



General Assembly

Distr.
GENERAL

A/HRC/S-9/SR.2
23 January 2009

Original: ENGLISH

HUMAN RIGHTS COUNCIL

Ninth special session

SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 9 January 2009, at 3 p.m.

President: Mr. UHOMOIBHI (Nigeria)

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GE.09-10317 (E) 190109 230109

The meeting was called to order at 3.05 p.m.

REQUEST OF THE PERMANENT REPRESENTATIVE OF EGYPT AS PRESIDENT OF THE ARAB GROUP AND COORDINATOR OF THE AFRICAN GROUP, THE PERMANENT REPRESENTATIVE OF PAKISTAN AS COORDINATOR OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE AND THE PERMANENT REPRESENTATIVE OF CUBA AS PRESIDENT OF THE NON-ALIGNED MOVEMENT TO CONVENE A SPECIAL SESSION OF THE COUNCIL TO CONSIDER “THE GRAVE VIOLATIONS OF HUMAN RIGHTS IN THE OCCUPIED PALESTINIAN TERRITORY INCLUDING THE RECENT AGGRESSION OF THE OCCUPIED GAZA STRIP” (continued) (A/HRC/S-9/1, A/HRC/S-9/G/1, A/HRC/S-9/NGO/1-10)

1. Mr. MBAYE (Senegal) said that the tragic events in the Gaza Strip and the serious human rights violations committed by Israel in contravention of the rules of international law called for action by the Council to ensure that its voice was heard. In the Gaza Strip, hundreds had been brutally killed and thousands wounded; the entire population was suffering from privation and lack of hope. Every effort must be made by the international community to end immediately the deplorable suffering visited on civilians and protect their human rights and freedoms.
2. The outbreak of hostilities had exacerbated the already dire humanitarian situation in the Gaza Strip. As acting president of the Organization of the Islamic Conference (OIC), the President of Senegal had appealed to the parties to end the conflict and respect their human rights obligations and international humanitarian law. All parties must work towards a lasting ceasefire, which was essential for peace negotiations aimed at a viable two-State solution. It was to be hoped that the present diplomatic initiatives would give new impetus to a credible and effective peace process. His delegation encouraged the High Commissioner for Human Rights, the Special Rapporteur on the situation in the Palestinian territories occupied since 1967 and other relevant mandate-holders to do everything possible to follow up on the conclusions contained in the draft resolution to be submitted to the Council for action, which it hoped the Council would adopt by consensus.
3. Mr. MAIMESKUL (Ukraine) said that his delegation associated itself with the statement of the Czech Republic on behalf of the European Union. The situation in the Gaza Strip, in particular its impact on vulnerable populations, gave cause for deep concern. The parties must demonstrate the requisite political will and sense of responsibility by ending the fighting immediately in order to prevent a humanitarian catastrophe; a ceasefire was needed before a political solution and a peaceful settlement could be reached. His Government welcomed Security Council resolution 1860 (2009) and called on the parties to implement its provisions fully and unconditionally.
4. Mr. CARACCILO di VIETRI (Italy) said that his delegation was extremely concerned by the escalating conflict in the Gaza Strip, the resultant casualties and the grave humanitarian situation. The introduction of three-hour ceasefires for humanitarian purposes was a positive measure and his country was engaged in European Union efforts to extend them. The ultimate objective, however, was to secure a lasting ceasefire.
5. A lasting solution would be possible only once the causes of the hostilities were removed, namely, the firing of rockets by militants and the supply of arms through cross-border tunnels

from Egypt. Primary responsibility for the recent surge in the conflict lay with Hamas, which had unilaterally broken the ceasefire and undermined the peace process by firing rockets on southern Israeli cities, denying the legitimate right of Israelis to live in security. The tragic humanitarian situation of the civilian population of the Gaza Strip likewise required immediate action. Italy urged all parties to allow humanitarian access to the area and to provide protection to relief agencies in the field. It was prepared to coordinate aid with its European Union partners and, as President of the Group of Eight (G8), to mobilize and coordinate the flow of additional aid for the civilian population.

6. The Council must send a strong political signal to support the peace process. Security Council resolution 1850 (2008) demonstrated that the Annapolis peace process based on the Road Map principles was irreversible and that the momentum gained in recent years must not be lost. Italy supported all diplomatic efforts to achieve a lasting truce and called on all parties to end hostilities and respect human rights and humanitarian law in order to create the best possible conditions for the peace process.

7. Mr. DONOSO (Chile) expressed his delegation's solidarity with the victims of the attack against the Gaza Strip. His delegation was concerned at the escalating violence in Gaza, which undermined the dignity of victims by denying them their human rights and access to humanitarian aid. At the same time, it condemned the launching of rockets against Israel and deplored the resulting civilian deaths. Chile called on all parties to cease all acts of provocation and to provide permanent, open access to the humanitarian assistance required by the victims of the conflict, bearing in mind the cardinal principles of international humanitarian law, namely, proportionality, distinction and precaution. Peace and coexistence were possible only through an effective ceasefire and constructive multilateral dialogue aimed at achieving lasting peace and full respect for human rights.

8. Ms. GOMEZ OLIVER (Mexico) said that Mexico condemned the disproportionate use of force by Israel in the Gaza Strip and was deeply concerned at the multiple violations of human rights and international humanitarian law being committed there. It also regretted the loss of life and the suffering caused by the launching of Palestinian rockets against Israel and again appealed for an immediate end to all hostilities. Border crossings must be opened in order to allow humanitarian supplies into affected areas and to create the minimum conditions for peace and security in the region. Access by the media to the affected areas was also of vital importance in preventing and documenting human rights violations in the Gaza Strip.

9. The Council had a primordial responsibility to address gross and systematic violations of human rights, to protect the rights of the affected civilian population and to ensure that international human rights law and international humanitarian law were observed in the Gaza Strip, just like any other part of the world. The parties to the conflict were under an obligation to protect civilians, including their right to essential supplies. It was essential that they respected international human rights and humanitarian law and the principles of proportionality, distinction and precaution. In cases of foreign occupation, the occupying Power was under a specific obligation to protect the civilian population.

10. Ms. UREÑA MENACHO (Bolivia) said that her Government categorically condemned and rejected the criminal and disproportionate attack by the Government of Israel against territory that it occupied illegally, and which was governed by the democratically-elected

Palestinian Authority. Israel had subjected the civilian population of the Gaza Strip to bombardment, even targeting United Nations schools, which were specifically protected under humanitarian law. The people of the Gaza Strip had had no refuge and no access to humanitarian assistance or medical services in the previous 14 days, because Israel had not allowed full humanitarian aid into the area and had failed to heed repeated calls to stop the massacre in Gaza.

11. The people of the Gaza Strip deserved to enjoy all their human rights, including the right to life and to live in peace and freedom. The current assault was an affront to human dignity; it formed part of an attempt to redefine the boundaries of international law and human rights law in order to impose on the world a new doctrine of aggression based on self-defence. The Council had a moral duty to adopt a consistent position on the conflict and to appeal to Israel to desist immediately and allow sustained humanitarian assistance into the Gaza Strip.

12. The right of peoples to live in peace must be assured and must be given precedence. As a State Member of the United Nations, and in keeping with human rights obligations, Israel should allow special rapporteurs to enter the area and gather information for the Council on the human rights situation in Gaza. Investigations should be launched in order to bring those responsible for crimes against humanity and genocide before the appropriate international bodies for trial. The Office of the High Commissioner on Human Rights (OHCHR) should continue to submit reports to the Council on the situation in the Gaza Strip.

13. Ms. BASILIO (Philippines) said that her delegation was deeply saddened by the excessive use of force in the Gaza Strip, which had wreaked havoc and caused immense suffering among the Palestinian people. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the International Committee of the Red Cross (ICRC) had reported violations of international humanitarian law, including attacks on schools and instances of failure to help the wounded and children. The Philippines deplored the loss of civilian life and called on all parties to respect international humanitarian and human rights law. It also called for the permanent and immediate cessation of hostilities and adherence to the recently adopted Security Council resolution and other relevant resolutions supporting diplomatic efforts to secure a peaceful, two-State solution.

14. The Philippines hoped that the efforts of Egypt, France, the United Nations and the Security Council would alleviate the dire humanitarian situation confronting the Palestinian people. The temporary three-hour ceasefires were clearly insufficient to meet the people's great needs and the violence must stop in order to allow UNRWA to continue its aid operations in the Gaza Strip. Those in need should be guaranteed safe access to humanitarian aid and the international community must fully support the innocent victims of the conflict.

15. Her delegation called on the Israeli and Palestinian authorities to step up their peace efforts. The Council was under a moral obligation to help stop the violence and must, therefore, adopt a clear and robust statement to end the violence, address the humanitarian situation of the Palestinian people and seek a peaceful solution.

16. Mr. GRINIUS (Canada) said that his country was deeply concerned by the hostilities between Israel and Hamas and encouraged all efforts to secure an immediate and durable ceasefire, and assist civilians affected by the humanitarian situation. Although his country appreciated the commitment of the Palestinian delegation to adopting a consensus resolution, the

language used was not neutral and the text did not recognize that rocket fire on Israel had led to the current crisis. The appropriate forum for discussion of the issue was the Security Council. In that connection, Canada welcomed the adoption of Security Council resolution 1860 (2009).

17. Mr. LOGAR (Slovenia) said that his country was deeply concerned over the humanitarian situation in the Gaza Strip and the suffering and anguish of the civilian population. While it condemned the interruption of the ceasefire by Hamas and its rocket attacks against Israel, it also condemned the disproportionate use of force by Israel and its clear violations of international humanitarian law. It had been shocked by the casualties caused by Israeli attacks, particularly on schools, hospitals and UNRWA facilities. The Council must react when human rights were seriously endangered and a humanitarian crisis was looming.

18. Slovenia welcomed Security Council resolution 1860 (2009) and called on all the parties to the conflict to cease all acts of violence immediately, in order to protect the lives of women and children, to meet their obligations under international law to allow humanitarian aid and personnel into the Gaza Strip and to resume political dialogue with a view to establishing peace based on the Annapolis process and a two-State solution.

19. Mr. SCHARINGER (Germany) said that Germany was concerned by the extremely grave situation in and around the Gaza Strip and deplored the high number of civilian casualties in the region. He expressed his sincere condolences to the families and friends of all Palestinian and Israeli victims.

20. Germany fully supported all efforts to reach an immediate and durable ceasefire, as requested in Security Council resolution 1860 (2009). The fact that all members of the Security Council had backed that resolution sent a strong signal to the international community to act; all parties to the conflict must implement the resolution without delay. Germany welcomed and fully supported the Egyptian initiative in the hope that it would produce tangible results. It called on all sides to allow the population of the Gaza Strip unrestricted and safe access to humanitarian aid, and would be providing substantial humanitarian support to the Gaza Strip during 2009. Ultimately, however, the conflict could only be resolved by a political solution that included the establishment of an independent, democratic and viable Palestinian State in the West Bank and the Gaza Strip existing side by side with Israel in peace and security.

21. Mr. NIMRAT (Jordan) said that Jordan strongly condemned Israel's aggression against the Gaza Strip and urged the international community to step up its efforts to end the humanitarian catastrophe there and save the region from its devastating consequences. The humanitarian situation in the Gaza Strip was appalling, where an existing crisis, caused by border closures and the obstruction of humanitarian aid, had been transformed by the current military aggression into a catastrophe.

22. Indiscriminate bombings and collective punishment had resulted in the death and injury of thousands of civilians and the wide scale destruction of property and infrastructure. As the occupying Power, Israel must immediately cease its hostilities and meet its obligations under international law and the relevant United Nations resolutions, including Security Council

resolution 1860 (2009), which his country hoped all parties would implement immediately. He called on Israel to end its collective punishment of the Palestinian people and open border crossings to allow in essential aid, supplies and personnel.

23. The international community should support efforts to alleviate the consequences of the catastrophe. Jordan, for its part, was committed to providing full support for the Palestinian people and had opened its hospitals to Palestinian victims, placing all available medical and humanitarian resources at their disposal; it was also preparing a field hospital for deployment in the Gaza Strip. However, peace and security could only be obtained through dialogue and meaningful negotiations, which must address the legitimate aspirations and right of the Palestinian people to establish a viable and independent State in accordance with the relevant United Nations resolutions, the Arab Peace Initiative and the Road Map. It was to be hoped that the draft resolution to be submitted to the Human Rights Council for consideration would be adopted by consensus.

24. Mr. VAN EENENNAAM (Netherlands) said that his delegation was satisfied by the adoption of Security Council resolution 1860 (2009) calling for an immediate ceasefire by all the parties, as a ceasefire was crucial to enabling the provision of humanitarian aid to alleviate the civilian suffering caused by the conflict. In order for a ceasefire to be sustainable, Israel must halt its operations and withdraw from the Gaza Strip and Hamas must desist from launching rockets into southern Israel. Controlled opening of the border crossings into the Gaza Strip and, ultimately, a lifting of the blockade were also needed. Thereafter, the Annapolis process should be resumed in pursuit of a lasting peace based on a two-State solution. The Netherlands stood ready to contribute to a mission that would ensure effective control of the border between Egypt and the Gaza Strip.

25. Mr. DE MACEDO RIBEIRO (Brazil) said that his Government deplored the recent Israeli military operations in the region, which aggravated the Israeli-Palestinian conflict and humanitarian crisis in Gaza, and supported all efforts to achieve an immediate ceasefire. The use of violence was unacceptable; the cessation of hostilities and engagement of all parties in good-faith negotiations were urgent and vital in order to open up the prospects for a permanent solution in the region. The Brazilian Government urged the parties and the international community to view the recent tragic events in the Gaza Strip as evidence of the urgent need to resume the peace efforts initiated in 2007. It called on all parties to abide by their obligations under international human rights and international humanitarian law and urged the Government of Israel in particular to guarantee full access to humanitarian aid in the Gaza Strip and facilitate the provision of medical assistance to victims.

26. The current session was the Council's fourth special session on the situation in the Occupied Palestinian Territory. The Council had previously adopted clear and strong resolutions on the situation, but they had not been translated into tangible results on the ground. On the contrary, the human rights situation deteriorated with every conflict, contributing to the spiral of violence in the region. Israel must engage in constructive dialogue with the Council and its special procedures in order to change that reality. The credibility of the United Nations human rights system was at stake.

27. As the Palestinian-Israeli dispute extended beyond the region, Brazil called on the international community to strengthen United Nations activities on the ground, in particular

those of UNRWA, and to give special attention to the right to development, which was of paramount importance to the promotion of other human rights and to the achievement of peace and stability in the region. Brazil, which was committed to dialogue and cooperation among peoples, would be sending emergency food and medical aid to the Gaza Strip in the coming days.

28. Mr. HILALE (Observer for Morocco) conveyed the condolences of the Kingdom of Morocco to the Palestinian families of Gaza whose members had fallen victim to Israeli military aggression and reaffirmed the Kingdom's solidarity with the Palestinian people. The air, sea and land offensive had claimed the lives of almost 800 Palestinians and injured more than 3,000, many of them women and children. Civilian infrastructure, including schools run by a United Nations agency, had been bombed indiscriminately. Such conduct amounted to collective punishment, compounding the impact of the illegal blockade, and constituted a war crime. Morocco strongly condemned the war being waged against the Palestinian people and the disproportionate use of force. It had stated its willingness to provide medical treatment for 200 of the injured in two specialized hospitals in Rabat and was dispatching emergency humanitarian assistance.

29. The convening of the current session of the Human Rights Council reflected an awakening of the world's conscience to the tragedy being played out in Gaza. On the very first day of the offensive, His Majesty King Mohammed VI of Morocco had appealed to the Security Council and the international Quartet to discharge their responsibilities and to call for an immediate cessation of the violence and the pursuit of dialogue and negotiations. The history of the Holy Land of Palestine proved that massive military operations never contributed to peace and security and never solved the problems they were meant to address. Only negotiations, dialogue and respect for international law could bring about peace and security for all the peoples of the region. The current military offensive would undermine efforts to resolve the conflict between Israel and Palestine and would destabilize the entire region. Morocco therefore exhorted Israel to comply with Security Council resolution 1860 (2009), which called for "an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza". It also encouraged current efforts, under the auspices of Egypt, to halt the hostilities, to restore the truce, to open up the crossing points for the delivery of humanitarian assistance and to achieve Palestinian national reconciliation.

30. Mr. AL-ADOOFI (Observer for Yemen) said that occupation and its consequences were the main cause of the massacres in Gaza, which would leave a dark stain on world history for which no reparations could make amends. They added a further crime to the list of outrages committed by the child-killing army. Yemen strongly condemned Israeli crimes in Gaza and called for an immediate cessation of the hostilities, which had left hundreds dead and thousands wounded. The destruction of civilian infrastructure and the attacks on UNRWA schools constituted crimes against humanity. As the occupying Power, Israel bore full responsibility for perpetrating what amounted to genocide and major war crimes in Gaza. The perpetrators should answer for their crimes before the International Criminal Court.

31. Israel had committed gross violations of all international human rights and humanitarian law instruments, particularly the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. The Human Rights Council therefore had a duty to condemn Israel by consensus for all the crimes that it had committed in Gaza, to set up a fact-finding team, and to

call for the lifting of the blockade and the opening of crossings to permit the entry of essential supplies and medical teams. The Council's special procedure mandate-holders should also be requested to report on the situation in Gaza.

32. Yemen called on Switzerland, the depositary of the Fourth Geneva Convention, to convene a conference of the High Contracting Parties to consider the flagrant breaches of the Convention committed by Israel. In the face of the ongoing tragedy, the Council, for its part, should set aside political considerations and work for the implementation by Israel of Security Council resolution 1860 (2009).

33. Ms. JOHANSON, speaking on behalf of UNRWA, the United Nations Office of the Coordination of Humanitarian Affairs (OCHA) and the World Health Organization (WHO), said that the terrible suffering of the civilian population in Gaza and southern Israel demanded urgent action. Nowhere was safe in Gaza and there was nowhere to flee. The only way to protect Gaza's vulnerable children and civilians was to end the violence.

34. Humanitarian agencies were gravely concerned at the rapidly deteriorating situation. The number of civilians, who had been killed and injured had attained levels that prevented such agencies from discharging their responsibility to protect civilians. In addition, over 24,000 Palestinians had sought refuge in 27 UNRWA emergency shelters. Yet earlier in the week 43 displaced persons had been killed and over 50 injured in aerial attacks on two UNRWA schools.

35. The lack of fuel had dramatically affected emergency medical services, telephone communications, the transport of foodstuffs and the availability of clean water. Emergency health services were struggling to cope, and a number of health staff members had been killed and wounded. Only some of the UNRWA health centres and Palestinian Ministry of Health facilities were operating and some medical facilities had been damaged in the fighting. Although the International Committee of the Red Cross (ICRC) was supporting safe passage for Palestinian Red Crescent ambulances, the vehicles usually took hours to reach the wounded or were prevented from reaching them by ongoing fighting and shelling.

36. Children, who accounted for more than half the population of Gaza, were deprived of their basic human rights and health services were at the point of collapse. WHO had called for immediate action to make humanitarian health services, including life-saving medical supplies, accessible to the local population. Hospitals were overwhelmed and power failures were a constant risk. Where foodstuffs were available, insecurity had severely hampered distribution. The cost of food had doubled and the lack of electricity and gas had prevented people from cooking. According to the Coast Municipalities Water Utility, some 800,000 people in the northern and central areas of Gaza had no running water.

37. While the three-hour humanitarian ceasefire agreement was to be welcomed, humanitarian assistance programmes needed to operate around the clock. She urged the international community to ensure that humanitarian organizations had the resources to continue their work. The organizations were currently appealing for a total of US\$ 530 million, including \$117 million for 31 priority projects.

38. The humanitarian agencies urged all parties to the conflict to comply with their obligations under international humanitarian and human rights law. They should, in particular, agree to an immediate ceasefire; meet their obligations to protect civilians, including by refraining from indiscriminate or disproportionate attacks and by taking all feasible precautions in order to spare the civilian population; allow evacuation of the wounded and access to medical care; open the crossings for the import of fuel; and ensure freedom of access to Gaza and freedom of movement for humanitarian personnel.

39. Mr. MOAIYERI (Observer for the Islamic Republic of Iran) said that the international community was witnessing yet another round of atrocities in the Occupied Palestinian Territory. Innocent and defenceless civilians were being subjected to indiscriminate aerial bombardment and a massive land incursion. Hundreds of children and women had been killed and clearly identifiable civilian buildings were being destroyed without any consideration for those sheltering within their walls. The people had already been brought to their knees by a prolonged blockade and were suffering acute shortages of basic necessities. Regrettably, the Security Council's dilatory action had permitted further aggression and the loss of more innocent lives.

40. The Islamic Republic of Iran strongly condemned the brutal military aggression as a flagrant breach of international humanitarian law, particularly the Geneva Conventions, and human rights law. The aggressor was also guilty of war crimes and crimes against humanity. The Human Rights Council must therefore take concrete action, including the establishment of an international fact-finding mission to investigate human rights violations by the Israeli regime. The Council should focus on the following: an urgent cessation of all military action against Gaza and the withdrawal of the aggressors; full lifting of the siege and the opening of all crossings; the delivery of international humanitarian assistance; joint international efforts to rebuild Gaza; and the adoption of all necessary measures to hold the perpetrators to account for their criminal acts.

41. The comment by the representative of the Israeli regime regarding the Islamic Republic of Iran was a classic case of self-projection. Hamas had been democratically elected and engaged in legitimate self-defence against the occupiers.

42. Mr. JAZAÏRY (Observer for Algeria) conveyed the condolences of the Algerian Government and people to the Palestinians. As an expression of solidarity, Algeria had arranged an airlift of emergency assistance to the people of Gaza.

43. It was as though a sign read: "Silence: killing under way in Gaza". The foreign media, denied access to the gulag, were unable to bear witness to the killings - killings that had been launched to garner votes in the forthcoming Israeli elections and that were referred to euphemistically as a "war", as though two armies were fighting it out. The perpetrators of the killings proclaimed their "desire for peace", a euphemism for the peace of the graveyard. The killing of hundreds of civilians and the wounding of thousands more were referred to euphemistically as "blunders". Israel invoked "the right of self-defence", a euphemism designed to give a veneer of legitimacy to - or to trivialize - war crimes such as the bombardment of UNRWA schools and more than 200 children, or the destruction of Palestinian ambulances and United Nations relief trucks. The "right of self-defence" was thus invoked, by a country whose army was equipped with the most sophisticated killing machines, which it deployed against a

handful of militants who were armed with primitive weapons and guilty of rebelling against the blockade and the wardens of the gulag. Resistance apparently amounted to terrorism, for the people of Gaza had no “right of self-defence”.

44. There had even been calls in some quarters for an intervention force - not, as one might imagine, to protect civilians but to prevent the people of Gaza from secretly getting hold of a few weapons to defend themselves. At the same time, one party could blithely flout the right of peoples to self-determination, the International Covenant on Civil and Political Rights, the right of access to information, the Convention on the Rights of the Child, as well as humanitarian law and the obligations recently incurred by Israel in order to join the International Federation of Red Cross and Red Crescent Societies.

45. It was such anaesthetizing euphemisms that had led to the massacres of Sabra and Chatila, Qana and Gaza, and that would logically lead to further slaughter in the future. The Human Rights Council must summon up the courage to condemn the human rights violations in Gaza just as it condemned violations occurring outside the area protected by powerful interests. In other words, it must avoid using double standards and put an end to the impunity enjoyed by the occupying Power. His Holiness Pope Benedict XVI had stressed two days previously that the military option was not a solution. It was a point that nobody could dispute.

46. Mr. ÜZÜMCÜ (Observer for Turkey) said that the Palestinian people in Gaza were faced with a desperate situation. More than 700 had lost their lives and more than 3,000 had been injured to date during the Israeli military onslaught. Hospitals had serious difficulties in treating the wounded and there were severe shortages of medical supplies and other basic necessities. The United Nations and other organizations were unable to cope with the increasing demand for assistance and their work was frequently interrupted by the ongoing fighting. What the world was witnessing was a human tragedy that must be ended. It was to be hoped that its harmful impact on peace and stability in the region could be contained.

47. Concurrently with its increased humanitarian assistance to the people of Gaza, Turkey had played an active role in international diplomatic efforts to resolve the crisis. Although the international community should have acted sooner, Turkey welcomed the adoption of Security Council resolution 1860 (2009) and he urged all parties concerned to abide by its terms, which represented the will of the international community. Turkey would work with its friends and partners in the region and beyond to secure a lasting peace and regional stability.

48. He called on the States represented on the Human Rights Council to adopt a more flexible approach to the forthcoming draft resolution. A consensus would send a clear message and demonstrate that the Council was able to take a strong position on the universal implementation of human rights. It would also bolster the Security Council resolution.

49. While ending the hostilities, defusing the crisis and ensuring a regular flow of humanitarian aid to Gaza remained the priorities, they could only provide temporary relief. The international community must intensify its efforts to reach a durable and comprehensive peace as envisaged in Security Council resolutions 1850 (2008) and 1860 (2009).

50. Mr. MARAFI (Observer for Kuwait) said that the dangerous and intractable situation in Gaza called for immediate action by the Human Rights Council to end the Israeli aggression

against the defenceless Palestinian people. Such action would preserve the Council's credibility and dignity as a humanitarian body mandated to safeguard the values and principles of the international community. Israel continued to destroy Gaza and kill its defenceless population notwithstanding the belated adoption by the Security Council of resolution 1860 (2009) after hundreds of deaths and injuries. The international community must now bring pressure to bear on Israel to conform to its will, as reflected in that resolution.

51. Kuwait advocated the immediate establishment of a commission to investigate Israel's continuous violations of Palestinian human rights in Gaza and of international humanitarian law. Moreover ICRC and other international humanitarian organizations should be given access to Gaza to provide humanitarian and medical assistance and to ensure that Israel respected its legal and moral obligations.

52. Kuwait called on Israel, the occupying Power in Gaza, to comply forthwith and unconditionally with international law and international humanitarian law and to cooperate with all relevant United Nations bodies. It also urged the Human Rights Council and the United Nations High Commissioner for Human Rights to discharge their legal and moral responsibilities with a view to securing Israel's speedy compliance with relevant Council resolutions.

53. Mr. MUNDARAÍN HERNÁNDEZ (Observer for the Bolivarian Republic of Venezuela) expressed his country's deep indignation and strong condemnation of the Israeli army's indiscriminate and disproportionate attack on the civilian population of Gaza, which was a flagrant violation of human rights and international humanitarian law.

54. The Security Council's painful failure to act made it essential for the Human Rights Council to send an unequivocal message of hope to the world. The Security Council could have prevented a fresh criminal onslaught by Israel but had been impeded, as usual, by the threat of a United States veto, a state of affairs that reaffirmed the need to reform the Security Council so that it could fulfil its mandate to safeguard international peace and security.

55. The Israeli political and military elite, with the collusion of the United States Government and its allies, had been pursuing a policy of State terrorism designed to deny the Palestinian people their legitimate right to self-determination and to establish a sovereign and independent State with secure frontiers that were recognized by the international community.

56. Displaying boundless arrogance, Israel had completely ignored the resolutions adopted by the Human Rights Council, which was holding its fourth special session in three years to discuss Israel's systematic and repeated violations of international law. It was essential to adopt a strong resolution, condemning the genocidal and criminal conduct of the Israeli Government, calling for an immediate ceasefire and the withdrawal of Israeli forces from the Occupied Palestinian Territory, and urging Israel to permit free access for international humanitarian assistance to meet the Palestinian population's urgent needs. The resolution should also provide for the establishment of a commission to investigate the serious violations of human rights and international humanitarian law in Gaza with a view to determining criminal responsibility.

57. His country had expelled the Ambassador of Israel and was sending a plane carrying 80 tonnes of humanitarian aid, with food, medicines and 30 doctors to alleviate the sufferings of the Palestinian people.

58. Mr. BITAR (Observer for the Syrian Arab Republic) conveyed his deep condolences to the families of the Palestinian victims of the holocaust being perpetrated by Israel and of the shocking human rights violations by Israeli forces, such as burying Palestinian women and children alive under the rubble of buildings. United Nations schools had been turned into mass graves and the barbaric Israeli military forces had not even spared ambulance crews and international humanitarian organizations operating in occupied Palestine. Internationally prohibited weapons were being used and the images seen by the rest of the world offered only a glimpse of the painful reality that was the lot of the Palestinian people.

59. The Human Rights Council had scarcely completed its discussion of how to compel the occupying Power to implement its resolution on the Beit Hanoun massacre when Israel had embarked upon a fresh massacre throughout Gaza, with overt encouragement from some States, which characterized State terrorism as legitimate self-defence. The Syrian Arab Republic condemned in the strongest terms the ongoing massacre and the blatant disregard of human rights law and international humanitarian law by the occupying Power. It demanded an immediate halt to the aggression, the lifting of the blockade, an end to the occupation of all occupied Arab territory, and the exercise by the Palestinian people of its right of self-determination and its right to establish an independent State.

60. The Council had a historic responsibility to demonstrate that it really constituted the final refuge for victims, including Palestinian victims. It must take immediate and tangible action to redress the wrongs being suffered by the Palestinian people and to hold the occupying Power to account for its war crimes, genocidal practices and gross violations of human rights. Israel would not enjoy security and the region would not be at peace until Israel withdrew from the occupied Arab territories and respected international law.

61. Ms. GOY (Observer for Luxembourg) said that Luxembourg was dismayed at the intolerable loss of human life and the major humanitarian crisis afflicting the civilian population of Gaza. It welcomed the adoption of Security Council resolution 1860 (2009) and urged all parties to implement it. The convening of a special session of the Human Rights Council was fully in line with the conditions laid down in General Assembly resolution 60/251 establishing the Council.

62. In a territory less than one quarter the size of Luxembourg, 1.5 million people were living in appalling conditions, deprived of human dignity, hope for the future and the enjoyment of the human rights that the Council was mandated to protect and promote. Luxembourg had decided to contribute €500,000 to the emergency programme established by UNRWA, in addition to its traditional support for the Palestinians. In doing so, it hoped to further the diplomatic efforts focusing on three ways out of the crisis: an immediate and permanent ceasefire, immediate humanitarian action and an intensification of the peace process. It was more necessary than ever to ensure the neutrality, impartiality and independence of humanitarian action.

63. Luxembourg was greatly concerned by the death of two humanitarian workers under Israeli fire and by the suspension of humanitarian operations. Her Government would continue to

monitor the crisis closely and was willing to provide additional support for action by the international community in response to the needs identified on the ground. The continuation of hostilities and the denial of access for humanitarian assistance meant that hopes for peace and for the urgent enjoyment by the people of Gaza of the most basic human rights were unlikely to be fulfilled for decades to come. Luxembourg called on Israel to comply with article 33 of the Fourth Geneva Convention, which prohibited collective punishment, and to guarantee the civilian population of Gaza free access to humanitarian assistance.

64. Mr. Van MEEUWEN (Observer for Belgium) expressed dismay at the escalating violence in Gaza and southern Israel and at the dramatic increase in the number of victims. The humanitarian and human rights situation in Gaza was very worrying. Belgium therefore unreservedly supported European Union efforts to achieve a lasting ceasefire and to assist the civilian population, whose situation was becoming more and more gruesome with every day that passed.

65. Belgium called on the Israeli authorities to authorize unimpeded access of humanitarian assistance to the civilian population of Gaza. It had also decided to provide its own assistance involving, for instance, an operation to evacuate children requiring emergency medical care to Belgium and other member States of the European Union. A first medical team would head to the area as soon as the necessary authorizations were secured. The humanitarian assistance would form part of the European Union's humanitarian action and would be coordinated with other member States.

66. Mr. AL-RAWAHI (Observer for Oman) said that the current indescribable massacre of the Palestinian people by Israeli occupation forces could be categorized as war crimes and a form of genocide of a people under blockade. If the international community and relevant United Nations bodies failed to take action to halt the massacres, the credibility of the international system would be undermined. Oman called on the international community to halt the massacres by compelling Israel to agree to an immediate ceasefire, to withdraw from Gaza and to allow humanitarian assistance and relief to reach the inhabitants.

67. The time had come for the international community to unite in warning Israel of the consequences of its continued attacks on the Palestinian people, which constituted a flagrant violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. The language of war and military escalation would serve no purpose, since Israel's security would not be achieved through the killing of Palestinian civilians but only through negotiations with the legitimate representatives of the Palestinian people on a just and comprehensive peace that would guarantee security and stability for all parties.

68. Oman called on the Security Council to shoulder its responsibility to safeguard international security and peace, and to work for the immediate implementation of Security Council resolution 1860 (2009). If the Security Council failed to act, its role and credibility would be severely undermined. The right to security was universal and not confined to particular peoples.

69. Mr. GARRIGUES (Observer for Spain) welcomed the convening of the special session of the Human Rights Council and expressed the hope that the discussion would not be politicized but would focus on issues related to the Council's mandate and on the humanitarian dimension of the tragic situation in Gaza.

70. Spain was particularly concerned about the large number of civilian victims, the attacks on medical teams and hospitals, and the destruction of civilian infrastructure. The attack on an UNRWA school in Jabaliya on 6 January 2009 had caused numerous casualties, and the suspension of UNRWA food distribution following the death of a staff member had further exacerbated the situation. Absolute priority must be given to ensuring unrestricted humanitarian access to the Palestinian population and Spain was making every effort to assist by providing emergency humanitarian relief. An initial contribution of €1.5 million had been made through humanitarian organizations and an additional €5 million had been channelled through the United Nations Refugee Fund.

71. Spain also supported the establishment of an independent commission to investigate alleged violations of international humanitarian law. Its Government strongly condemned both the irresponsible and provocative breaches of the truce and the absolutely disproportionate reactions, which violated international humanitarian law. The sole consequence for the region and its peoples was renewed despair and frustration. Spain welcomed the adoption of Security Council resolution 1860 (2009), which must be implemented by all parties involved, particularly the provision for a durable ceasefire. An international mechanism to coordinate and monitor the ceasefire should be established with a view to guaranteeing the security of the Israeli population and a decent life for the Palestinian population of Gaza. Spain had stated its willingness to participate in such a mechanism.

72. The Spanish Government supported and actively participated in all diplomatic efforts to end the hostilities in Gaza. He referred in that connection to the visit by the Palestinian President, Mahmoud Abbas, to Madrid the previous day. His Government understood that security was vital for Israel and its citizens, but to rely on military force to achieve that aim, while disregarding the enormous and irreparable harm suffered by innocent people, was a path that led nowhere. There was an urgent need to give politics and diplomacy a chance, to exercise reason and to ensure respect for the law, which the international community must impose with equal determination on all parties.

73. Spain was firmly committed to peace in the Middle East, as it had demonstrated on many occasions. Peace would be achieved through political dialogue, recognition of two States, Israel and Palestine, the establishment of equitable borders and respect for United Nations resolutions.

74. Mr. KRISTJÁNSSON (Observer for Iceland) said that the situation in Gaza was unacceptable, because civilians were dying, there was no freedom of movement, and the right to food, health, education and work was severely restricted. The current conflict could not be resolved solely within the context of a war on terror. A sustainable peace hinged upon the self-determination of the Palestinian people and the establishment of an independent, democratic and viable Palestinian State, living side by side with Israel in peace and security.

75. His Government had condemned the Israeli military operations in the densely populated Gaza Strip, which violated international humanitarian and human rights law, and Hamas's firing

of rockets from Gaza at Israeli civilians and drawing Palestinian civilians into the conflict zone. Iceland noted with concern the Israeli military strikes against United Nations staff and facilities and consequent suspension of UNRWA operations, a crucial lifeline for the population. It also associated itself with the recent statement by the Secretary-General of the United Nations on the issue and condemned the attacks.

76. All parties must suspend all violence immediately. The Security Council must spearhead urgent international efforts to end the bloodshed and restart the peace process. Iceland thus welcomed Security Council resolution 1860 (2009). Parallel efforts must be made to bring about reconciliation within Palestinian society.

77. Mr. BLACK (Observer for Jamaica) said that his Government was deeply concerned over the escalation of the conflict and the excessive use of force in the Gaza Strip, resulting in the death of civilians and destruction of infrastructure and exacerbating an already dire humanitarian situation. It was also concerned about the continued rocket fire and cycle of violence and retaliation that ensued. Jamaica therefore welcomed Security Council resolution 1860 (2009) and called for humanitarian assistance to be provided without hindrance. It urged both parties to the conflict to implement the resolution, and called for the immediate lifting of the blockade and opening of the border crossings. It also called for the resumption of negotiations leading to a permanent solution, including guarantees of Israel's security and the right of the Palestinian people to statehood, in accordance with Security Council resolutions 242 (1967) and 338 (1973).

78. Mr. CHOE Myong Nam (Observer for the Democratic People's Republic of Korea) said that his Government condemned the Israeli military invasion of Gaza and consequent gross human rights violations. Israel's military activities constituted war crimes and crimes against humanity. The Government therefore called for the immediate cessation of Israeli military assaults and an end to the Israeli occupation.

79. Support for Israel by its Western allies should no longer be tolerated. Regrettably, despite the bloody situation in Gaza, for more than a week the Security Council had been unable to produce even a presidential statement calling for a ceasefire because of United States objections. Israeli atrocities could not be stopped as long as United States patronage of Israel continued. The Democratic People's Republic of Korea had consistently expressed its solidarity with the Palestinian people and support for their right to self-determination. It would continue to support the efforts of the people of the Middle East to bring about durable peace and security in the region.

80. Ms. STIRØ (Observer for Norway) said that her Government welcomed Security Council resolution 1860 (2009) calling for a ceasefire and resumed negotiations. It was for the parties to ensure its implementation, with the support of the international community. War was not an option. Unless a political solution to the conflict was reached, Palestinians would continue to be deprived of their unity and their State and Israelis of their right to live in safety.

81. An immediate cessation of hostilities and the opening of the borders to allow humanitarian aid to enter were of critical importance. A ceasefire must also address issues such as arms smuggling and the international presence in Gaza. Norway called on Israel to grant reporters access to Gaza to allow them to do their work. Lasting peace could not be achieved until the

underlying causes of the conflict were addressed and resolved, including growing settlement activity, which threatened the two-State vision. There was also an urgent need for efforts to promote Palestinian unity and reconciliation.

82. Ms. HINTON (Observer for New Zealand) said that her Government was gravely concerned at the situation in Gaza and supported United Nations actions to end the crisis. The recent tragic events and the appalling degree of human suffering there highlighted the need for an immediate ceasefire. New Zealand was also deeply concerned about the worsening humanitarian and human rights situation in Gaza, which must be granted unhindered access to humanitarian supplies. It noted Israel's announcement that it was increasing such access. However, the current security conditions would continue to prevent the distribution of aid until a ceasefire was in place.

83. New Zealand endorsed the efforts of the international community to stop the fighting. Hamas must act to prevent the launching of rockets into Israel, Israel's attacks on Gaza must cease, and arms smuggling into Gaza must stop for there to be an end to the violence and peace and security for all Israelis and Palestinians.

84. Ms. RIACHI ASSAKER (Observer for Lebanon) said that Lebanon condemned the flagrant human rights violations and slaughter taking place in the Gaza Strip, for which Israel bore full responsibility. She called on the international community to bring a halt to the aggression and on Israel to withdraw from Gaza, lift the blockade and guarantee the civilian population access to medical and humanitarian assistance.

85. The adoption of Security Council resolution 1860 (2009) offered a glimmer of hope after 14 days of indescribable suffering and killings. The question before the Human Rights Council was whether it could agree that what was happening in Gaza constituted a humanitarian tragedy and therefore justified the adoption, in keeping with international law, resolutions of international legitimacy and human rights principles of the forthcoming draft resolution.

86. Mr. MONTALVO (Observer for Ecuador) expressed on behalf of the Ecuadoran people and Government solidarity with the Palestinian people and his condolences over the loss of hundreds of civilian lives. He condemned the human and material damage caused by Israel's unacceptable military offensive and its crimes against humanity and gross violations of the human rights of Palestinians living in Gaza. Israel had committed unacceptable violations of international humanitarian law, beginning with the blockade of food and medicine for more than a year and a half followed by air strikes and a land invasion that had resulted in the massacre of women and children and the Palestinian population in general.

87. Ecuador called on the Council to take urgent steps to end the genocide, open the border crossings and allow humanitarian supplies to enter Gaza. It supported an immediate ceasefire and the adoption of the forthcoming draft resolution. Urgent action was also required to ensure strict compliance with the Geneva Conventions and their Additional Protocols.

88. Mr. JAYATILLEKA (Observer for Sri Lanka) said that the Council must show that it was heeding the poignant calls for help from the women and children of Gaza, who were wondering whether anyone was listening. The atrocities committed against the innocent people of Gaza must not be obfuscated by lies, deception and selective reordering of facts and chronology. He

rejected the argument that the ceasefire had broken down because of sporadic rocket fire into Israel on Christmas day, however reprehensible such fire was, as the Israeli military had killed six Palestinians on 4 November 2008, the date of the United States elections. He could not accept that the conflict was an attempt to defend Palestinian moderates against Palestinian extremists, notwithstanding the fact that the latter were also democratically elected, in the light of the situation in the West Bank, with its separation wall, some 400 checkpoints and expansion of settlements. He recalled that Yasser Arafat, the very moderate Palestinian President, had been kept a prisoner and his headquarters systematically reduced to rubble by Israeli tanks in 2002. He rejected the assertion that the children of Gaza had been killed because of the politics of Hamas and Hizbullah, and recalled the bombing of Lebanese hospitals in 1982 by Israeli jets, before Hizbullah, let alone Hamas, were in existence.

89. His Government opposed terrorist acts against civilians. The occupation was no justification for targeting Israeli non-combatants. However, the sporadic rocket attacks should not detract from the long-term occupation, which would not produce a normal situation under any circumstances.

90. Mr. BA (Observer for the Organization of the Islamic Conference, OIC) said that Israel bore primary responsibility for the appalling crisis in Gaza. It not only was continuing its illegal occupation of Palestinian territories but also conducting a deliberate and inhuman policy of systematic sealing off Gaza City. Thousands of persons living there were completely cut off and deprived of water, electricity and medicine. Such a policy of collective punishment violated international law and international humanitarian law. The deadly attacks on Gaza City were clearly disproportionate compared to the rocket attacks against Israel.

91. Israel was seeking to make the Palestinian people pay for its free and democratic election of the Hamas Government. The Council must remind the Israeli authorities of their responsibility before history. OIC had therefore called for the establishment of an international commission of inquiry into Israeli human rights violations. The massacre by Israeli forces of some 40 refugees in UNRWA facilities in Jabaliya must not go unpunished, as had been the case with Palestinian refugees killed in Qana in southern Lebanon in 1996.

92. OIC was maintaining high-level contacts to deal with the crisis and put pressure on Israel to cease its wanton attacks against Palestinians immediately. It also called for immediate access for humanitarian assistance.

93. Mr. JEMAL (Observer for Tunisia) said that he wished to reiterate his country's solidarity with, and support for, the Palestinian people in the Gaza Strip, whose human rights were being flagrantly violated by Israel. The current special session was furthermore the fourth to deal with the deteriorating situation in the Gaza Strip, where hundreds of innocent Palestinian civilians had been killed and thousands had been injured. Tunisia strongly condemned the continuation and escalation of the military operations in Gaza and was deeply concerned by the humanitarian catastrophe unfolding there.

94. In deploring the logic of force, the use of repressive and arbitrary practices and the imposition of the blockade on Gaza, Tunisia called on all parties that supported peace to take decisive action to halt the Israeli onslaught immediately and offer the Palestinian people

international protection. It called on Israel, the occupying Power, to abide by international human rights treaties and international humanitarian law, in particular the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

95. Tunisia, which worked tirelessly for a comprehensive and lasting peace in the Middle East based on international resolutions and the right of the Palestinian people to establish an independent State on Palestinian soil, called for an end to the grave situation in the Gaza Strip and for the Human Rights Council to send a clear and unequivocal message to Israel to comply fully with the Council's resolutions. The Council should adopt the forthcoming draft resolution before it by consensus.

96. Mr. Al-ZAABI (Observer for the United Arab Emirates) said that the special session was taking place in the context of one of the most savage attacks in modern history: hundreds of civilians had died and thousands had been injured in what constituted a gross violation of international humanitarian law and the Fourth Geneva Convention. Using internationally prohibited weapons, the Israeli war machine had wrought destruction throughout the Gaza Strip, not even sparing places of worship, schools, hospitals, medical crew, emergency services personnel or the staff of international organizations. The blockade, which was an act of collective punishment, had caused a grave humanitarian crisis and constituted not only a flagrant violation of international law but also a war crime.

97. The world would be plunged into a moral crisis if the international community failed to ensure justice, to distinguish between the victim and the aggressor, to repudiate the use of force as a pretext for exercising the right of self-defence and to take action to deal with the grave violations of international human rights law and international humanitarian law being perpetrated by Israel. The international community must intervene as a matter of urgency to bring an immediate end to all Israeli military operations in the Gaza Strip, protect the Palestinian people and oblige Israel to lift the blockade and open the border crossings. The Human Rights Council must likewise bear its legal responsibilities by documenting and monitoring grave human rights violations as it was required to do under its mandate. In that context, his delegation supported the request addressed to the United Nations High Commissioner for Human Rights to prepare a report on violations of the human rights of the Palestinian people by Israel in the Occupied Palestinian Territory for submission to the Human Rights Council at its forthcoming session.

98. Mr. STROHAL (Observer for Austria) said that his Government was extremely concerned about the dramatic situation in Gaza and regretted that previous calls by the Security Council, the Quartet and others for an end to the violence had gone unheeded. His delegation welcomed Security Council resolution 1860 (2009). Although Austria had repeatedly condemned the rocket attacks against Israel by Hamas, it considered that the current Israeli military operations were disproportionate and inflicted an unacceptable toll on Palestinian civilians, in particular women and children.

99. Both parties must commit themselves to an immediate and permanent ceasefire. Austria therefore welcomed the announcement of a daily, three-hour ceasefire to allow for humanitarian access. It remained concerned, however, about the desperate humanitarian situation in Gaza and the serious violations of human rights perpetrated during the ongoing hostilities and called on all parties to abide by international humanitarian law, particularly the Fourth Geneva Convention.

100. Austria was deeply concerned about the current suspension of UNRWA operations in Gaza as a direct consequence of Israeli military activity. Unrestricted humanitarian access must be granted and medical personnel and hospitals must be protected. Alleged violations of human rights and international humanitarian law in the conflict must be investigated thoroughly, including the deaths of United Nations personnel in UNRWA schools. Austria was also concerned about reports of extrajudicial killings by Hamas of alleged collaborators.

101. All parties should take the steps necessary to alleviate the humanitarian situation, including opening border crossings and ending the smuggling of arms and ammunition into Gaza. Austria welcomed the recent diplomatic initiatives in the region, in particular the French-Egyptian proposal for an immediate ceasefire. The international community and the Security Council must continue their efforts to bring about the creation of a viable, independent, democratic and sovereign Palestinian State living in peace and security with Israel within secure and internationally recognized borders. He cited the Austrian Foreign Minister's statement before the Security Council on the elements needed to resolve the crisis (S/PV.6061). Every effort must be made by the Human Rights Council to reach consensus on a resolution, which would send a strong message of its unity.

102. Mr. Ó CEALLAIGH (Observer for Ireland) said that the recent tragic events in Gaza had taken a grave and unacceptable toll, heightened the risk of further instability in the region and undermined the prospects for early political progress in the peace process. Ireland had strongly condemned Israel's air strikes in Gaza against Hamas targets and ground offensive as well as the indiscriminate rocket attacks on southern Israel by Hamas and other Palestinian militants. It had consistently called for an immediate cessation of hostilities in Gaza and a sustainable ceasefire. It warmly welcomed the adoption of Security Council resolution 1860 (2009) and other diplomatic initiatives to end the violence.

103. Ireland was gravely concerned at the humanitarian crisis unfolding in Gaza and the appalling level of civilian casualties, including those resulting from the indiscriminate shelling of two United Nations-run schools in Gaza on 6 January. It regretted that offensive military action had compelled UNRWA to suspend its operations in Gaza. Ireland commended the Secretary-General's leadership in responding to the current crisis and supported his unequivocal demand for an urgent ceasefire. The cessation of violence must be accompanied by the full opening of all border crossings, as provided for in the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel, in order to facilitate uninterrupted passage of sufficient humanitarian supplies and enable agencies such as UNRWA to carry out their work. Ireland deplored the loss of life among United Nations and other relief workers in Gaza. His Government was contributing €500,000 to the Humanitarian Response Fund to mitigate the consequences of the current critical situation in Gaza.

104. Only a vigorous political process could further progress towards lasting peace and stability in the Middle East on the basis of a negotiated two-State solution to the Israeli-Palestinian conflict. Palestinian unity remained an essential goal in order to provide a solid and realistic basis for efforts to achieve a final status agreement.

105. Mr. VU ANH QUANG (Observer for Viet Nam) said that his delegation was deeply concerned about the escalation of the conflict in Gaza, which had taken an alarming toll on innocent lives and caused widespread destruction of infrastructure and property. It was gravely

concerned about the worsening humanitarian crisis faced by Palestinians in Gaza as a result of ongoing military actions, continued closure of border crossings and obstruction of humanitarian aid supplies. His delegation condemned all military operations that caused the loss of innocent lives and stressed that there was no military solution to the conflict.

106. Viet Nam called upon the parties concerned to abide by human rights and international humanitarian law, to exercise self-restraint and to halt violence against the civilian population immediately. It paid tribute to United Nations agencies, particularly UNRWA, for their work under challenging circumstances on the ground. It also called on the international community to extend further emergency and humanitarian assistance to the population of Gaza. Lastly, it fully supported the efforts of the international community to establish an immediate and permanent ceasefire with a view to long-term peace and stability in the region.

107. Ms. MARKUS (Observer for the Libyan Arab Jamahiriya) said that she was deeply saddened and grieved by the atrocities carried out in the Gaza Strip by the Israeli army, which had used various kinds of weapons to destroy civilian infrastructure, including homes, mosques, hospitals and schools. The Libyan Arab Jamahiriya strongly condemned the genocide under way in the Occupied Palestinian Territory. It demonstrated a complete disregard for international treaties and the resolutions and decisions adopted by the Human Rights Council, the Security Council and the General Assembly.

108. Her delegation was concerned at the closure of the crossing points to the medical, humanitarian and food supplies provided by States, international organizations and aid agencies for the defenceless Palestinian people. It was a move that presaged a humanitarian catastrophe, since it would precipitate a serious deterioration in the physical and psychological health of the Palestinian people. In order to deal with the grave impact of the assault, urgent action should be taken to reopen the crossing points to humanitarian conveyances, to bring an immediate end to the hostilities and to compel Israel to comply with international human rights treaties and covenants. If it wished to demonstrate its credibility to the international community, the Human Rights Council must bear its responsibilities under its mandate by ending its silence and voicing its condemnation of the crimes and violations that were being committed in the Gaza Strip.

109. Mr. VAN MEGEN (Observer for the Holy See) said that his delegation expressed its solidarity with the people of Gaza, who were dying and suffering because of the ongoing military assault by the Israeli Defence Forces, and the people in Sderot, Ashkelon and other Israeli cities who were living under the constant terror of rocket attacks launched by Palestinian militants from within the Gaza Strip. The patriarchs and heads of the Christian churches in Jerusalem had led a day of prayer for an end to the conflict in Gaza and called upon both parties to refrain from all violent acts and to resolve their differences through peaceful means. His Holiness, Pope Benedict XVI had clearly stated that the refusal of the parties to engage in a dialogue had led to unspeakable suffering for the population of Gaza.

110. The warring parties required the help of the international community to exit from the current cycle of violence. The international community must meet its responsibility to stop the bloodshed, provide access for humanitarian assistance and remain engaged in removing the root causes of the conflict on the basis of the international resolutions adopted over the years.

111. Mr. PHUANGKETKEOW (Observer for Thailand) said that while Israel's security concerns had to be taken into account, the scale of the incursion and heavy loss of civilian lives could hardly be justified on any grounds. It was vital to mobilize efforts to help those in dire need of humanitarian assistance and ensure that aid reached affected civilians in a timely manner. To that end, Thailand had made an urgent financial contribution to UNRWA to address the emergency requirements of the Gaza population.

112. He urged all sides to respect international humanitarian law and human rights law and ensure the safety of personnel and integrity of United Nations facilities in the affected areas. He recalled that violence only bred further violence and could not lead to greater security under any circumstances. In that connection, he welcomed the adoption of Security Council resolution 1860 (2009), and called for efforts to establish an immediate and permanent ceasefire with a view to a just, lasting and comprehensive peace in the region.

113. Ms. AL-GAILANI (Observer for Iraq) said that the special session underscored the concern felt by the international community in general and the Human Rights Council in particular at the grave human rights violations being carried out by Israel against the Palestinian people in the Gaza Strip, in complete disregard for its most basic obligations under international humanitarian law, especially the Fourth Geneva Convention. The international community must act to bring about an immediate end to the reckless Israeli assault, and the Human Rights Council, as the custodian of human rights, must bear its responsibility for halting the grave violations of Palestinian human rights by Israeli occupation forces.

114. The entire world had a legal and moral responsibility to take decisive action to compel the occupation forces to comply with international humanitarian law, to demand an end to the savage acts being waged against the Palestinian people and to condemn and reject Israel's claims that it was merely exercising its right of self-defence. It must call on Israel to guarantee access to humanitarian and medical assistance for those who had been wounded and made homeless by the military aggression, by lifting the blockade on the Gaza Strip and opening up all the crossing points. It must support the right of self-determination of the Palestinian people, the establishment of an independent Palestinian State and an end to all forms of occupation and violence.

115. Ms. ELOBIED (Observer for the Sudan) thanked the President of the Council for convening the special session in response to the tragic and bloody events unfolding in the Gaza Strip. The Government and people of the Sudan were deeply saddened and angered by the massacre of defenceless Palestinian civilians by the Israeli occupation forces, which had launched a crazed attack targeting civilians, civilian infrastructure and even United Nations premises.

116. The Sudan deplored the actions of the Israeli forces, which constituted crimes against humanity, war crimes and a flagrant violation of international humanitarian law, in particular the Fourth Geneva Convention. It called on Israel to meet its obligations under international treaties and covenants, to bring an immediate end to all military operations against civilians, to lift the illegal and inhuman blockade, to open all crossing points to ensure access to humanitarian aid and to grant the Palestinian people the right of self-determination.

117. Her Government appealed to the international community to put political calculations to one side and take steps to end the bloodshed. It also appealed to States which portrayed themselves as leading defenders of human rights to heed the pleas of the victims and to demonstrate their impartiality and credibility, in recognition of the inherent humanity of every person. Moreover, since violence only begot violence and military action was not the best option, her delegation called for the continuation of the peace process based on justice and the right of the Palestinian people to establish an independent State with Jerusalem as its capital.

118. She called on the Human Rights Council to bear its responsibilities by adopting the forthcoming draft resolution by consensus, thus avoiding the impression that it was giving Israel a green light to continue its military operations. The Council was confronting a great challenge and a difficult test but the path ahead was clear. Either it would succeed in mobilizing all human rights mechanisms to deal with the situation, thereby preserving its credibility and renewing its members' faith in it, or it would fail, and the results would mark a black day in the annals of human history.

119. Ms. MASRI (Observer for the African Union Commission) commended the statement made by the High Commissioner for Human Rights and expressed deep concern at the deterioration of the situation in Gaza, where innocent civilians were being killed in a wanton manner by the Israeli forces. The situation was compounded by the closing off of the territories and the obstruction of humanitarian aid supplies, thus depriving an entire people of food, medicine and energy. The Commission firmly condemned the attacks on Gaza, which had claimed many lives and wounded thousands, mostly civilians. The massive and disproportionate attacks, which had spared neither places of worship nor civilian facilities, constituted a gross violation of international humanitarian law, including the Fourth Geneva Convention. The attacks had exacerbated tensions in the region and further thwarted efforts to reach a lasting solution to the Israeli-Palestinian conflict.

120. The international community must make every effort to relaunch the negotiation process. The Commission called on both parties to implement Security Council resolution 1860 (2009) immediately. The occupying Power must withdraw from Gaza as quickly as possible. Any delay in implementing the resolution would only lead to further loss of life and suffering and exacerbate the humanitarian crisis. The Commission calls on the international community to provide immediately the necessary humanitarian and medical assistance, to ensure that such aid reaches the Gaza Strip and to guarantee the protection of the civilian population.

121. Mr. MOHAMED (Observer for the Maldives) said that his Government expressed its grave concern at the widespread violations of human rights and international humanitarian law caused by Israel's bombardment and invasion of the Gaza Strip. The Maldives condemned Israel's hugely disproportionate use of force, by which it was inflicting collective punishment on innocent and defenceless Palestinians in retaliation for the actions of a few. It condemned in particular the targeting of civilian areas, which had resulted in the death of hundreds of civilians and reflected a callous disregard for human life, human rights and international humanitarian law. The numbers, while deeply disturbing, masked stories of individual suffering such as the case of a boy under the age of 3 who had been taken lifeless to a local hospital and was found to have died from shock at the sound of the shelling.

122. The Maldives urged all parties to agree to and maintain a ceasefire, to avoid further civilian casualties and to protect human rights, including the right to life. A negotiated outcome based on the relevant Security Council resolutions was the only way to ensure long-term peace, security and stability in the region. The Maldives therefore called for a final, just and comprehensive settlement, with two States, Israel and Palestine, living side by side in peace and within secure and recognized borders.

123. Mr. MOKGOTHU (Observer for Botswana) said that the United Nations and the Human Rights Council had a collective responsibility to send a strong message expressing grave concern at the human rights violations being committed in the Gaza Strip, since human rights and human rights law were among the hallmarks of the Organization. His delegation had closely monitored with consternation the deteriorating situation in Gaza and the diplomatic efforts in New York to find an end to the crisis. It welcomed the adoption of Security Council resolution 1860 (2009) and called on all parties to comply with it and with the Fourth Geneva Convention, since all acts of violence which deliberately targeted civilians constituted flagrant violations of humanitarian and human rights law.

124. There was deep frustration at the lack of progress towards the establishment of peace in the Middle East. The only durable solution lay in the peaceful coexistence of two States, Israel and Palestinian, to be achieved through genuine political dialogue supported by the international community. His delegation hoped that the forthcoming draft resolution would be adopted by consensus and implemented immediately.

125. Mr. SCHIALER (Observer for Peru) expressed deep concern at the violence in the Gaza Strip and condemnation of all acts of violence affecting the human rights of the civilian population in the region. Peru deplored the excessive and disproportionate use of force and recent land offensive by the Israeli army, which had killed hundreds and injured thousands of Palestinian civilians. It likewise condemned the indiscriminate rocket attacks carried out by Hamas, which had also caused deaths among the Israeli population.

126. His delegation was particularly concerned by the deepening humanitarian crisis among the Palestinian civilian population in the Gaza Strip. It attached great importance to initiatives and mechanisms aimed at guaranteeing an adequate supply of food, fuel and medicine to the Gaza Strip. It recalled that international human rights law applied in all circumstances and at all times and viewed the events taking place as constituting a violation of international law, including international humanitarian law. He expressed the hope that Security Council resolution 1860 (2009) would be implemented effectively to bring about an immediate and permanent ceasefire in the region and the resumption of dialogue, which, in his country's view, was the only way to resolve the Israeli-Palestine conflict.

127. Mr. ALFARARGI (Observer for the League of Arab States) said that for the third time in two years a special session was being held to discuss targeted attacks against Palestinian civilians by Israeli occupation forces. The actions of those forces must be condemned under the Geneva Conventions, since aggression was not the same thing as self-defence. If Israel was

concerned about its security, then what about the security of the Gaza Strip? Israel, the occupying Power, had the force of arms on its side; the Palestinians simply wanted an independent State. A look at the casualty toll belied the notion that Israel was not targeting civilians, while a look at the arms and equipment being used to wage the hostilities spoke volumes about the real reasons behind the conflict. The fact was that Israel constantly flouted international resolutions, claiming that they were biased, yet the occupation itself constituted a violation.

128. The international community had a responsibility to meet its obligations under the Geneva Conventions and should therefore convene a meeting of the High Contracting Parties to discuss the violations being perpetrated against the Palestinian people by Israel.

129. Mr. GARBANZO BLANCO (Observer for Costa Rica) said that his Government was deeply concerned by the grave humanitarian impact of the recent events in the Gaza Strip and had therefore been making repeated calls, particularly in the Security Council, for an immediate cessation of hostilities on both sides. Costa Rica deplored the excessive use of force by Israel and condemned with equal vehemence the terrorist acts carried out by Hamas against Israeli territory, including the launching of rockets. It called for respect for the Geneva Conventions and the resumption of deliveries of humanitarian supplies to the civilian population in order to avoid a worsening of the conflict and the infliction of direct and collateral damage on innocent victims.

130. He called for the resumption of dialogue to prevent a major resurgence of violence and instability in the Middle East. Costa Rica was convinced that there would be no final victory of one side over the other; peace would be brought about by a political solution, by moderation and by the establishment of two independent States coexisting within secure and mutually recognized borders.

131. While the people of Costa Rica understood the complexity and seriousness of the long-standing dispute in the region, they reaffirmed the need for efforts to prevent intolerance and violence from undermining the peace process. As a non-permanent member of the Security Council, Costa Rica would continue to advocate timely and decisive action, with the participation of Israel and Palestine, to find a solution to the conflict that would bring about a lasting peace. In that connection, it viewed Security Council resolution 1860 (2009) as an important step forward.

132. Ms. DOS SANTOS MIRANDA DUARTE (Observer for Portugal) said that Portugal was gravely concerned about the situation in and around the Gaza Strip, in particular the ongoing violence and human rights violations and the humanitarian situation. It deeply deplored the high number of civilian casualties caused by the Israeli military incursion, as well as those caused by the firing of rockets by Palestinian militant groups. She said that she wished to convey Portugal's sincere condolences to the victims' families and its call for the implementation of Security Council resolution 1860 (2009).

133. Portugal condemned and called for an end both to the rocket attacks by Hamas and the Israeli military operation. It invited all parties to do everything in their power to end the hostilities and help alleviate the distressing humanitarian situation. It also urged the parties fully to respect their obligations under international humanitarian law. Portugal continued to support diplomatic initiatives aimed at ending the current crisis and was convinced of the decisive

importance of a lasting peace in the Middle East, based on a two-State solution with an independent, viable and democratic Palestinian State living side by side in peace and security with Israel and its other neighbours.

134. Mr. VERROS (Observer for Greece) expressed deep concern at the Israeli ground operations in the Gaza Strip, the rocket attacks against Israel and the disastrous humanitarian consequences of the actions of the parties for the civilian population. There must be an unconditional halt to the rocket attacks and to the Israeli military action in the Gaza Strip. In that spirit, he welcomed Security Council resolution 1860 (2009) calling for an immediate ceasefire.

135. He expressed satisfaction that humanitarian aid had reached areas in need. Greece itself has sent two planes loaded with medical supplies and blood for transfusions, and more Greek aid would soon be on its way. The European Union was also making efforts to coordinate the supply of aid. Sending aid was not enough, however; unhindered access of humanitarian workers was also needed and thus corridors must be opened and left open. Ultimately, there could be no military solution to the Israeli-Palestinian conflict; the only way forward was to end the violence and relaunch the peace process.

136. Ms. BROWN (Observer for Australia) expressed deep concern at the situation in the Gaza Strip and said that she welcomed the adoption of Security Council resolution 1860 (2009) and supported unimpeded access to humanitarian supplies for the Palestinian people. Her Government likewise welcomed initiatives aimed at stopping rockets from being launched into Israeli territory and ending the smuggling of weapons. The Council's actions should not interfere in those efforts.

137. While her Government was gravely concerned at the suffering of the Palestinian people and called on Israel to meet its obligations under international law, it also condemned the actions of Hamas against Israel. Australia welcomed the pauses in the hostilities to improve access to humanitarian supplies and intended to provide additional aid to ease the humanitarian situation in the Gaza Strip.

138. Mr. TARZI (Observer for Afghanistan) said that Palestinians were being denied their right of self-determination and their basic human rights were being violated, as even schools and hospitals were under attack. The Israeli military operations had precipitated a serious humanitarian crisis, which had been compounded by the blockade and denial of access to basic supplies such as food, water and medication. Afghanistan condemned the Israeli attacks, which were contrary to human rights law and international law and undermined an already fragile peace process. It called for an immediate end to the violence and an immediate ceasefire and urged the international community to bear its moral responsibilities under international law and assist the Palestinian people. The Human Rights Council should help ensure the effective implementation of Security Council resolution 1860 (2009).

139. Mr. ABOULMAGD (National Council for Human Rights of Egypt) said that Security Council resolution 1860 (2009) offered some hope that the two sides in the Gaza Strip might be induced to end all military activities and move forward towards a ceasefire. He welcomed the views expressed by the High Commissioner for Human Rights regarding the need to promote peace through the protection of human rights and an end to acts of aggression. There were different kinds of peace; the peace imposed through military force and the peace that came from

the commitment of all sides to a peace process. Peace by force would not endure. He therefore supported the sentiment expressed by the High Commissioner and those who had made statements at the current session calling on the parties, in particular Israel, to end the aggression, withdraw its forces, and engage in a dialogue, without which peace would never be achieved.

140. Mr. WESSMAN, speaking on behalf of Al-Haq, Law in the Service of Man, the Cairo Institute for Human Rights Studies, BADIL Resource Centre for Palestinian Residency and Refugee Rights and Adalah, the Legal Center for Arab Minority Rights in Israel, said that action not words would save the lives of Palestinian civilians in the occupied Gaza Strip. The majority of Gaza's population were already refugees, imprisoned in one of the world's most densely populated areas with nowhere left to run.

141. The recent comments by the Israeli Minister for Foreign Affairs that Israel should not make a distinction between civilians and combatants, since Hamas did not do so either, were not only an erroneous interpretation of the law but evidence of a criminal intent to target civilians, as manifested in the wilful killing of civilians and extensive destruction of civilian property. The Israeli State was responsible for violating international human rights and international humanitarian law and its political and military leaders for committing war crimes in flagrant breach of the Fourth Geneva Convention. Illegal rocket launches from Gaza did not justify the widespread and systematic attacks against the civilian population, which amounted to crimes against humanity.

142. Israel continued to invoke its right of self-defence in order to kill the very people whom it had been oppressing for years, and despite the gravity of the situation, the Security Council had failed to fulfil its role and take adequate action to end the violence. Under General Assembly resolution 377 (V), however, the General Assembly was empowered to act when the Security Council failed to exercise its primary responsibility for the maintenance of international peace and security. The only effective measure that the Human Rights Council could take was to recommend that the General Assembly convene with a view to imposing collective measures on the Israeli Government.

143. History would judge Israel's actions, and those responsible would be held to account. History would also judge the actions of States and the United Nations as the guardian of peace and security. In order to avoid the charge of complicity through silence, the United Nations must take firm action and the Human Rights Council must have the courage to make the right decision.

144. Mr. NETTER, speaking on behalf of the International Federation of Human Rights Leagues (FIDH) and the Palestinian Centre for Human Rights, recalled that the Gaza Strip had been under siege for two years and that the population had been denied their basic rights and access to essential supplies. The entire medical and educational system was collapsing as a result of criminal acts that constituted collective punishment. Moreover, as if the siege was not enough, the recent war had been unleashed in Gaza, where war crimes had been committed. Some 90 per cent of those killed to date were Palestinian civilians.

145. The Palestinians would neither forget nor forgive the deliberate targeting of civilians and the systematic, criminal war being waged against them using sophisticated weaponry. If the claims about Hamas being the cause of the war were true, he wondered what the justification was

for the ethnic cleansing process under way in Jerusalem, the construction of bypass roads in the West Bank and the deliberate killings of innocent people and the destruction of their property. The Palestinian people saw what was happening as the rule of law being sacrificed to the rule of the jungle, a situation in which the United Nations would be conspiring if it failed to act. In the year marking the forty-first anniversary of the occupation, he called on Israel to end the occupation of Palestinian territory and on the international community to bear its responsibilities by upholding and enforcing the rule of law.

The meeting rose at 6.16 p.m.