate to ensure the observance of human rights for all peoples without discrimination.

39. Tens of thousands of Palestinians had entered Egypt in an attempt to meet their basic needs for food and medicine. Egypt had not prevented them from doing so, in view of the grave humanitarian situation they faced. Now the Council should issue a strong message to Israel, instructing it to cease its violations of Palestinian human rights immediately. He hoped that the group of States bearing special responsibility with regard to the situation would not block the adoption of the draft resolution based on considerations that had nothing to do with human rights.

40. Mr. GROVER (India) said that a just, comprehensive and lasting peace could be achieved only through negotiations and dialogue leading to the establishment of a sovereign, independent and viable State of Palestine living in peaceful coexistence, within secure and well-defined

borders, with the State of Israel. India welcomed dialogue that had begun between the leaders of Palestine and Israel and the renewed efforts by the international community to resolve the situation. It was concerned at the recent escalation of violence against innocent civilians in Gaza and the West Bank and called on all sides to abjure violence, observe restraint, respect human rights and take immediate steps to defuse tension in order to find a peaceful resolution to the situation.

41. Mr. ATTAR (Saudi Arabia) said that the crimes being perpetrated against the Palestinian people by the Israeli occupying Power, without any intervention by the international community, posed a new challenge for the Human Rights Council. He called on the Council to ensure its credibility by assuming its responsibility for protecting the Palestinians' human rights and ending Israeli practices that violated international law. He expressed concern at the Israeli violations and collective punishment in Gaza and the West Bank, which flouted international humanitarian law, international treaties and the Fourth Geneva Convention as well as the Council's own resolutions and undermined peace initiatives.

42. The reason for Israel's disregard of the aforementioned texts obviously lay in the failure of the Council to ensure the implementation of its resolutions, as well as the failure of the international community to fulfil its moral obligations to prevent Israel from continuing to infringe international customary law. The rights of the Palestinian people were guaranteed under international human rights instruments, international humanitarian law and the Fourth Geneva Convention in particular. He therefore called on the Council to guarantee Palestinians' human rights and protect Palestinians under Israeli occupation. No State was above international law, international humanitarian law or the Charter of the United Nations, and Israel should therefore be restrained and urged to comply with all international resolutions, including those adopted by the Council. In addition, the Council should respond immediately to the appeal for relief and protection for the defenceless Palestinian people and demand that the occupying Power withdraw its troops and military equipment, lift the blockade, cease targeting civilians and destroying vital facilities and infrastructure, and put an end to all of its inhuman practices.

43. Ms. HSU (Malaysia) said that Malaysia had participated in the Annapolis Conference and the Paris Donors' Conference for the Palestinian State, as it supported efforts to end the illegal Israeli occupation of Palestinian territory, achieve a just, lasting and comprehensive peace settlement and establish an independent, democratic State of Palestine. However, the latest Israeli aggression raised doubts as to that country's commitment to peace, and violations of Palestinians' rights continued to be committed with impunity. The recent Israeli incursions in Nablus had resulted in loss of Palestinian life and destruction of property, while those in Gaza, coupled with the crippling blockade, had severely affected Palestinians there. Malaysia condemned those horrific acts.

44. She deplored the continuing subjugation of the Palestinian people by the occupying Power and the systematic violation of their human rights, including extrajudicial and targeted killings, the destruction of property, expansion of illegal settlements, restrictions on freedom of movement and violation of the right to self-determination. Israel's brutal collective punishment inflicted on Palestinians was contrary to international humanitarian law, including the Fourth Geneva Convention. She therefore called on the international community and the Human Rights Council to act immediately to end the grave violations committed by Israel and to protect Palestinian civilians. The siege should be lifted and border crossings opened to ensure free

movement of persons and essential supplies in order to avert a humanitarian catastrophe. She urged the Council to adopt the draft resolution before it and ensure its effective implementation, as well as that of earlier Council decisions. She also strongly encouraged the High Commissioner to play an active role in ending human rights violations in the Occupied Palestinian Territory that went beyond fulfilling the reporting obligations outlined in the draft resolution.

45. Ms. SINJELA (Zambia) said that her Government was deeply concerned at the developments in Gaza, which had brought death, fear and despair to the people living there, as well as the loss of innocent lives on both sides. She deplored the Israeli forces' inappropriate and disproportionate response to hostilities and called upon the Government of Israel to exercise restraint, as it had more sophisticated weapons than the Palestinians.

46. Her delegation had hoped that the Council would meet to contribute to confidence- and peacebuilding measures, especially after the visit to the region of the President of the United States of America, which, if followed up, might bring peace. That could not be achieved in the current situation, however. The blockade of Gaza, leading to the closure of its power plant and preventing humanitarian aid from reaching the people, forcing them to scramble for essential goods, was not justifiable. Given the difficult conditions in which Palestinians lived, partially easing the blockade did not make life any better: she called for an immediate lifting of the blockade and a permanent reopening of border crossings. Both parties should give peace a chance and enable President Abbas to build the Palestine he envisioned, in which all Palestinians lived in peace with all their neighbours, including Israel.

47. Mr. QIAN Bo (China) said that his Government was deeply concerned at the recent escalation of the conflict in Gaza and at the prolonged blockade, which had worsened the humanitarian situation, disrupted daily life and jeopardized the power and fuel supply. Israel's massive military operations had resulted in casualties among innocent civilians, further exacerbating the humanitarian crisis. He called on the international community to take immediate action to intervene. Countering violence with violence was not conducive to a solution, but would only lead to greater disaster on both sides and a further deterioration of the human rights situation. He called on both parties to the conflict to cease their military confrontation and urged the international community to step up diplomatic efforts to achieve a lasting solution that would bring stability to Gaza and secure an improvement in the humanitarian situation. China hoped that the parties would then engage in negotiations with a view to reaching a comprehensive solution.

48. The Human Rights Council should continue to take an interest in human rights in Palestine; doing so did not conflict with consideration of the issue in the Security Council. Only in that way could the Council fulfil its sacred duty and improve the human rights situation in Palestine.

49. Mr. BURAYZAT (Jordan) deplored the humanitarian crisis caused by the blockade of Gaza and said that the steps taken by Israel in the previous 48 hours were insignificant. The ostensible targeting of Palestinian activists in a "preventive" military campaign did not conceal the fact that Israeli measures had disrupted normal life for Palestinian civilians and turned them into potential targets, in what was a disproportionate and indiscriminate response. At the very least, the situation constituted a serious violation of international humanitarian and

human rights law and a form of collective punishment, threatening a humanitarian catastrophe and dampening the hopes of a revived peace process that had been raised at the Annapolis and Paris conferences.

50. He warned of the consequences of allowing narrow political and military considerations to dictate long-term policy where the Palestinian-Israeli conflict was concerned, and he called on Israel to end its military and economic measures against the Palestinians. He urged all parties to resume peace negotiations to avert further escalation of the conflict and called on the Council to take action to end the violations of Palestinians' human rights.

51. Ms. MARTÍN GALLEGOS (Nicaragua) said that the deplorable escalation of military operations, which undermined the peace process and violated international humanitarian and human rights law, called for a return to the road map and negotiations. Acts of violence, whether by groups or by nations, should cease, as governance, peace and development throughout the region were jeopardized by the violations committed by Israel against the Palestinian people. State terrorism was not a civilized response to the region's problems. She called on both parties to pursue a genuine peace process without military coercion that was open to international supervision through the competent bodies of the United Nations, including the Security Council. Nicaragua stood ready to support the process and the Council's efforts to defend human rights.

52. Mr. LOSHCHININ (Russian Federation) said that his Government largely shared the concerns of previous speakers at the violent confrontations between Israel and Palestinians in Gaza, which had resulted in considerable loss of life, including the lives of innocent civilians, and a grave deterioration in the humanitarian situation. The Israeli army's actions were unjustified and contrary to international humanitarian law, and the disproportionate and indiscriminate use of force by Israel was unacceptable and condemned by the international community. He called on the Israeli authorities to lift the siege of Gaza and alleviate the suffering of Palestinian civilians.

53. It should be noted, however, that groups in Gaza bore some of the responsibility for the deterioration in the situation through their irresponsible actions, such as the launching of rockets into Israeli territory, acts which jeopardized the national aspirations of the Palestinian people itself. Killing peaceful inhabitants, whether Palestinians or Israelis, could not be justified.

54. The Russian Federation, as a member of the Quartet, considered that the solution lay in both parties putting an end to violence and taking urgent steps to stabilize the situation and restore political dialogue. Accordingly, the Human Rights Council should respond in an appropriate manner to the unacceptable situation. He trusted that consultations would lead to a draft resolution that could be adopted by consensus.

55. Mr. QURESHI (Pakistan) said that the grave situation in the Occupied Palestinian Territory was resulting in human rights violations on an unprecedented scale. The Secretary-General had warned that the blockade of border crossings was provoking a humanitarian crisis, while the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 had described Israel's actions as war crimes. A significant number of the victims of the recent operations in Gaza were women and children, and the blockade was causing further casualties.

56. The Council had addressed the plight of the Palestinians under Israeli occupation in two previous sessions, yet, regrettably, the resolutions passed at those sessions had remained unimplemented. The latest violence showed that Israel had no respect for international law or the will of the civilized world as expressed in Council resolutions. The Council should therefore consider ways of ensuring that its decisions were respected by all parties.

57. The Council's terms of reference were clear: international human rights law and international humanitarian law. The Council should condemn the Israeli killings and call for the immediate protection of the Palestinian civilians in the Occupied Palestinian Territory. If there was to be any hope for peace in the Middle East, an end to the violations of Palestinians' human rights would be the first step, and the Council's role was imperative in that regard. The recent wave of violence had come in the wake of renewed international efforts to promote peace in the region, and the Council should intervene in order to salvage the peace process.

58. The aim of the draft resolution before the Council was to alleviate the suffering of Palestinians caused by the blockade of food, fuel and medicines. International action should be taken to stop the military attacks on the Gaza Strip and the West Bank, the siege should be lifted and international humanitarian law should be respected by both parties. He urged Council members to rise above their political differences and come together to help those who were in need of support.

59. Mr. HUSSAIN (Bangladesh) said that the events in Gaza were appalling. Many Palestinians had been killed by Israeli bombardments over the past week, one of which had targeted a wedding. That heinous act of indiscriminate killing was an affront to civilized human behaviour. It was deeply frustrating that such incidents were occurring at a time when new political initiatives were being taken by the European Union and the United States of America to revive the stalled peace process. Such incidents not only reflected a lack of commitment on the part of Israel to allow any progress but also undermined the process itself.

60. The international community had condemned previous despicable acts by Israel, yet Israel had once more resorted to mindless and cruel actions against the Palestinians. Israel's actions were illegal and clearly breached the Fourth Geneva Convention, which stipulated that military action must distinguish between military and civilian targets. Israel was therefore committing crimes against humanity, which were subject to international law. Moreover, Israel's actions were tantamount to collective punishment under international human rights and humanitarian law. Lasting peace could not be achieved in the region until the rights of the Palestinian people were fully recognized and the Israeli occupying forces withdrew from the Occupied Territory. Israel must ensure the unrestricted and safe passage of all humanitarian assistance and aid workers and resume the full supply of fuel and other essentials.

61. The Council must take an unequivocal stand on Israel's flagrant defiance of international law, particularly with regard to the violation of fundamental human rights. The international community must assume its responsibility and ensure that Israel ceased its aggression and put an end to the bloodshed; it must also work to end the arbitrary blockade of the Gaza Strip and promote a resumption of the peace process with a view to reaching a just and lasting settlement in the region. Bangladesh remained totally committed to the legitimate and inalienable right of the Palestinian people to a sovereign and independent homeland.

62. Mr. HAIDARA (Senegal) said that the recent violence in Nablus and the resulting humanitarian situation required that the international community should increase its calls for a cessation of hostilities between Israelis and Palestinians. He called on all parties to refrain from taking any action that might compromise the resumption of the peace process that had begun at the Annapolis Conference.

63. Senegal, which chaired the Committee on the Exercise of the Inalienable Rights of the Palestinian People, remained determined to work tirelessly towards the creation of an independent Palestinian State with secure and viable borders.

64. Mr. ISOH (Nigeria) said that the current crisis in Gaza and Nablus provided a compelling reason for stepping up global efforts to seek a solution to the Middle East conflict. The indiscriminate firing of rockets at civilian targets in Israel by Palestinians and the disproportionate use of force by Israel and its attendant collateral damage affecting civilians had no place in civilized conduct. His delegation abhorred the use of violence to address political differences. The ongoing siege of the Occupied Palestinian Territory had exacerbated the living conditions of the Palestinian people and ran counter to the basic tenets of human rights.

65. The international community could not ignore the fact that the recent flare-ups in the region were the result of the collective frustration of the Palestinian people over the slow pace of global efforts towards the creation of a Palestinian State. The two-State solution remained the best approach to stem the violence. Accordingly, his delegation wished to reaffirm its support for the African Union resolution that called upon the international community, and in particular the Quartet, to reactivate the peace plan and pave the way for a return to the negotiating table in accordance with international law and Security Council resolutions. Lastly, his delegation called for the immediate cessation of hostilities by both parties to allow humanitarian assistance to be delivered to those in need.

66. Mr. JAYATILLEKA (Sri Lanka) said that while his Government unambiguously recognized Israel's right to exist within secure boundaries and to self-defence, the events unfolding in Gaza were grossly disproportionate to the attacks on Israeli civilians by resistance groups in the Occupied Palestinian Territory, which must also be condemned. The Palestinian right to resistance should not extend to the targeting of unarmed Israeli civilians. Nevertheless Israel was pursuing a policy of collective punishment. Given their history, the people of Israel knew the horrors of such a policy. In fact, Israel's policy of ghettoization of the Palestinian people was, ironically, reminiscent of the crimes against the Jewish people described in the Old Testament.

67. The events taking place in Gaza were made possible by those members of the international community who had remained silent and who were even complicit in the policy of starving Gaza of financial resources, which had been initiated after the election of a legitimate Hamas Government. Those who had remained silent when Hamas legislators had been abducted by Israel and the financial blockade had been implemented were morally responsible for the present horrors. Israel's impunity must be challenged by the Human Rights Council.

68. Mr. HUGUENEY (Brazil) said that unless all parties reinforced their commitment to dialogue and the cessation of the use of force, it would not be possible, from a human rights perspective, to change the conditions on the ground. The right to peace was universal. A partial

approach to the current situation, without a call for moderation to all parties, would jeopardize the legitimacy of the Human Rights Council, as well as the efficacy of any decision taken on the issue.

69. Brazil was concerned not only by the Israeli attacks and incursions in the Occupied Palestinian Territory, but also by the rocket attacks launched against Israeli communities close to the Gaza Strip. All parties involved in the hostilities must halt actions that affected civilians. He called upon Israel to guarantee free access of humanitarian services and supplies to Gaza.

70. Mr. AL-HENZAB (Qatar) said it was regrettable that so soon after the Annapolis Conference a meeting was being held to address the serious consequences of Israel's unjust policies in the Occupied Palestinian Territory and its continuing flagrant violations of international law, and humanitarian law in particular, in disregard of Council resolutions. It was clear from those practices and policies that the Israeli Government had no genuine desire for peace, and that an opportunity for an end to the Arab-Israeli conflict had been lost in the wake of the hopes raised by the Annapolis Conference.

71. Israel's military incursions in Gaza were no longer a rational response to threats against Israeli security, but an egregious attack on defenceless civilians, in violation of international customary law. Moreover, Israel had closed border crossings, thereby blocking the entry of food, fuel and humanitarian supplies, which constituted collective punishment, in violation of international instruments and values. It was not enough for Israel to allow the passage of fuel into Gaza: it should immediately open the borders to the movement of persons and supplies and cease military hostilities in Gaza, which had come to rely on foreign assistance as a result of Israel's irresponsible policies.

72. Prompted by the bonds of brotherhood and solidarity between the Qatari and Palestinian peoples, and in view of the gravity of the humanitarian situation in occupied Gaza, the Amir of Qatar had offered the people of Gaza assistance in the form of urgent medical and food supplies to help alleviate their suffering.

73. Pressure must be exerted on Israel to take genuine steps towards peace and not merely attend peace conferences, only to return immediately to practices that were contrary to peace. The United Nations, and the Security Council and Human Rights Council in particular, must address the crisis. The Human Rights Council should assume its responsibilities as the main international agency responsible for monitoring human rights violations and protecting civilians, and should strongly condemn the flagrant violations committed by the Israeli Government against the people of the Occupied Palestinian Territory, which constituted war crimes.

74. He hoped that the draft resolution that was to be submitted to the Council would be adopted.

75. Ms. NAIDOO (South Africa) said that South Africa condemned the use of violence everywhere, including in the Occupied Palestinian Territory. The recent military attacks and incursions by Israel, which constituted disproportionate use of force and collective punishment of the Palestinian people, could never be justified on the basis of self-defence. The dire situation of the Palestinians had been vividly described in the most recent report of the Special Rapporteur

on the situation of human rights in the Palestinian territories occupied since 1967 (A/HRC/4/17). The economic strangulation and disruption of the lives of the Palestinian people could not be allowed to continue.

76. South Africa welcomed the recent contacts between Israelis and Palestinians aimed at establishing dialogue. The Annapolis Conference and the commencement of talks on final status issues had raised hopes of long-term peace and stability in the region based on a two-State solution. The peace process was decisively set back, however, every time Israel took military action and no pressure was placed on the Israeli Government to desist from such action. It was critical that the international community should increase its pressure with a view to bringing about stability in the region. There could be no military solution to the conflict: peaceful negotiation was the only means of ensuring lasting peace, security and stability.

77. Ms. BERSET KOHEN (Switzerland) deplored the dangerous escalation of violence in Gaza, southern Israel and the West Bank. The consequences of those confrontations were cause for concern, and she urged the parties to put an immediate end to their reprisals, which had resulted in civilian casualties and the destruction of homes and infrastructure. The protection of civilians and respect for their rights, which lay at the centre of Switzerland's concerns, meant respecting the rules of international humanitarian law, which were not subject to conditions of reciprocity.

78. Switzerland was alarmed at the deterioration in the socio-economic and humanitarian situation in the Gaza Strip. The closure of border crossings, including to humanitarian convoys, and power cuts had had a catastrophic impact on the living conditions and the basic human rights of the population. Those measures of collective punishment had led to a humanitarian crisis and violated international humanitarian law. Switzerland had taken note of the partial reprieve announced by the Israeli authorities and called on them to lift immediately the restrictions on access, especially for humanitarian goods. The provision of electricity and the import and export of commercial goods should also resume.

79. Switzerland condemned the launching of Qassam rockets by Palestinian armed groups against civilians in Israel. Such attacks constituted a violation of international humanitarian law. She called on all parties to show restraint in order to give a chance to the political process that they had accepted in Annapolis. Pursuant to the road map, all parties should turn their energy towards reaching a settlement by the end of 2008.

80. The current special session was taking place at a crucial moment for both the Middle East peace process and the organization of the Council. She hoped that the Council would prove itself equal to the political and humanitarian challenge presented by the events in the Middle East and that it would adopt a balanced resolution.

81. Ms. NAVARRO LLANOS (Bolivia) condemned the collective punishment of defenceless civilians. Such acts, which violated international humanitarian and human rights law, were counterproductive in view of the overall objective, which was to find a peaceful solution through dialogue. The current crisis was just one episode in a conflict that had been going on for generations, and the current special session would not resolve the underlying problem, although it was to be hoped that it could help to relieve the suffering of the Palestinian people and prevent future such episodes.

82. Her delegation believed that attention should focus on the blockade of the Gaza Strip by the Israeli military. While the restrictions imposed by the occupying forces had been partially lifted, it was imperative that a new humanitarian crisis should be avoided. Although her Government condemned the military attacks, which had caused civilian casualties, it believed that immediate efforts must focus on ending the inhumane blockade that had cut off basic supplies and was causing the deaths of innocent civilians.

83. Mr. CORMIER (Canada) said that Canada was deeply concerned by the deteriorating humanitarian situation facing Palestinians and the continuing rocket attacks targeting Israelis. Canada recognized Israel's right to ensure its own security and the security of its citizens, and called for an end to Palestinian violence against Israel.

84. He urged Israel to comply with its obligations under international law and to take all measures to protect civilians in Gaza and the West Bank, including the ensuring of safe and unhindered humanitarian access to those in need. Canada was deeply concerned about the impact of such measures as cuts to electricity and fuel supplies, prevention of the delivery of humanitarian supplies and the closing of border crossings. On a recent visit to the region, Canada's Minister of Foreign Affairs had conveyed those messages to his Israeli interlocutors.

85. It was the duty of the Council, as the principal United Nations human rights body, to examine the worrying issues in the region in an objective and balanced manner. Unfortunately, neither the special session nor the draft resolution submitted to the Council took into account the roles and responsibilities of all the parties. In particular, it was regrettable that the draft resolution focused on the Israeli actions but did not condemn, or even mention, the continuing rocket attacks deliberately targeting Israeli civilians. As the draft resolution did not respect the Council's mandate to promote "universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner", Canada would vote against it.

86. Mr. DO NASCIMENTO (Angola) deplored the recent events in the Gaza Strip and Nablus because of their negative impact on the civilian situation and the fact that they would contribute to the deterioration of the already precarious economic and social situation in the region. He was particularly concerned by the restrictions imposed on access to basic food, health care and other social rights by Israel. Recent reports concerning the lifting of some restrictions by Israel were encouraging, as such measures constituted a positive step towards easing the situation on the ground. His country's experience of conflict had taught how dramatic the repercussions of war were for the most vulnerable groups within the civilian population.

87. Angola recognized Israel's right to defend its territory and protect its population, but that defence should be proportional and should not breach international law. It was important for all parties to demonstrate restraint and abstain from carrying out acts that undermined the rights of civilians. Angola hoped that military action would soon be replaced by dialogue, which would pave the way for a climate of confidence that would allow the peace process to advance. It was important for all parties to show political will and a spirit of flexibility.

The meeting rose at 6.20 p.m.