

## HUMAN RIGHTS COUNCIL - 50th SESSION

### Interactive dialogue with the independent international commission of inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel

13-14 June 2022

In her opening remarks, **Ms Navi Pillay, Chairperson, United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel** commended the Council for the adoption of [A/HRC/RES/S-30/1](#) on 27 May 2021. The resolution has the objective of investigating all alleged violations of international humanitarian law and human rights law leading up to and since 13 April 2021 in the Occupied Palestinian Territory, including East Jerusalem, and in Israel. Additionally, it seeks to investigate all underlying root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity. This first report by the COI offers three overarching recommendations: the occupation must end without discrimination; the international community must adhere to international obligations and hold to account those guilty; and as the capacity of the COI has been weakened by a reduction of 25% of its resources, it asks the Council to reinstate resources to enable it to operate at an adequate capacity.

The Chairperson highlighted the asymmetrical nature of the conflict dispelling the view that there are two parties on equal footing and reflecting the reality of one State occupying another. There is a state of “perpetual occupation” of Palestine which has led to increased discrimination, forced displacement, settlement destructions, among others, all contributing to cycles of violence in both Israel and Palestine. The Palestinian Authority has failed to hold legislative and presidential elections. Moreover, there is continued violations of individual and collective rights, including excessive use of force, sometimes lethal, by Israeli security forces against Palestinians, including women and children, and journalists. The continued occupation of the Palestinian Territory, including East Jerusalem and Gaza, the 15-year blockade of Gaza, and longstanding discrimination within Israel are all linked and cannot be looked at in isolation.

Finally, the COI plans to conduct their own investigations of alleged violations, followed by recommendations on accountability measures. They will work closely with judicial mechanisms to offer corporate and individual accountability. The COI regrets that Israel refuses to cooperate or permit access to Israel or the State of Palestine. It calls upon the international community to end double standards when it comes to holding perpetrators accountable. The COI will focus also on the responsibility of third states and private actors in the human rights violations in Palestine and Israel.

**Israel** (country concerned) was not present in the room.

The **State of Palestine** (country concerned) acknowledged the work of the COI, regretting that the COI was not allowed access to East Jerusalem and highlighting that the illegal occupation of Palestine by Israel has continued for 55 years. Palestine highlighted the double standards of U.S. and Israel as they both support the Commissions of Inquiry established in other places of the world but not this one. The COI did not mention violations that occurred in the last month, including, attacks on Muslims and congregations, illegal settlements, house demolitions, forced evictions, restrictions of the freedom of movement and extrajudicial killings. Israel uses brutal force against journalists and civilians and there is a blockage of justice by Israel. Palestine urges for the COI’s reports to refer to the Palestinian prisoners and Israeli’s ill-treatment of them. Finally, Palestine highlighted that the reports should contain practical recommendations to hold countries and businesses accountable.

**Interactive dialogue:** **Pakistan (on behalf of the OIC), Saudi Arabia (on behalf of the Gulf Cooperation Council), Qatar, Libya, Pakistan, Iraq, Bangladesh, Venezuela, Mauritania, Egypt, DPRK, Syrian Arab Republic, Türkiye, Iran and other States** regretted that Israel was not ready to implement any of the

COI's recommendations, allow access in its territory and restore peace. The speakers highlighted that the solution must involve establishing an independent Palestinian State as of the 1967 borders. They urged the international community to end their double standards and encourage Israel to put an end to human rights violations. They condemned Israel's expansionist policies, expressed that the occupation must end now, and that it is key to ensure accountability and combat impunity. **U.S.** said no country is above scrutiny. The Council should work to counter impunity and promote accountability on a basis of universally applied standards. The nature of the COI is further demonstration of longstanding disproportionate attention given to Israel and must stop. The COI will continue contributing to the polarisation of the situation.

The **EU** highlighted there must be constructive engagement of both parts to reach a peaceful solution to the conflict, sharing its concern about the situation in Gaza and condemning the indiscriminate violence of Hamas. It supported a two-state solution and called for accountability. **Pakistan, Malaysia and Algeria** said the mandate must receive the necessary resources to function in its full capacity and denounced the systemic oppression by Israel of Palestine and the denial of basic civil rights. The **UAE** mentioned that Israel must put an end to all illegal practices in occupied Palestinian territories, expressed its support for peaceful initiatives and the Palestinian cause, and reiterated its commitment to work with all regional partners to find a solution. **France and Luxembourg** said that the mandate is too broad and expressed their concern over the death of journalists. They further reminded Israel to stop illegal settlements and evictions in East Jerusalem, protect women and children, and for the Palestinian State to combat impunity and guarantee democratic institutions in their territory. The **Russian Federation** supported the Palestinians and regretted the murder of a Palestinian journalist. **China** shared its deep concern about the situation in OPT, denouncing the expansion of illegal settlements of Israel and calling upon the occupying forces to lift the blockage of Gaza. Israel should restrain to avoid the vicious cycle of violence and conflicts and the two State plan should be promoted. **Chile** regretted the lack of progress in the implementation of the recommendations by the mandates in the OPT and called for a negotiated solution.

Several **NGOs** denounced Israel's occupation of Palestine and its system of racial discrimination, domination, and oppression. Israel's policies of systematic discrimination and fragmentation, in part through the illegal closure and blockade, have impeded the development of Gaza's healthcare sector. Some also regretted State's double standards and expressed that Palestinian people have the right to accountability and justice as do all other victims of human rights violations. They urged all States to support the mandate and regretted that Israel continues to refuse cooperation with it. **Some NGOs** expressed their concern over the escalation of violations in both Israel and the OPT and urged the international community to urgently and drastically change its approach to international law in the region. **Other NGOs** mentioned that the COI fails to address the conflict's root causes, which involves anti-Semitic hatred and fails to address the attacks by Hamas and others suffered by Israeli civilians, including against women and children.

A **point of order** was raised by the **State of Palestine** regarding an NGO's statement that used disrespectful language against the mandate.

Delegations that took the floor during the Interactive Dialogue (39 country delegations):

*State of Palestine (Country Concerned), European Union, Saudi Arabia (on behalf of GCC), Pakistan (on behalf of OIC), Jordan (on behalf of the Arab Group), United States (on behalf of a Group of Countries), Pakistan (on behalf of a Group of Countries), United Arab Emirates, France, Qatar, Cuba, Luxembourg, Libya, Iraq, Brunei Darussalam, Bangladesh, Venezuela, Namibia, Russian Federation, Maldives, Malaysia, Mauritania, Egypt, China, Algeria, Chile, DPRK, Syrian Arab Republic, Türkiye, Sri Lanka, Lebanon, Iran, Tunisia, Botswana, Indonesia, Somalia, Ireland, Sudan, Australia.*

NHRIs and NGOs that took the floor during the Interactive Dialogue (12):

*Independent Commission of Human Rights, Al Mezan Centre for Human Rights, Institute for NGO Research, Organization for Defending Victims of Violence, B'Nai B'rith, Al-Haq, Law in the Service of Man, Medical Aid for Palestinians (MAP), Human Rights Watch, Touro Law Center, Ingenieurs Du Monde, Defence for Children International, Amnesty International.*

To watch full meeting refer to UN Web TV, [part 1](#) and [part 2](#).