

HUMAN RIGHTS COUNCIL – 55th SESSION

Interactive dialogue on the report of the High Commissioner on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice

29 February 2024

Mr Volker Türk, UN High Commissioner for Human Rights addressed the Council on the current human rights situation in the Occupied Palestinian Territory. He reported that over 100,000 people have been killed or wounded. And tens of thousands of people are missing, many presumed buried under the rubble of their homes. Additionally, almost all the population of Gaza has been forcibly displaced, and thousands of people have been detained, many of them incommunicado, in conditions that may amount to enforced disappearance.

The attacks on Israeli civilians on 7 and 8 October 2023 were shocking. Profoundly traumatising and totally unjustifiable. The killing of civilians, reports of torture and sexual violence inflicted by Hamas and other Palestinian armed groups, and the holding of hostages since that time, are appalling and entirely wrong. And so is the brutality of the Israeli response; the unprecedented level of killing and maiming of civilians in Gaza, including UN staff and journalists; the catastrophic humanitarian crisis caused by restrictions on humanitarian aid; the displacement of at least three-quarters of the population, often multiple times; the massive destruction of hospitals and other civilian infrastructure – and in many cases, systematic demolition of entire neighbourhoods, rendering Gaza largely unliveable.

He called for the end of the war. Clear violations of international human rights and humanitarian laws, including war crimes and possibly other crimes under international law, have been committed by all parties. It is time for peace, investigation, and accountability.

The **report, A/HRC/55/28**, conveyed that thousands of tonnes of munitions have been dropped by Israel on Gaza, including repeated use of explosive weapons with wide-area effects. These weapons send out a massive blast wave of high pressure that may rupture internal organs, as well as fragmentation projectiles, and heat so intense that it causes deep burns – and they have been used in densely populated residential neighbourhoods.

Between 8 and 21 October 2023, Israel imposed a complete ban on all supply of aid, food, fuel, and electricity to **Gaza**. Since then, Israel has continued to hinder humanitarian assistance. All people in Gaza are at imminent risk of famine, almost all are drinking salty and contaminated water. Healthcare across the territory is barely functioning. The blockade and siege imposed on Gaza amount to collective punishment and may also amount to the use of starvation as a method of war – both of which, committed intentionally, are war crimes. In the **occupied West Bank, including East Jerusalem**, Israeli forces' use of airstrikes, attack helicopters, anti-tank missiles, shoulder-fired explosive projectiles, and other weapons of war, has continued to increase, with lethal results, including killings of children.

He concluded that Israeli leaders must accept **the right of Palestinians to live in an independent state**, and all Palestinian factions must acknowledge **the right of Israel to exist in peace and security**. **He called for an immediate and unconditioned release of all hostages arbitrarily detained**. Accountability must be served on all sides. A raft of measures to re-establish human rights, equality, accountability, and justice must be adopted across the Occupied Palestinian Territory and Israel.

Israel (Concerned Country) addressed the Council, affirming that the country is at war with a terrorist organization that perpetrated one of the most heinous and deadly terrorist attacks of modern times. Israel is fighting in a battlefield that Hamas has created in Gaza. One that the UN has witnessed being built around and below them for years and chose to ignore. The use of Palestinian civilians as human shields by Hamas in Gaza is well known and yet constantly ignored by the High Commissioner and this Council. Israel has been told time and time again that the terrorists who have diverted aid, built terror tunnels, brutally murdered innocent civilians, raped, beheaded, burnt families alive; cannot be touched because they hide among the civilian population. Yet it had no choice.

Israel reported terrorist attacks by Hamas. Israel is absolutely committed to conducting itself in accordance with IHL. It is why Israel has so many mechanisms in place: to ensure our full commitment to international law, including using early warnings to civilians and a robust legal framework to ensure distinction, proportionality, and precaution. Recently, Israel cooperated with partners to airdrop 160 packs of food and medical equipment into Gaza. Finally, Israel affirmed that for years, the UN has ignored Palestinian terrorism, destruction, hatred, and incitement, as well as Israel's security concerns. Israel has a duty to its population to ensure that never again can Hamas attack our lands, never again can it seek to eradicate our people.

State of Palestine (Concerned Country): affirmed that the Israeli's statement on humanitarian aid is false. It called for an end of the genocide and in believing in these false allegations. It condemned what happened on the 7th of October 2023. It reported around 30,000 martyrs, 74% of them are women and children; 70,000 people wounded, 12,000 children and 8,000 women. 1.3 million Palestinians are living under siege in Rafah. Many more have been expelled from their country.

The occupying power must be responsible for genocide. Need accountability. The country stated that the United States is always covering Israel, ensuring that there is no resolution allowing for a permanent ceasefire. The United States always support Israel through weaponry and financing. This is a tragic situation in the Gaza Strip.

Interactive dialogue

76 country delegations took the floor during the interactive dialogue. **The majority of the countries**, remaining very concerned by the situation presented in the report, demanded an end to this profound humanitarian crisis, and to the serious suffering suffered by the Palestinian people, who face immense loss of life, widespread destruction of their homes, and massive forced displacement while Israel continues to carry out indiscriminate attacks throughout the Gaza Strip. **Many countries** further affirmed that only a political outcome, based on a two-democratic state solution and addressing the root causes of the conflict, offers a credible horizon of peace.

Venezuela added that the occupying Power continues to act with contempt towards the UN and does not cease its disproportionate attacks against the Palestinian civilian population, which constitute war crimes. The **UAE** rejected the violence practiced by the Israeli forces, the settlers against the Palestinians in the West Bank, as well as all practices and policies that lead to the continuation of vicious cycles of violence and discrimination against Palestinians and hinder the realization of the legitimate, inalienable rights of the Palestinian people. **Switzerland** stated that international humanitarian law and human rights must be respected by all parties. Accountability and the fight against impunity are not only essential for victims, but they are also a crucial element for lasting peace. In this context, **South Africa** instituted proceedings at the ICJ against Israel for violating its obligations under the Geneva Convention on the Prevention and Punishment of the Crime of Genocide.

Sri Lanka condemned terrorism and terrorist attacks in all its forms and manifestations. **The countries of the Gulf Cooperation Council** highlighted the use of double standards and politicization in responding to this situation.

NGOs were deeply troubled by the report of the HC on the human rights situation in the OPT. However, it is troubling that the term '*genocide*' is absent from this report. They reported data on people injured and murdered. Palestinians are being brutally killed, displaced en masse, and starved to death. Palestinian women are being forcibly disappeared and arbitrarily detained by the Israeli forces and being subjected to ill-treatment, torture, rape, and sexual violence. They also reported the Palestinian terrorists engaged in the mass killing of hundreds of Israeli civilians. Eye-witness testimony documents that the Palestinian terrorists also committed rape and other sexual violence. **United Nations Watch and Human Rights Watch** agreed with the HC that Israeli forces and Palestinian terrorist groups committed serious violations of international law on a wide scale, including attacks directed against civilians, wilful killing and mistreatment of civilians, wanton destruction of civilian objects, and taking of hostages, which amount to war crimes and crimes against humanity.

United Nations Watch revealed that several of the Hamas terrorists are or were employed by the United Nations, through its UNRWA agency. As a result, according to UNRWA, 20 countries put a hold on funding, including *France, United States, Germany, the European Union, Sweden, Japan, Switzerland, Canada, United Kingdom, Estonia, Romania, Iceland, New Zealand, Finland, Italy, Austria, The Netherlands, and Australia*. These are most of the donors to UNRWA. UNRWA systematically failed to take seriously these reports of systematic and widespread support for terrorism among UNRWA staff. UNRWA never once contacted UN Watch to ask for additional information or evidence and refused all requests to meet.

In conclusion, NGOs reiterated an urgent call for the immediate and maintained ceasefire; condemned the severe freedom of expression violations committed during this conflict, including the targeting and longstanding pattern of impunity in the killings of journalists by the IDF; called for effective, independent, and prompt investigations into these violations, including by the International Criminal Court; and upheld their responsibility to prevent any potential violations of the Genocide Convention.

Delegations that took the floor during the Interactive dialogue (76 country delegations):

Pakistan, Qatar, European Union, Venezuela (Bolivarian Republic of), Egypt, The Gambia, Finland, Norway, France, United Arab Emirates, Saudi Arabia, Luxembourg, Qatar, Pakistan, Switzerland, Libya, Belgium, Oman, Iran (Islamic Republic of), Türkiye, Jordan, Ireland, Iraq, Russian Federation, Australia, Netherlands (Kingdom of the), Colombia, Slovenia, Indonesia, Cuba, Maldives, South Africa, Chile, Venezuela (Bolivarian Republic of), Malaysia, Senegal, Brazil, Spain, Democratic People's Republic of Korea, New Zealand, China, Kuwait, Mauritania, Tunisia, Syrian Arab Republic, Bolivia, United Kingdom of Great Britain and Northern Ireland, Portugal, Bangladesh, Yemen, Algeria, Japan, Eritrea, Lebanon, Canada, Niger, Sri Lanka, India, United States of America, Uganda, Liechtenstein, Namibia, Morocco, Lao People's Democratic Republic, Bahrain, Sierra Leone.

NHRIs and NGOs that took the floor during the Interactive dialogue (9):

Human Rights Watch, Institute for NGO Research, Center for Global Nonkilling, Al Mezan Centre for Human Rights, Association Ma'onah for Human Rights and Immigration, United Nations Watch, Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH), Article 19 - International Centre Against Censorship, Al-Haq, Law in the Service of Man.

To watch the full meeting refer to the [UN WEB TV](#).